

**31-37 Gladstone Avenue - Zoning Amendment  
Application – Request for Interim Directions Report**

<b>Date:</b>	June 13, 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 18
<b>Reference Number:</b>	18 156712 STE 18 OZ

**SUMMARY**

This report responds to an application where staff are currently not in a position to provide a Final Report to Council, but which could be appealed to the Local Planning Appeal Tribunal due to a lack of decision during the break in Council's meeting schedule (July to December 2018).

This report sets out outstanding issues related to the application and makes an initial determination as to whether or not the application is consistent with the Provincial Policy Statement (2014) and conforms with the Growth Plan for the Greater Golden Horseshoe (2017).

This application proposes to amend the former City of Toronto Zoning By-law 438-86 and Harmonized Zoning By-law 569-2013 to rezone the property from industrial to residential to facilitate a 7-storey building with 58 residential units at 31-37 Gladstone Avenue. A total of 37 vehicular parking spaces and 58 bicycle parking spaces are proposed.

This report also provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application.



A community meeting is scheduled to be held on June 20, 2018. A Final Report will be submitted for Council's consideration following community consultation, the resolution of outstanding issues related to this application with a target of the second quarter of 2019.

The proposed development in its current form is not consistent with the Provincial Policy Statement (2014) and does not conform with the Growth Plan for the Greater Golden Horseshoe (2017) as described in the Comments section of this report.

Issues to be resolved, as outlined in this report, transitions between *Mixed Use Areas* and *Neighbourhoods* designations and consistency with the Official Plan, Site and Area Specific Policy No. 403. Additional issues may be identified through the continued review of the application, agency comments and the community consultation process.

## **RECOMMENDATIONS**

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### **The City Planning Division recommends that:**

1. City Council direct City Staff to continue processing the application to resolve the issues detailed in this report and the issues raised through community consultation.
2. City Council direct the City Solicitor and appropriate City Staff to attend and oppose the application in its current form, should the application be appealed to the Local Planning Appeal Tribunal (the "LPAT") on the basis of Council's failure to make a decision on the application within the statutory timeframe of the Planning Act.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **Decision History**

A pre-application meeting was held on March 16, 2018, with the applicant to provide preliminary feedback on the proposal and discuss complete application submission requirements.

The current application was submitted on May 10, 2018, and a Notice of Incomplete Application was issued on May 31, 2018. Various required studies and supporting material are outstanding at the time of preparing this report, which the applicant acknowledges and is working on addressing.

## ISSUE BACKGROUND

### Proposal

The application proposes to permit a 7-storey residential condominium building. The building would have a total residential gross floor area of 4,479 square metres and a height of 23 metres (28 metres to the top of the mechanical penthouse). The proposed density would be 4.8 times the lot area.

The building will be setback from Gladstone Avenue by approximately 1.2 metres for the first four-storeys and then the remaining floors from 5-7 have an irregular asymmetrical setback ranging from 2.6 metres to 1.5 metres. On the south lot line, the building wall extends up the full seven storeys with no setbacks.

On the north lot line the building is at the property line for the first four-storeys and then begins a series of stepbacks at each floor, 1 metre at the 5<sup>th</sup> storey, 3 metres at the 6<sup>th</sup> storey and 3.2 metres at the 7<sup>th</sup> storey. There are terraces along the entire north elevation on the 4-6<sup>th</sup> storeys for the portions of the stepbacks. Two private rooftop terraces are proposed above the 7<sup>th</sup> floor.

A total of 58 dwelling units are proposed. The dwelling unit breakdown is as follows:

Dwelling Type	Unit Count	Percentage
Studio	11	19 %
1 Bedroom	36	62%
2-Bedroom	9	16%
3-Bedroom	2	3%
<b>Total:</b>	<b>58</b>	<b>100%</b>

The vehicular access is proposed from Gladstone Avenue, where one Type G loading space is proposed at grade as well as the entrance to a parking elevator. The parking elevator provides access to three levels of underground parking for 37 vehicular parking spaces including 33 residential parking spaces, 3 visitor spaces and 1 car share space. As for bicycle parking, a total of 58 spaces are proposed including 52-long term and 6-short term spaces are proposed.

The application proposes 37 square metres of indoor amenity space and 27 square metres of outdoor amenity space, which are both located at the rear of the second floor.

See Attachments No. 1 to 5 for the applicants' Site Plan and Elevation drawings, and Attachment No. 7 for the Application Data Sheet.

## **Site and Surrounding Area**

The site is located on the east side of Gladstone Avenue, north of Queen Street West. The site has a frontage of 27 metres on Gladstone Avenue and a depth ranging from 34 metres to 37 metres, with an overall area of approximately 936 square metres.

31 Gladstone Avenue consists of an existing two-storey building used as an auto garage, with possible residential units above. 33-37 Gladstone Avenue contains a vacant two-storey building. While the property at 39 Gladstone Avenue is under the same ownership as the consolidated properties, it is not included in the development application and will be part of a future Consent to Sever application at the Committee of Adjustment.

The surrounding built form and uses include:

**North:** Directly north of the site are residential semi-detached and row houses.

**East:** The majority of the rear of the site abuts the property at 20-22 Northcote Avenue, which contains a Fresh Co. grocery store and parking lot. A public laneway which takes access from Argyle Street, runs along a small portion of the rear of the site at 37 Gladstone Avenue. Farther east of the laneway are residential houses on Northcote Avenue.

**South:** Directly south of the site is a Fresh Co. grocery store with surface parking. Farther south is the Gladstone Hotel, a heritage designated building located at the corner of Queen Street West and Gladstone Avenue

**West:** The west side of Gladstone Avenue between Nos. 2-38 contains a series of new residential condominiums with retail at grade ranging in height from 7 to 8 storeys. At the southwest corner of Gladstone Avenue at Peel Avenue is a 2-storey furniture store and office building, and a 3-storey building with an art gallery at grade. Directly to the west of the buildings on Gladstone is a series of buildings on Minowan Miiikan Lane (formerly 11 Peel Avenue) which ranges in height up to 21-storeys. The GO Transit's Kitchener rail corridor runs west of this site, the corridor carries Barrie, Milton and Kitchener GO Service as well as the UP Express.

## **Provincial Policy Statement and Provincial Plans**

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

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

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; 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 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 of Toronto forms an integral part, including:

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

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

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

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

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

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

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

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

## **Official Plan**

This application is being reviewed against the policies of the City of Toronto Official Plan. The site is designated *Mixed Use Areas* on Map 18 of the Land Use Map. This is one of the designations that is intended as providing an opportunity for increased jobs and/or population. This application will be reviewed against the policies of the City of Toronto Official Plan and the Midrise Guidelines.

