

765 Steeles Avenue West – Zoning Amendment Application – Preliminary Report

Date: June 7, 2019

To: North York Community Council

From: Director, Community Planning, North York District

Wards: Ward 18 - Willowdale

Planning Application Number: 19 149036 NNY 18 OZ

Related Applications: 19 149040 NNY 18 SA

Current Use(s) on Site: A 21 storey rental apartment building containing 167 units

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application located at 765 Steeles Avenue West. 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

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 765 Steeles Avenue West 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

The recommendations in this report have no financial impact.

DECISION HISTORY

City Council, at its meeting of July 22, 23 and 24, 2003 considered an application to amend the Official Plan and zoning by-law to permit a seven-storey, residential in-fill building on the adjacent property to the west at 775 Steeles Avenue West. City staff recommended approval, however City Council refused the application and it was subsequently appealed to the Ontario Municipal Board. In 2005 the Ontario Municipal Board (File No. PL030768) approved the application allowing for a seven storey residential building on the site in addition to the existing fifteen storey building. The approved zoning by-law, By-law 196-2005(OMB), amended the original By-law 21781 to allow for the proposed building on the site but continued to apply By-law 21781 to the remaining lands, including 765 Steeles Avenue West.

City Council's decision and a copy of the staff report is available at <https://www.toronto.ca/legdocs/2003/agendas/council/cc030722/ny6rpt/cl020.pdf>.

ISSUE BACKGROUND

Application Description

This application proposes to amend the zoning by-law standards for unit count, height and building setbacks for the property at 765 Steeles Avenue West to permit the construction of two additional rental apartment buildings at the north and south ends of the site. The existing twenty-one storey rental apartment building would be retained.

The proposed northerly building would be sited along Steeles Avenue West, be ten storeys in height and contain 129 units and have a gross floor area of 11,164 square metres. The southerly building would be sited at the rear of the site behind the existing building and consist of eight storeys with eighty units and have a gross floor area of 6982 square metres. Including the existing building, the site would have a Floor Space Index of 2.99. Vehicular access is proposed from Steeles Avenue West. A total of 320 parking spaces would be provided for all buildings including 178 spaces for the proposed buildings, with thirteen of those spaces located at grade.

A public park, approximately 800 square metres in size, is proposed at the south end of the site abutting Greenwin Village Road.

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 proposed 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: A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (the "Growth Plan (2019)") 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.

The Growth Plan (2019) came into effect on May 16, 2019. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2017. The Growth Plan (2019) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan, 2019 establishes policies that require implementation through a Municipal Comprehensive Review (a "MCR"), which is a requirement pursuant to Section 26 of the *Planning Act* that comprehensively applies the policies and schedules of the Growth Plan (2019), including the establishment of minimum density targets for and the delineation of strategic growth areas, the conversion of provincially significant employment zones, and others.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- 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 (2019) 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 (2019) 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 (2019). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2019).

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 located on lands shown as *Apartment Neighbourhoods* on Map 16 of the Official Plan. *Apartment Neighbourhoods* are made up of apartment buildings, parks and small-scale retail, service and office uses that serve the needs of area residents. Steeles Avenue West is identified as a *major street* with a planned right-of-way width of thirty six metres on Map 3 and a *transit priority segment* on Map 5 of the Official Plan.

Zoning By-laws

The site is subject to both former City of North York Zoning By-law 7625 and City of Toronto Zoning By-law 569-2019. It is also subject to Borough of North York Zoning By-law 21781.

By-law 7625 designates the site as Multiple-Family Dwellings Sixth Density Zone (RM6). The RM6 designation allows for a number of building types including apartment house dwellings with a maximum lot coverage of thirty-five percent, a maximum FSI of 1.5 and a maximum height of eleven metres which may be increased the farther away the building is from a lot line.

By-law 21781 applies to the subject site and to the sites east and west of it. The by-law limits the current building at 765 Steeles Avenue West to twenty two storeys, limits the three sites subject to the by-law to a maximum of 560 dwelling units and requires a minimum of 631 parking spaces for the three sites.

