

## **2667-2677 Kipling Avenue – Zoning By-law Amendment Application – Preliminary Report**

Date: May 30, 2019

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Ward: 1 - Etobicoke North

**Planning Application Number:** 19 122542 WET 01 OZ

**Notice of Complete Application Issued:** April 2, 2019

**Anticipated City Council Meeting Date:** Third quarter of 2020

**Current Use(s) on Site:** The site is currently occupied by two 23-storey residential rental buildings having a total of 455 rental units. The site also contains a surface parking area, an underground parking garage, 2 exterior loading spaces, and outdoor amenity spaces including a playground and two filled-in swimming pools.

### **SUMMARY**

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This report provides information and identifies a preliminary set of issues regarding the application to amend the Zoning By-law for the properties at 2667-2677 Kipling Avenue to permit an infill 12-storey mixed-use building with 120 new rental units and 983 m<sup>2</sup> of retail and medical centre uses. The proposal would provide 120 affordable rental dwelling units through the City's Open Door Affordable Housing Program. The site is currently occupied by two 23-storey residential rental buildings having a total of 455 rental units that would be retained. In total, the site would contain 575 rental units.

Staff are currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting for the application with the Ward Councillor.

### **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 2667-2677 Kipling Avenue together with the Ward Councillor.

2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

## **FINANCIAL IMPACT**

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The recommendations in this report have no financial impact.

## **DECISION HISTORY**

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The site was subject to a Minor Variance application, approved by the Committee of Adjustment on May 30, 2005, to allow a daycare centre on the main floor of the existing apartment building at 2667 Kipling Avenue.

Through the City's Tower Renewal Program, the owner of the site has received incentives for improvements to the existing buildings.

The proposal is to develop 120 new affordable rental dwelling units through the City's Open Door Affordable Housing Program. This proposal was assessed through the 2018 annual Open Door annual Program Call for Applications process and approved by City Council for incentives and capital funding on July 23, 2018 under item *EX36.27 - Creating 606 Affordable and 422 Mid-Range Rental Homes in Toronto - Results of the 2018 Open Door Call for Applications*. The City Council decision may be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.EX36.27>

The Open Door Affordable Housing Program was approved by City Council in July 2016, to accelerate affordable housing construction by providing City financial contributions including capital funding and fees and property tax relief, fast-tracking planning approvals and activating surplus public land. The Program was designed to assist the City in achieving the current Housing Opportunities Toronto Action Plan 2010-2020 targets of 1,000 new affordable rental homes annually and is implemented through an annual Call for Applications.

In addition, the Open Door Program assists non-profit and private sector affordable housing organizations to reduce the cost of developing housing and thus improves housing affordability for low-to-moderate income residents across the city.

## **ISSUE BACKGROUND**

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### **Application Description**

This application proposes to amend the former City of Etobicoke Zoning Code, Site Specific Zoning By-law Nos. 1806 and 188-0106, and City of Toronto Zoning By-law No. 569-2013 for the property at 2667-2677 Kipling Avenue to permit an infill 12-storey

mixed-use building with residential, retail and medical centre uses. The subject site currently contains two 23-storey apartment buildings. The application is an Open Door Affordable Housing Program development which proposes 120 new affordable rental units, for a total of 575 rental units on the subject site. As proposed, the 120 new rental units would all be 2-bedroom units.

The application is proposing a total gross floor area of 66,452 m<sup>2</sup> for the subject site, of which 11,856 m<sup>2</sup> would be for the proposed new residential uses, 424 m<sup>2</sup> would be for retail uses and 559 m<sup>2</sup> would be for medical centre uses. Approximately 550 m<sup>2</sup> of amenity space is proposed on the first and second storey of the new building. The total proposed Floor Space Index for the site would be 2.95 times the lot area. The new building is proposed to be setback approximately 3.3 metres from Kipling Avenue and would stepback 6 metres above the second storey at the rear of the building. As proposed, the building face fronting Kipling Avenue does not include any stepbacks. The 12-storey building would have a height of 35.5 metres, excluding the mechanical equipment.