### Chapter Two – Shaping the City

The Healthy Neighbourhoods Section 2.3.1, identifies that intensification of land adjacent to *Neighbourhoods* will be carefully controlled and protected from negative impacts. The plan also states that developments in *Mixed Use Areas* that are adjacent or close to *Neighbourhoods* will, among other matters, be compatible with those *Neighbourhoods*, provide a gradual transition of scale and density and, maintain adequate light and privacy for residents in those *Neighbourhoods*. The site abuts a *Neighbourhoods* designated land to the north.

### Chapter Three – Building a Successful City

The Plan identifies that developments must be conceived not only in terms of individual building site, but how that site, buildings and facades fit within the existing and/or planned context of the neighbourhood and the City.

Section 3.1.1 addresses the Public Realm and how new developments enhance the quality of the public realm and streets adjacent to new development and will be designed to perform for their diverse roles.

Section 3.1.2. provides Built Form policies for new developments that require the massing and exterior design of the building to fit harmoniously into its existing and/or planned context and limit its impact on neighbouring streets, parks, open spaces and properties. Additionally, every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the new development.

Section 3.1.5 provides Heritage Conservation policies and require that development adjacent to heritage resources respects the scale, character and form of the heritage resource.

Section 3.2.1 provides policies that encourage the provision for a full range of housing in terms of tenure, and affordability and the protection of rental housing units.

## Chapter Four – Land Use Designations

The site is designated *Mixed Use Areas* in the City of Toronto Official Plan. Section 4.5.2 provides development criteria in *Mixed Use Areas* to guide development and its transition between areas of different development intensity and scale.

The immediate property to the north is the first property in the *Neighbourhoods* designation. *Neighbourhoods* are considered physically stable areas made up of residential uses in lower scale buildings such as detached, semi-detached houses, duplexes, triplexes, and townhouses, as well as interspersed walk-up apartments that are no higher than 4-storeys.

Section 4.5.2: Development criteria in *Mixed Use Areas* will:

- a. create a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;
- c. locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of this Plan, through means such as providing appropriate setbacks and/or a stepping down of heights, particularly towards lower scale *Neighbourhoods*;
- d. locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes;
- e. locate and mass new buildings to frame the edges of streets and parks;
- f. provide an attractive, comfortable and safe pedestrian environment;
- g. have access to schools, parks, community centres, libraries, and childcare;
- i. provide good site access and circulation and an adequate supply of parking for residents and visitors;
- j. locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- k. providing indoor and outdoor recreation space for building residents in every significant multi-residential development.



### **Site and Area Specific Policy No. 403**

The site is subject to Site and Area Specific Policy No. 403 which includes policies related to transitions in height, setbacks and stepbacks, built form, and retaining the visual prominence of the Gladstone Hotel, a heritage designated building.

The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

### **Official Plan Amendment No. 320**

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

The Minister of Municipal Affairs approved and modified OPA 320 on July 4, 2016, which decision has been appealed in part. The former OMB commenced the hearing of appeals of OPA 320 in May 2017 and it remains ongoing.

On December 13, 2017, the former OMB issued an Order partially approving OPA 320 and brought into force new Policies 10 and 12 in Section 2.3.1, Healthy Neighbourhoods and Site and Area Specific Policy No. 464 in Chapter 7. Other portions of OPA 320 remain under appeal, and these appealed policies as approved and modified by the Minister are relevant and represent Council's policy decisions, but they are not in effect.

This includes new criteria to existing Healthy Neighbourhoods policy 2.3.1.3 in order to improve the compatibility of new developments located in *Mixed Use Areas*, *Apartment Neighbourhoods* and *Regeneration Areas* that are adjacent and close to *Neighbourhoods*. The new criteria address components in new development such as amenity and service areas, lighting and parking.

More information regarding OPA 320 can be found at the following link: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/official-plan-review/>

### **Official Plan Amendment No. 231**

At its December 16, 2013 meeting, City Council adopted Official Plan Amendment No. 231 (OPA 231). OPA 231 was approved (in part) by the Province in July, 2014. OPA 231 promotes a balanced growth of jobs and housing across the City so Torontonians can both live and work in the City, and reduce the need for long distance commuting and avoid congestion on the City's roads.

OPA 231 also added new policies to Section 3.5.1 of the Official Plan respecting the promotion of office development within *Mixed Use Areas* and on lands within 500 metres of an existing and/or planned subway/LRT/GO Station. While currently under appeal, these policies are intended to provide for minimum standards for commercial development and increased non-residential gross floor area within mixed use buildings.

### **Mid-Rise Buildings and Avenue Study**

In June 2016, City Council approved the Mid-Rise Building Performance Standards Addendum (April 20, 2016). The Addendum is to be used by City staff together with the 2010 approved Mid-Rise Building Performance Standards during the evaluation of development applications where mid-rise buildings are proposed and the Performance Standards are applicable. The Performance Standards and Addendum may also be used to help inform the preparation or review of area studies and policies involving mid-rise buildings. The Addendum is approved as an interim supplement to the 2010 Performance Standards until such time as Council considers and adopts updated Mid-Rise Building Design Guidelines.

Refer to the Council Decision

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7> and

Attachment 1: Mid-Rise Building Performance Standards Addendum (April 20, 2016)  
<http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>.

The performance standards are intended to provide for a pleasant pedestrian experience and an appropriate transition between new mid-rise buildings in *Mixed Use Areas* and low-rise houses in adjacent *Neighbourhoods* through measures such as setbacks, building stepbacks, and angular plans. The standards are intended to implement Section 2.3.1 of the Official Plan. The Guidelines will be considered during the review of the development proposal.

### **Growing Up: Planning for Children in New Vertical Communities**

In July 2017, Toronto City Council adopted the Growing Up Draft Urban Design Guidelines, and directed City Planning staff to apply the "Growing Up Guidelines" in the evaluation of new and under review multi-unit residential development proposals. The objective of the Growing Up Draft Urban Design Guidelines is that developments deliver tangible outcomes to increase liveability for larger households, including families with children at the neighbourhood, building and unit scale. The Growing-Up Draft Urban Design Guidelines will be considered in the review of this proposal.

Section 3.1 of the Guidelines details that units larger than one bedroom should be thoughtfully designed to accommodate children. To ensure a suitable unit size to accommodate families the Guidelines details ranges for unit sizes of 87 – 90 square metres for two bedroom units and 100 – 106 square metres for three bedroom units.

The Council Decision and draft guidelines are available on the City's website at:  
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PG21.3>

<https://www.toronto.ca/legdocs/mmis/2017/pg/bgrd/backgroundfile-103920.pdf>

The Guidelines will be considered during the review of the development proposal.

