



STAFF REPORT ACTION REQUIRED

980, 982, 984, 986 and 990 Bloor Street West and 756 Dovercourt Road – Zoning Amendment and Rental Housing Demolition Applications – Request for Directions Report

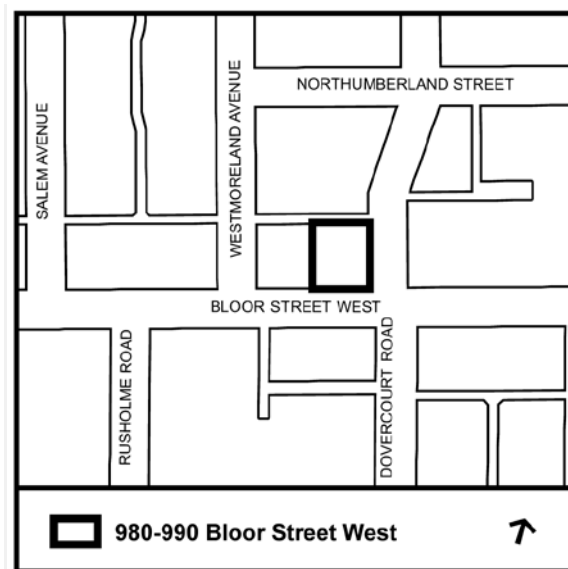
Date:	May 28, 2018
To:	Toronto and East York Community Council
From:	Acting Director, Community Planning, Toronto and East York District
Wards:	Ward 18 – Davenport
Reference Number:	17 207556 STE 18 OZ & 17 207632 STE 18 RH

SUMMARY

On July 28, 2017 a proposal was submitted for a 14-storey (12-storeys plus the mezzanine floor and mechanical penthouse/indoor amenity floor), 43-metre, mixed-use building for the properties at 980-990 Bloor Street West and 756 Dovercourt Road.

An application for Rental Housing Demolition and Conversion under Section 111 of the *City of Toronto Act* (Chapter 667 of Municipal Code) was also submitted for the proposed demolition of existing rental dwelling units on the properties, the number of units and their affordability is yet to be confirmed by the applicant.

On December 15, 2017, just over two weeks from the earliest possible appeal date, the applicant, (Westmoreland & Main Urban Properties Inc.) appealed the Zoning By-law Amendment application without any revisions to the proposal to the Local Planning Appeal Tribunal (LPAT) citing Council's failure to make a decision on the application within the timeframe prescribed by the *Planning Act*.



Following the appeal, the site was acquired by a new owner, (Timbercreek 4Q Urban Redevelopment LP). A pre-hearing is scheduled for October 16, 2018.

This report recommends that the City Solicitor together with City Planning staff and other appropriate staff be directed to oppose the application in its current form at the LPAT.

This proposed building height, and density represent overdevelopment of the site and would set a negative precedent in terms of the City's Official Plan's built form policies and does not conform with Plan's requirement to replace rental housing units. The requirement to replace the seven existing affordable rental housing units on the site has not been addressed.

The proposal is not consistent with the Provincial Policy Statement (PPS 2014) and does not conform with the Growth Plan for the Greater Golden Horseshoe (2017).

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor and City Staff, as appropriate, to attend the Local Planning Appeal Tribunal to oppose the Zoning By-law Amendment application for 980-990 Bloor Street West and 756 Dovercourt Road in its current form for reasons set out in this report.
2. City Council authorize the City Solicitor and appropriate staff to continue discussions on the replacement of the rental housing on site and also to negotiate acceptable height, density and appropriate public benefits.
3. City Council defer making a decision on the Rental Housing Demolition application under the Municipal Code, Chapter 667 pursuant to Section 111 of the *City of Toronto Act*, 2006 to demolish the existing rental dwelling units at 980, 982, 984 and 990 Bloor Street West and 756 Dovercourt Road and instruct staff to report on the Section 111 Application to the Toronto and East York Community Council at such time as a Local Planning Appeal Tribunal decision has been issued regarding the Zoning By-law Amendment appeal for the lands at 980-990 Bloor street West and 756 Dovercourt Road.
4. City Council authorize the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor, to secure services, facilities or matters pursuant to Section 37 of the *Planning Act*, should the proposal be approved in some form by the Local Planning Appeal Tribunal.

5. In the event that the Local Planning Appeal Tribunal allows the appeal in whole or in part, City Council authorize the City Solicitor to request the Local Planning Appeal Tribunal to withhold the issuance of any Order(s) until such time as the Local Planning Appeal Tribunal has been advised by the City Solicitor that:
 - a. the proposed Zoning By-law Amendments are in a form satisfactory to the Chief Planner and Executive Director, City Planning, Division and the City Solicitor, including securing the replacement rental dwelling units and rents, tenant assistance and other rental related matters, and the owner has entered into and registered a Section 37 Agreement with the City incorporating such replacement rental dwelling units, rents, tenant assistance and other related rental matters and other Section 37 matters, all to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor;
 - b. the owner has provided an updated Functional Servicing and Stormwater Management Report to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
 - c. community benefits and other matters in support of the development are secured in a Section 37 Agreement executed by the owner and registered on title to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor; and
 - d. City Council has agreed to the Rental Housing Demolition application under Chapter 667 of the Municipal Code pursuant to Section 111 of the *City of Toronto Act* to demolish the existing rental dwelling units at 980,982,984 and 990 Bloor street West;
6. City Council authorize the City Solicitor and necessary City staff to take such necessary steps, as required, to implement the foregoing.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

There has been no recent *Planning Act* application for this site.

Pre-Application Consultation

A pre-application consultation meeting was held on February 2, 2017 to discuss complete application submission requirements.

ISSUE BACKGROUND

Proposal

The Zoning By-law Amendment application proposes a 14-storey (12-storeys plus the mezzanine floor and mechanical penthouse/indoor amenity floor), 43-metre, mixed-use building at 980-990 Bloor Street West and 756 Dovercourt Road. The proposed has a total gross floor area of 7,653 square metres and a density of approximately 7 times the area of the lot.

The proposed building consists of 6,993 square metres of residential gross floor area with 102 residential units. The proposed residential unit breakdown is as follows:

Unit Type	Number of Units	Percentage
Studio	18	17.6%
1-bedroom	56	54.9 %
2-bedroom	28	27.5 %
3 or more bedrooms	0	0 %

The proposed 14-storey building has a base building of 4 storeys, (including the mezzanine floor). The base building is proposed to be built to the east and west side lot lines. Along the Bloor Street West frontage to the south, the ground floor will be set back 1.5 metres in order to provide a sidewalk widening. With the proposed setback on the Bloor Street West frontage the proposed sidewalk width would be 4.9 metres.

The setback of the base building will vary at the rear. At the ground level, the building will be set back approximately 5.5 metres from the rear lot line to accommodate the loading area adjacent to the public lane, and approximately 2.1 metres from the rear lot line at the northwest corner. At the second level, the units will be set back 5.5 metres from the rear lot line, and the third level will project above, with a 3.1 metre setback from the rear property line.