The proposed building would be located on the southeast corner of the site fronting Kipling Avenue, currently the location of landscaped open space and a driveway which provides access to 2667 Kipling Avenue (see Attachment 4: Site Plan). In order to accommodate the new building, the existing driveway providing access to 2667 Kipling Avenue would be relocated further north, between the new building and 2667 Kipling Avenue. The existing underground parking garage would be retained and the two existing access ramps to the underground parking garage are proposed to remain in place. The site would provide a total of 501 parking spaces, within the surface parking areas and underground parking garage, and would provide a total of 297 bicycle parking spaces. Of the 501 parking spaces, 57 parking spaces are proposed for non-residential uses and residential visitors.

Detailed project information is found on the City's Application Information Centre at: <https://www.toronto.ca/city-government/planning-development/application-information-centre/>

See Attachments 1 and 2 of this report for a three dimensional representation of the project in context.

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

Land use planning in the Province of Ontario is a policy led system. Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2014) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) ("A Place to Grow") and, where applicable, the Greenbelt Plan (2017). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

## **Toronto Official Plan Policies and Planning Studies**

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location and built form compatibility of different land uses, and the provision of municipal services and facilities. Authority for the Official Plan derives from the *Planning Act*. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application. Toronto Official Plan policies may be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The subject lands are designated *Apartment Neighbourhoods* on Land Use Map 13 of the Official Plan (see Attachment 5: Official Plan Map).

## **Zoning By-laws**

The site is zoned Residential Apartment Commercial (RAC (f24.0; au67.0) (x93)) under the City of Toronto Zoning By-law No. 569-2013. The site is also zoned Sixth Density Residential (R6) under the former City of Etobicoke Zoning Code and is subject to site specific Zoning By-laws 1806 and 1988-106. The mix of uses and the apartment building proposed as part of this application are permitted uses in the applicable zones.

The City's Zoning By-law No. 569-2013 may be found here: <https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

## **Design Guidelines**

The following Design Guideline(s) will be used in the evaluation of this application:

- Mid-Rise Building Performance Standards;
- Growing Up: Planning for Children in New Vertical Communities;
- Bird-Friendly Development Guidelines; and
- Percent for Public Art.

The City's Design Guidelines may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

## **Site Plan Control**

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

## COMMENTS

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### Reasons for the Application

An application to amend the City of Toronto Zoning By-law No. 569-2013, the former City of Etobicoke Zoning Code, and Site Specific Zoning By-laws 1806 and 1988-106 is required to permit the proposed mixed-use building, including the proposed height of the building, number of dwelling units, and the area and location of the retail and medical centre uses, as well as to allow for some residential units smaller than required by zoning. Other revisions may be identified through the review process.

### ISSUES TO BE RESOLVED

The application has been circulated to City divisions and public agencies for comment. At this stage in the review, the following preliminary issues have been identified:

#### Provincial Policies and Plans Consistency/Conformity

Section 2 of the *Planning Act* requires municipalities to have regard for matters of provincial interest, including: the protection of ecological systems, including natural areas, features and functions; conservation of features of significant architectural, cultural, historical, archaeological or scientific interest; the appropriate location of growth and development; the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians; and the promotion of a built form that is well designed, encourages a sense of place, and provides for public spaces that are of high quality, safe and accessible, attractive and vibrant.

The application will be evaluated against the *Planning Act* and applicable Provincial Plans such as the PPS and A Place to Grow to establish the application's consistency with the PPS and conformity to A Place to Grow, including but not limited to whether: the proposal makes efficient use of land and resources, infrastructure and public facilities; the proposal is directed at an appropriate location; appropriate development standards are promoted which facilitate compact form; the proposal represents an appropriate type and scale of development and transition of built form to adjacent areas; and the proposal includes a range of housing to accommodate the needs of all household sizes.

