

# 1408-1420 Bayview Avenue – Official Plan Amendment, Zoning By-law Amendment and Rental Housing Demolition Applications – Preliminary Report

Date: March 27, 2019

To: North York Community Council

From: Director, Community Planning, Toronto and East York District

Ward 15 - Don Valley West

**Planning Application Numbers:** 19 120011 NNY 15 OZ and 19 120017 NNY 15 RH

**Date Complete Application Submitted:** February 27, 2019

**Current Uses on Site:** Two 2-storey semi-detached dwellings, one 2-storey detached dwelling and one 3-storey detached dwelling.

## SUMMARY

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This report provides information and identifies a preliminary set of issues regarding the application for an 8-storey mixed use building located at 1408-1420 Bayview 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 1408-1420 Bayview 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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### Proposal Description

The application proposes an 8-storey (26.15 metre) mixed use building with ground floor retail space, 65 dwelling units including 20 one-bedroom units (31%), 37 two-bedroom units (57%) and 8 three-bedroom units (12%). The proposal includes 48 parking spaces within a two-level underground parking garage. The floor space index (FSI) for the proposed development is 3.97 times the area of the site. The proposed development includes the demolition of the existing buildings at 1408-1420 Bayview Avenue which contain a total of 11 residential rental units.

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 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 to 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 site is located on lands shown as *Neighbourhoods* on Land Use Map 17 of the Official Plan.

The site is also located within the Yonge-Eglinton Secondary Plan area. On July 23, 2018, City Council adopted Official Plan Amendment 405 (OPA 405 / Midtown in Focus) which replaced in its entirety the Yonge-Eglinton Secondary Plan. OPA 405 is currently under review by the Ministry of Municipal Affairs and Housing. OPA 405 (Midtown in Focus) and Council's decision can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.PG31.7>

The site is designated *Neighbourhoods* in the Yonge-Eglinton Secondary Plan. The land use designation was changed to *Mixed Use Areas* in OPA 405.

### **Zoning By-laws**

The site is zoned R4 Z1.0 in Zoning By-law 438-86 and R (d1.0) (x760) in Zoning By-law 569-2013. These zones permit a range of residential building types including detached houses, semi-detached houses, townhouses, duplexes, triplexes, fourplexes and apartments. The site has a maximum permitted height of 14 metres and a maximum permitted 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 guidelines will be used in the evaluation of this application:

- Avenues and Mid-Rise Buildings Study Performance Standards and Addendum; and
- 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 February 27, 2019 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**

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### **Reasons for the Application**

The applicant has submitted an Official Plan Amendment application to change the Official Plan land use designation from *Neighbourhoods* to *Mixed Use Areas* and to establish a Site and Area Specific Policy in the Yonge-Eglinton Secondary Plan to permit an 8-storey mixed use building.

The applicant has submitted a Zoning By-law Amendment application to obtain relief from the provisions of Zoning By-laws 438-86 and 569-2013 including those related to height, density and setbacks to permit the proposed building.

## **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**

Staff will continue to evaluate this planning application for consistency with the PPS (2014) and conformity with the Growth Plan (2017).

- Given the explicit link between Provincial Policy and the Official Plan, conformity with the PPS and the Growth Plan will be largely determined by conformity with the Official Plan.

### **Official Plan Conformity**

Staff will continue to evaluate this planning application against the Official Plan to determine the application's conformity to the Official Plan including the Yonge-Eglinton Secondary Plan and the OPA 405 (Midtown in Focus).

- Staff will review the proposed Official Plan land use designation change to ensure it aligns with the policies of OPA 405.

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

The site is located within the Bayview-Leaside Character Area as identified in OPA 405. It is immediately east of an area designated *Neighbourhoods* in the Official Plan and OPA 405. This portion of Bayview Avenue is planned to accommodate a mix of uses in well-proportioned mid-rise buildings that reinforce the local character of Bayview Avenue and provide transition to the adjacent *Neighbourhoods* designated lands.

- Staff are assessing the suitability of the proposed height, massing, and other built form issues based on Section 2 q. and r. of the *Planning Act*, the Growth Plan (2017), the City's Official Plan policies and the Avenues and Mid-rise Building Study Performance Standards and Addendum.
- While the proposal is generally aligned with the built form standards described in OPA 405, staff will continue to assess the proposal's conformity with all relevant policies of OPA 405.
- Staff are assessing the proposal's transition to the adjacent *Neighbourhoods* designated area.