At the 5th floor, the upper portion of the building will decrease in size to a floor plate of approximately 680 square metres, stepping an additional 1.5 metres from the south and east lot lines, and 5.5 metres from the west and north lot lines. The 5th to 9th storeys will generally maintain these stepbacks. Above the 9th floor, the building will begin to step back from the north and east, providing the opportunity for terraced balconies (see Attachments 2-7, Elevations and Cross Section).

Retail space will be located at grade, accessed from both Bloor Street West and Dovercourt Road. A residential lobby will be located at the north end of the Dovercourt Road frontage and from the public lane to the north. Loading, visitor bicycle parking, and access to the underground parking level will be provided from the rear public lane.

The partial mezzanine level will contain mechanical equipment to support the building functions. The majority of the level will be open to the ground level below. From the 3rd storey and above, the building will contain exclusively residential uses. Two indoor amenity rooms will be located on the 3rd and 4th levels, respectively. A third indoor amenity space will be located adjacent to the mechanical penthouse, and will be connected to a large outdoor terrace. In total, 205 square metres of indoor amenity space and 209 square metres of outdoor amenity space will be provided.

A total of 43 resident parking spaces will be provided underground in a one-level semi-automated parking system. Vehicles will access the underground parking garage via two car elevators via the public lane.

Resident bicycle parking is also proposed below-grade, with a total of 128 spaces (12 visitor and 6 retail spaces). One combined Type-B/G loading space will be located at the rear, parallel to the public lane and partially located within the proposed lane widening.

The Rental Housing Demolition application proposes to demolish 7 residential units, inclusive of 5 rental dwelling units. According to the application, all rental dwelling units have affordable rents. Based on a site visit by City Planning staff and discussions with the applicant's representatives and tenants; two additional dwelling units were identified, at least one of which is rental. The applicant has yet to resubmit an updated application.

Site and Surrounding Area

The subject site is located at the northwest corner of Bloor Street West and Dovercourt Road. It consists of the group of properties known as 980, 982, 984, 986 and 990 Bloor Street West and 756 Dovercourt Road.

The 1,164 square-metre site is rectangular in shape and has a frontage of approximately 31 metres on Bloor Street West, and 36 metres along Dovercourt Road.

The subject lands are currently occupied by a row of two to three-storey mixed-use buildings with retail at street level and residential above most buildings. The properties had the following buildings and commercial uses at the date the application was received, based on the application documents:

Address	Description	Residential Unit
980 Bloor St. W	3-storey mixed-use building	4 rental units
982 Bloor St. W	2-storey mixed-use building	1 owner-occupied
984 Bloor St. W	2-storey mixed-use building	1 rental unit
986 Bloor St. W	2-storey commercial building	N/A
990 Bloor St. W	2-storey mixed-use building	1 owner-occupied
756 Dovercourt Rd.	1-storey commercial	

The Rental Housing Demolition application for the demolition of 5 rental units dwelling units confirm 4 units had affordable rents at 980 Bloor Street West and 984 Bloor Street West.

A site visit was undertaken by Planning Staff on September 20, 2017 to confirm the number of residential units and rental dwelling units. Based on the site visit with the applicant's representatives and tenants, the following units were observed:

Address	Unit No.	Bedroom Type	Tenure
980 Bloor Street W	1	One-bedroom	Rental
	2	One-bedroom	Rental
	3	Two-bedroom	Rental
	4	One-bedroom	Rental
982 Bloor St. W.	Not Available	Two-bedroom	Rental
984 Bloor St. W.	B	One-bedroom	Rental
	Rear lane Unit	One-bedroom	Rental
990 Bloor St. W.	A	Four-bedroom	Unknown

All units were occupied except the rear lane unit at 984 Bloor Street West. Based on conversations with the applicant's representatives, the unit was vacant when the property was purchased. Eight residential units were observed in total, of which at least 7 are rental.

Land Uses surrounding the site are:

North: of the public lane is an existing Toronto EMS Station No. 33 (760 Dovercourt Road) a small 2-storey building with a surface parking lot on the southern portion. Further north is a former post office and mail sorting facility recently converted to office uses and 2-3-storey single and semi-detached houses. Northwest is Westmoreland Avenue Parkette, a 0.09 hectare park with a children's playground.

South: of Bloor Street West is a strip of 2-3-storey brick mixed-use buildings with retail at grade fronting on Bloor St. W.

East: of Dovercourt Road is 3-storey mixed-use building.

West: is a 2-storey mixed-use building. The block ends at Westmoreland Avenue which is a one way street that runs south from Dupont Street.

Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans. 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, including tenure and affordability;
- Recreation, parks and open space;
- Transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

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

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

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

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

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

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

- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;

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:

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

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

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

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

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

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

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

Official Plan

The City's Official Plan locates the subject property on an *Avenue*, as noted on Map 2 and within the *Mixed Use Areas* land use designation, as noted on Map 18. The proposed redevelopment has been reviewed against relevant policy sections, which include the policy sections summarized below. City Staff note that the Official Plan is intended to be read as a comprehensive and cohesive whole.

Chapter 3 - Building a Successful City

Section 3.1.2 Built Form: The Official Plan states that architects and developers have a civic responsibility to create buildings that not only meet the needs of their clients, tenants and customers, but also the needs of the people who live and work in the area. New development in Toronto will be located and organized to fit with its existing and/or planned context. It will do this by generally locating buildings parallel to the street or along the edge of a park or open space, have a consistent front yard setback, acknowledge the prominence of corner sites, locate entrances so they are clearly visible and provide ground floor uses that have views into and access from the streets. New development will also locate and organize vehicle parking and vehicular access to minimize their impacts on the public realm. Furthermore, new development will create appropriate transitions in scale to neighbouring existing and/or planned buildings, limit shadowing on streets, properties and open spaces, and minimize any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility.

In addition to the policies identified above, new development will also be massed to define the edge of streets, parks and open spaces to ensure adequate access to sky views for the proposed and future uses. New development will provide public amenity, and enhance the public realm through improvements to adjacent boulevards and sidewalks through tree plantings.

The policies in Chapter 3 of the Plan complement and support the City's growth strategy by integrating social, economic and environmental perspectives in decision-making to create an attractive City, with a strong economy and liveable communities.

The application has been evaluated using the built form policies of Section 3.1.2 of the Plan which address how the development improves the public realm, is organized to provide joint access and underground parking, and is massed to fit harmoniously into the planned context of the neighbourhood and the City. New development will be massed to define the edges of streets, parks and open spaces at good proportions. Taller buildings will be located to ensure adequate access to sky view for the proposed and future use of these areas.

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

Rental replacement Policy 3.2.1(6) states that new development that would result in the loss of six or more rental housing units will not be approved unless all of rental housing units have rents that exceed mid-range rents at the time of application, or in cases where planning approvals other than site plan are sought, the following secured:

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

As discussed in the proposal section above, the exact number of rental units is yet to be determined which will determine if the above Policy 6 applies or not. Regardless an application under Chapter 667 of the City of Toronto Municipal code is required as discussed below in the Rental Housing Demolition section.