#### Official Plan Conformity

The property is designated *Apartment Neighbourhoods* in the City of Toronto Official Plan. *Apartment Neighbourhoods* are residential areas with taller buildings and higher density than *Neighbourhoods*, and are considered to be physically stable. While *Apartment Neighbourhoods* are not areas of significant growth on a city-wide basis, there are sites containing one or more existing apartment building(s) where compatible infill development may take place. This compatible infill development may take place where there is sufficient space on a site to accommodate additional buildings or building additions while:

- Providing a good quality of life for both new and existing residents and improving site conditions by maintaining or substantially replacing and improving indoor and outdoor amenity space;
- Improving landscaped open space;
- Maintaining adequate sunlight and privacy for residential units; and
- Adequately limiting shadowing on outdoor amenity space and landscaped open space.

The application will be evaluated for its conformity with the Official Plan.

### **Built Form, Planned and Built Context**

The suitability of the proposed height, density, massing and other built form issues will be assessed based on the *Planning Act*, *A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)*, the City's Official Plan and Council adopted Urban Design Guidelines. An evaluation will be made to determine whether the proposal fits within its planned and built context and whether sufficient building setbacks are provided from both adjacent buildings and property lines. Staff will also be evaluating:

- Whether the location and organization of the buildings relative to the streets and open space are appropriate;
- The interface between existing residential units and the proposed building;
- Appropriateness of the proposed building's height, massing, setbacks and stepbacks;
- The provision of an appropriate mix of dwelling units and adequate location and size of amenity space;
- The potential wind and shadow impacts of the development and any appropriate mitigation measures;
- The provision of pedestrian and cycling infrastructure and connectivity; and
- Improvements to landscaped open space and the public realm.

In addition, staff will be reviewing the application against the Growing Up Guidelines which provide direction on how development can better function for larger households.

### **Ravine Protection**

The subject lands are within a TRCA Regulated Area. Staff will be determining whether a permit will be required from the TRCA prior to any development taking place.

The subject site is within the City of Toronto Ravine and Natural Feature Protection By-law area. Staff will be evaluating the application for conformity with this By-law and the appropriateness of the proposed set back from the ravine top of bank.

Urban Forestry and TRCA staff will be evaluating the proposal and have been circulated for comment. The preliminary issues for consideration which have been identified include, but are not limited to:

- How the proposal complies with setback requirements from the ravine top of bank; and
- Impacts the proposal may have on protected individual trees and ecosystem features and functions, as well as potential mitigation measures.

### **Natural Heritage Protection**

The subject lands are in a Natural Heritage Area as identified on Map 9 of the Official Plan. The applicant has submitted a Natural Heritage Impact Study for review. Staff will be evaluating the proposal to determine if the environmental features on the site will require protection and whether a comprehensive ecological restoration plan, which secures improvements to the natural heritage system in the area, both on and off site, will be required as part of both the City's and the TRCA's permit processes.

### **Tree Preservation**

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law). The applicant proposes to preserve two City-owned trees. No City-owned trees and no By-law protected private trees are currently proposed to be removed.

The applicant has submitted an Arborist Report and a Tree Preservation Plan, which are currently under review by City staff.

### **Housing**

A Housing Issues Report has been submitted in support of the application. Staff are currently reviewing the proposal and the Housing Issues Report. Staff have indicated that the issues which require additional information and consideration through the application review process include, but are not limited to:

- An evaluation of the expected impacts of the proposal on current tenants and a determination of potential improvements to the site or existing buildings;
- The size of indoor amenity space within the existing buildings on the site;
- The size of outdoor amenity spaces and information regarding the filled-in outdoor swimming pools on the site;

- Consultation with tenants to identify construction mitigation measures and potential improvements to the site;
- Identifying and securing, by legal agreement, needed improvements and repairs to the existing rental housing buildings; and
- The current proposal is for entirely two-bedroom units which does not support the objectives of the Growing Up Guidelines which requires two and three bedroom units of a size sufficient to support families with children.

### **Community Services and Facilities**

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures used for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions. They include recreation, libraries, childcare, schools, public health, human services, cultural services and employment services, etc.

