

## **77 Clarendon Avenue – Official Plan, Zoning By-law Amendment and Rental Housing Demolition Applications – Final Report**

Date: January 29, 2019

To: Toronto and East York Community Council

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

Ward: 12, Toronto-St. Paul's

**Planning Application Number:** 15 202792 STE 22 OZ and 15 202796 STE 22 RH

### **SUMMARY**

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This application proposes to construct a 5-storey residential condominium building at 77 Clarendon Avenue that would involve the demolition of the existing 5-storey apartment building with 10 rental units currently on the property. The proposed building would include a total of 30 residential units, with a total gross floor area (GFA) of 5,375 square metres, and a density of 1.71 times the lot area. Three levels of below grade parking would accommodate 55 vehicular parking spaces.

A related Rental Housing Demolition application under Chapter 667 of the Toronto Municipal Code (Section 111 of the City of Toronto Act) seeks approval to demolish the existing rental building. The applicant does not propose to replace the existing rental units within the proposed development as all existing rental units have rents that exceed mid-range rents.

The proposed development is consistent with the Provincial Policy Statement (2014) and conforms with the Growth Plan for the Greater Golden Horseshoe (2017).

The proposal represents a suitable redevelopment of the site considering the existing use, and presents built form and landscaping that is compatible with the surrounding neighbourhood context. The building footprint has been revised through several resubmissions to reduce the impact to existing trees and lands subject to the Ravine and Natural Features Protection By-law.

This Report reviews and recommends approval of the applications to amend the Official Plan and Zoning By-law. This Report also recommends approval of the Rental Housing

Demolition application and the Residential Demolition Permit under Chapter 363 of the Toronto Municipal Code, subject to conditions.

## **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. City Council amend the Official Plan, for the lands at 77 Clarendon Avenue substantially in accordance with the draft Official Plan Amendment attached as Attachment No.5 to this Report.
2. City Council amend Zoning By-law 438-86 for the lands at 77 Clarendon Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No.6 to this Report.
3. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 77 Clarendon Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No.7 to this Report.
4. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and or draft Zoning By-law Amendments as may be required.
5. Before introducing the Bills to City Council for enactment, City Council require the owner to:
  - a) enter into a financially secured agreement for the construction of any improvements to the municipal infrastructure, should it be determined that upgrades and road improvements are required to support the development, according to the functional servicing report accepted by the Chief Engineer and Executive Director of Engineering and Construction Services;
  - b) provide space within the development for installation of maintenance access holes and sampling ports on the private side, as close to the property line as possible, for both the storm and sanitary service connections, in accordance with the Sewers By-law Chapter 681-10.
  - c) apply for and complete the approvals process to seek permission to injure or destroy any privately owned trees that are not possible to retain during construction of this development in accordance with the City of Toronto's Private Tree By-law; and

d) apply for and complete the approval process to seek permission to injure or destroy any publicly owned trees that are not possible to retain during construction of this development in accordance with the City of Toronto's Street Tree By-law.

6. City Council approve the Rental Housing Demolition application in accordance with Chapter 667 of the Toronto Municipal Code to allow for the demolition of 10 existing rental dwelling units located at 77 Clarendon Avenue subject to the owner providing all eligible tenants with financial compensation as per the *Residential Tenancies Act* and extended notice to vacate, all to the satisfaction of the Chief Planner and Executive Director, City Planning;

7. City Council authorize the Chief Planner and Executive Director, City Planning, to issue the Preliminary Approval for the Rental Housing Demolition Permit under Chapter 667 of the Toronto Municipal Code for the demolition of 10 existing rental dwelling units at 77 Clarendon Avenue after all the following have occurred:

- a) Satisfying or securing of the conditions in Recommendation 6 above;
- b) The Zoning By-law Amendments have come into full force and effect;
- c) The Official Plan Amendment has come into full force and effect;
- d) The issuance of the Notice of Approval Conditions for site plan approval by the Chief Planner and Executive Director, City Planning, or their designate, pursuant to Section 114 of the *City of Toronto Act, 2006*; and
- e) The issuance of excavation and shoring permits for the approved development of the site.

8. City Council authorize the Chief Building Official to issue the Rental Housing Demolition Permit under Chapter 667 of the Toronto Municipal Code after the Chief Planner and Executive Director, City Planning has Issued the Preliminary Approval referred to in Recommendation 7.