### **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

has submitted a Tree Inventory and Preservation Plan which are currently under review by City staff. Staff will continue to assess:

- the appropriateness of the applicant's tree replacement plan which proposes the removal of 14 trees. Nine of these trees are required to be replaced by the City's tree by-laws including six trees on the subject property, two trees on neighbouring properties and one tree with shared ownership between the City and a neighbouring property. The applicant is proposing all 17 required replacement trees be provided through cash-in-lieu due to space limitations on the site;
- opportunities for on-site tree replacement.

### **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.

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.

Strategic Initiatives and Policy Analysis (SIPA) staff have advised that given the application proposes fewer than 100 dwelling units, a Community Services and Facilities Study was not required to be prepared in support of this application.

### **Rental Housing**

A Rental Housing Demolition application has been submitted and deemed complete. As part of the review of the application, the applicant is required to:

- submit as-built floor plans of the existing buildings showing the dimensions and layout of existing units;
- provide details of any consultation with tenants and the surrounding residents to date;
- conduct a site visit with City staff; and
- provide details of the application with tenants as part of a tenant consultation meeting with City staff.

Staff will continue to assess the applicant's Rental Housing Demolition application and work with the applicant and tenants to develop an acceptable Tenant Relocation and Assistance Plan.

## **Unit Mix**

The provision of 37 two bedroom units (57%) and 8 three bedroom units (12.3%) supports the unit mix objectives of the Growing Up Guidelines, Official Plan housing policies, and the Growth Plan's growth management and housing policies.

- The applicant is required to provide additional information on the proposed unit sizes in order for staff to more fully evaluate the proposal in the context of the Growing Up Guidelines.

## **Infrastructure/Servicing Capacity**

The applicant has submitted the following studies and reports which are being reviewed by Engineering and Construction Services staff: a Functional Servicing and Stormwater Management Report; Hydrogeological Assessment; Geotechnical Investigation; and Transportation Impact and Parking Study.

- 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 will continue to assess the application to evaluate the effects of the development on the City's infrastructure, including the transportation system, and determine if improvements to the existing infrastructure are required.

## **Amenity Area**

The built form policies of the Official Plan require that every significant multi-unit residential development provide indoor and outdoor recreation space for building residents. City-wide Zoning By-law 569-2013 requires an overall minimum of 4 square metres of amenity space per residential unit. The application proposes 128 square metres of indoor amenity area and 65 square metres of outdoor amenity area for a total of 3.0 square metres of amenity space per unit.

- Staff will continue to assess the applicant's request for a reduction in the total amount of amenity area required by Zoning By-law 569-2013.

## **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 and through a Site Plan Agreement or Registered Plan of Subdivision.

- Staff will continue to assess the TGS Checklist submitted by the applicant for compliance with the Tier 1 performance measures.

## **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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## **SIGNATURE**

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Lynda H. Macdonald, MCIP, RPP, OALA  
Director, Community Planning  
Toronto and East York District

## **ATTACHMENTS**

City of Toronto Drawings

Attachment 1: 3D Model of Proposal in Context (Looking Southwest)

Attachment 2: 3D Model of Proposal in Context (Looking Northeast)