The site is zoned RA (f30.0; a1375; d1.5) in By-law 569-2013. The Residential Apartment Zone (RA) permits residential uses in apartment buildings and has a maximum height of twenty four metres. A maximum Floor Space Index of 1.5 times the area of the lot is permitted.

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 Building Performance Standards and Addendum
- Bird Friendly Guidelines

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 been submitted (File No. 19 149040 NNY 18 OZ) and will be reviewed concurrently with this application.

COMMENTS

Reasons for the Application

An application to amend the zoning by-laws is required as the additional buildings are not permitted in the existing site-specific zoning by-law. Further, the additional buildings would add increased units and gross floor area not contemplated in the current zoning by-law. Other development standards such as building height would need to be amended to accommodate the proposal.

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 application proposes two buildings, one fronting onto Steeles Avenue West and one in the rear of the site. The placement of the buildings on the site means the existing building will no longer have frontage on a public street. Further, the southerly building would be setback from Greenwin Village Road with a large landscaped area separating the building from the public street. Staff will be assessing the appropriateness of the proposed building placement and site organization.

The Built Form policies of the Official Plan require buildings to frame and support public streets by, amongst other things, locating buildings parallel to the street or along the edge of a park. Buildings are required to locate main entrances so that they are clearly visible and directly accessible from the public sidewalk. Staff will be assessing the proposal against the *Apartment Neighbourhoods* criteria in the Official Plan, particularly the in-fill policies in Section 4.2.3.

New development should be massed to fit harmoniously into its existing and/or planned context while limiting its impacts on streets, parks and nearby properties. Policy 4.2.3(c)

of the *Apartment Neighbourhoods* policies require separation distances between buildings on and adjacent to the site so as to achieve adequate sunlight and privacy. The proposed building's scale, including height and massing, will be assessed in relation to the existing and adjacent buildings.

Policy 4.2.2 of the Apartment Neighbourhoods section of the Official Plan requires development to locate and mass buildings to provide a transition between areas of different intensity and scale, including a stepping down of heights towards lower-scale *Neighbourhoods*. The proposed transition to the lands designated *Neighbourhoods* to the south is being reviewed.

New development should frame adjacent streets and parks by respecting the street proportion, providing an appropriate transition in scale to existing and planned buildings and providing adequate light and privacy. Infill development in *Apartment Neighbourhoods* should improve the existing site conditions by improving upon the quality of landscaped open space including the preservation or replacement of significant landscape features and walkways and creating such features where they did not previously exist. Staff are reviewing the application to determine whether appropriate transition and adequate light and privacy are being provided. The application is also being evaluated to ensure landscape features and walkways are provided in appropriate locations.

Buildings should consolidate, and where achievable relocate, parking and servicing areas where they are not visible from streets, park and landscaped open spaces. Parking ramps and garbage storage facilities should be located within the building(s). Staff will review the application to ensure appropriate screening and landscaping is provided and that servicing facilities are consolidated where appropriate.

The Built Form policies also require development to limit shadowing and uncomfortable wind conditions. The applicant has submitted shadow and wind studies which are currently being reviewed.

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 is proposing to remove twenty seven trees which are subject to the City's Private Tree By-law and three which are subject to the Street Trees By-law. An additional twenty five trees would be injured as a result of the development, many due to construction activities.

The applicant has submitted an Arborist Report and a tree preservation plan which are under review by City staff. A total of thirty-one deciduous trees are proposed to be planted on private property.

Parkland

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

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 2,786.7 square metres or 25.2 percent of the site area. However, for sites that are 1 to 5 hectares in size, a cap of 15 percent of the development site is applied to the residential use. In total, the parkland dedication requirement is 1,574.72 square metres.