## **Zoning**

Under the harmonized Zoning By-law 569-2013, the site's zoning maintains the existing zoning within the former City of Toronto Zoning By-law 438-86, as amended. Zoning By-law 438-86 zones the site as industrial, I1 D2. This zoning permits industrial uses to a maximum density of 2.0 times the area of the lot and a height limit of 14.0 metres. Residential uses are not permitted in this zoning category. See Attachment No. 6 for the Zoning By-law map.

## **Site Plan Control**

The proposed development is subject to Site Plan Control. A Site Plan Approval application has not been submitted to date.

## **Reasons for the Application**

The proposed residential development is within an industrial zone (I1 D2). The proposed use is not permitted within an industrial zone. A zoning by-law amendment is therefore required to permit the use, proposed height, density and other performance standards.

## **Application Submission**

The application was submitted on May 10, 2018.

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

- Survey;
- Architectural Drawings;
- Computer Generated Building Mass Model;
- Toronto Green Standards Checklist (incorrect version);
- Planning Rationale;
- Shadow Study;
- Traffic Impact Assessment;
- Functional Servicing and Stormwater Management Report;
- Heritage Impact Statement (Letter of Opinion);
- Community Services & Facilities Studies (without appended data);
- Environmental Noise Letter of Opinion;
- Preliminary Heritage Impact Assessment Letter;
- Maintenance Access Opinion Letter;
- Zone of Influence Vibration;
- Pedestrian Wind Comfort (Letter of Opinion);

- Phase 1 Environmental Site Assessment;
- Phase 2 Environmental Site Assessment;
- Arborist Report and Tree Protection Plan;
- Draft Zoning By-laws (438-86 and 569-2013, text only, no schedules);
- Hydrant Test Results;
- Renderings; and
- Public Consultation Strategy.

The submitted materials and current planning information for the application is available at the Application Information Centre (AIC), which can be found using the following link:

<https://www.toronto.ca/city-government/planning-development/application-information-centre/>

A Notification of Incomplete Application was issued on May 31, 2018, and identifies the outstanding material required for a complete application submission as follows:

- Hydrogeological Report;
- Concept Landscape Plan;
- Noise and Vibration Study;
- Community Services and Facilities Study (incomplete study submitted);
- Draft By-law Amendment Schedules;
- Rental Housing Demolition and Conversion Declaration of Use Screening Form; and
- Toronto Green Standards Checklist Version 3.

Once the outstanding material is submitted, a Notice of Complete Application can be issued.

### **Community Consultation**

The applicant has submitted a Public Consultation Strategy Letter as part of the complete application submission requirements. This briefly outlines that a Public Notice will be posted on the property, a consultation meeting will be held, feedback from the community will be incorporated into revisions as appropriate, and a statutory public meeting at Toronto and East Community Council will be held.

A community consultation meeting has been arranged with the applicant and local Ward Councillor for June 20, 2018.

Key issues raised by the community will be considered through City Planning staff's review and in the preparation of final recommendations for this application.

Community consultation helps to inform Council in respect of the exercise of its authority to make a decision with regard to the planning application.

## **COMMENTS**

### **Circulation**

The application was submitted on May 10, 2018, and a Notice of Incomplete application was issued on May 31, 2018. The application is still currently being reviewed by circulation agencies with responses required by July 10, 2018. As such, the review of the application is ongoing and any additional issues not identified here will be discussed with the applicant as and when they become available.

### **Provincial Policy Statement and Provincial Plans**

Section 2 of the *Planning Act* sets out matters of provincial interest that City Council shall have regard to in making any decision under the *Planning Act*. Relevant matters of provincial interest include amongst other matters: Section 2(d) the conservation of features of significant architectural, cultural or historical interest; and Section 2(r) the promotion of built form that is well-designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

The proposal is being reviewed and evaluated against the PPS (2014) and the Growth Plan (2017). The proposal is also being reviewed and evaluated against Policy 5.1 of the Growth Plan as described in the Issue Background section of the Report.

In its current form, staff have made an initial determination that the application is not consistent with the PPS and does not conform with the Growth Plan as follows.

Policy 2.6.3 of the PPS states planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alterations has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved. The Official Plan provides further direction of the PPS to require appropriate built form to fit harmoniously into its existing and/or planned context and the conservation of heritage properties. The site is subject to SASP No. 403 which specifically requires that any new buildings on the properties designated *Mixed Use Areas* north of Gladstone Hotel be at a lower height than the Gladstone Hotel, in order to retain the visual prominence of the Hotel. In its current form, the proposal exceeds the height of the hotel.

The applicant has submitted a Heritage Impact Statement (Letter of Opinion), and under review by Heritage Preservation Services.

The PPS direction is to build strong communities by promoting efficient development and land use patterns. The proposal addresses these policies in the PPS.

Policy 1.1.1a) requires that efficient development and land use patterns be promoted which sustain the financial well-being of the Province and municipalities over the long term. Policy 1.1.1.b requires an appropriate range and mix of residential, employment, institutional, recreation, park and open space, and other uses to meet long term needs. The proposed development will efficiently use land and will support a range and mix of residential uses within this area.

Policy 1.1.1c) and d) require the avoidance of development and land use patterns which may cause environmental or public health and safety concerns, and that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas respectively. The proposed development will not cause any environmental or public health concerns. Further the site is located within the urban area of the City of Toronto, within an existing settlement area boundary.

Policy 1.6.7.2 and 1.6.7.4 are key elements related to the efficient use of transit infrastructure. The Traffic Impact Assessment prepared by the applicant's traffic consultant confirms that the proposed parking supply and existing loading facilities will adequately service the proposed development.

With respect to transportation systems, Policy 1.6.7.4) promotes a land use pattern, density and mix of uses that minimize the length and number of vehicle trips, and support the current and future use of transit and active transportation. The proposed development site is within close proximity to transit such as the Queen streetcar and Dufferin bus.

Policy 1.8.1.1 requires that planning authorities support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and climate change adaptation through land use and development patterns which: promote compact form and a structure of nodes and corridors; promote the use of active transportation and transit in and between residential, employment and other areas; and improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion. The proposed development is located in close proximity to retail and services uses along Queen Street West and Dufferin Street, and has the potential to promote transit and alternative transportation modes.

### **Growth Plan for the Greater Golden Horseshoe (GGH)**

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.

Policy 2.2.6.3 provides policy to support complete communities and states that municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes. While the proposed development provides 58 residential units in various sizes ranging from studios to 3-bedrooms units, the 3-bedroom units only account for 3% of the units. Therefore, in its current form the proposal does not

adequately address the policy objectives of the providing for a diverse range of household sizes.

It is noted that the proposal also does address other Growth Plan policies such as Policy 2.2.1.4.a) and Policy 2.2.1.4.d).