Attachment 3: Location Map

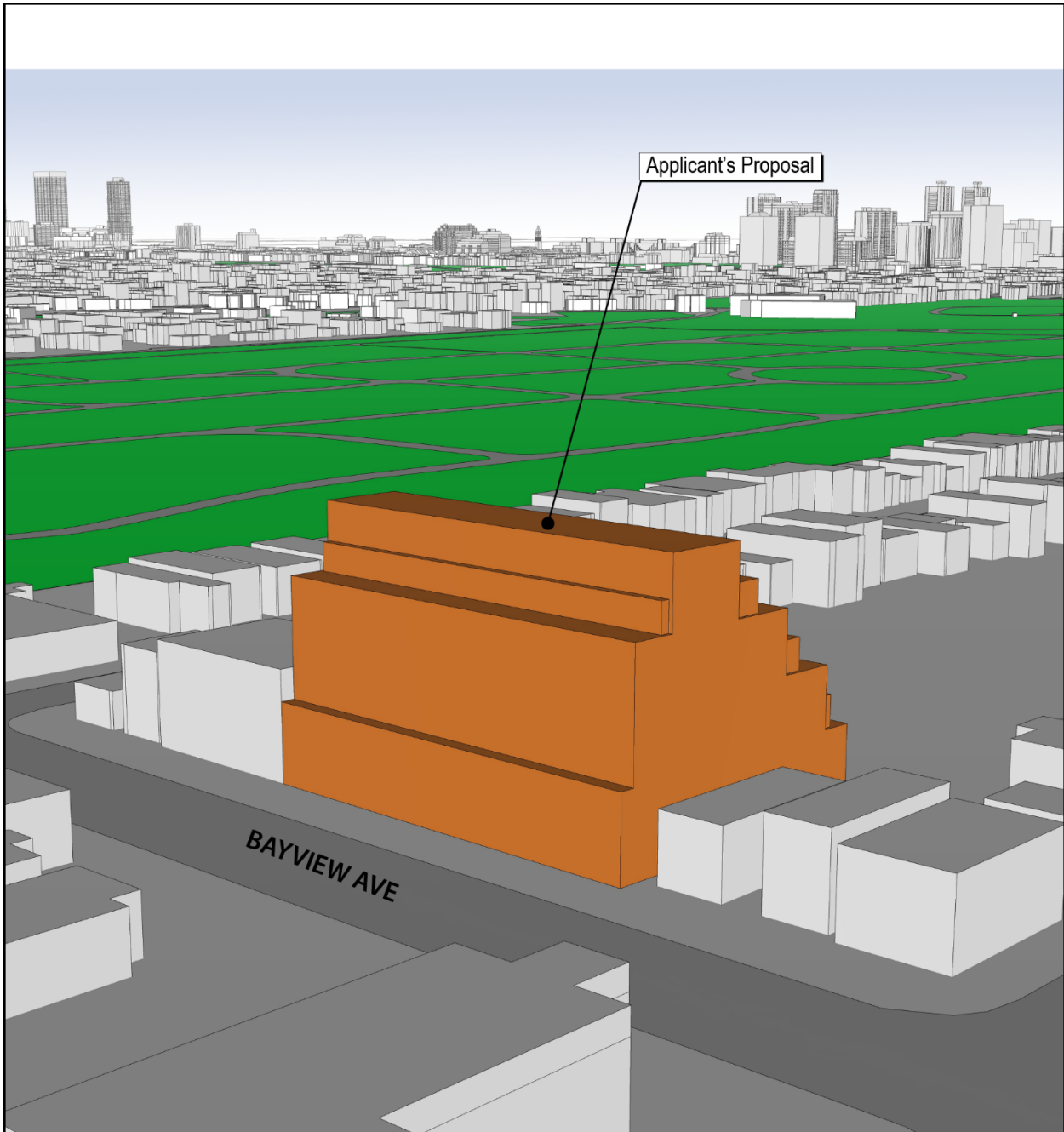
Attachment 4: Site / Ground Floor Plan

Attachment 5: Official Plan Map

Attachment 6: Yonge-Eglinton Secondary Plan Map - OPA 405

Attachment 7: Application Data Sheet

Attachment 1: 3D Model of Proposal in Context (Looking Southwest)