The applicant is proposing an on-site dedication of approximately 800 square metres, partly encumbered by an easement, along the south end of the site abutting Greenwin Village Road. Policy 3.2.3.8 of the Official Plan directs that conveyances to the City should be free of encumbrances unless approved by Council, be visible and accessible from adjacent public streets and be of a usable shape, topography and size that reflects its intended use. The proposed parkland should be increased in size and be unencumbered to meet the requirements of the Official Plan. Staff are reviewing the size, location and configuration of the park, as well as the proposed building setback from the proposed park.

Housing

A Housing Issues Report is required for Official Plan Amendment, Zoning By-law Amendment and Plan of Condominium applications that seek to intensify existing rental sites such as in this case.

The applicant has submitted a Housing Issues Report which did not contain all of the required materials outlined in the Terms of Reference. As such, staff have deemed the application incomplete until the report has been updated to provide the required information which includes:

- Rent roll(s) for the existing building;
- Any proposed improvements or renovations to the existing building;
- A construction mitigation strategy; and
- Confirmation on the expected tenure of the new buildings.

The Official Plan contains policies which relate to infill development on sites which contain existing apartment buildings. Policy 2.3.1.2 requires these infill developments, such as the one proposed, to improve site conditions by "maintaining or substantially replacing and improving indoor and outdoor amenity space" for both existing and new residents. Similar policies exist within the *Apartment Neighbourhoods* policies. The applicant has indicated in the submitted Housing Issues Report that the proposed amenity areas (1044 square metres of indoor space and 553 square metres of outdoor

space) would be used by all residents. Staff are reviewing the application to determine if the amount and type of amenity space is appropriate.

Policies 3.2.1.5 and 4.2.3(g) of the Official Plan directs that infill development on lands with existing rental buildings should secure needed improvements to the existing rental housing to improve amenities and facilities without pass-through costs to tenants.

Staff are reviewing the submitted report and proposal for conformity with the Official Plan policies.

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 Community and Services Facility Study as part of the application materials. The study concludes that there is available space in the nearby Toronto District School Board schools to accommodate the expected children from the development. The study also notes that there is not sufficient space in the Catholic school system and that local child care centres are at capacity.

Staff are reviewing the submitted report and its conclusions. The review will identify whether any capital improvements or expansion of existing facilities are required to support the development.

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 development thresholds identified in the Official Plan.

Policy 5.1.1.4 of the Official Plan states that Section 37 may be used for development with more than 10,000 square metres of gross floor area. Policy 5.1.1.5 also states that Section 37 may be used in any circumstance to secure rental housing and capital facilities required to support development.

The proposed development would add an additional 18,146 square metres of gross floor area, well in excess of the 10,000 square metre threshold in the Official Plan. Should staff be satisfied that the proposed development represents good planning and is consistent with the Official Plan, staff will work to secure community benefits in accordance with Section 37 of the *Planning Act*.

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.

The applicant has submitted geotechnical, hydrogeological and stormwater management and servicing reports, the purpose of which is intended to evaluate the effects of the development on the City's municipal servicing infrastructure and watercourses and identify and provide the rationale for any new infrastructure and upgrades to existing infrastructure, if necessary, to provide for adequate servicing to the proposed development.

Staff are also reviewing the Transportation Impact Study submitted by the applicant, 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.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (the "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, in zoning by-law amendments and through a Site Plan Agreement or Registered Plan of Subdivision.