9. City Council authorize the Chief Building Official to issue a Residential Demolition Permit under Section 33 of the *Planning Act* no earlier than the issuance of the first building permit for excavation and shoring of the development, and after the Chief Planner and Executive Director, City Planning, has issued the Preliminary Approval referred to in Recommendation 7, which may be included in the demolition permit for Chapter 667 under 363-11.1, of the Toronto Municipal Code, on condition that:

a) The owner erects a residential building on site no later than three (3) years from the day demolition of the buildings is commenced; and

b) Should the owner fail to complete the new building within the time specified in condition 9(a) above, the City Clerk shall be entitled to enter on the collector's roll, to be collected in a like manner as municipal taxes, the sum of twenty thousand dollars (\$20,000.00) for each rental dwelling unit for which a demolition permit is issued, and that each sum shall, until payment, be a lien or charge upon the land for which the demolition permit is issued.

## **FINANCIAL IMPACT**

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The recommendations in this Report have no financial impact.

## **DECISION HISTORY**

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### **Pre-Application Consultation**

A number of pre-application consultation meetings were held with the applicant between January 30, 2012 and August 13, 2014. Staff raised concerns related to matters such as number of storeys, height, scale, setbacks, amenity space, and provided rental housing requirements. At the August 13, 2014 meeting staff discussed complete application submission requirements. The first submission was made on August 7, 2015, and was deemed complete on September 14, 2015. Since that time, a number of resubmissions have been made to address comments from staff and the community.

### **Toronto and East York Community Council (TEYCC)**

TEYCC adopted a Preliminary Report at its meeting of October 6, 2015 recommending that staff schedule a community consultation meeting to discuss the proposal with area residents. The Community Council decision and Preliminary Report can be accessed through the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.TE11.36>

Several additional consultations took place with the applicant and staff following the first submission to provide direction on refinements to the proposal.

## **ISSUE BACKGROUND**

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### **Proposal**

The initial development application for the site was submitted in August 2015. The original proposal was revised through several rounds of resubmission, and commenting

from staff and community members. The current proposal, as submitted on December 13, 2018 is described below. Refer to Attachment No. 1 for further project data.

The applicant proposes to construct a 5-storey (21.3 metre plus a 3.15 metre mechanical penthouse) residential building containing 30 dwelling units (26 two-bedroom units, and 4 three-bedroom units).

The proposal includes 708 square metres of indoor amenity space located on the ground floor and P1 level. Outdoor amenity space is provided by a 20 square metre, south-facing common balcony on the ground floor. This common balcony is accessed through the indoor amenity space on the same floor. A 220 square metre green roof is provided above the mechanical penthouse.

The total gross floor area (GFA) of the proposed building is 5,375 square metres. This results in a density of 1.71 times the lot area.

Three levels of below-grade parking accommodate 55 vehicular parking spaces, including 46 for residential use and 9 for visitor use. In total, 30 bicycle parking spaces are provided: 27 long-term, below-grade spaces and 3 short-term, at-grade spaces.

A Type-B loading space is provided for servicing, deliveries and moving. Access to the underground parking and loading spaces is proposed off of Clarendon Avenue from a driveway along the eastern edge of the site. The existing circular driveway off Clarendon Avenue will serve as a pick-up and drop-off location and fire-rout, and will be modified to reduce the overall paved area.

As a corner lot, the applicant has the ability to choose which lot line will serve as the front lot line. The applicant has indicated that Russell Hill Road will be defined as the front lot line; however, the main pedestrian and vehicular entrances will be located off of Clarendon Avenue. Along the Russell Hill Road frontage, setbacks range from 8.8 to 19.0 metres. The rear lot line is defined as the eastern property line, with an adjacent property on Clarendon Avenue. The rear lot line setbacks are generally 8.0 metres. The side lot line setback along Clarendon Avenue is 9.7 metres. The setbacks along the remaining side lot line range from 6.0 to 23 metres. Along Clarendon Avenue, the building has a step-back of 1.2 metres above the 3rd floor, creating a 3-storey main front wall.

The building frontage along the Clarendon Avenue includes a mix of limestone and marble. This transitions to a glazed façade along the southern frontage. The main pedestrian entrance is marked by architectural and lighting features.

The application proposes to retain 31 existing trees, remove 17 trees and plant 31 new trees. There are 3 public street trees proposed to be removed, which will be replaced by 8 new public street trees planted along Clarendon Avenue. There are 6 private trees on

the lot that are proposed to be removed, which will be replaced by 7 new private trees. There are 8 trees that are proposed to be removed that are subject to the Ravine and Natural Feature Protection (RNFP) By-law. These will be replaced by 16 new trees planted within the RNFP By-law area. The proposal will include a minimum of 38% landscaping of the total lot area.

The Rental Housing Demolition application proposes to demolish the existing 5-storey rental apartment building containing 10 rental dwelling units. The applicant has not proposed to replace the existing units within the proposed development.