Chapter 4- Land Use Designations

The subject lands are designated *Mixed-Use Areas* on Map #18 of the Official Plan.

The *Mixed-Use Areas* designation applied to this site provides for a broad array of residential uses, offices, retail and services, institutional, entertainment, recreation and cultural activities as well as park and open spaces.

The application has been evaluated under Section 4.5 *Mixed-Use Areas*, Policy 2. The development criteria found in Policy 2, a) - k) has been applied in this review. City Planning Staff has been focusing specifically on development criteria policies 2. c) - f) with respect to the massing and transition of the proposed building.

Section 37

Policy 5.1.1 of the Official Plan allows for an increase in height and/or density in return for the provision of community benefits for a proposed development, in accordance with Section 37 of the *Planning Act*. The proposed density meets the Official Plan's threshold for Section 37 considerations, therefore this development proposal would be subject to the Section 37 policies of the Official Plan should City Council approve the application. Policy 5.1.1.5 allows the securing of other matters as a means of legal convenience, including replacing rental housing.

Rental Housing Demolition

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

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

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

On July 28, 2017, an application was submitted for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code to demolish 5 rental housing units. A Housing Issues Report has been submitted with the required application. As per Chapter 667-14, a tenant consultation meeting shall be held to review the impact of the proposal on tenants of the residential rental property.

Zoning

The subject site is zoned Mixed Use in Zoning By-law 438-86, as amended. The string of properties that make of the subject site are zoned MCR T3.0 C1.0 R2.0, MCR T3.0 C1.0 R2.0 & MCR T3.0 C1.0 R2.5. The By-law permits a maximum building height of 16 metres along this entire stretch of Bloor Street West and a total density of 3 times the area of the lot.

Design Guidelines

Avenues and Mid-Rise Building Study and Performance Standards

City Council adopted the Avenues and Mid-Rise Building Study and an addendum containing performance standards for mid-rise buildings. They identify a list of best practices and establish a set of performance standards for new mid-rise buildings. Key issues addressed include maximum allowable building heights, setbacks and step backs, sunlight and skyview, pedestrian realm conditions, transition to Neighbourhoods and Parks and Open Space Areas and corner sites.

City Council also adopted a revised Mid-rise Building Performance Standards Addendum, for staff to use together with the 2010 approved Mid-Rise Building Performance Standards in the preparation of area studies or during the evaluation of Development applications, where mid-rise buildings are proposed and Performance Standards are applicable, until such time as City Council adopts updated Mid-Rise Building Design Guidelines.

Site Plan Control

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

Bloor West Planning Study - Guiding Principles

The Bloor Street West Planning Study was undertaken by City Planning staff in 2017. The purpose of the study was to clarify and strengthen the existing land use planning framework along Bloor Street West to assist in guiding future growth and development. In consultation with the community and the local Ward Councillors for the area, City Planning staff developed a series of Guiding Principles which provide direction on the form and scale of new development, heritage conservation, improvements and expansion to parks and public spaces, the provision of a range of housing and other matters.

The Principles recommend that new development along Bloor Street West be primarily low to mid-rise, with the height of new buildings generally not exceeding the width of the street. Sites located at certain intersections are identified as exceptions for greater development potential, including Dovercourt Road and Bloor Street West, however, any proposal would be subject to detailed review in accordance with the policies of the Official Plan, design guidelines and other relevant policy documents.

The Principles further state that sites identified as having greater potential for development will be subject to a greater obligation to address the varied planning objectives of the area and demand for services resulting from higher land use intensity.

The Bloor Street West Planning Study - Guiding Principles Report (dated October 29, 2017) was adopted by Toronto and East York Community Council at its meeting of November 14, 2017, and further endorsed by City Council on December 5, 2017.

Reasons for Application

The applicant is requesting amendments to Zoning By-law 438-86 to permit the proposed building of 43-metres (including the mechanical penthouse and mezzanine level) and a density of 7 times the area of the lot. The maximum permitted height on this section of Bloor street West is 16-metres and the maximum density permitted is 3 times the area of the lot.

A rental housing demolition application is required per Municipal Code Chapter 667 for the demolition of more than 6 residential units, of which at least one is rental. The application identifies 5 rental units to be demolished, but this is yet to be confirmed subsequent to the site visit by City Planning staff.

Community Consultation

A pre-application community consultation meeting was held on September 19, 2016. The applicant outlined the development concept in very general terms. Local residents asked about retaining the heritage character of the neighbourhood, more family sized units, identified architectural elements in the area to draw on, the replacement of the retail units in comparable less larger sizes, affordability of the future condominium units. There were no detailed plans shown in terms of height, density or planning impacts.

A pre-application working group meeting was held on March 21, 2017 to discuss the project in more detail. A 14-storey proposal was presented with a height of approximately 50 metres. A number of issues were raised including the height of the building, shadow impact on the adjacent City parkette, how the future retail space was going to be used, the height of the retail units, the possibility of office space for community use, rear laneway pedestrian safety, sidewalk widening, desire for brick in the lower floors of the proposal, and the provision of affordable housing units for the building.

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 proposal is not consistent with the PPS. The proposal does not recognize the importance of local area context from a policy perspective as referred to in the PPS (2014) as well as how policies on intensification and compact form due to the scale of this proposal.

Policy (1.1.3.3) of the PPS states that planning authorities shall identify appropriate opportunities for *intensification* and *redevelopment* where this can be accommodated taking into account existing building stock or areas. The Bloor West Planning Study - Guiding Principles identify that the site has greater development potential subject to a detailed review and under greater obligations to address planning concerns of the area. The application exceeds the appropriate density and scale of the existing and planned mid-rise context.

Policy (1.1.3.4) promotes appropriate development standards which facilitate intensification, redevelopment and compact form while avoiding or mitigating risks to public health and safety. The height limit of the underlying Zoning By-law for this section of Bloor Street West is exceeded by 27 metres for this proposal which would lead to overdevelopment in this section of Bloor Street West. The proposed tower needs to be further reduced in height to better fit into the context of this main street type mixed-use area to respond to the mid-rise character expected along this part of Bloor Street West.

The proposal does not conform with the Growth Plan for the Greater Golden Horseshoe. The Growth Plan, (Section 2.2.2), states that population and employment growth will be

accommodated by directing a significant portion of new growth to built up area of the community through intensification. While this site is located in a built up area, the proposal is considered to represent a more significant infill development than would be anticipated and does not achieve an appropriate transition to the built form in the adjacent area. As a result it will not be in conformity with the City's Official Plan.

Land Use

The application proposes residential and retail uses. These uses are permitted by the Official Plan and Zoning By-law, and include a broad range of retail, service, office-commercial uses that are appropriate.