Staff are reviewing 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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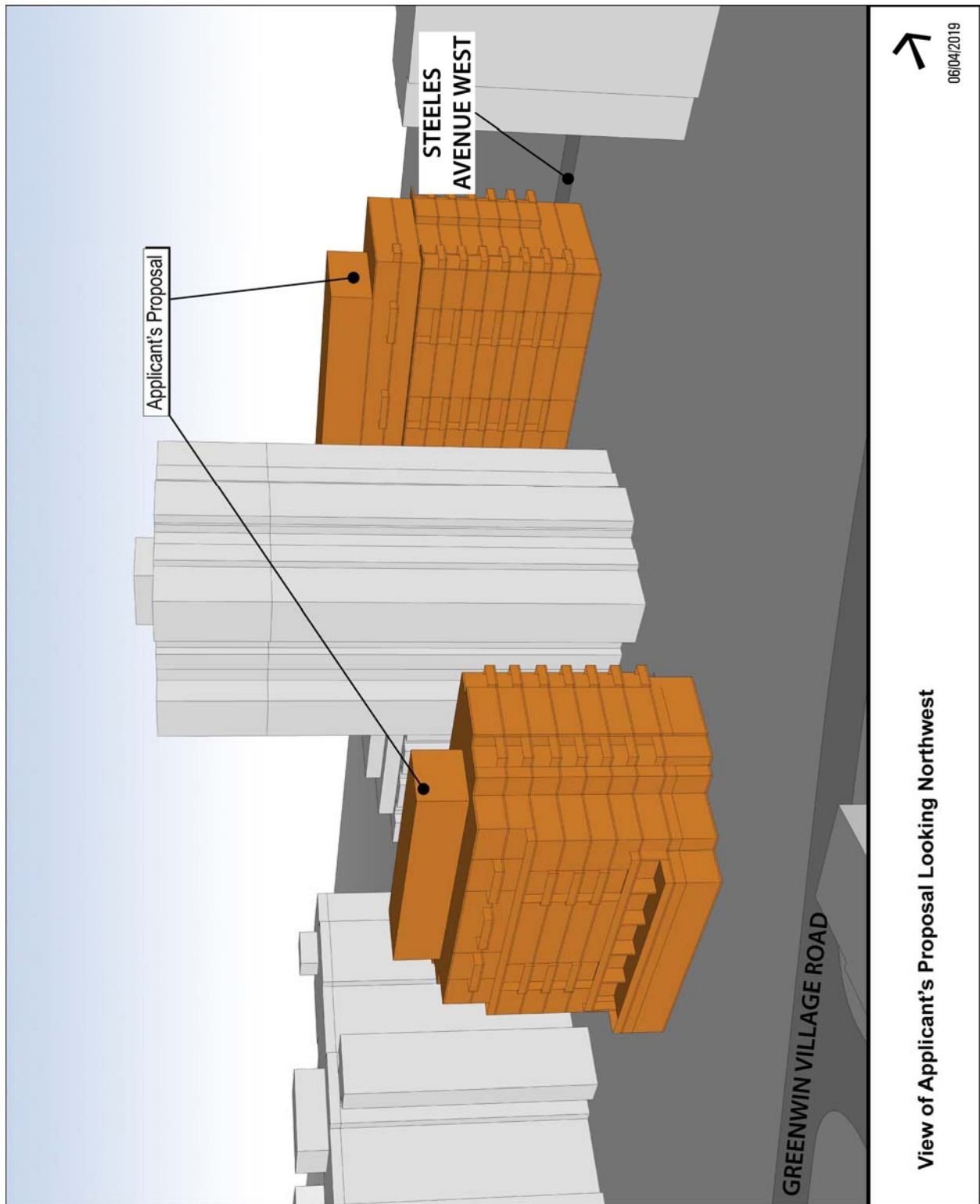
Joe Nanos, Director
Community Planning, North York District

