

## **831, 833 and 837 Glencairn Avenue and 278, 280 and 282 Hillmount Avenue – Zoning By-law Amendment and Rental Housing Demolition and Conversion Applications – Preliminary Report**

Date: December 13, 2018

To: North York Community Council

From: Director, Community Planning, North York District

Wards: Ward No. 8

**Planning Application Number:** *18 185562 NNY 15 OZ*

**Notice of Complete Application Issued:** *August 15, 2018*

**Related Applications:** *18 209677 NNY 15 RH*

### **Current Use on Site:**

Three single detached one-storey residential dwellings fronting onto Hillmount Avenue, one two-storey mixed use commercial residential building with four rental apartment units on the second floor and two one-storey single detached residential units fronting onto Glencairn Avenue and surface parking accessed from Marlee Avenue.

## **SUMMARY**

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This report provides information and identifies a preliminary set of issues regarding the application located at 831, 833 and 837 Glencairn Avenue and 278, 280 and 282 Hillmount Avenue. 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 831, 833 and 837 Glencairn Avenue and 278, 280 and 282 Hillmount 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.

## **ISSUE BACKGROUND**

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### **Application Description**

This application proposes to amend the City's Zoning By-law 569-2013 and Zoning By-law 7625 for the former City of North York for the property at 831, 833 and 837 Glencairn Avenue and 278, 280 and 282 Hillmount Avenue to permit the construction of an 11 storey (32.95 metre) mixed use residential and commercial building with a total gross floor area (GFA) of 17,714.91 square metres and a floor space index (FSI) of 4.72 times the area of the lot. The building would have 224 residential units including eight live-work units and 342 square metres of retail uses on the ground floor. A total of 190 of vehicle parking spaces are proposed, 5 spaces would be on the surface with the remainder in two underground levels.

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 Attachment 1 of this report, for a three dimensional representation of the project in context and attachment 3 for the site plan.

### **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: the Growth Plan for the Greater Golden Horseshoe (2017) 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 of Ontario. 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 current application is not subject to an overlay on Map 2 of the Official Plan and is designated *Mixed Use Areas* on Land Use Map #17. The Official Plan Policy 4.5.1 states that *Mixed Use Areas* are made up of a broad range of commercial, residential, and institutional uses in single use or mixed use buildings, as well as parks and open spaces and utilities. The Official Plan recognizes that *Mixed Use Areas* achieve a number of planning objectives by combining a broad array of uses enabling people to live, work and shop in the same area.

### **Zoning By-laws**

Under the former City of North York Zoning By-law 7625, the lands are zoned as General Commercial Zone (C1). This zone permits all uses in both the One-Family Detached Dwelling Fifth Density Zone (R5) and in the Multiple-Family Dwellings Fifth Density Zone (RM5) and allows for a variety of residential and commercial uses, including residential apartment buildings. A maximum height of 11.5 metres is permitted and a density of 1.0 times the area of the lot.

The City of Toronto Zoning By-law 569-2013 regulates the lands as Commercial Residential CR1.0(c1.0;r1.0)SS3. A range of commercial, residential and institutional uses are permitted in this zone, as are apartment buildings. A maximum height of three-storeys and 10.5 metres are permitted and a density of 1.0 times the area of the lot.

The City's Zoning By-law 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 Buildings Guidelines
- Growing Up: Planning for Children in New Vertical Communities

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.

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

The applicant submitted an application on August 15, 2018, for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code for the demolition of the existing rental housing units, as the lands subject to the application contain six or more residential units, of which at least one is rental. As per Chapter 667-14, a tenant consultation meeting will be held to review the impact of the proposal on tenants of the residential rental property and matters under Section 111.

## **COMMENTS**

### **Reasons for the Application**

Amendments to Zoning By-law 7625 are required to increase the permitted building height from 11.5 metres to 32.95 metres and to increase the permitted density from 1.0 times the area of the lot to 4.72 times the lot area. As well, amendments are required to implement performance standards to allow the proposed development.

Amendments to Zoning By-law 569-2013 are required to increase the permitted building height from 10.5 metres and three-storeys to 32.95 metres and 11 storeys. In addition, a total density of 1.0 times the area of the lot is permitted and 4.72 times the area of the lot is proposed. The proposed commercial density is below the maximum permission. An amendment to the parking rate to Policy Area 3 and to combine the visitor and commercial parking is required.