### **Site and Surrounding Area**

The site is located on the south east corner of Clarendon Avenue and Russell Hill Road. It is irregular in shape and has a frontage of 65.3 metres on Clarendon Avenue and 52.9 metres on Russell Hill Road. The total site area is 3,152 square metres. The site slopes down from north to south and from east to west with a maximum grade change of approximately 7 metres.

The site is currently occupied by a 5-storey apartment building which dates from the 1960s and contains 10 rental units. A surface parking lot is located along the eastern edge, accessed by a private driveway from Clarendon Avenue. A circular driveway is also located along the Clarendon Avenue frontage, providing pick-up and drop-off space.

There are 48 trees on or near the site, which vary in size and condition. This includes 3 public street trees along Clarendon Avenue, 6 private trees within the site, and 39 trees on and near the site which are within the RNFP By-law area.

The unit mix for the 10 existing rental dwelling units to be demolished is comprised of 1 one-bedroom unit, 8 two-bedroom units and 1 three-bedroom unit. Based on the rent rolls provided by the applicant at the time of application, all 10 existing rental dwelling units had rents that exceed mid-range rents. As of the date of this Report, only 1 of the existing rental dwelling unit is currently occupied by a tenant.

The surrounding area is primarily residential with a range of housing forms including single detached, semi-detached, townhouses, and multi-unit apartment buildings. Generally, these buildings have generous landscaping and high-quality design.

Surrounding uses include:

North: North of Clarendon Avenue is a 4-storey apartment building and two and 3-storey detached dwellings. The property at 72 Clarendon Avenue is listed on the City's Inventory of Heritage Properties. North along Russell Hill Road are a mix of two and 3-storey detached dwellings. At St. Clair Avenue West and Russell Hill Road there are two 7-storey apartment buildings and a 3-storey townhouse development.

East: Immediately east on Clarendon Avenue is a 3-storey townhouse development. Further east on Clarendon Avenue are 2 and 3-storey detached dwellings and several 2-storey semi-detached dwellings.

South: Directly south is a 4-storey, 18-unit apartment building that fronts onto Russell Hill Road. On the west side of Russell Hill Road are 2 and 3-storey detached dwellings, which back onto the Roycroft Park Lands.

West: On the west side of Russell Hill Road, across from the subject site, there are 2 and 3-storey detached dwellings. A 4-5 storey apartment building was approved by the Ontario Municipal Board at 200 Russell Hill Road. A development application has been submitted for the property at 206 Russell Hill Road to permit 4 townhouse units. Behind these dwellings are the Sir Winston Churchill Park and Nordheimer Ravine.

### **Provincial Land-Use Policies: 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 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 the Report.

### **Toronto Official Plan**

This application has been reviewed against the policies of the City of Toronto Official Plan as follows:

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

Section 2.3 acknowledges neighbourhoods as stable areas that will not be the focus of major growth. However, it is recognized that some physical change will occur such as infill housing on individual sites. In these contexts, new development will respect and reinforce the existing physical character of the area and the stability of the neighbourhood.

Section 3.1.1 - The Public Realm recognizes the essential role of streets, open spaces, parks and other key shared public assets in creating a great City. These policies aim to ensure that a high level of quality is achieved in architecture, landscape architecture and urban design in public works and private developments to ensure that the public realm is functional, beautiful, comfortable, safe and accessible. Policies within this section require sidewalks to be designed to provide safe, attractive, interesting, and comfortable spaces for pedestrians.

Section 3.1.2 - Built Form states that architects and developers have a civic responsibility to create buildings that not only meet the needs of their clients, tenants and customers, but also the needs of the people who live and work in the area. New development in Toronto will be located and organized to fit with its existing and/or planned context. It will do this by generally locating buildings parallel to the street or along the edge of a park or open space, have a consistent front yard setback, acknowledge the prominence of corner sites, locate entrances so they are clearly visible and provide ground floor uses that have views into and access from the streets. New development will also locate and organize vehicle parking and vehicular access to minimize their impacts on the public realm. Furthermore, new development will create appropriate transitions in scale to neighbouring existing and/or planned buildings, limit shadowing on streets, properties and open spaces, and minimize any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility.

Massing and exterior facades are also recognized as important factors in ensuring new development fits harmoniously with the existing and/or planned context. New buildings will be massed to frame adjacent streets, and will incorporate exterior design elements to influence character, scale and appearance. Furthermore, new development will ensure appropriate transition in scale to adjacent properties and will limit shadow and wind impacts on neighbouring streets, properties, and open spaces.