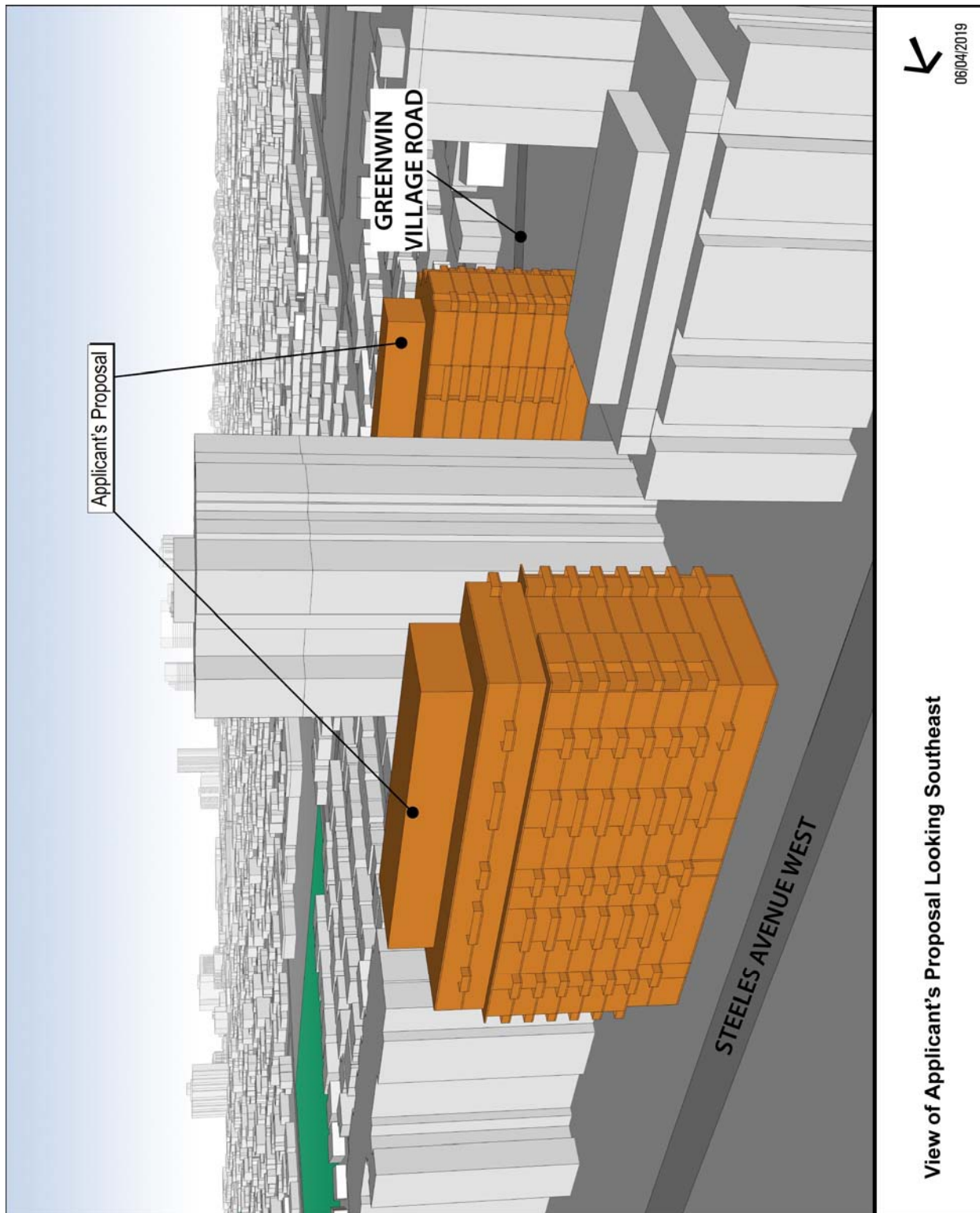
ATTACHMENTS

City of Toronto Drawings

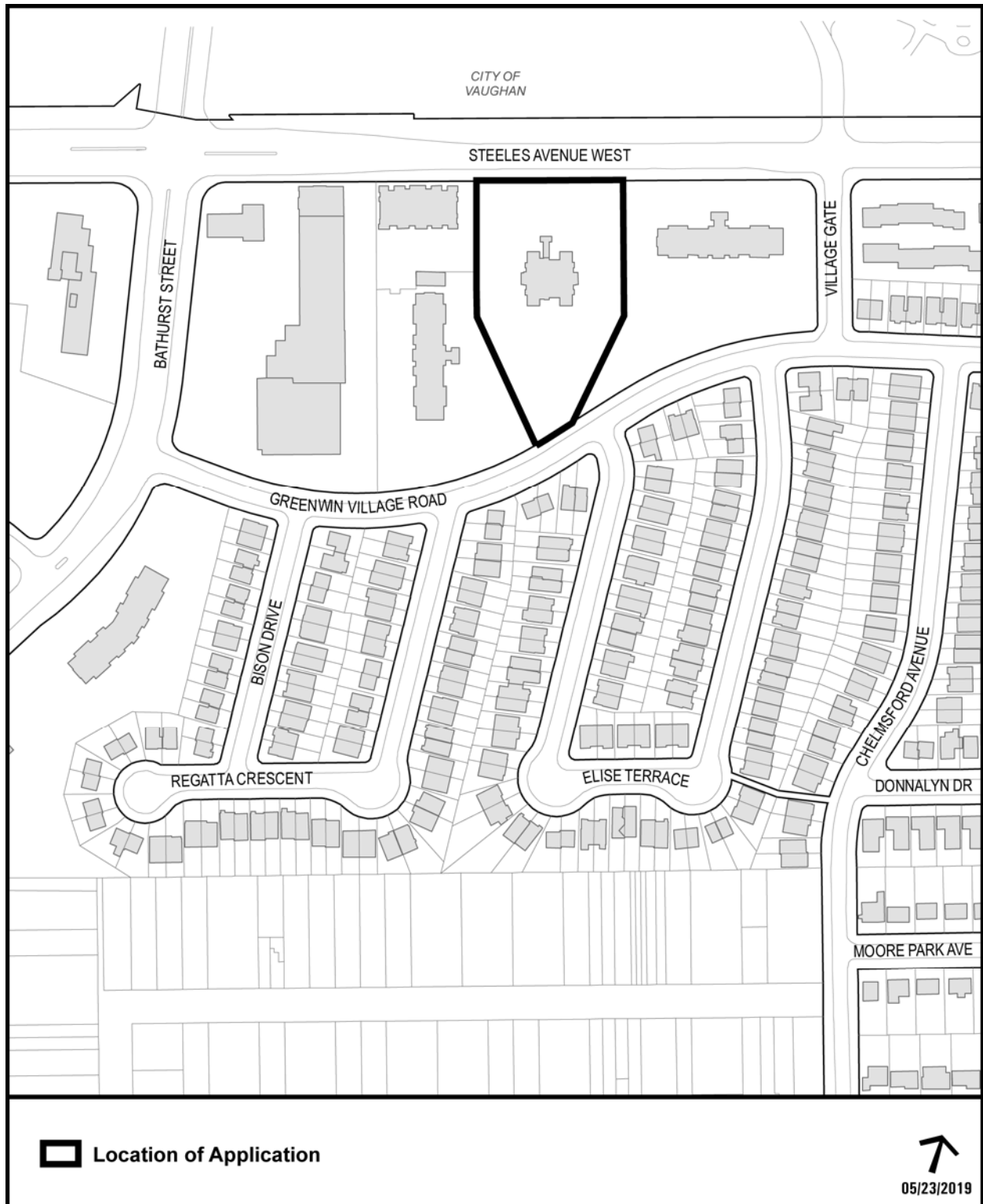
Attachment 1: 3D Model of Proposal in Context
Attachment 2: Location Map
Attachment 3: Site Plan
Attachment 4: Official Plan Map