The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable and accessible communities. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

The applicant has submitted a CS&F Study. Staff are currently reviewing the CS&F Study, are evaluating the expected impact of the proposed development on community services and facilities, including an assessment of existing capacity to support proposed future population, and have provided preliminary recommendations for community benefits for consideration:

- Non-profit child care centres to support existing needs and new growth;
- Contributions towards improvements to the Rexdale Library;
- Contributions towards improvements to the Albion Pool and Health Club, and the repurposing of the Albion Ice Arena; and
- Securing community facility space in the new and existing buildings as the development proceeds.

### **Section 37 Community Benefits**

The Official Plan provides for the use of Section 37 of the *Planning Act* to pass by-laws for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision by the applicant of community benefits in the form of capital facilities. It is standard to secure community benefits in a Section 37 Agreement which



is then registered on title. This proposal meets the minimum size threshold of 10,000 m<sup>2</sup> of new development for consideration of Section 37 benefits. Should the application be recommended for approval, Section 37 contributions could be secured for specific community benefits within the vicinity of the proposal.

### **Infrastructure/Service Capacity**

The application will be reviewed to determine if there is sufficient infrastructure capacity (road, transit, water, sewage, hydro, etc.) to accommodate the proposed development.

The applicant has submitted a Functional Servicing Report and Stormwater Management Report, both prepared by AI Underhill & Associates and dated March 6, 2019. Engineering and Construction Services staff are currently reviewing the Servicing Report to evaluate the effects of the proposed development on the City's municipal servicing infrastructure and watercourses and to identify and provide the rationale for any new infrastructure and upgrades to existing infrastructure, necessary to adequately service the proposed development.

The applicant has also submitted a Transportation Impact Study, prepared by the BA Group and dated March 6, 2019, the purpose of which is to evaluate the effects of the proposed development on the transportation system and to suggest any transportation improvements that are necessary to accommodate the travel demands and impacts generated by the development. This study is also under review by staff.

Preliminary comments on the proposed development from an infrastructure / servicing capacity perspective indicate that additional information is required for review with regards to, but not limited to, transportation, servicing, solid waste, groundwater, water, stormwater management and sanitary sewers. Engineering and Construction Services staff have requested that a Hydrogeological Report also be submitted for review.

### **Toronto Green Standard**

City 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, Draft Plans of Subdivision and Site Plan Control 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 application and submitted TGS Checklist is being reviewed for compliance with the Tier 1 performance measures. It is noted that a revised TGS Checklist and revised TGS statistics template are required for further review.

## **Other Matters**

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

## **CONTACT**

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Allison Smith, Assistant Planner, Tel. No. 416-394-2755, Fax No. 416-394-6063, E-mail: Allison.Smith@toronto.ca