Section 3.2.1 - Housing includes policies that encourage the provision of a full range of housing, in terms of form, tenure and affordability, and the protection of rental housing units. Policy 3.2.1.6 states that new development that would result in the loss of six or more rental housing units will not be approved unless all rental housing units have rents that exceed mid-range rents at the time of application of relocation.

Section 3.4 contains policies regarding the Natural Environment. While the site is not identified as part of the City's natural heritage system on Map 9, the Official Plan recognizes that there are other areas with natural heritage value that are not shown on the map, and provides policy direction on how these areas should be protected and enhanced. Policy 3.4.3 requires studies to be undertaken for new developments to assess the impact on the natural environment and propose measures to reduce the negative impacts and where possible, make improvements. Where development is proposed in or near the natural heritage system, policy 3.4.10 requires natural heritage values and potential impacts to be recognized, and adverse impacts to be minimize. Similarly, policy 3.4.12 requires all proposed development in or near the natural heritage system to be evaluated to assess possible impacts, and to identify measures to mitigate negative impacts or improve the natural heritage system.

The site is designated as Neighbourhoods, on Map 18 – Land Use Plan of the Official Plan. The Neighbourhoods designation indicates areas which are considered physically stable, and made up of up residential uses in lower scale buildings such as detached

houses, semi-detached houses, duplexes, triplexes, and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. Parks, low scale institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in Neighbourhoods. All adjacent sites are also designated as Neighbourhoods. West of the Neighbourhoods along Russell Hill Road is the Nordmheimer Ravine, designated as Natural Areas, and Sir Winston Churchill Park, designated as Parks.

Section 4.1 provides further policy direction on the Neighbourhood Areas designation for the site, including development criteria to ensure stability of Neighbourhoods' physical character. Physical changes in established Neighbourhoods must be sensitive, gradual and generally "fit" the existing physical character. A key objective for new development is to respect and reinforce the general physical patterns in a Neighbourhood, including in particular:

- a) patterns of streets, blocks and lanes, parks and public building sites;
- b) size and configuration of lots;
- c) heights, massing, scale and dwelling type of nearby residential properties;
- d) prevailing building type(s);
- e) setbacks of buildings from the street or streets;
- f) prevailing patterns of rear and side yard setbacks and landscaped open space;
- g) continuation of special landscape or built-form features that contribute to the unique physical character of a neighbourhood; and
- (i) conservation of heritage buildings, structures and landscapes.

Policy 4.1.5 further states that no changes will be made through rezoning, minor variance, consent or other public action that are out of keeping with the physical character of a Neighbourhood.

Section 5.3.1 identifies the Official Plan as the key statutory guiding document for guiding growth and change in the City, and requires all municipal by-laws to confirm to the Official Plan. Policy 3 discourages amendments to the Official Plan that are not consistent with its general intent, and requires Council to be satisfied that any development permitted under an amendment to this Plan is compatible with its physical context and will not affect nearby Neighbourhoods in a manner contrary to the policies of this Plan. When considering a site specific amendment to this Plan, at the earliest

point in the process the planning review will examine whether the application should be considered within the immediate planning context or whether a broader review and possible area specific policy or general policy change are appropriate.

Staff have reviewed this application against all relevant policies of the Official Plan.

### **Official Plan Amendment 320**

The Local Planning Appeals Tribunal issued an Order on December 7, 2018 to approve and bring into force OPA 320. The approved policies reflect the policies endorsed by Council at its meetings of June 26 to 29, 2018 and July 23 to 30, 2018 in response to mediation and settlement offers from OPA 320 Appellants.

OPA 320 was adopted as part of the Official Plan Five Year Review and contains new and revised policies on Healthy Neighbourhoods, Neighbourhoods and Apartment Neighbourhoods. The approved amendments uphold the Plan's goals to protect and enhance existing neighbourhoods that are considered stable but not static, allow limited infill on underutilized Apartment Neighbourhood sites and help attain Tower Renewal Program goals.

In its Order that approves OPA 320, the LPAT found that the OPA 320 policies are consistent with the Provincial Policy Statement (2014) and conform with the Growth Plan for the Greater Golden Horseshoe (2017).

The outcome of staff analysis and review of relevant Official Plan policies and designations are summarized in the Comments section of the Report.