For the reasons noted above, the proposed development in its current form is not consistent with the PPS, 2014 and does not conform to the Growth Plan for the Greater Golden Horseshoe (2017).

### **Official Plan**

The initial assessment by staff indicates that the proposal does not conform to the City of Toronto Official Plan in that the development does not transition to the abutting *Neighbourhoods* designation to the north appropriately. Additionally the orientation of the upper terraces and roof top patios contribute to privacy issues and the potential for overlook into the adjacent properties. The proposal also does not conform to SASP No. 403.

### **Land Use**

The site is designated *Mixed Use Areas* within the Official Plan, which permits the proposed residential use. The proposed residential development is not a permitted use in the Zoning By-law's Industrial zone.

The abutting property to the north has a *Neighbourhoods* designation. The Official Plan policies require an appropriate transition from *Mixed Use Areas* to *Neighbourhoods* to mitigate any potential impacts from development in the former on the later.

The Official Plan identifies that *Mixed Use Areas* are intended to achieve a multitude of planning objectives by combining an array of residential, office, retail and service uses. *Mixed Use Areas* are intended to be areas which allow residents to live, work and shop in the same area, giving individuals an opportunity to be less dependent on their automobiles, while creating districts along transit routes that are animated, attractive and safe. Although *Mixed Uses Areas* will absorb most of the anticipated increase in residential, retail, office and service uses in the City, not all *Mixed Use Areas* will experience the same scale or intensity of development.

This application is being reviewed against the Official Plan policies as described in the Issue Background Section of the report.

### **Density, Height, Massing and Setbacks**

The application is for a 7-storey building with a height of 23 metres and an overall height of 28 metres measures to the top of the mechanical penthouse.

The current zoning for an Industrial use has a height permission of 14 metres. The lots to the north are designated as *Neighbourhoods* in the Official Plan and have zoning permissions for a residential use with a maximum of height of 10 metres. The houses

north of the site have heights of 2 to 2½ storeys. The new residential developments on the west side of Gladstone Avenue range in height up to 8-storeys.

The SASP No. 403 which states that the height of the new development cannot be taller than the Gladstone Hotel, a heritage designated property. The proposal in its current form would be taller than the Gladstone Hotel and must be reduced in height.

Section 3.1.2 of the Official Plan contains Built Form policies that establish a framework requiring new development to fit within the existing or planned context. New development is required to provide an appropriate transition in height and massing to areas of different intensity and scale, particularly physically stable low scale *Neighbourhoods*. An appropriate transition from the heights on the site which is designated *Mixed Use Areas* is required. The proposed building steps down in height to 12.5 metres (4 storeys) on the north part of the building.

The proposal has an overall density of 4.8 times the lot area, or 4,479 square metres of total gross floor area.

Through the initial review staff will determine if the proposed stepbacks to the north and proposed height and increase in density are appropriate, and will work with the applicant to ensure that a suitable transition to the low density residential properties to the north are attained and the intent of SASP No. 403 is addressed.

### **Lane Widening**

A public lane is located east of the property for approximately four metres along the north portion of the east property lot line. The subject lane is approximately three metres wide. In accordance with City Council policy, the lane should ultimately be widened to a minimum width of 6.0 metres. Through the review of the application, it will be determined what the required amount is to be conveyed along the eastern property limit.

### **Heritage Conservation**

The site does not contain any heritage buildings, however, it is in close proximity to the Gladstone Hotel, which is on the City's Heritage Register. The site is subject to the SASP No. 403, specifically due to adjacency of the Gladstone Hotel. Section c) of the policy states that "any new buildings on the properties designated as *Mixed Uses Areas* north of the Gladstone Hotel on the east side of Gladstone Avenue should be no taller than the Gladstone Hotel.

In addition to SASP No. 403, there are other methods to ensure new development refers to the prominence of the Gladstone Hotel, which includes but is not limited to:

- Building stepbacks for new buildings on the east side of Gladstone Avenue to help retain views towards the Gladstone Hotel; and



- Respecting important architectural features and characteristics of the Gladstone Hotel, such as the cornice line along Gladstone Avenue through new development, or use of materials.

A Preliminary Heritage Impact Assessment Letter prepared by ERA Architects and dated May 8, 2018, was submitted in support of the application. The preliminary letter concludes that while the building is taller than the Gladstone Hotel, there is sufficient distance away from the hotel, that the proposed height does not impact the views of the hotel from Queen Street.

The HIA letter is being reviewed by Heritage Preservation Services. Through the review of the application, staff will review conformity with SASP No. 403, and will work with the applicant to address any issues raised.

### **Streetscape**

A Concept Landscape Plan was not submitted with the application, and is a required submission item as indicated on the Notice of Incomplete, issued May 31, 2018. The site plan drawing indicates there would be a proposed 4.8 metres distance from the face of the building to the curb. A detailed landscape concept plan is required from the applicant.

At its City Council meeting on February 22 and 23, 2010, Council adopted direction for the Peel-Gladstone Reconstruction Class Environmental Assessment Study as a result of the elimination of the Dufferin Street Jog.

The report can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.PW30.11>

Through the Reconstruction environmental assessment study, it was determined that the existing pavement width of Gladstone Avenue between Peel Avenue and Queen Street West could be reduced and a widened sidewalk/boulevard could enhance the streetscape along Gladstone Avenue. While the study was adopted by Council in 2010, the implementation work was held as a result of the multiple development applications between 2-38 Gladstone Avenue along the west side of Gladstone Avenue.

Further details of the streetscape design will be developed as part of this application as well as the Site Plan Approval process in connection with the future reconstruction of the Gladstone Avenue as determined by the Environmental Assessment process.

### **Sun, Shadow and Wind**

A Sun/Shadow Study prepared by Icon Architect, and dated May 9, 2018, was submitted with the application. The shadow study shows that the proposed development at 28 metres in height will result in shadow impacts on the first few residential properties directly north of the site in the morning and afternoons during the equinoxes (September 21<sup>st</sup> and March 21<sup>st</sup>). Through the application review process staff will the work with the applicant on revisions to the building envelope to limit the shadow impact on the *Neighbourhoods* to the north.

## Residential Unit Mix

The proposed overall unit breakdown consists of the following:

Dwelling Type	Unit Count	Percentage
Studio	11	19 %
1 Bedroom	36	62%
2-Bedroom	9	16%
3-Bedroom	2	3%
<b>Total:</b>	<b>58</b>	<b>100%</b>

Official Plan policies provide direction to provide a full range of housing in terms of form, tenure and affordability. The provision of this range of housing across the City is important to achieving the diversity required to meet current and future needs of resident and to provide economic competitiveness and social cohesion.