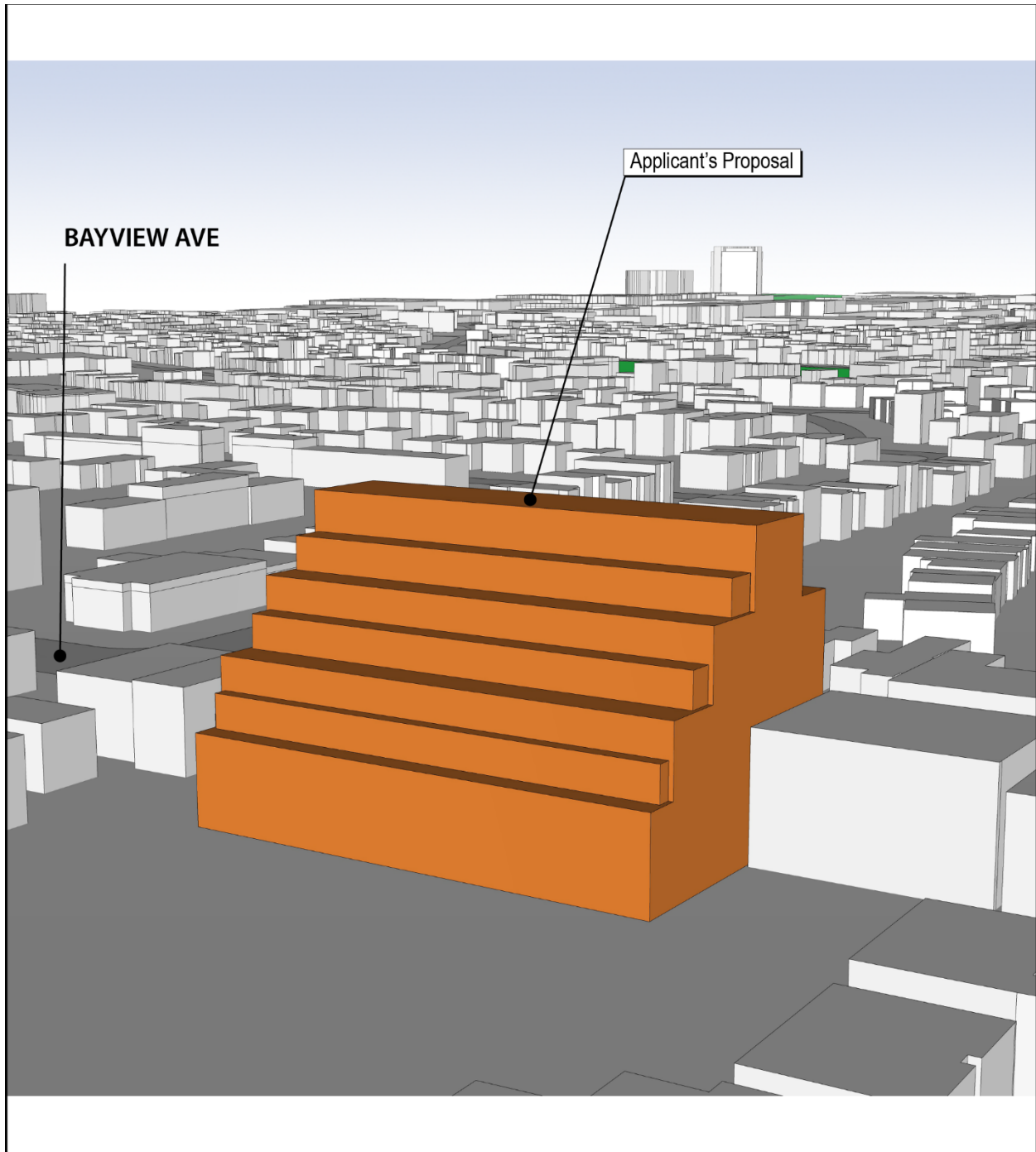


View of Applicant's Proposal Looking Southwest

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