Amendments are also required to implement appropriate performance standards to implement the proposed development.

Additional areas of non-compliance with the zoning may be identified through the review of this application.

## **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:

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

The location of the building and site organization will be reviewed to ensure compliance with the public realm and built form policies in Sections 3.1.1 and 3.1.2 of the Official Plan. Issues relating to the location of the building include the proposed building side yard setbacks. Setbacks will be assessed to ensure a proper transition between the public and private realm. Issues related to site organization include the proposed location of the free standing one-storey mechanical room adjacent to the neighbourhood to the west and the loading and staging areas. These will be reviewed to ensure an appropriate transition to the existing neighbourhood to the west. Pedestrian circulation throughout the site is also an issue which will be reviewed. Other issues relating to site organization are the amount of landscaped area on the ground floor, the transition from

the site to the neighbourhood to the west and the amount and location of proposed amenity areas.

In Section 3.1.2 the Official Plan directs that new development will be designed to promote street oriented development. Furthermore the City's Mid-Rise Building (MDB) performance standards recommend that the ground floor should provide uses that activate the sidewalk. The proposal of live-work units on the ground floor along Marlee will be reviewed to ensure compliance with these policies and guidelines. To facilitate these active uses a floor to ceiling height of 4.5 metres is recommended. The proposed ground to ceiling height of the ground floor is 3.650 metres.

The proposed height and building massing will be reviewed against the (MDB) performance standards. The guidelines recommend a building height be no greater than the width of the roadway of the adjacent street. Marlee Avenue has a roadway width of 27 metres and the proposed building height is 32.95 including the 11th floor which contains the mechanical penthouse and the amenity area. To facilitate a minimum of five hours of sunlight on sidewalks a front angular plane of 45 degrees at 80% of the right of way roadway width is suggested. The proposed building extends into the angular plane at the 9th, 10th and 11th floors. The proposed building extends into the 45 degree angular plane requirement for corner lots along the side streets Hillmount Avenue and Glencairn Avenue. The frontage of this lot is 82 metres, the MDB performance standards note that where mid-rise building frontages are more than 60 metres in width, building facades should be articulated or "broken up" to ensure that facades are not overly long.

To ensure an appropriate transition in scale to areas designated *Neighbourhoods*, the MDB recommends a minimum rear yard setback of 7.5 metres and a 45 degrees angular plane from a height of 10.5 metres above the 7.5 metre setback line to a maximum height of 1:1. This provides a lower building at the rear and a gradual transition from the rear property line. Guardrails of the proposed building extend into the angular plane at the 8th, 9th and 10th level, with the elevator shaft extending into the angular plane at the 11th level.

The proposed building height and massing will be assessed to ensure compliance with Official Plan policies 3.1.2 (3) stating that new development will be massed to fit within its existing and or/planned context and will limit its impact on neighbouring streets, parks, open spaces and properties.

### **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 the removal or injury of two City owned trees and five privately owned trees having diameters of 30cm or greater on the subject site and one tree on the property adjacent to the site. The applicant is proposing the planting of 16 new trees along Marlee Avenue and Glencairn Avenue adjacent to the right of way.

## **Housing**

A Housing Issues Report has been submitted for review by staff. Housing Issues Reports are required for applications such as this that seek to demolish existing rental properties.

A Rental Housing Demolition and Conversion Application per Chapter 667 of the municipal code is required for this site. A site visit is required to confirm the number of dwelling units on the site.

The proposed unit mix and size of units will be reviewed to ensure compliance with the objectives of the Growing Up guidelines, Official Plan housing policies and the Growth Plan's growth management and housing policies to accommodate within new development a broad range of households, including families with children. There is also a significant public interest in including affordable housing units within this new development.

## **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.

Planning staff are currently reviewing the CS&F Study that was submitted with the application to determine whether any capital improvements or expansion of facilities opportunities were identified by the applicant or by staff and following up on any Study deficiencies to identify other issues that need to be addressed.

## **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 for projects which meet the minimum thresholds.

This proposal meets the minimum thresholds for the provision of Section 37 community benefits. The Council approved Implementation Guidelines and Protocol for Negotiating Section 37 Community Benefits are available here:

<https://www.toronto.ca/wp-content/uploads/2017/08/8f45-Implementation-Guidelines-for-Section-37-of-the-Planning-Act-and-Protocol-for-Negotiating-Section-37-Community-Benefits.pdf>.