The Bloor West Study - Guiding Principles call for new development to provide a strong mix of family-sized, three bedroom and two bed-room units along with smaller units. The current proposal has no allocation of three-bedroom units and approximately 75 per cent of the units are bachelors or one-bedroom dwelling units. The Principles states that affordable residential units will be encouraged in all significant new developments.

The Principles call for the provision of flexible amenity space in all significant new developments to support families, facilitate social interaction and promote a strong sense of community in the neighbourhood. The application proposes three amenity areas on the second and third floors and the indoor on the rooftop which has the potential for serving a variety of building users.

Density, Height, Massing

The applicant is proposing what is considered by the Toronto Building Division as a 14-storey mixed-use building based because the partial mezzanine in the podium and the rooftop mechanical penthouse which includes an indoor amenity space are considered floors in the building. The applicant is describing the proposal as a 12-storey building.

The Bloor West Planning Study - Guiding Principles states this area is generally to be a low to mid-rise area based on the width of Bloor Street West. However, it does recognize that certain sites at intersections including Dovercourt Road and Bloor Street West have greater development potential. All the other intersections identified in the Principles are directly adjacent to subway stations with the exception of Dovercourt Road which is located between the Ossington and the Dufferin subway stations. The approval of greater intensification at these intersections is to be subject to detailed review and to address the varied planning objectives of the area.

The applicant was requested to undertake an Avenue Segment Study between Dufferin Street and Ossington Avenue. The applicant as part of the Study identified 8 soft sites for redevelopment including the subject site. A review of the selected sites shows that the subject site has the smallest site area but the highest recommended height. Most of the sites identified were proposed for 7 to 8 storeys with the other two highest at 11 storeys. In addition, to achieve the proposed heights in the study the assembly of 4 to 14 properties would be required.

The subject site is closest to a City park and not near a subway entrance. The Avenue Segment Study concludes that this section of Bloor Street West can accommodate a mid-rise development similar to what is being proposed on two different sites both of which are larger than the subject site. City Planning staff disagree and are of the opinion that a shorter building between 7 to 10 storeys would be more appropriate and less impact on the surround properties and fit better into the existing and planned context of this section of Bloor Street West.

Sun, Shadow, Wind

The Official Plan states that development in *Mixed-Use Areas* will locate and mass new buildings to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes.

The applicants submitted shadow studies for the period 9:18 am – 6:18 pm for September 21st/March 21st. These shadow studies show the proposed building results in negative shadow impacts on Westmoreland Parkette from 9:18 am to 11:18 am at the equinox. This degree of shadowing is not acceptable. A more appropriate scaled development on the site would reduce or eliminate these shadow impacts.

Traffic Impact, Access, Parking

The Transportation Study (dated July 28, 2017) submitted in support of the proposed development determined that the site traffic will have minimal impacts on the area intersections, and therefore, can be acceptably accommodated on the adjacent network. The study estimates by the consultant approximately 6 to 10 two-way trips during the morning and afternoon peak hours, respectively. Transportation Services staff concur with the study's conclusion.

The proposed parking supply consists of 43 vehicular spaces in a 1-level underground garage. All the parking proposed is for residents and none for the retail component. The parking is to be accessed by two car elevators. Transportation Services staff are generally satisfied with this arrangement subject to further review through the Site Plan Control process.

Servicing

Engineering and Construction Services require that the applicant submit a revised Functional Servicing and Stormwater Management Report to address outstanding requirements. These comments were outlined in a memorandum dated September 20, 2017. Toronto Water comments for this application have not yet been received.

Streetscape

There are no private trees on the subject site, however, 4 City-owned trees would require removal and replacement on the Davenport Road frontage.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.43 to 0.79 hectares of local parkland per 1,000 people. The site is in the second lowest quintile of current provision of parkland. The site is in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

The application proposes 660 square metres of non-residential gross floor area and 102 residential units consisting of 7,465 square metres residential gross floor area.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The non-residential nature of this proposal is subject to a 2% parkland dedication, while the residential is subject to a 10% parkland dedication.

Given the current rise in dog population in the downtown area, especially within condominium towers, the applicant is expected to provide on-site dog off-leash amenities with proper disposal facilities for the building residents or dog relief stations within the building. This will help to alleviate some of the pressure on the existing neighbourhood parks.

Section 37

Section 37 of the *Planning Act* allows the City to require community benefits in situations where increased density and/or height are permitted. Community benefits are specific capital facilities (or cash contributions for specific capital facilities) and can include: affordable housing; parkland and/or park improvements above and beyond the required Section 42 *Planning Act* parkland dedication; public art; streetscape improvements on the public boulevard not abutting the site; and other works detailed in Section 5.1.1.6 of the Official Plan.

Section 37 may also be used, for other matters subject to agreement and subject to the policies contained in Chapter 5 of the Official Plan. No discussions were advanced as the project review had not resulted in an agreement on the proposal.

City Planning staff recommend that the City Solicitor be directed to request the LPAT, in the event it determines to allow the appeals in whole or in part, to withhold any order until a Section 37 Agreement has been entered into as between the City and the owner and registered on title, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.

Rental Housing

The proposed redevelopment of the subject lands and buildings is not in conformity with Official Plan Policy 3.2.1, rental housing replacement. New development that would result in the loss of six or more rental housing units will not be approved unless the same

number, type and size of units are replaced. The application has not proposed to replace the existing rental units. A site visit by City Planning staff confirmed there are at least 6 rental dwelling units.

A Rental Housing Demolition application was received on July 28, 2017 for the demolition of 7 residential dwelling units, inclusive of 5 rental dwelling units. The application was deemed complete on August 15, 2017 and a notice was sent to affected tenant households on August 25, 2017. However, based on a site visit with the applicant's representatives on September 20, 2017, 8 residential units were identified of which at least 7 were rental dwelling units.

The applicant was informed of the requirement to resubmit their application to conform with Official Plan on September 20, 2017. A resubmission has not been received. The applicant must revise their Rental Housing Demolition application to provide additional information on the affordability and status of the rented and vacant units if they wish to proceed with demolition of rental housing. Given identification of additional rental units, the replacement of all rental units must be secured. The application would be considered by City Council per Municipal Code Chapter 667.

Should the applicant wish to proceed, Staff will work with the applicant to try to resolve outstanding matters relating to rental housing. These matters may need to be secured through one or more agreements with the City and registered on title in a manner satisfactory to the Chief Planner and Executive Director, City Planning and City Solicitor.

A tenant consultation meeting would be held to review the impact of the proposal on tenants of the residential rental properties prior to reporting to City Council, as per Chapter 667-14. An additional tenant information meeting may be held prior to a hearing with the LPAT to inform affected residents of their entitlements and application process under Chapter 667.

Conclusion

The proposal is not consistent with the PPS (2014) and does not conform with the Growth Plan (2017) and the Official Plan. The proposed development is inconsistent with Council-approved guidelines and does not fit within the existing and planned context for this Bloor Street West area. Furthermore, the application does not propose the replacement of the rental units proposed to be demolished.