03/26/2019



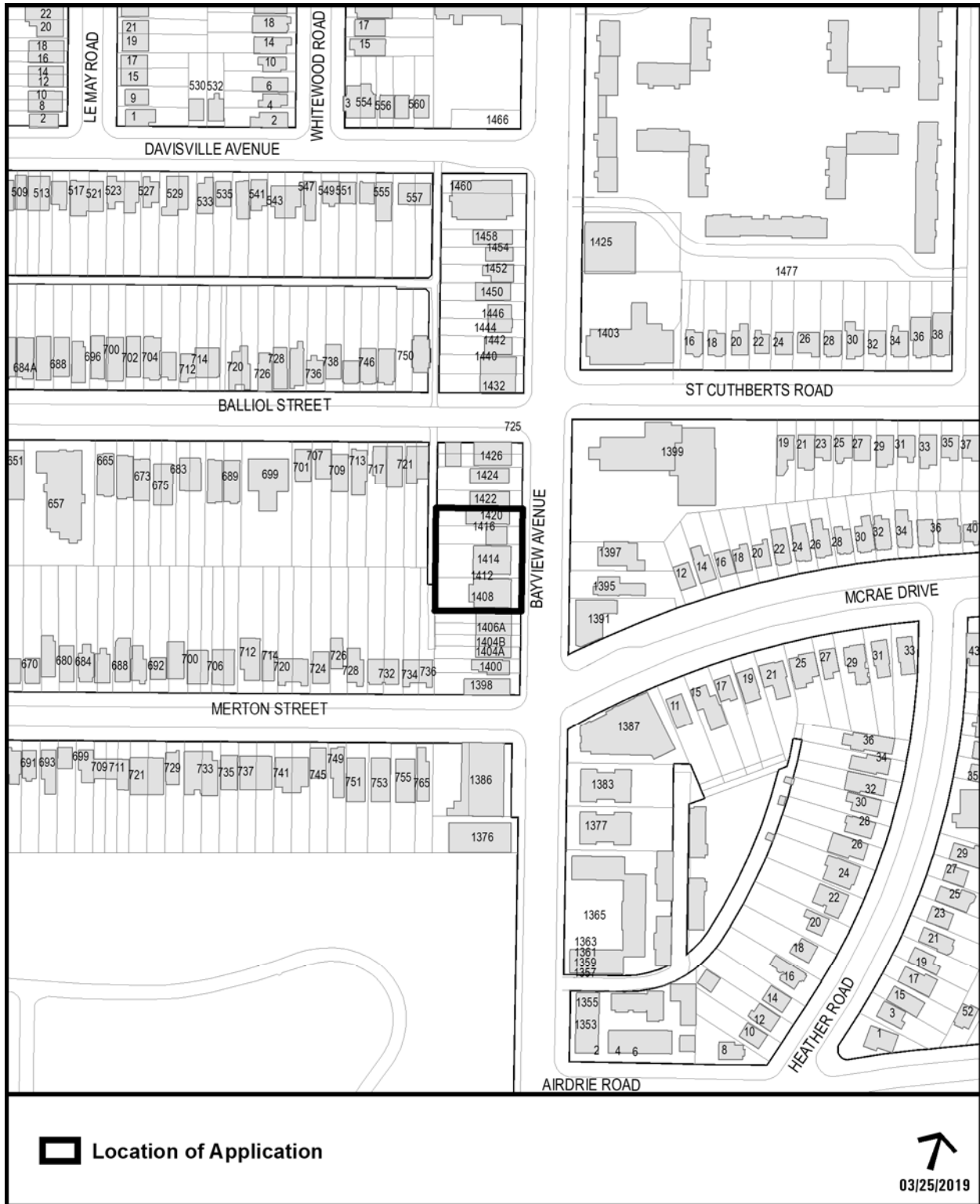
Attachment 2: 3D Model of Proposal in