## **SIGNATURE**

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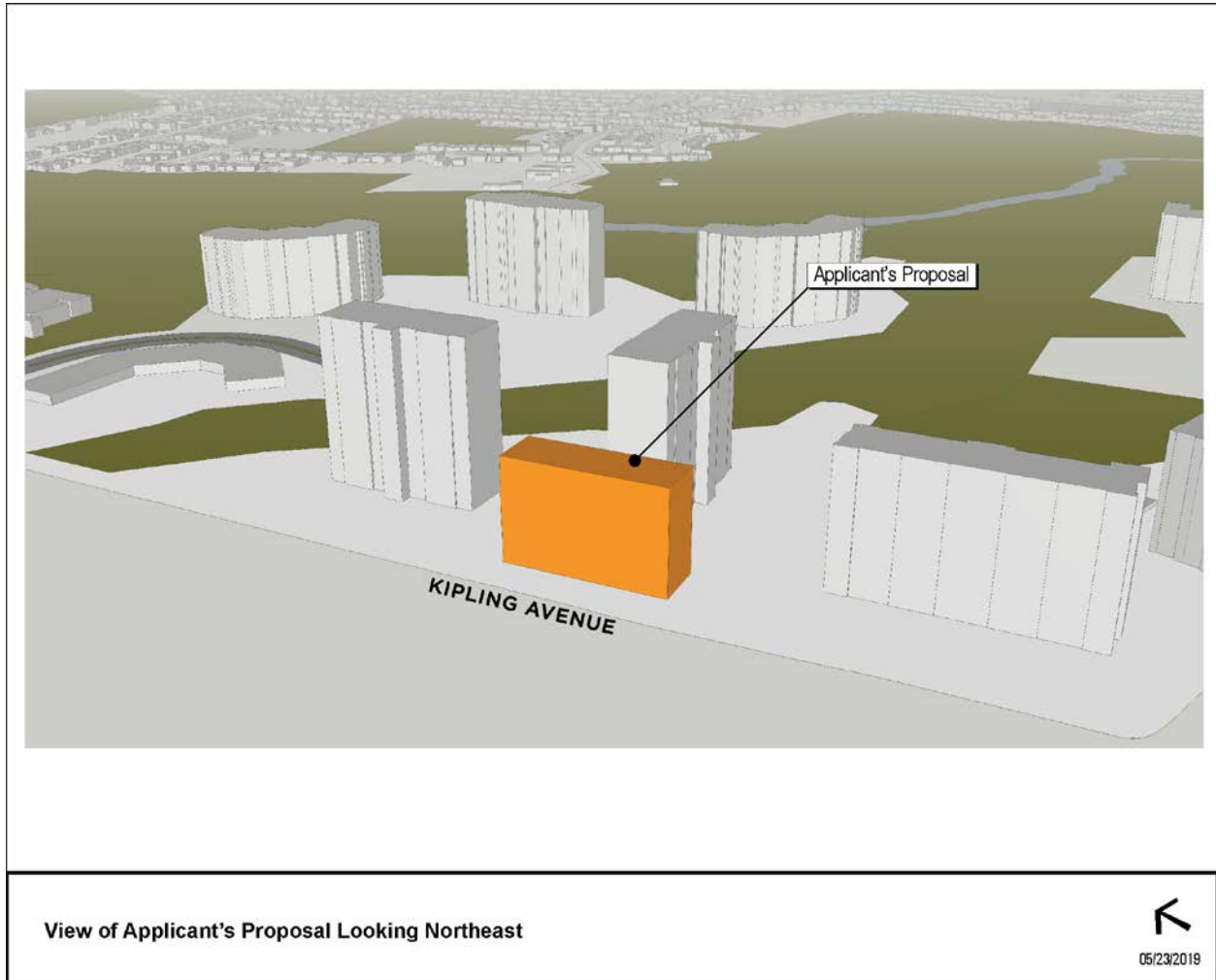
Neil Cresswell, MCIP, RPP  
Director of Community Planning  
Etobicoke York District

## **ATTACHMENTS**

### **City of Toronto Drawings**

- Attachment 1: 3D Model of Proposal in Context, Looking Northeast
- Attachment 2: 3D Model of Proposal in Context, Looking Southwest
- Attachment 3: Location Map
- Attachment 4: Site Plan
- Attachment 5: Official Plan Map
- Attachment 6: Existing Zoning By-law Map