The proposal is not appropriate for the site and it is recommended that City Solicitor together with City Planning and other appropriate staff be directed to attend the LPAT hearing in opposition to the appeal.

CONTACT

Barry Brooks, Senior Planner
Tel. No. (416) 392-1316
E-mail: Barry.Brooks@toronto.ca

Jym Clark, Planner
Tel. No. (416) 392-8124
Email: Jym.Clark@toronto.ca

SIGNATURE

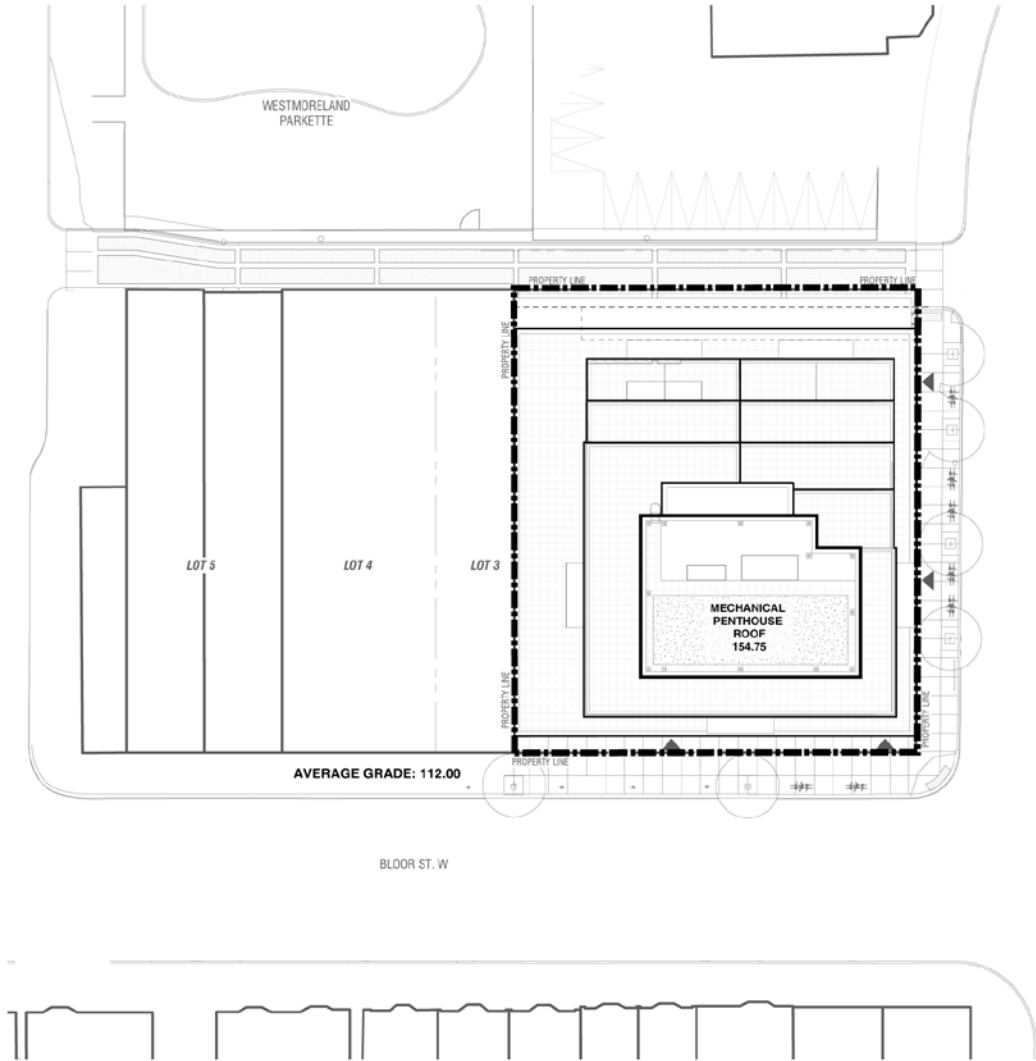
Lynda H. Macdonald
Acting Director, Community Planning
Toronto and East York District

(P:\2018\Cluster B\pln\TEYCC\14048363050.doc) – ca

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: North Elevation
Attachment 3: South Elevation
Attachment 4: East Elevation
Attachment 5: West Elevation
Attachment 6: West-East Cross Section
Attachment 7: Zoning
Attachment 8: Official Plan
Attachment 9: Application Data Sheet