Context (Looking Northeast)



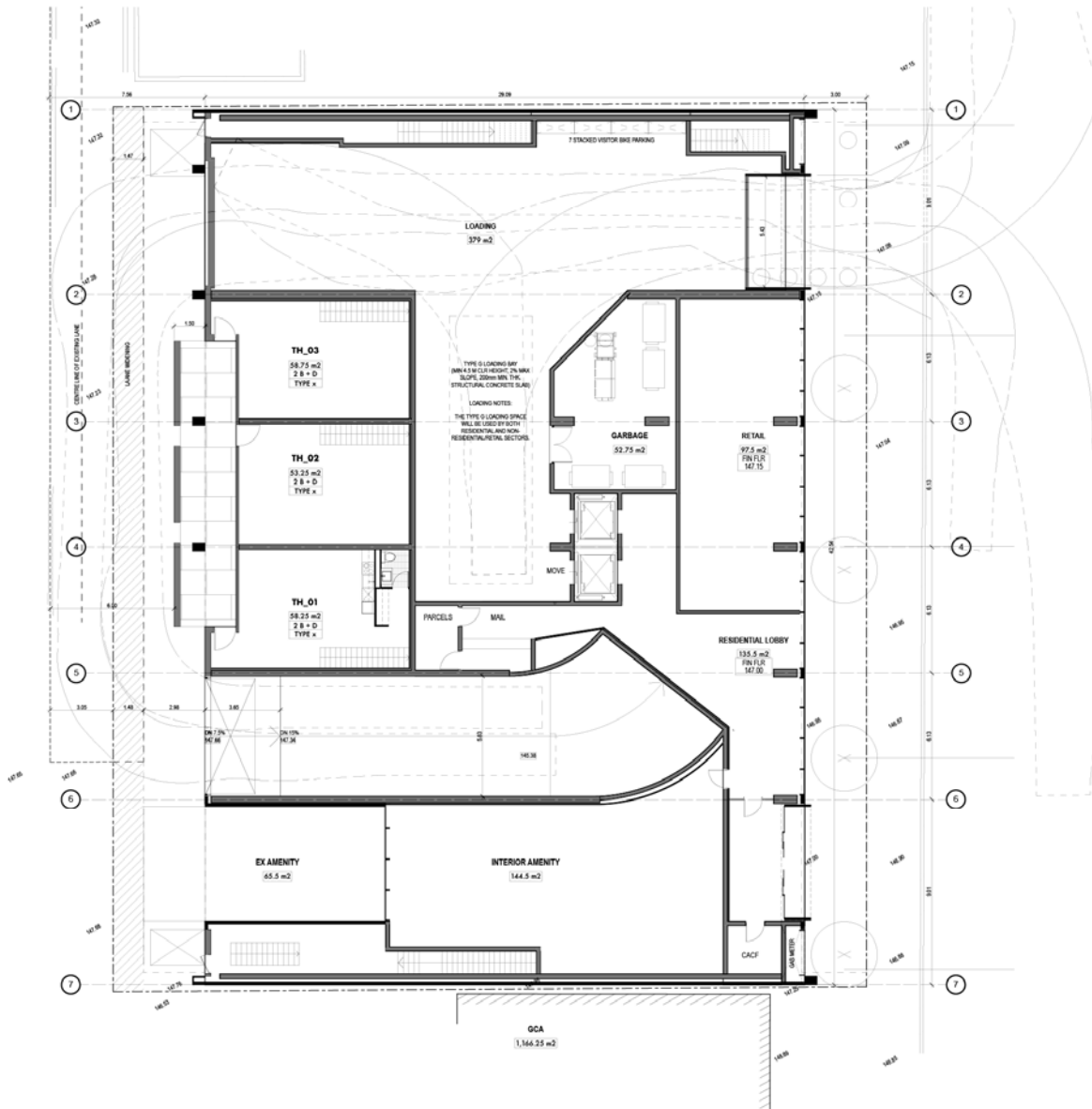
View of Applicant's Proposal Looking Northeast