### **Infrastructure/Servicing Capacity**

Staff are reviewing the application to determine if there is sufficient infrastructure capacity (roads, transit, water, sewage, hydro, community services and facilities, etc.) to accommodate the proposed development. Staff have requested further information relating to Hydrogeological matters to complete their review.

A Transportation Impact Study has been submitted by the applicant, the purpose of which is to evaluate the effects of a development or re-development on the transportation system, but also to suggest any transportation improvements that are necessary to accommodate the travel demands and impacts generated by the development. Staff are reviewing issues relating to site access and have requested the applicant review adjacent roadways for potential infrastructure improvements.

### **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, 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, through a Site Plan Agreement or Registered Plan of Subdivision, and in zoning By-law Amendments.

Staff are reviewing the TGS Checklist submitted by the applicant for compliance with the Tier 1 performance measures.

### **Road Widening**

According to Map 3 - Right of Way Widths Associated with Existing Major Streets, Marlee Avenue has a planned right of way width of 27 metres. A 3.44 metre road widening has been requested on this site and is shown on the applicants proposal.

### **Toronto District School Board**

The Toronto District School Board will advise on this proposal with respect to space at the local schools to accommodate students from this anticipated development and others in the neighbourhood.

## **Parks, Recreation and Forestry**

The application is for a zoning bylaw amendment to facilitate the development of an 11-storey mid-rise, mixed use building with 224 dwelling units and ground floor retail with 342 m<sup>2</sup> of non-residential gross floor area and 17,373 m<sup>2</sup> of residential gross floor area.

At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 2,986.70 m<sup>2</sup> or 87.82% of the site area. However, for sites that are less than 1 hectare in size, a cap of 10% of the development site is applied to the residential use while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement is 341.43 m<sup>2</sup>.

Staff are reviewing the manner in which the parkland dedication requirement will be satisfied.

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

### **CONTACT**

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### **SIGNATURE**

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Joe Nanos, Director  
Community Planning, North York District