Attachment 1: 3D Model of Proposal in Context

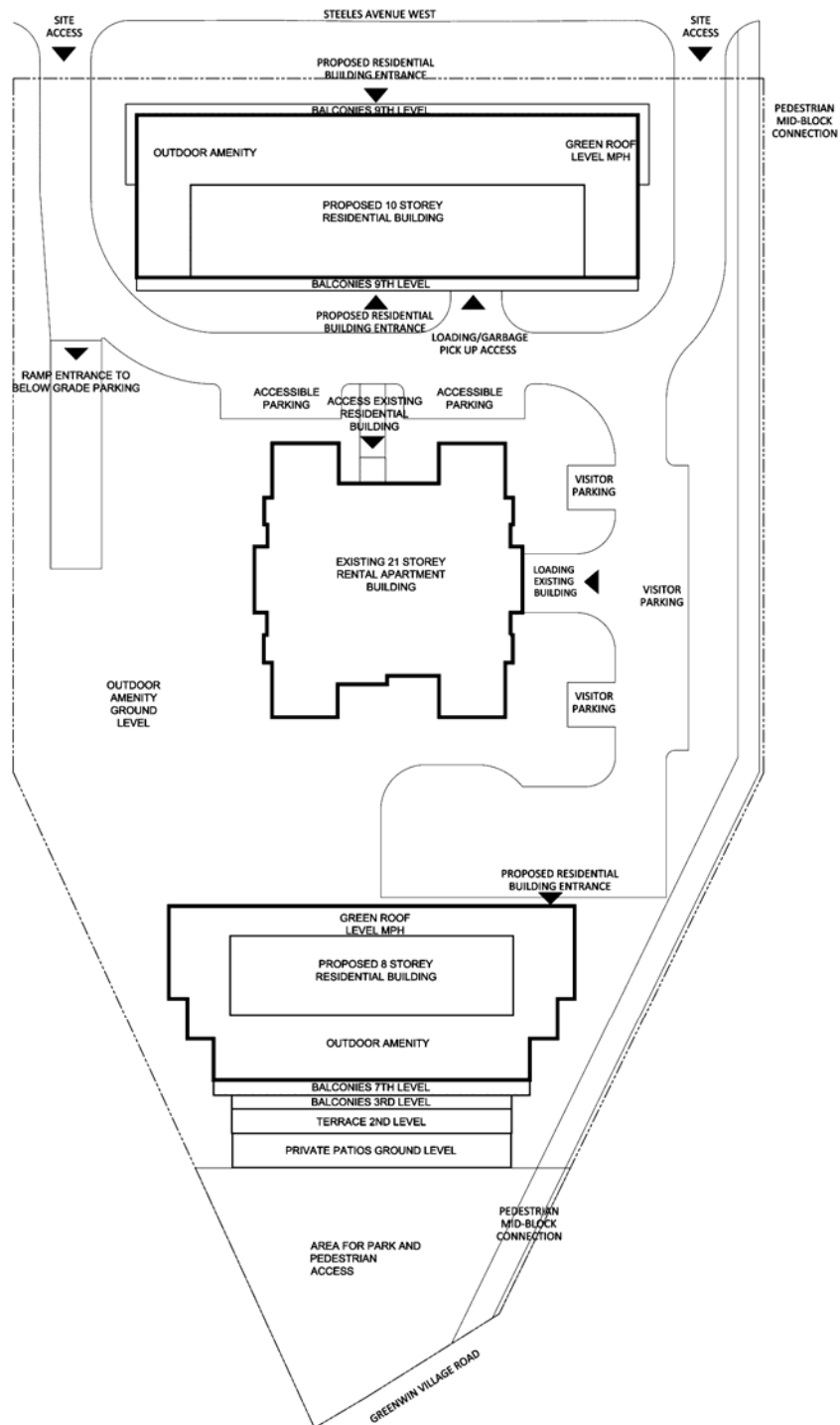




Attachment 2: Location Map



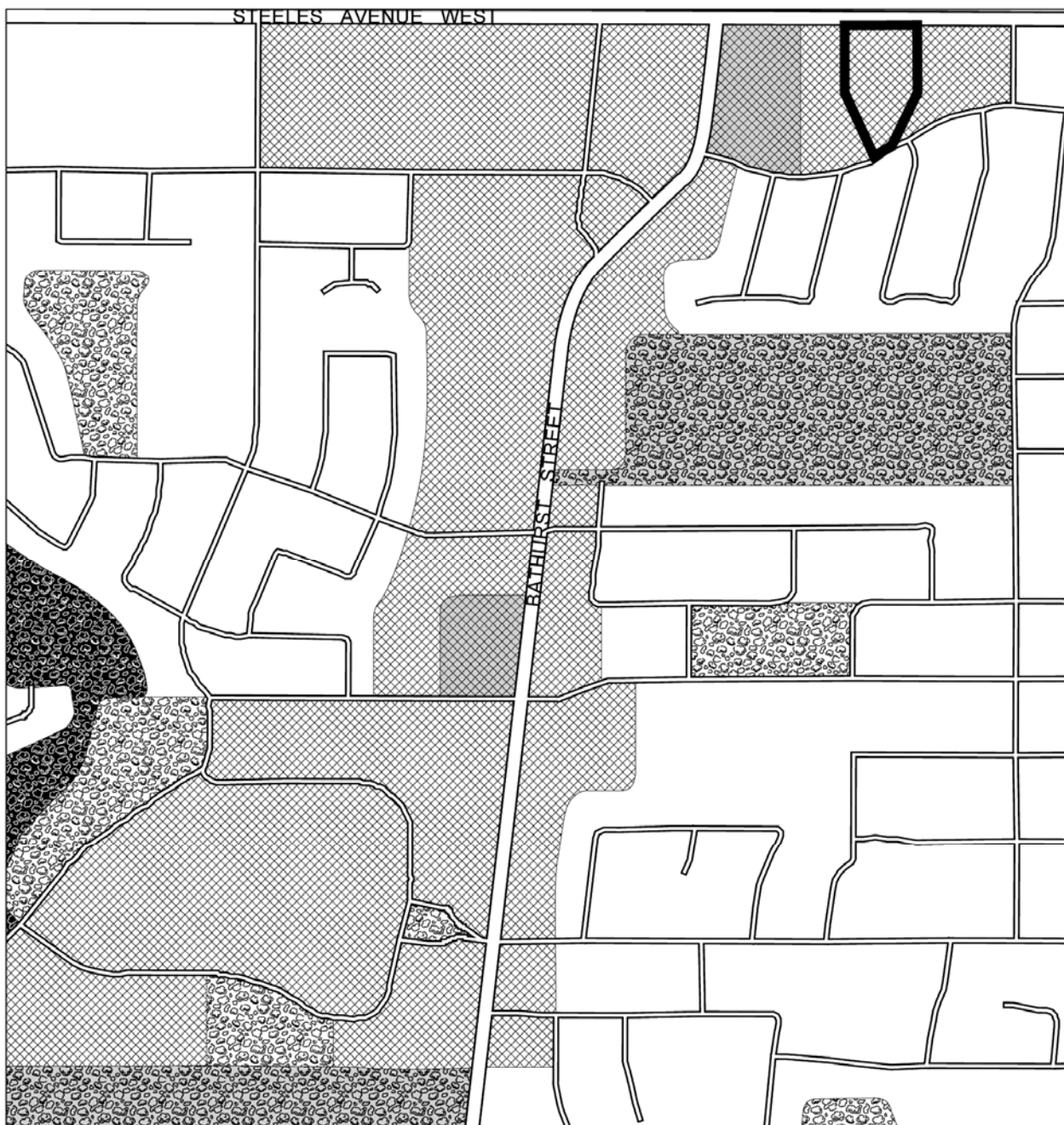
Attachment 3: Site Plan



Site Plan



Attachment 4: Official Plan Map



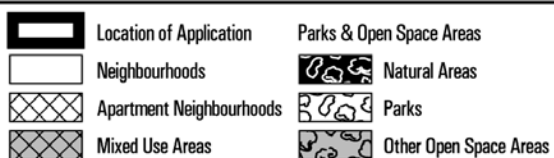
TORONTO

Official Plan Land Use Map #16

Note: This map was extracted from the July 2015 Land Use Plan

765 Steeles Avenue West

File # 19 149036 NNY 18 02



Not to Scale
05/28/2019