Attachment 1: 3D Model of Proposal in Context, Looking Northeast



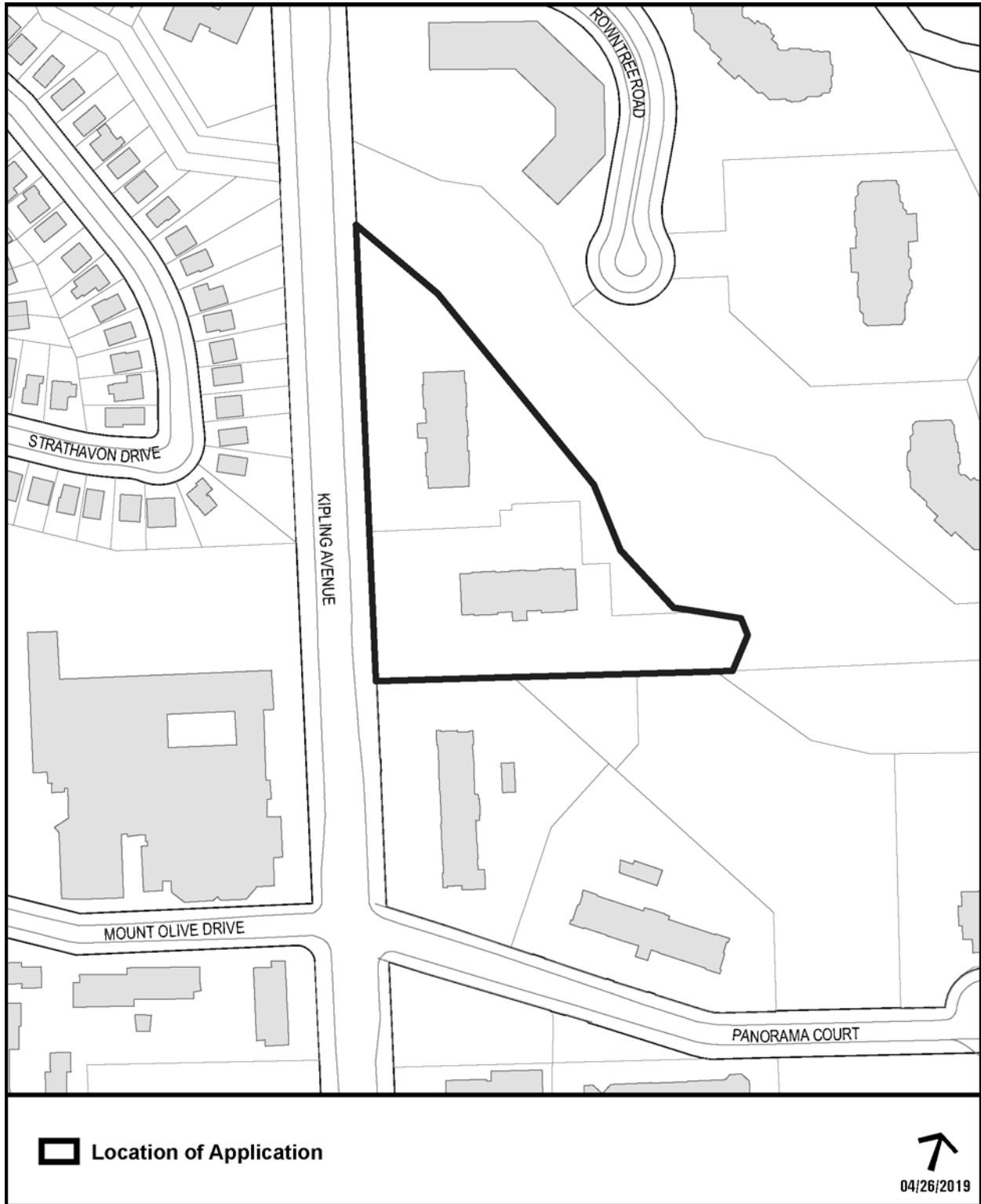
Attachment 2: 3D Model of Proposal in Context, Looking Southwest