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03/26/2019

Attachment 3: Location Map



Attachment 4: Site/Ground Floor Plan



Site/Ground Floor Plan

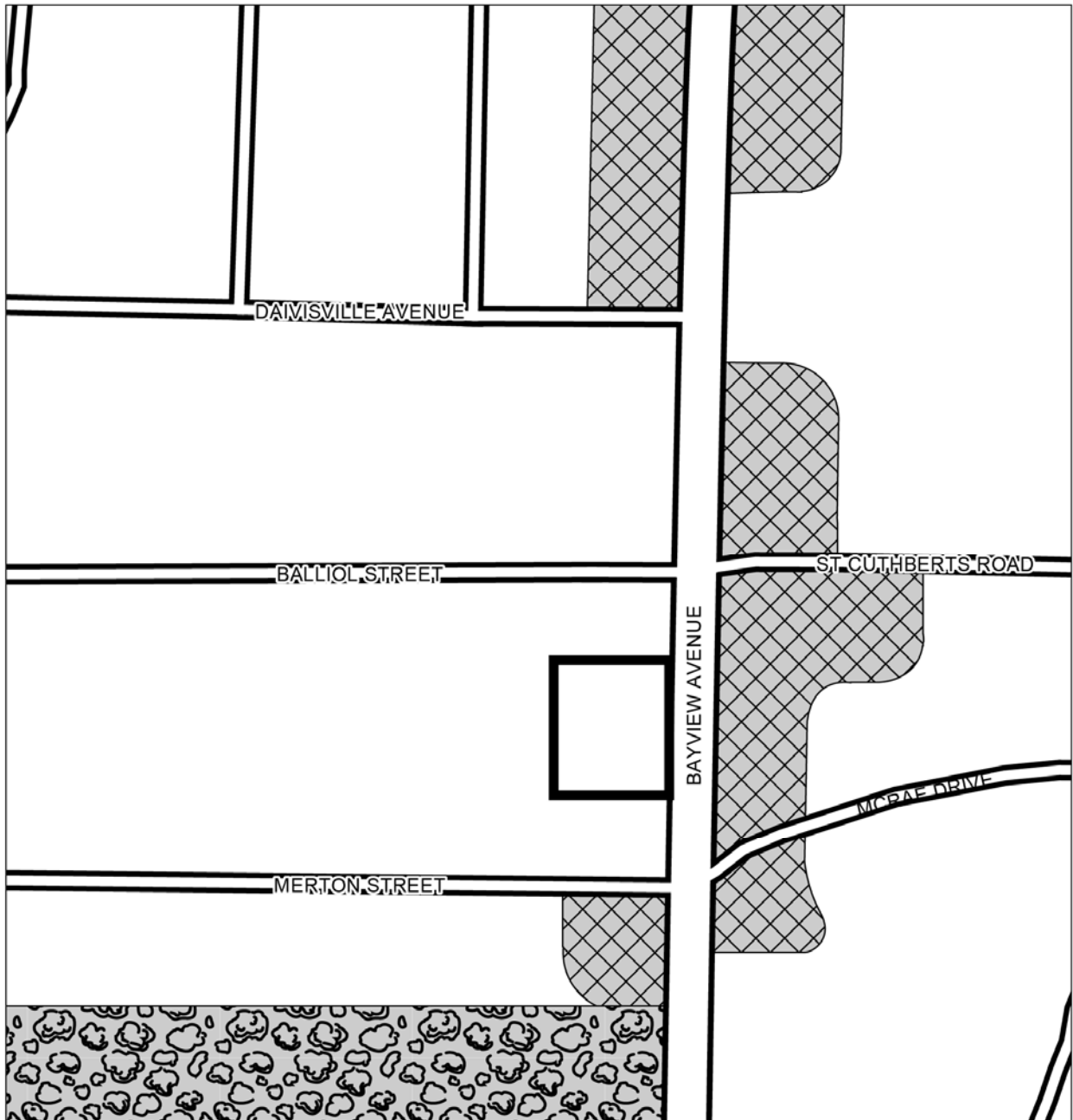
1408-1420 Bayview Avenue

Applicant's Submitted Drawing

Not to Scale   
03/25/2019

File # 19 120011 NNY 15 0Z

Attachment 5: Official Plan Map



**TORONTO**  
Official Plan Land Use Map

1408-1420 Bayview Avenue

File # 19 120011 NNY 15 0Z

Location of Application	Natural Areas	Institutional Areas	Utility Corridors
Neighbourhoods	Parks	Regeneration Areas	
Apartment Neighbourhoods	Other Open Space Areas	Employment Areas	
Mixed Use Areas			

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Not to Scale  
03/25/2019



1408-1420 Bayview Avenue

**Toronto**  
Yonge-Eglinton Secondary Plan - OPA 405

File # 19 120011 MNY 15 0Z

★ Site Location

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Not to Scale  
03/26/2019

## Attachment 7: Application Data Sheet

Municipal Address: 1408 - 1420 Bayview Ave. Date Received: February 27, 2019

Application Number: 19 120011 NNY 15 OZ and  
19 120017 NNY 15 RH

Application Type: Official Plan Amendment, Zoning By-law Amendment and Rental Housing Demolition

Project Description: The applications propose an 8-storey (26.15 metres, excluding mechanical penthouse) mixed-use building including 98 square metres of ground floor retail space. The proposal includes 65 dwelling units and 48 parking spaces in a two-level underground garage. The proposed development requires the demolition of the existing buildings at 1408-1420 Bayview Avenue which contain a total of 11 residential rental units.

Applicant	Agent	Architect	Owner
1414 Bayview Dev GP Inc	Andrew Woods, Gairloch Developments	architectsAlliance	1414 Bayview Dev GP Inc

### EXISTING PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	No
Zoning:	R (d1.0) (x760)	Heritage Designation:	No
Height Limit (m):	14	Site Plan Control Area:	Yes

### PROJECT INFORMATION

Site Area (sq m):	1,572	Frontage (m):	43	Depth (m):	40
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Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	970	0	1,166	1,166
Residential GFA (sq m):	1,243	0	6,144	6,144
Non-Residential GFA (sq m):	0	0	98	98
Total GFA (sq m):	1,243	0	6,242	6,242
Height - Storeys:	3	NA	8	8
Height - Metres:	14	NA	29	29

Lot Coverage Ratio (%):	74.17	Floor Space Index:	3.97
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Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	6,144	

Retail GFA:	98
Office GFA:	0
Industrial GFA:	0
Institutional/Other GFA:	0

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	11	0		
Freehold:	1	0		
Condominium:			65	65
Other:				
<b>Total Units:</b>	<b>12</b>	<b>0</b>	<b>65</b>	<b>65</b>

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			20	37	8
<b>Total Units:</b>			<b>20</b>	<b>37</b>	<b>8</b>

Parking and Loading

Parking Spaces:	48	Bicycle Parking Spaces:	66	Loading Docks:	1
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