### **Zoning**

The site is zoned Residential Detached - RD (f15.0; d0.6)(x1275) under the City-wide Zoning By-law No.569-2013. Exception 1275 permits the current residential apartment building. The RD zone permits single detached dwellings only. A maximum density of 0.6 times the lot area and a maximum height of 10 metres is permitted. As the front lot line has been determined along Russell Hill Road, the required minimum front yard setback is 11.2 metres, matching the existing setback of the adjacent residential property on Russell Hill Road. The minimum side yard setback along Clarendon Avenue is 3 metres. The minimum side yard setback along the south is 1.5 metres. The minimum rear yard setback along the east is 15.45m (25% of the lot depth). Landscaping requirements include a minimum of 50% of the total lot area, and of this area, 50% must be soft landscaping.

The site is also subject to the former City of Toronto Zoning By-law No. 438-86. It is zoned R1 Z0.6, which permits detached dwellings and converted dwellings, subject to

conditions. The zoning provisions regarding height, and density, and front yard setbacks are the same as in the RD zone mentioned above. Under By-law 438-86, the minimum rear yard setback is 7.5 metres, and the minimum side yard setback is 1.2 metres.

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

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 Toronto Municipal Code, the Rental Housing Demolition and Conversion By-law, implements Section 111. Chapter 667 prohibits the demolition or conversion of rental housing units in buildings containing six or more residential dwelling 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, where delegated, the Chief Planner and Executive Director, City Planning.

Pursuant to Chapter 667, City Council may refuse an application, or approve the demolition and may impose conditions, including conditions that must be satisfied before a demolition permit is issued. These conditions further the intent of the City's Official Plan policies protecting rental housing.

Pursuant to the City's Residential Demolition Control By-law Chapter 363 of the Toronto Municipal Code, City Council approval of the demolition of residential dwelling units under Section 33 of the *Planning Act* is also required where six or more residential dwelling 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 and an application under Chapter 363 for residential demolition control, City Council typically considers both applications at the same time. Unlike *Planning Act* applications, decisions made by City Council under Chapter 667 are not appealable to the Local Planning Appeal Tribunal (LPAT).

On August 6, 2015, the applicant made an application for a Rental Housing Demolition permit pursuant to Chapter 667 of the City of Toronto Municipal Code.

### **Ravine and Natural Feature Protection By-law**

The southwest portion of the site is subject to the provisions of the City of Toronto Municipal Code Chapter 658 – Ravine and Natural Feature Protection. The Ravine and Natural Features Protection By-law is applicable throughout the City and regulates activities within protected areas. Specifically, the purpose of the By-law is to promote the management, protection and conservation of ravines and associated natural and woodland areas, and to prohibit and regulate the injury and destruction of trees, filling, grading and dumping in defined areas. A permit is required to conduct any of the above activities on ravine protected lands.

A Natural Heritage Impact Study, Geotechnical Study, Arborist Report, and Tree Preservation Plan have been submitted in support of the application. These documents have been reviewed by TRCA, Urban Forestry, and City Planning.

### **Toronto and Region Conservation Authority**

A small portion of subject site along the western frontage is located within a Toronto and Region Conservation Authority (TRCA) regulated area. TRCA Staff have reviewed the application and have confirmed that a TRCA permit is not required.

### **Tree Preservation**

This proposal 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 an Arborist Report, Tree Preservation Plan, and Landscaping Plan in support of the proposal.

### **Site Plan Control**

The proposal is subject to Site Plan Control. An application in this regard has yet to be submitted.

### **Tenure**

The applicant has advised that the 30-unit building is proposed as a condominium. There are a number of common elements including the underground parking garage and amenity areas. An application for a standard condominium will be required.

### **Reasons for Application**

Official Plan Policy 4.1.1 defines Neighbourhoods as physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. As the proposed height is five storeys, an Official Plan Amendment application is required.

Amendments to both Zoning By-laws are required to allow an apartment building, which is not a permitted residential building type in the RD under Zoning By-law 569-2013, or in the R1 zone under Zoning By-law 438-86. Amendments are also required to both Zoning By-laws to permit the proposed height, density, and other performance standards including minimum setbacks and minimum landscaping requirements.

The proposed amendment to Zoning By-law 569-2013 would rezone the property from Residential Detached (RD) to Residential (R). The Residential (R) zone permits

apartment buildings and provides appropriate development standards for this residential building type including minimum requirements for amenity space, setbacks, separations distances and landscaping. There are other properties within the immediate area that are zoned Residential (R) and designated as Neighbourhood in the Official Plan.

A Rental Housing Demolition Permit under Chapter 667 of the Toronto Municipal Code is required as the site contains at least 6 residential dwelling units of which at least one was used for residential rental purposes

### **Application Submission**

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

- Planning Rationale
- Arborist Report and Tree Preservation Plan
- Natural Heritage Impact Study
- Functional Servicing and Stormwater Management Report
- Transportation Impact Study
- Shadow study
- Geotechnical Study
- Hydrogeological Report
- Fireflow Analysis

All current reports and studies are available through the Application Information Centre (AIC) at <https://www.toronto.ca/city-government/planning-development/application-information-centre>.