Attachment 1: Site Plan



Site Plan

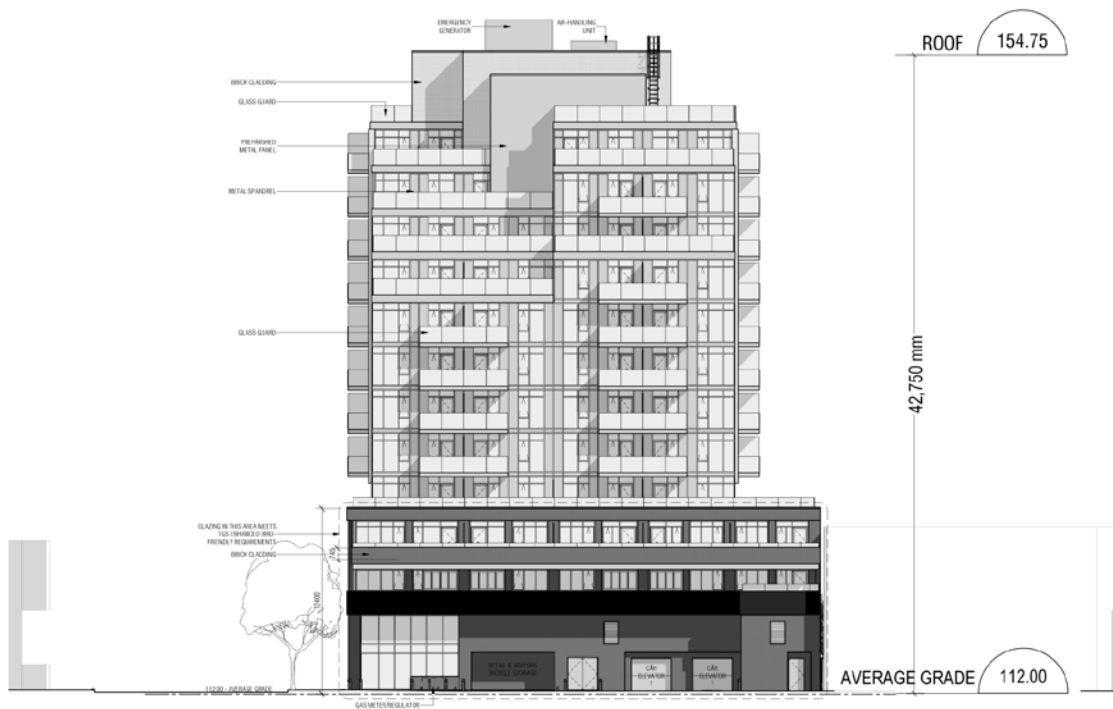
980-990 Bloor Street West

Applicant's Submitted Drawing

Not to Scale 
05/11/2018

File # 17 207556 STE 18 OZ

Attachment 2: North Elevation



North Elevation

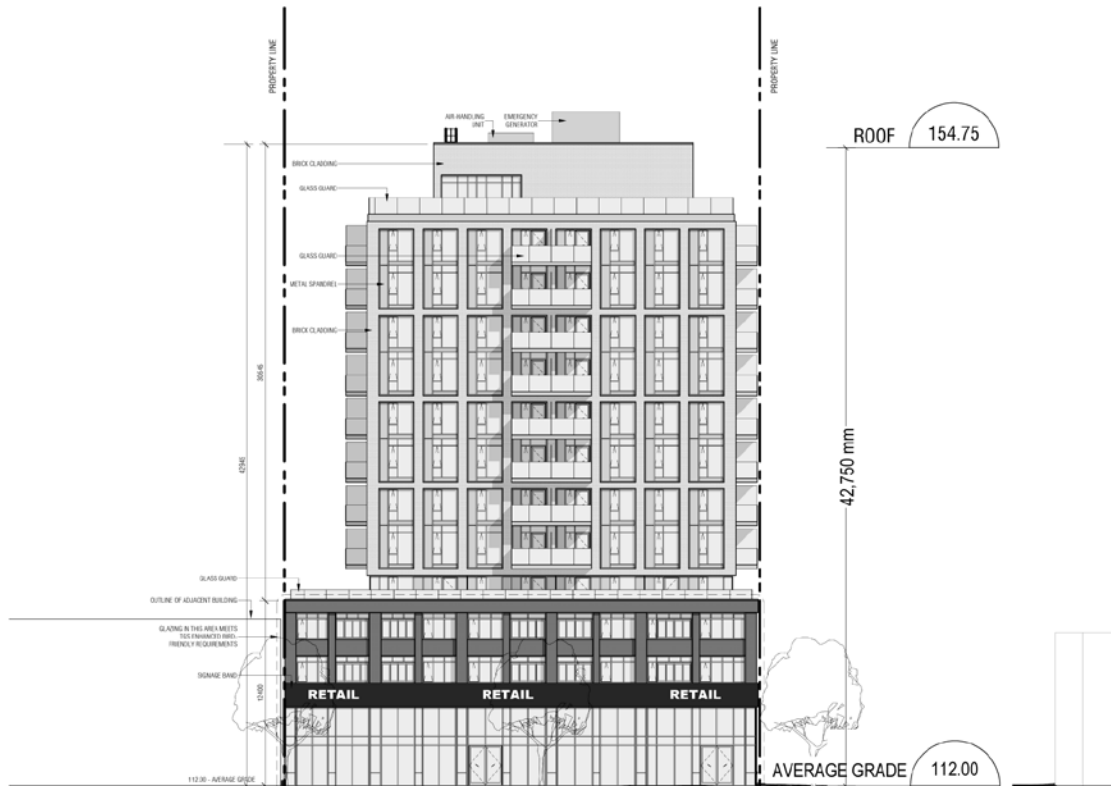
980-990 Bloor Street West

Applicant's Submitted Drawing

Not to Scale 
08/11/2018

File # 17 207556 STE 18 0Z

Attachment 3: South Elevation



South Elevation

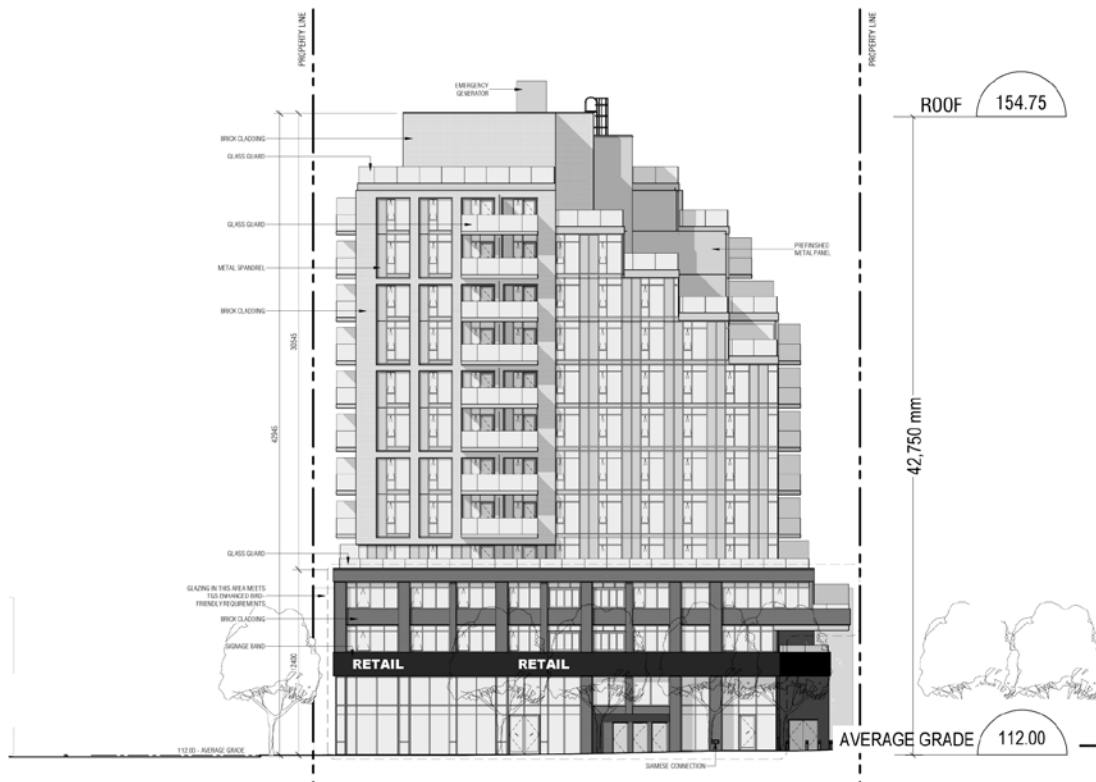
980-990 Bloor Street West

Applicant's Submitted Drawing

Not to Scale 

File # 17 207556 STE 18 OZ

Attachment 4: East Elevation



East Elevation

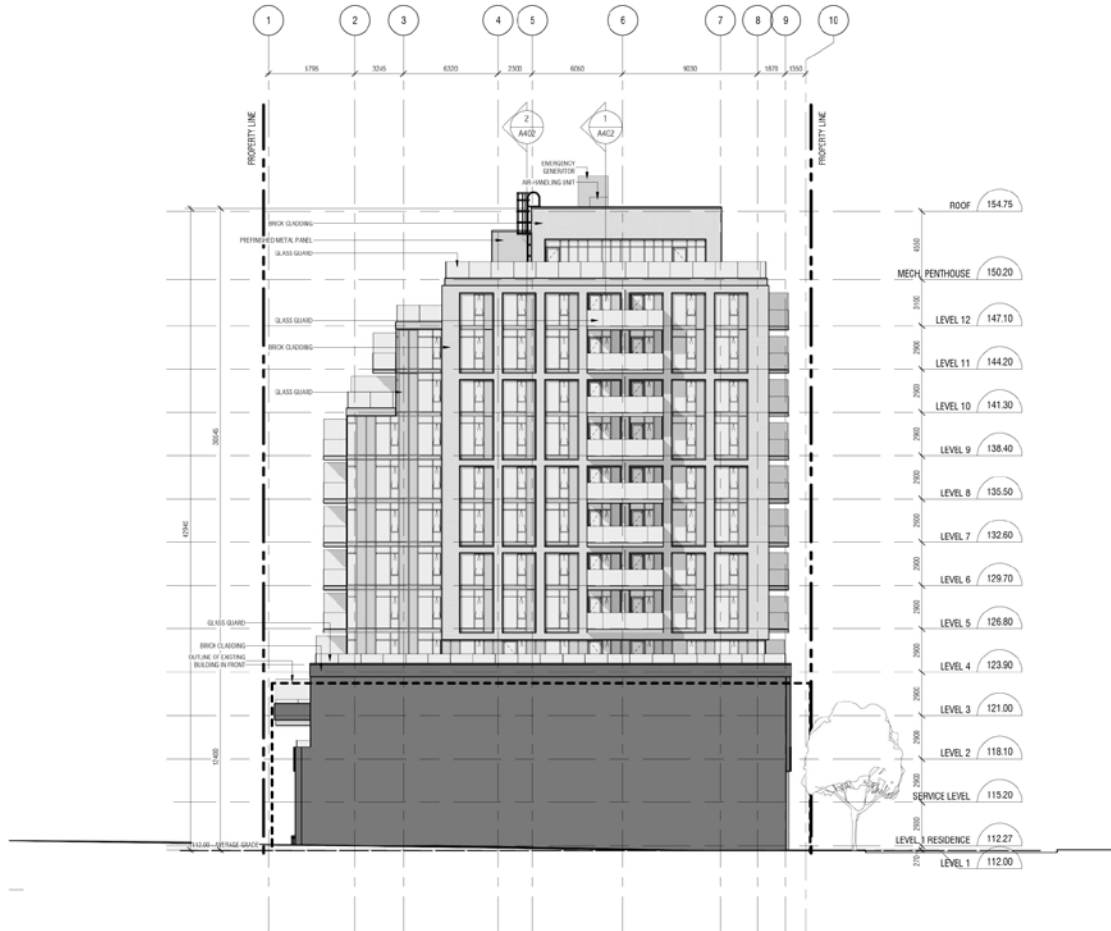
980-990 Bloor Street West

Applicant's Submitted Drawing

Not to Scale 
05/11/2018

File # 17 207556 STE 18 0Z

Attachment 5: West Elevation



West Elevation

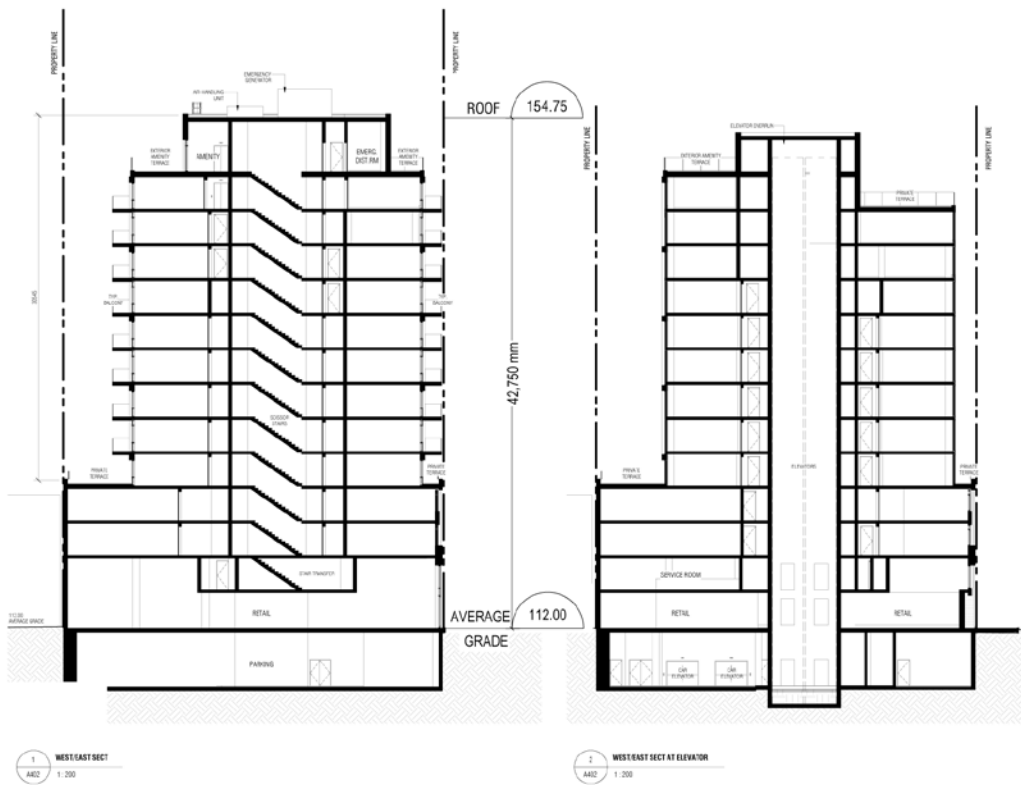
980-990 Bloor Street West

Applicant's Submitted Drawing

Not to Scale 
05/11/2018

File # 17 207556 STE 18 0Z

Attachment 6: West-East Cross Section



West East Cross Section

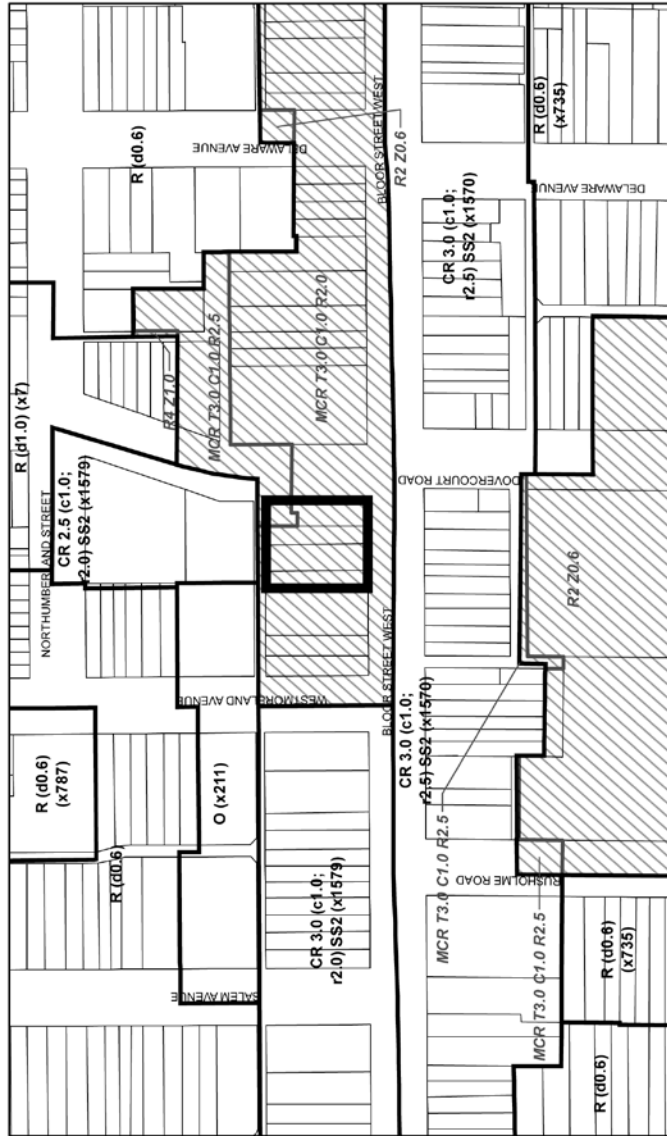