### **ATTACHMENTS**

#### **City of Toronto Drawings**

Attachment 1: 3D Model of Proposal in Context

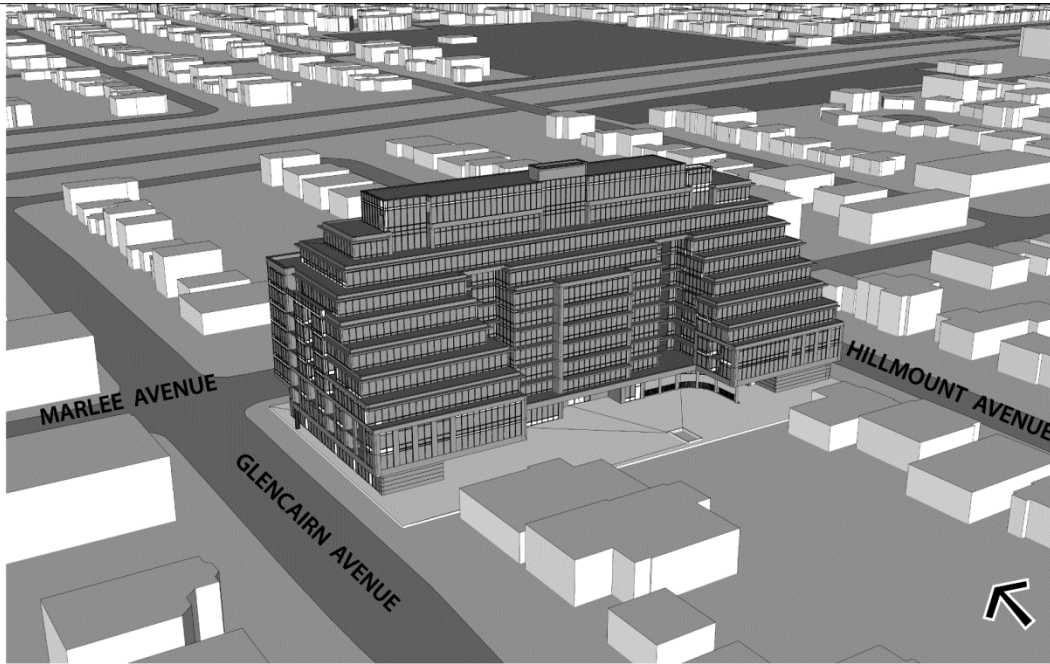
Attachment 2: Location Map

Attachment 3: Site Plan

Attachment 4: Official Plan Map



Attachment 1: 3D Model of Proposal in Context



■ View looking Southeast



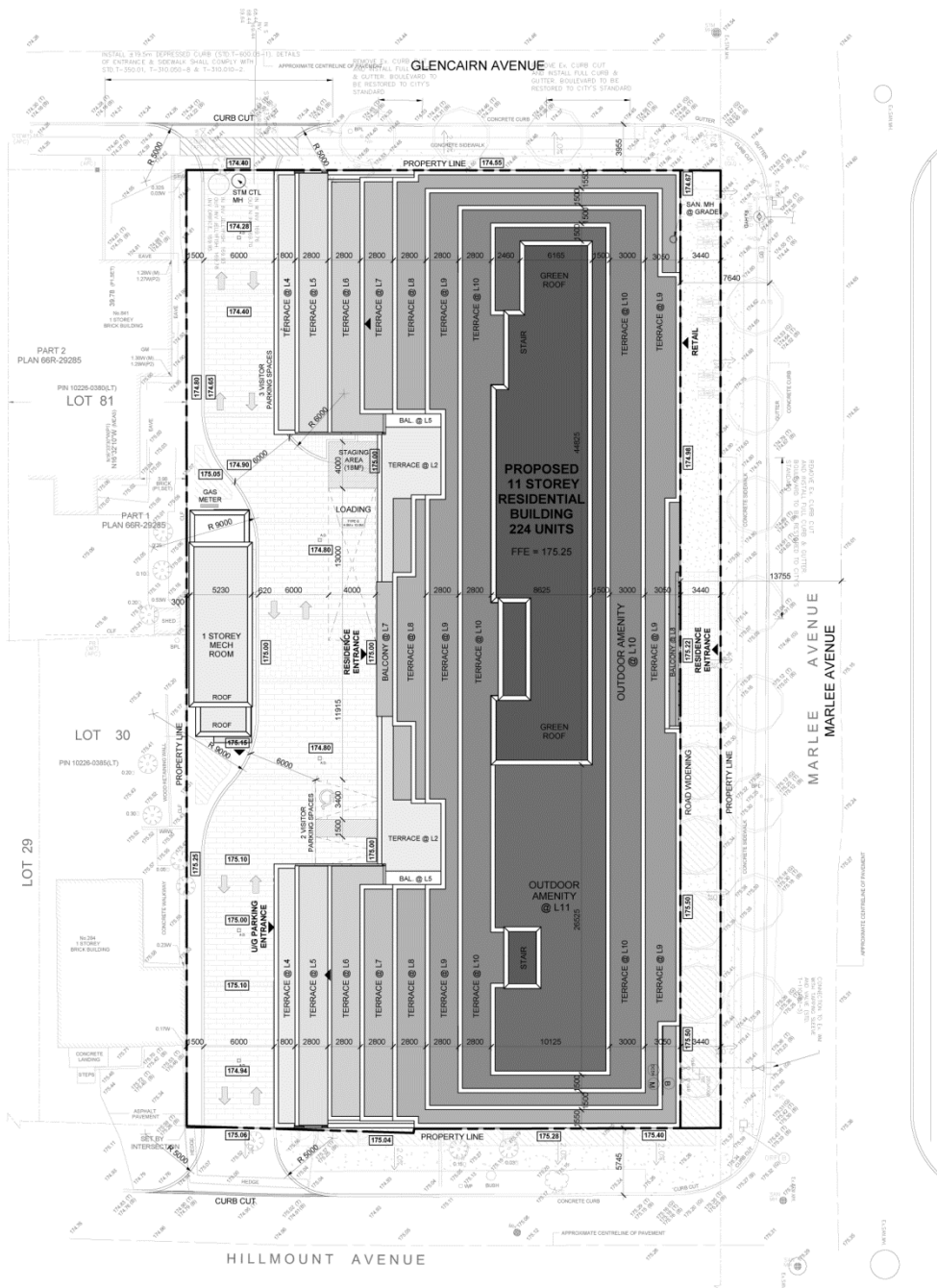
December 2018

■ View looking Northwest

Attachment 2: Location Map