### **Agency Circulation**

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Official Plan amendments and Zoning By-law standards.

### **Community Consultation**

The applicant hosted an Open House Presentation on January 20, 2015 to gather feedback from the community on the proposal prior to formally submitting an application. Following this meeting, the applicant hosted a community workshop on April 15, 2015 to have a collaborative discussion regarding building design and materiality.

The City hosted a joint Community Consultation and Tenant Meeting on December 1, 2015. Approximately 50 members of the public were in attendance. Following a presentation by City Staff and applicant, the following issues were raised by community members:

- Traffic capacity on Russell Hill Road including pedestrian and bicycle safety
- Impacts to traffic during construction
- Appropriateness of the proposed height considering the Neighbourhood designation
- Privacy and shadowing concerns
- Need for additional terracing and larger setbacks
- Massing and overall perception of density
- Contextual fit of the proposed architectural style
- Removal of large and mature trees
- Potential for flooding

A revised proposal was presented to the community at a public meeting hosted by the applicant on March 1, 2018.

## **COMMENTS**

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

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

Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan as follows:

The PPS (2014) requires provisions to be made for an appropriate range of housing types and densities to meet projected requirements of current and future residents. This policy for healthy, livable and safe communities is achieved, amongst other means, by accommodating a range of residential, employment, institutional and other uses to meet long-term needs, facilitating all forms of residential intensification and redevelopment, promoting densities for new housing which effectively use land, resources, infrastructure and public services, and support the use of public transit. Specifically, the PPS requires growth and development to focus in settlement areas, and promotes the use of appropriate development standards to support intensification and redevelopment while mitigating risks to public health and safety.

Policy 1.4.3 outlines that one of the ways planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents is by directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs.



Policy 1.5.1 provides direction on achieving healthy and active communities including the recognition of provincial parks, conservation reserves, and other protected areas, and minimizing negative impact on these areas.

Policy 4.7 of the PPS refers to the Official Plan as the most important vehicle for implementing the PPS and as such the development standards in the Toronto Official Plan have particular relevance. The Toronto Official Plan section of this Report evaluates the appropriateness of the subject site for intensification.

The proposed development supports Provincial policy objectives to focus growth in existing settlement areas. The proposal would also support efficient land use, mix of housing types, reduced land consumption related to residential development, and efficient use of existing infrastructure, and would be transit supportive. The proposed development is therefore consistent with the PPS.

The Growth Plan provides a framework for managing growth in the Greater Golden Horseshoe. Section 2.2.1.2 of the Growth Plan directs the vast majority of growth to occur within settlement areas that have a delineated built boundary, have existing or planned municipal infrastructure including water and waste water systems, and that can support the achievement of complete communities.

Section 2.2.1.4 of the Growth Plan provides further direction on the achievement of complete communities. It articulates a set of objectives including a diverse mix of land uses, and range and mix of housing options to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes. Convenient access to a range of transportation options, public service facilities, and open spaces and recreational facilities is also highlighted as a key component complete communities. Furthermore, this section directs complete communities ensure the development of high quality, compact built form, an attractive and vibrant public realm, including open spaces, through site design and urban design standards.

The proposed development is consistent with the above section and other relevant sections of the Growth Plan. The proposal provides for high quality compact built form and meets applicable urban design standards. The proposed development conforms to the Growth Plan.

## **Land Use**

This application has been reviewed against the Official Plan policies described in the Issue Background Section of the Report.

The subject site is located in an area designated Neighbourhoods in the Official Plan. The policies of the Neighbourhoods designation permit a range of residential uses. This is reflected in the existing context which includes single and semi-detached dwellings, townhouses, and a number of apartment buildings.

The Official Plan recognizes that neighbourhoods are not static, but requires new development to fit in with the existing physical character. The proposed residential land use is consistent with the surrounding area, and the proposed apartment building type is located elsewhere in the geographic neighbourhood, including immediately to the south and north. Staff consider the proposal an appropriate redevelopment that can take advantage of nearby amenities and infrastructure while maintaining a respectful built form that is compatible with the surrounding neighbourhood.

### **Height and Massing**

The Official Plan permits apartment buildings in Neighbourhoods, but limits the height of these buildings to 4-storeys. The Official Plan also contains built form policies that require new development to fit with its existing and/or planned context, frame and support adjacent streets, parks and open spaces, and limit its impact on neighbouring streets, parks and properties.