The proposed mix of units in addition to the size of the units is below the recommended ranges in the Growing-up Urban Design Guidelines. The Guidelines recommend that a building should provide a minimum of 25% large units comprising of 10% three bedroom units and 15% two bedroom units with a minimum area of 87 square metres for two-bedrooms and 100 square metres for three-bedrooms.

The proposal provides 16% two bedroom units with an average size of 72 square metres, and 3% three bedroom units with an average size of 254 square metres. Staff will work with the applicant in an effort to provide a more varied mix of unit sizes such as larger 2-bedroom units and more 3-bedroom family sized units within the development.

## Amenity Space

The amenity space that is required for this development is at a rate of 2.0 square metres per unit for a total of 116 square metres of each indoor and outdoor space. The proposed development would provide a total of 37 square metres of indoor space and 27 square metres of outdoor space. The location of the amenity space would be at the rear of the building on the second floor.

Section 3.1.2.6 of the Official Plan states that every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the new development. The current proposal would provide 0.6 square metres per unit of the required indoor space and 0.4 square metres per unit of the required outdoor space, which is not an acceptable amount. Through the application review process City Planning staff will work with the applicant to revise plans to provide an increased amount of amenity space, in addition to ensuring that the location of the spaces are appropriate.

## Parking and Loading

A Traffic Impact Assessment, prepared by Lea Consulting Ltd, and dated May 8, 2018, has been submitted with the application, and is under review by Transportation Services.

## **Servicing**

A Functional Servicing and Stormwater Management Report, prepared by SCS Consulting Group Ltd, and dated May 2018, was submitted with the application. A Hydrogeological Report was not submitted, and was listed as a required report in the Notice of Incomplete Application, issued May 31, 2018.

It is noted that there are multiple registered easements throughout the property. One of the easements is a 3.66 metre wide sewer easement in favour of the City of Toronto, located near the south portion of the property. The current proposal shows the easement will provide a clearance of 2-storeys and then the building cantilevers over the area of the easement. Through the review of the application, Engineering and Construction Services will provide comments as to whether this is acceptable.

## **Rental Housing Demolition and Conversion By-law**

The applicant has been requested to submit a Rental Housing Screening Form in order to determine if the application is subject to the Rental Housing Demolition and Conversion By-law. This Screening Form has not been submitted to date.

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

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

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

## **Parkland**

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the City of Toronto Official Plan shows local parkland provisions across the City. The site is in the second lowest quintile of current provision of parkland. The site is in a parkland priority area, as per Chapter 415, Article III, of the Toronto Municipal Code.

The proposal is not providing any parkland on the site. Staff from Parks, Forestry and Recreation will be providing comments on the appropriate direction for the applicant to satisfy the parkland dedication requirement, such as cash-in-lieu or off-site dedication as per Official Plan Policies in Section 3.2.3.

### **Tree Preservation**

An Arborist Report and Tree Protection Plan, prepared by Green Canopy Tree Services, and dated May 6, 2018, has been submitted with the application. This report recommends the removal of one private tree and protecting one private tree on the adjacent property. Urban Forestry staff will be providing comments through their review.

### **Community Services and Facilities**

A Community Services and Facilities Report, prepared by Galbraith & Associates Inc., and dated May 10, 2018, has been submitted with the application. The contents of the report only provide a demographic profile of the area and its residents. The study needs to include an inventory of the community services and facilities in the area. A revised study has been requested as part of the Incomplete Notification to the applicant, issued on May 31, 2018.

Once a revised Community Services and Facilities Study is submitted it will be reviewed by City Planning and partner divisions and agencies, and should any issues arise these will be raised with the applicant.

### **Toronto Green Standard**

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision. The applicant submitted the incorrect TGS Checklist with the application. Once the correct version has been submitted, City staff will review it for compliance with the Tier 1 performance measures.

### **Conclusion**

The proposal has been reviewed against the policies of the PPS (2014), the Growth Plan (2017) and the Toronto Official Plan. Staff are of the opinion that the proposal in its current is not consistent with the PPS (2014) and conflicts with the Growth Plan (2017). Additionally, the proposal is not in keeping with the intent of the Toronto Official Plan, including SASP No. 403, the appropriateness of the proposed building height and setbacks, the transitions between *Mixed Use Areas* and *Neighbourhoods*, and the determination if the rental housing replacement policies will be required.

This report recommends that City Council direct City staff to continue to process the application to resolve the outstanding issues detailed in this report. Additional issues may be identified through the continued review of the application, agency comments and the community consultation process.

This report also recommends that City Council direct the City Solicitor, and appropriate City Staff, to attend and oppose the application in its current form (as per the issues identified in this report) should the application be appealed to the Local Planning Appeal Tribunal on the basis of Council's failure to make a decision on the application within the statutory timeframe.

## **CONTACT**

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Tel. No. 416-392-0877  
E-mail: Aviva.Pelt@toronto.ca