# Attachment 3: Site Plan



## Site Plan

## 831-837 Glencairn Avenue & 278-282 Hillmount Avenue

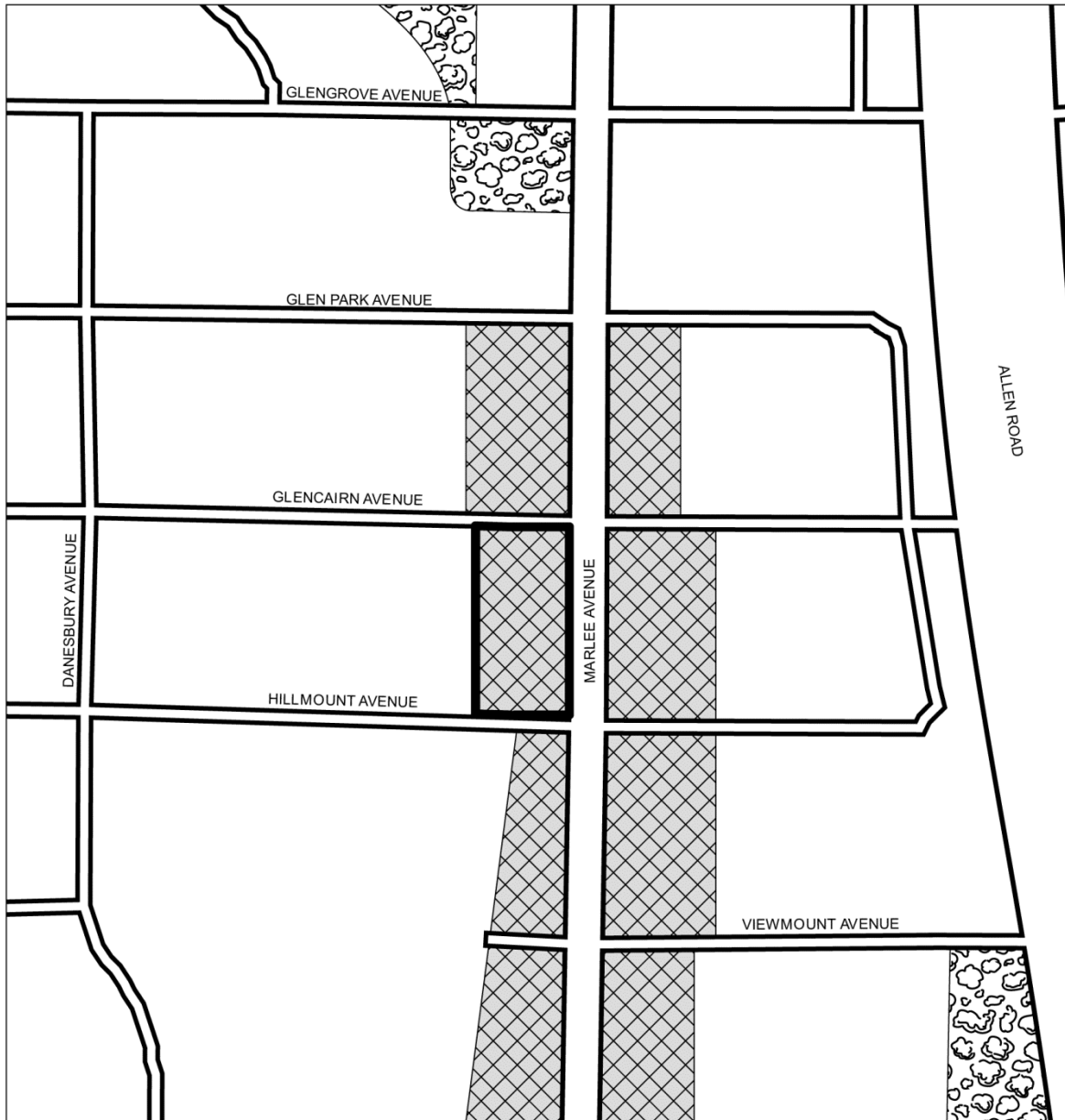
Applicant's Submitted Drawing

Not to Scale  
08/28/2018



File # 18 185562 NNY 15 0Z

Attachment 4: Official Plan Map



831-837 Glencairn Avenue & 278-282 Hillmount Avenue

Official Plan Land Use Map #17

File # 18 185562 NNY 15 OZ

-  Location of Application
-  Neighbourhoods
-  Mixed Use Areas
-  Parks

↑  
Not to Scale  
08/28/2018