The proposed apartment building is 5 storeys, or 21.3 metres (plus 3.5 metres for a mechanical penthouse). This exceeds the permitted heights established by the Official Plan for areas designated as Neighbourhoods, and by both Zoning By-Laws, which set the maximum height at 10 metres.

Planning Staff are of the opinion that the proposed height is appropriate for the subject site, which has a unique context. The number of storeys of the proposed building is in keeping with the existing 5-storey apartment building on the site. The proposed building has been carefully massed, sited, and landscaped to fit within the existing context, and to limit impacts on neighbouring properties and the public realm.

As a large corner lot, the subject site is able to accommodate the proposed building with appropriate setbacks along all frontages. These setbacks serve to reduce the perception and impact of building height from the pedestrian realm.

The setback along Clarendon Avenue is nearly 10 metres, and increase to 11 metres above the third storey. Along the south lot line there is a setback of 6 metres, which increases to 7.5 metres above the third storey. These side yard setbacks exceed the requirements under the current Residential Detached (RD) zoning (3 metres), and generally meet the requirements under the proposed Residential (R) zoning (7.5 metres). Furthermore, the glazed façade and tree plantings along the southern frontage mitigate the overall perception of height.

Setbacks along Russel Hill Road generally range from 9 to 19 metres, producing a staggered building wall that responds to the RNFP By-law area. The required front yard setback is 11.2 metres under current and proposed zoning. This is based on the existing front yard setback of the adjacent building on Russell Hill Road. The proposed front yard setbacks generally meet or exceed this requirement.

The minimum rear yard setback along the east lot line is 8 metres. While this is less than required under the current RD zone (15.45 metres), it exceeds the requirements under the proposed R zone (7.5 metres). Moreover, as a corner lot, the rear yard presents a side yard relationship to the adjacent property on Clarendon Avenue. As such, the 8 metre setback is appropriate.

Finally, the siting of the mechanical penthouse limits the visibility of the structure from the street, further reducing perception and impact of the height.

The development has been designed to satisfy the built form policies within the Official Plan, to respond to comments from the community, and to provide an appropriate relationship to adjacent residential properties. Given the unique context of the site as a large corner lot with an existing 5-storey building, staff are satisfied with the proposed height and massing.

### **Shadow and Privacy**

Built form policies in Section 3.1.2 of the Official Plan require new development to fit harmoniously into the existing and/or planned context by, among other things, providing adequate light and privacy and limiting any resulting shadowing on neighbouring streets, properties and open spaces.

In addition to the setbacks described above, the revised proposal accommodates more inset balconies in order to minimize shadow impacts and allow for greater privacy for neighbouring properties. The shared rooftop amenity space has also been converted to a private terrace to mitigate concerns regarding noise and privacy.

The applicant was required to submit a sun/shadow study showing the shadows of the proposed development. This analysis illustrated the shadow impact during sunlight hours for the months of March, September, and June. Notably, there is very minimal shadow impact to adjacent residential properties along Clarendon Avenue during peak sunlight hours (11:00am – 4:00pm) for the months noted above. There are no net new shadows on Sir Winston Churchill Park or 210 Russell Hill Road during this period. City Planning find the shadow impact to be acceptable.

### **Architecture**

Section 3.1.2 of the Official Plan recognizes that exterior design is an important element in ensuring that new development fits harmoniously within the existing context. Materiality, placement of doors and windows, and decorative elements contribute to the overall exterior design of a building.

Since the time of initial application, significant revisions have been made to architectural style and the exterior façade, moving from a more modern to a 'new-classical' approach that better represents the surrounding context.

This façade presents a more consistent residential street wall that frames Clarendon Avenue, and reflects the pattern of adjacent properties. Other refinements include a more prominent residential entrance marked by lighting and decorative elements, and changes to building materials to improve contextual fit with surrounding properties.

These revisions allow the proposal to better fit within the existing residential context of the surrounding area, and support the policies outlined in Section 3.1.2 of the Official Plan.

### **Traffic Impact**

The applicant submitted a Transportation Impact Study in November 2017. In this assessment, the consultant concluded that the proposed development will have minimal traffic impacts at the intersections within the study area. Transportation Services has reviewed this assessment and agrees that the traffic impacts of this proposal are acceptable. Additional comments and or requirements related to site access, site circulation, driveway configuration and operation, and streetscape/landscape will be provided by Transportation Services through the site plan review process.

During the community consultation process, concern was expressed with incremental traffic impact, and impact to traffic due to construction from this application and several adjacent applications in the immediate vicinity. The applicant will be required to provide a Construction Management Plan for each stage of the construction process, and will not be permitted to use rights-of-ways for parking, or storing equipment or materials.