## **SIGNATURE**

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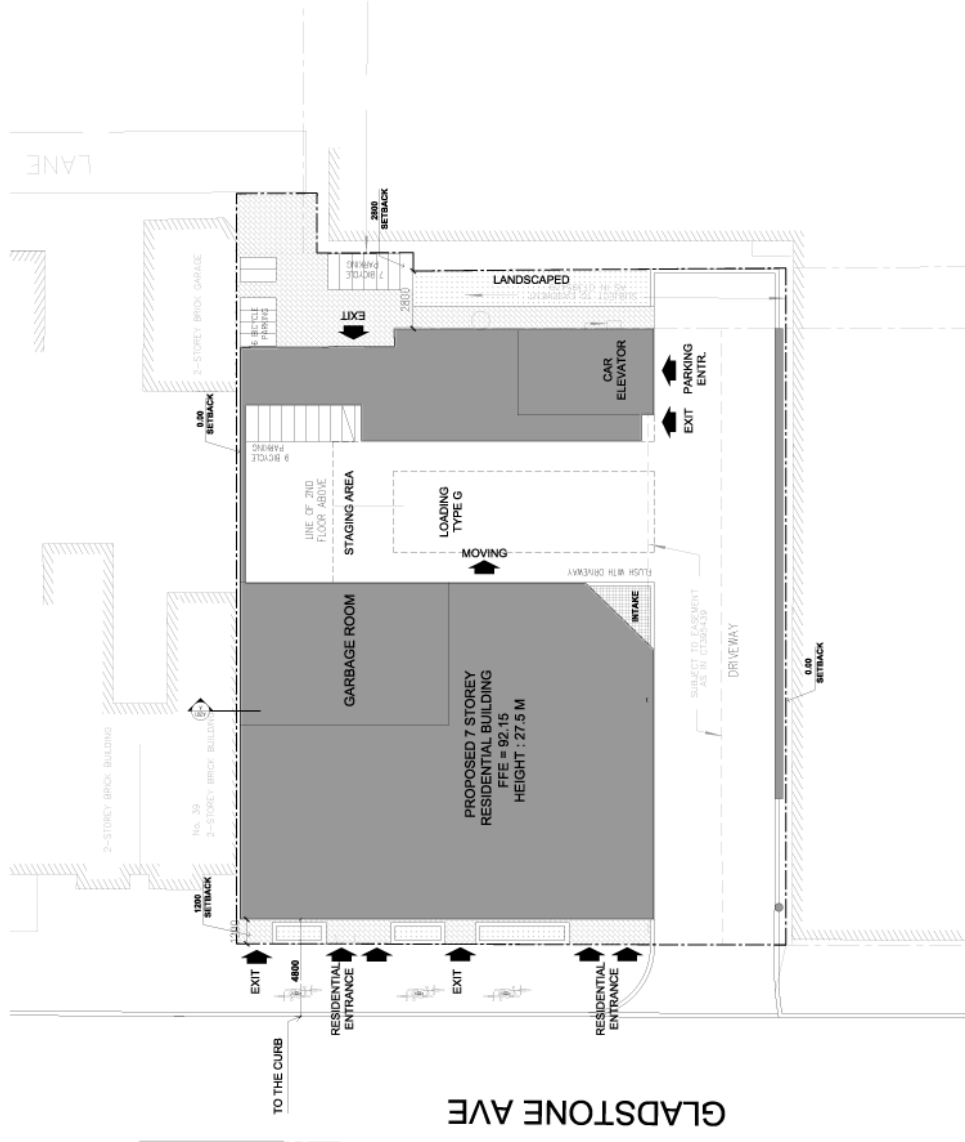
Lynda H. Macdonald  
Acting Director, Community Planning  
Toronto and East York District