View of Applicant's Proposal Looking Southwest



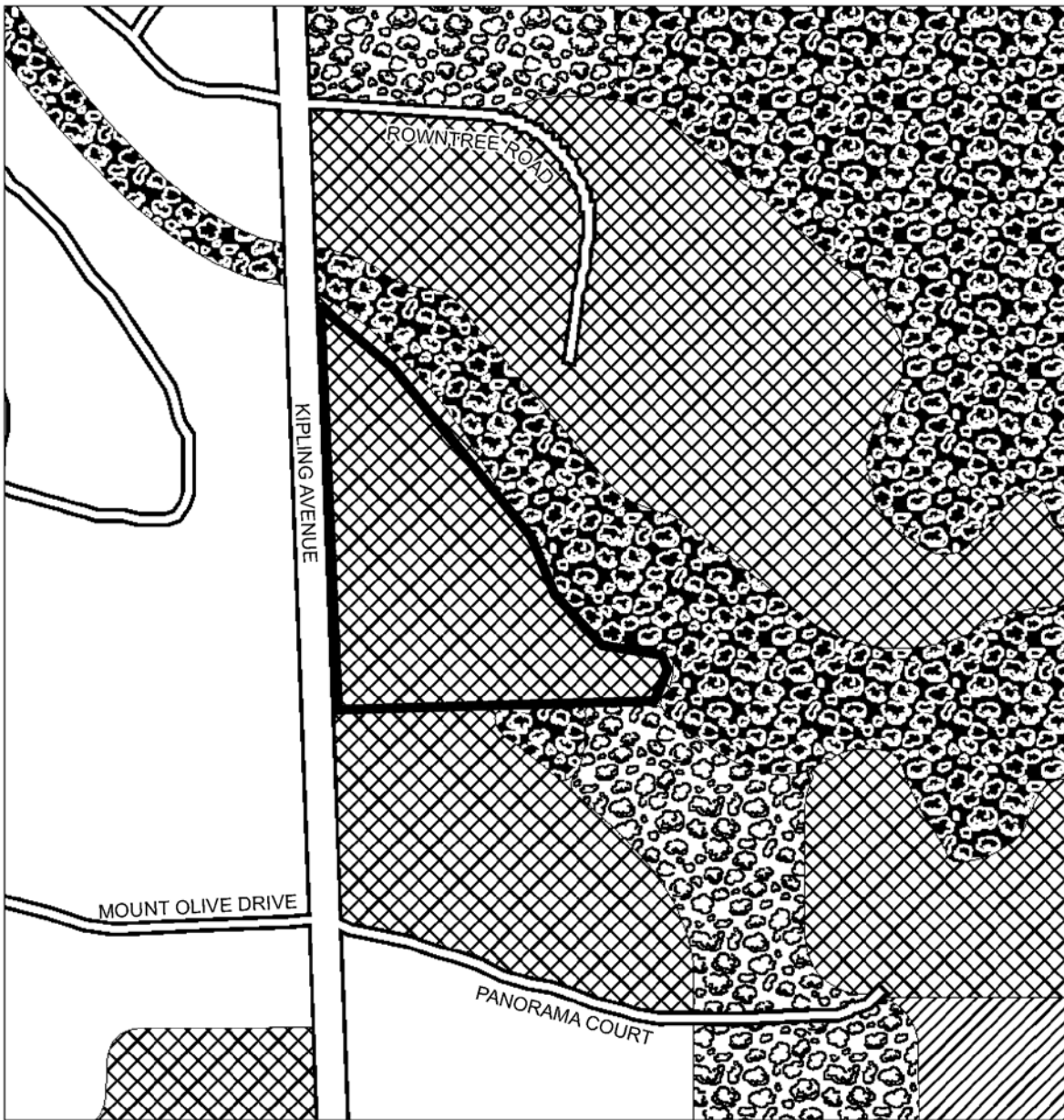
Attachment 3: Location Map







Attachment 5: Official Plan Map



Official Plan Land Use Map #13

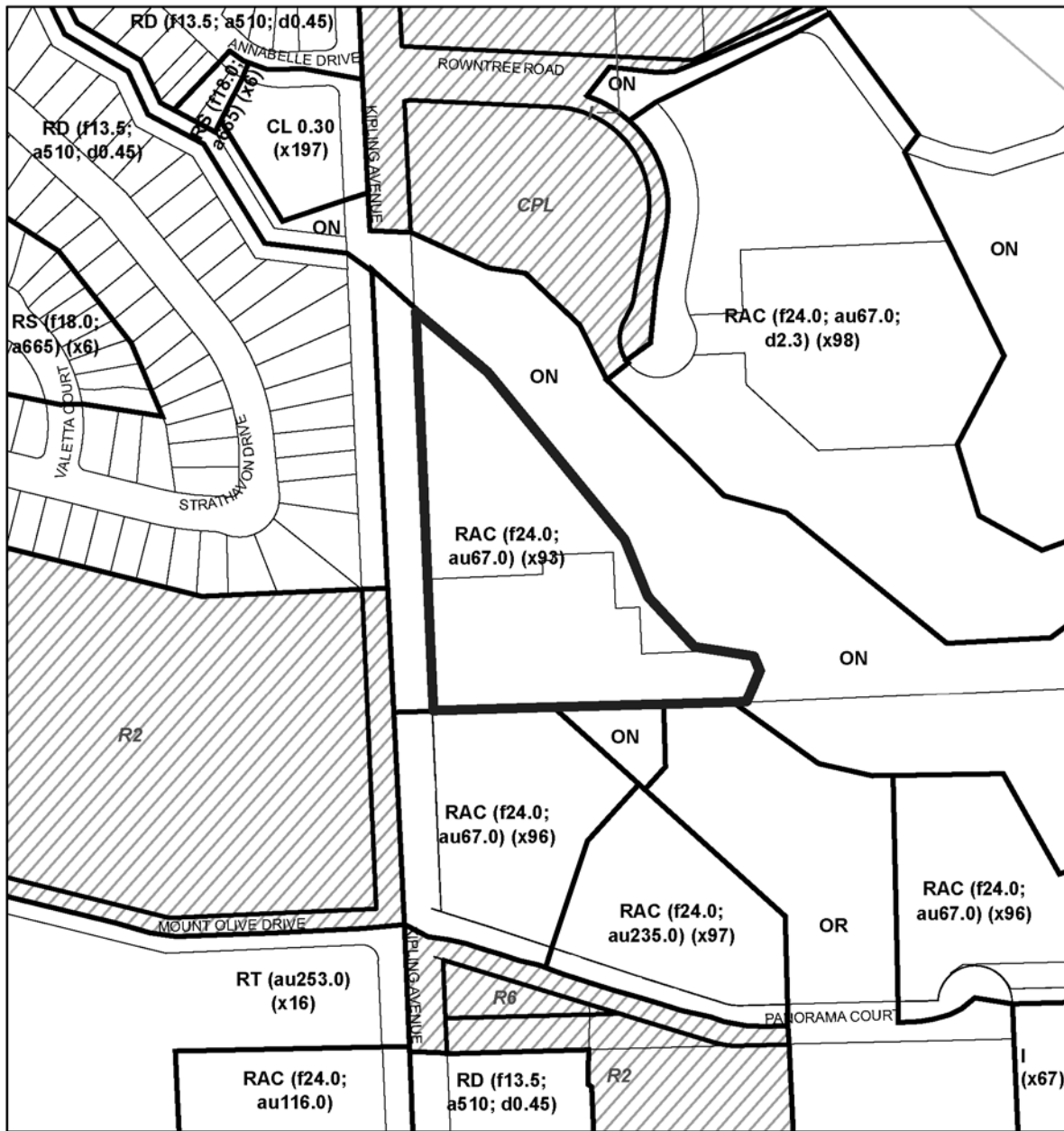
2667 - 2677 Kipling Avenue

File # 19 122542 WET 01 0Z

 Location of Application	 Natural Areas	 Institutional Areas
 Neighbourhoods	 Parks	
 Apartment Neighbourhoods		

↑  
Not to Scale  
04/26/2019

Attachment 6: Existing Zoning By-law Map



Zoning By-law 569-2013

2667-2677 Kipling Avenue

File # 19 122542 WET 01 02

Location of Application

- |     |                                  |    |                       |
|-----|----------------------------------|----|-----------------------|
| RD  | Residential Detached             | CL | Commercial Local      |
| RS  | Residential Semi-Detached        | I  | Institutional         |
| RT  | Residential Townhouse            | ON | Open Space Natural    |
| RAC | Residential Apartment Commercial | OR | Open Space Recreation |

See Former City of Etobicoke By-law No. 11,737

- |     |                                 |
|-----|---------------------------------|
| R2  | Second Density Residential Zone |
| R6  | Sixth Density Residential Zone  |
| I   | Institutional Zone              |
| CPL | Local Planned Commercial Zone   |

Not to Scale  
Extracted: 05/23/2019