980-990 Bloor Street West

Applicant's Submitted Drawing

Not to Scale 05/11/2018

File # 17 207556 STE 18 OZ

Attachment 7: Zoning

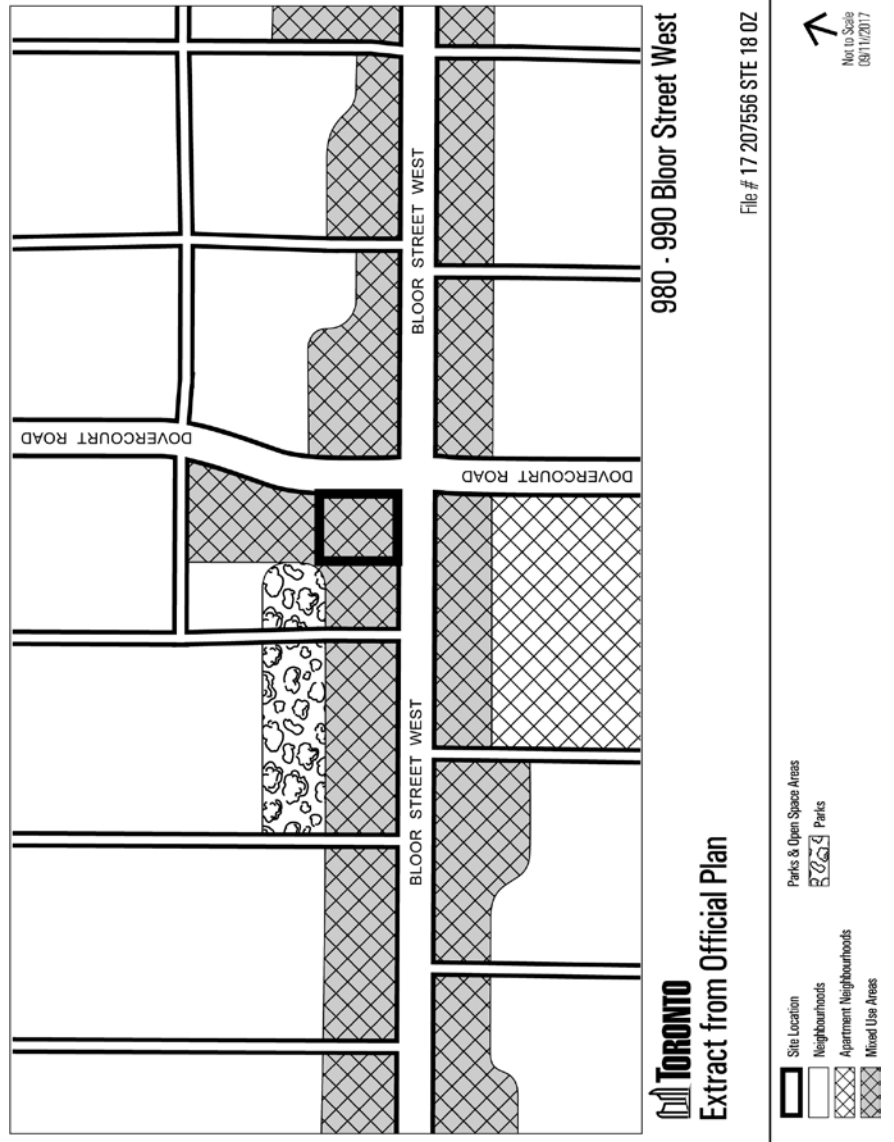


Toronto
Zoning By-Law No. 569-2013
980-990 Bloor Street West
File # 17 207556 STE 18 0Z

- Location of Application
- Residential
 - Commercial Residential
 - Open Space
- See Former City of Toronto By-Law No. 438-86
- Residential District
 - Residential District
 - Mixed-Use District

Not to Scale
 Entered: 08/11/2017

Attachment 8: Official Plan



Attachment 9: Application Data Sheet

Application Type	Rezoning	Application Number:	17 207556 STE 18 OZ
		Application Date:	July 28, 2017

Municipal Address: 980-990 BLOOR ST W & 756 Dovercourt RD
 Location Description: PLAN 622 BLK G PT LOT 3 **GRID S1803
 Project Description: Zoning By-law Amendment for a 14-storey including mezzanine and mechanical penthouse mixed-use building with a total of 102 residential units and 6,993 square metres of residential gross floor area, with approximately 660 square metres of commercial space on the ground floor.

Applicant:	Agent:	Architect:	Owner:
Louis Tinker Bousfields		Diamond Schmitt Architects	Timbercreek 4Q Urban Redevelopment LP

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	No
Zoning:	MCR T3.0 C1.0 R2.0	Historical Status:	No
Height Limit (m):	16	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	1,160	Height:	Storeys:	14
Frontage (m):	30.7		Metres:	43 (incl. mezz & mp)
Depth (m):	36			
Total Ground Floor Area (sq. m):	927			Total
Total Residential GFA (sq. m):	6,993		Parking Spaces:	43
Total Non-Residential GFA (sq. m):	660		Loading Docks	1
Total GFA (sq. m):	7,653			
Lot Coverage Ratio (%):	80			
Floor Space Index:	6.6			

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	18
1 Bedroom:	56
2 Bedroom:	28
3 + Bedroom:	0
Total Units:	102

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	6,993		0
Retail GFA (sq. m):	660		0
Office GFA (sq. m):	0		0
Industrial GFA (sq. m):	0		0
Institutional/Other GFA (sq. m):	0		0

CONTACT: PLANNER NAME: Barry Brooks, Senior Planner
TELEPHONE: (416) 392-1316/Email: Barry.Brooks@toronto.ca