(P:\2018\Cluster B\pln\TEYCC\15851910046.doc) – lm

## **ATTACHMENTS**

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

# Attachment 1: Site Plan



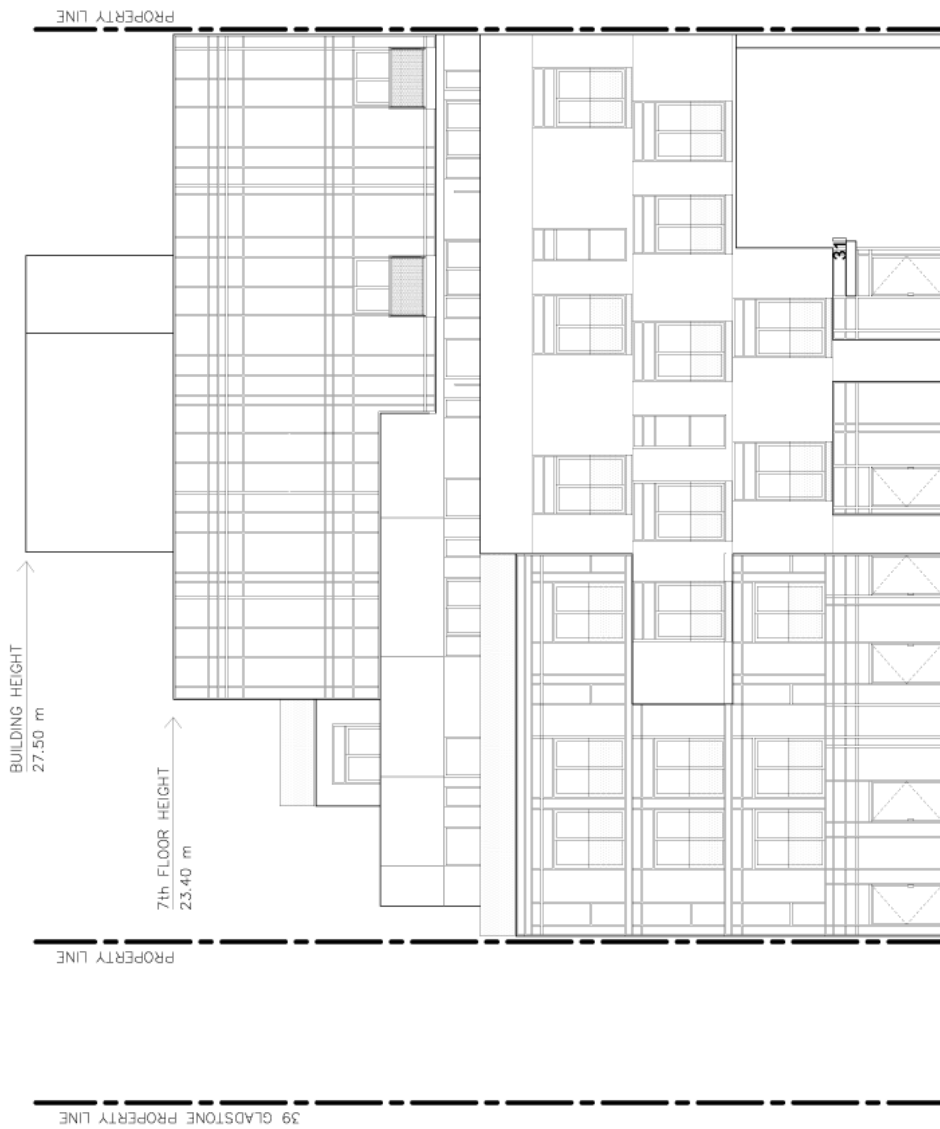
31-37 Gladstone Avenue

File # 18 156712 STE 18 0Z

Site Plan  
 Applicant's Submitted Drawing

Not to Scale  
 06/01/2018

## Attachment 2: West Elevation



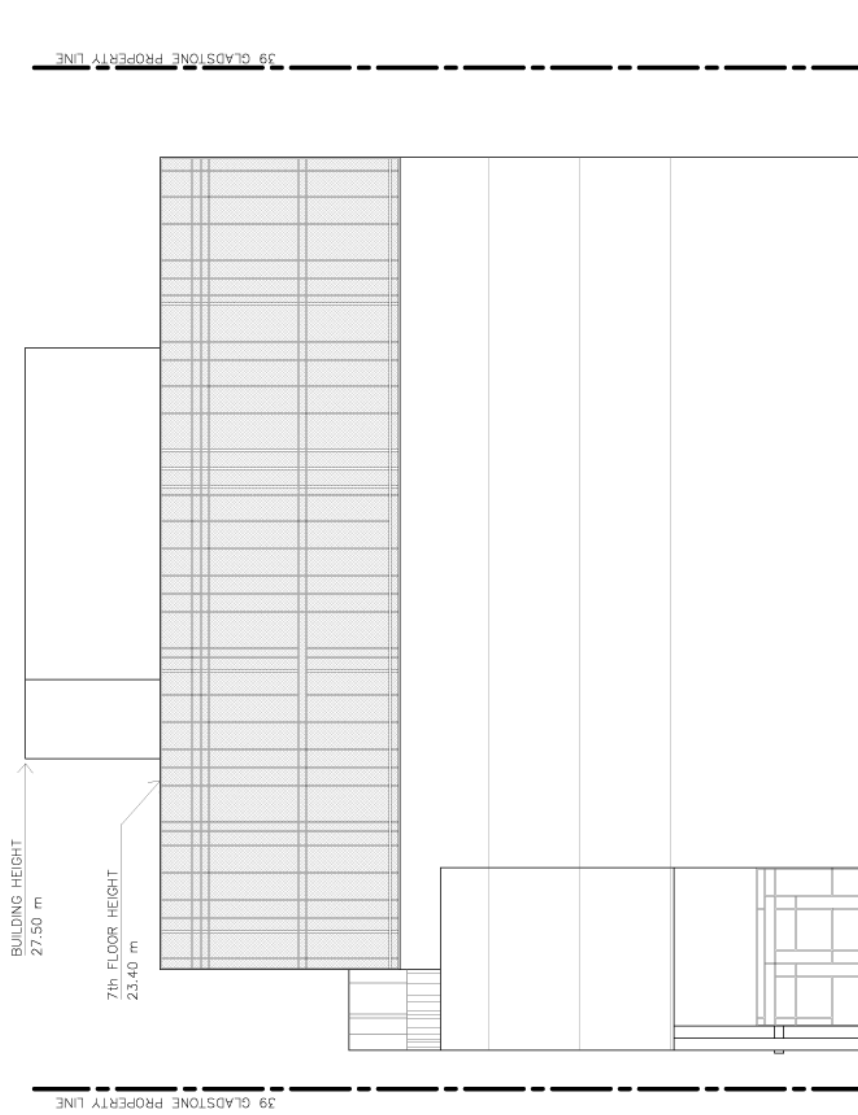
31-37 Gladstone Avenue

File # 18 156712 STE 18 0Z

**West Elevation**  
Applicant's Submitted Drawing

Not to Scale  
06/01/2018

### Attachment 3: South Elevation



**South Elevation**

Applicant's Submitted Drawing

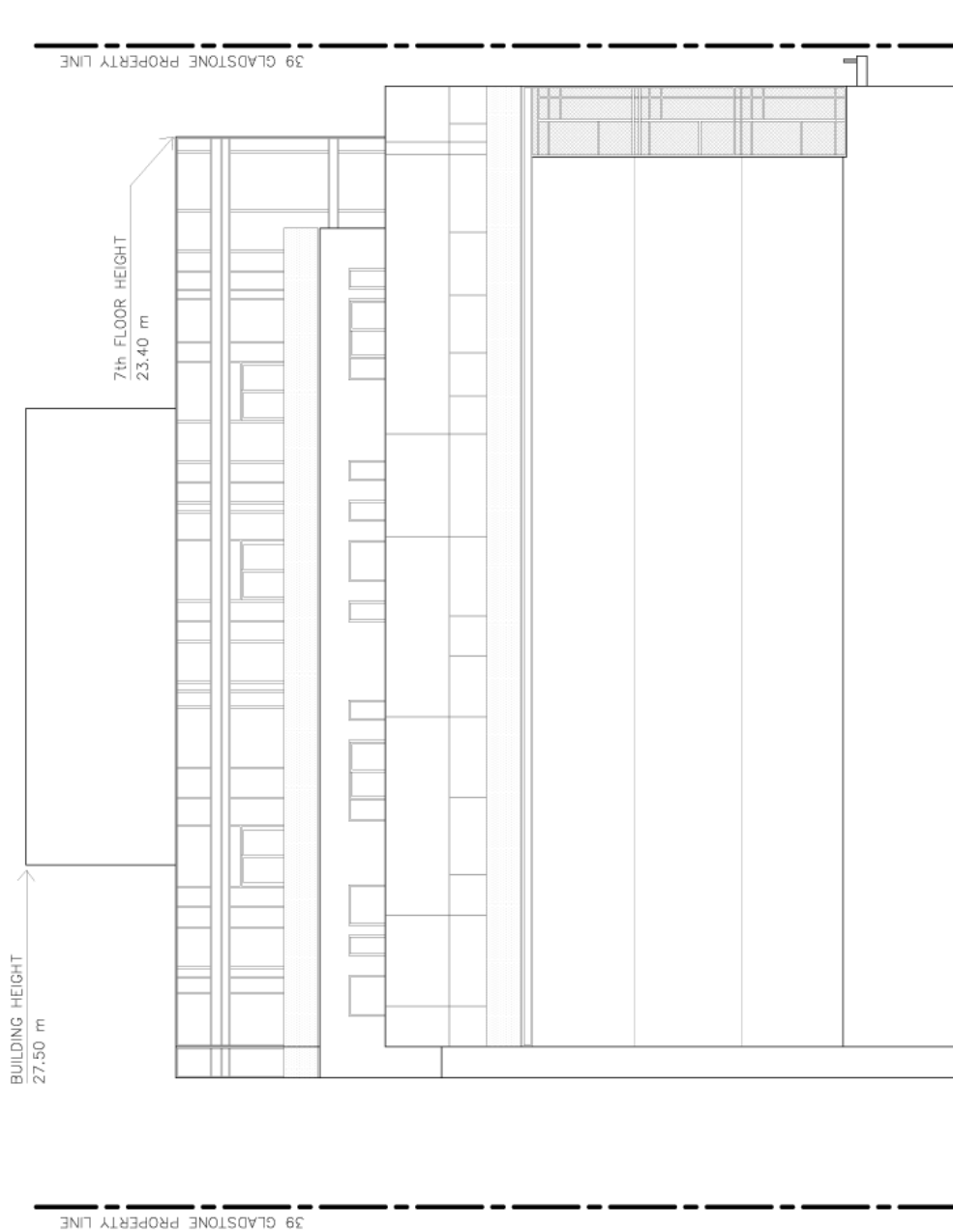
Not to Scale  
06/01/2018

**31-37 Gladstone Avenue**

File # 18 156712 STE 18 0Z



**Attachment 4: North Elevation**



**31-37 Gladstone Avenue**

**File # 18 156712 STE 18 0Z**

**North Elevation**

**Applicant's Submitted Drawing**

**Not to Scale  
06/01/2018**

**Attachment 5: West Elevation**



**31-37 Gladstone Avenue**

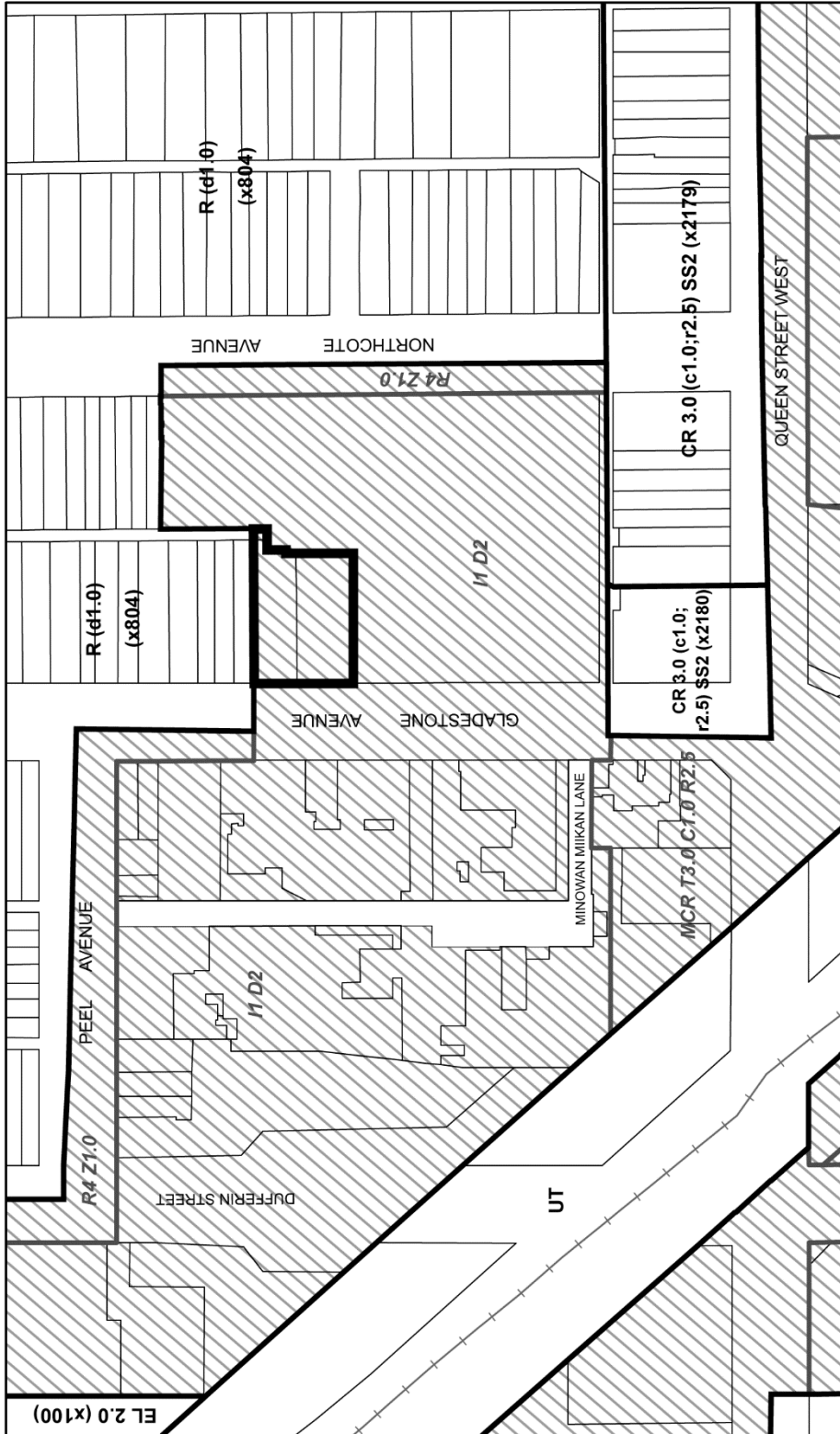
**File # 18 156712 STE 18 0Z**

**West Elevation**

**Applicant's Submitted Drawing**

**Not to Scale  
06/01/2018**

# Attachment 6: Zoning



**Zoning By-law 569-2013**

**31-37 Gladstone Avenue**

**File # 18 156712 STE 18 0Z**

Location of Application

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

- R Residential
- CR Commercial Residential
- EL Employment Light Industrial
- UT Utility and Transportation

- R2 Residential District
- R4 Residential District
- MCR Mixed-Use District
- RA Mixed-Use District
- I1 Industrial District



Not to Scale  
Extracted: 05/31/2018

## Attachment 7: Application Data Sheet

**Municipal Address:** 31 GLADSTONE AVE  
**Date Received:** May 10, 2018  
**Application Number:** 18 156712 STE 18 OZ  
**Application Type:** Rezoning  
**Project Description:** Zoning By-law Amendment to facilitate redevelopment of the site with a 7-storey 58-unit residential building (4,479.0 square metres residential GFA)

<b>Applicant</b>	<b>Agent</b>	<b>Architect</b>	<b>Owner</b>
SEAN GALBRAITH	SEAN GALBRAITH	ICON ARCHITECTS	NARDO BRUZIO

### EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision: SASP 403  
Zoning: 438-86 I1 D2 Heritage Designation:  
Height Limit (m): 14.0 Site Plan Control Area: Yes

### PROJECT INFORMATION

Site Area (sq m): 935 Frontage (m): 27 Depth (m): 34

<b>Building Data</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Ground Floor Area (sq m):			419	<b>419</b>
Residential GFA (sq m):			4,479	<b>4,479</b>
Non-Residential GFA (sq m):				
<b>Total GFA (sq m):</b>			<b>4,479</b>	<b>4,479</b>
Height - Storeys:			7	<b>7</b>
Height - Metres:			28	<b>28</b>
Lot Coverage Ratio (%): 44.81			Floor Space Index: 4.79	

<b>Floor Area Breakdown</b>	<b>Above Grade (sq m)</b>	<b>Below Grade (sq m)</b>
Residential GFA:	4,392	87
Retail GFA:		
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

<b>Residential Units by Tenure</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Rental:				
Freehold:				
Condominium:			58	<b>58</b>
Other:				
<b>Total Units:</b>			<b>58</b>	<b>58</b>

**Total Residential Units by Size**

	<b>Rooms</b>	<b>Bachelor</b>	<b>1 Bedroom</b>	<b>2 Bedroom</b>	<b>3+ Bedroom</b>
Retained:					
Proposed:		11	36	9	2
<b>Total Units:</b>		<b>11</b>	<b>36</b>	<b>9</b>	<b>2</b>

**Parking and Loading**

Parking Spaces: 37      Bicycle Parking Spaces: 58      Loading Docks: 1

**CONTACT:**

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