### **Access, Loading, and Parking**

Access to underground parking and loading area is proposed off of Clarendon Avenue through a north-south private driveway. The driveway width is a maximum of 6.5 metres to allow manoeuvring of inbound and outbound trucks utilizing the Type B loading space. In addition to the north-south driveway, the existing circular driveway off of Clarendon Avenue would be retained to serve as a pick-up and drop-off location and fire access route.

A total of 55 vehicular parking spaces are proposed, including residential spaces and 9 visitor spaces in 3 levels of underground parking. This exceeds the minimum Zoning By-law 569-2013 requirement of 37 parking spaces.

A total of 30 bicycle parking spaces are proposed, including 3 short-term spaces at-grade and 27 long-term space located in the first level of underground parking. The underground spaces are directly accessible by elevator and are separated from vehicular traffic.

Transportation Services and City Planning staff find the proposed driveway access, site circulation, and parking supply and configuration to be acceptable. Transportation Services has advised that the access ramp is required to have a maximum slope of 15% with transition areas at the top and bottom of the ramp having maximum slopes of 7.5% for minimum distances of 3.5 metres and requires revision. Additional comments related to site access arrangement, site circulation and layout and the design of the proposed site entrance driveways will be provided through the site plan review process.

### **Servicing**

A revised Functional Servicing Report and Stormwater Management Report was submitted in May 2018. Engineering and Construction Services Staff have reviewed the revised report and have accepted the findings and recommendations for the purpose of the Official Plan and Zoning By-law Amendment. However, a detailed Stormwater Management Report will be required at the Site Plan Control Application stage.

### **Streetscape**

The applicant is proposing a 3-storey street wall, which is consistent with surrounding buildings along Clarendon Avenue. This street wall continues along the Russell Hill Road frontage, taking into account the natural topography and change in grade.

A new portion of public sidewalk would be introduced along Clarendon Avenue within the public boulevard, leading from the sidewalk along Russell Hill Road to the residential entrance. This sidewalk would be 2.1 metres wide, meeting accessibility standards. The applicant is also proposing a curb bump-out at the corner of Clarendon Avenue and Russell Hill Road to reduce the pedestrian crossing distance. The stone retaining wall along Russell Hill Road would be maintained. Any changes to the right-of-way and sidewalk configurations will be refined and confirmed in coordination with Transportation Services through the site plan approval process.

The existing circular driveway off of Clarendon Avenue would be modified. Additional soft and hard landscaping would be added near the driveway. Within this area, three short-term bike parking spaces are also proposed. The public boulevard along Clarendon Avenue would include 8 new public street trees to replace the 3 public street trees that are proposed to be removed.

The proposal would result in a more accessible, and pedestrian-oriented streetscape along Clarendon Avenue. The 3-storey street wall and 10-metre setback along Clarendon Avenue provide an appropriate balance, ensuring the development frames

the street while staying consistent with the pattern of adjacent properties. Along Russell Hill Road, a more naturalized character is maintained with significant landscaping and tree planting.

### **Amenity Space**

The proposal includes 708 square metres of indoor amenity space located on the ground floor and P1 level. This exceeds the minimum requirement of 2.0 square metres per unit for apartment buildings in the Residential (R) zone.

Outdoor amenity space is provided by a 20 square metre, south-facing common balcony on the ground floor. For apartment buildings under the Residential (R) zone, at least 40 square metres of outdoor amenity space must be provided, and must be directly accessible from the indoor amenity space. City Planning considers the proposed outdoor amenity space to be sufficient given the generous indoor amenity space provision and the close proximity to Sir Winston Churchill Park and the Nordheimer Ravine. Furthermore, seating areas and soft landscaping have been provided around the property for use of the residents.

Indoor and outdoor amenity space provision has been secured as part of the draft zoning by-law amendments. The details such as outdoor landscaping will be further refined and secured through the site plan approval process.

### **Rental Housing**

Based on the information provided by the applicant at the time of application, all 10 existing rental dwelling units had rents that exceed mid-range rents. As such, the City's rental replacement policy within the Official Plan does not apply and replacement of the 10 existing rental units proposed to be demolished is not required.

Eligible tenants will be provided with financial compensation equal to three months' as per the Residential Tenancies Act and extended notice to vacate.

### **Open Space/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 Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 3.00 + hectares of local parkland per 1,000 people. The site is in the highest quintile of current provision of parkland. The site is not in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The residential component of this proposal is subject to a 5% parkland dedication requirement as the subject site does not fall within a parkland acquisition priority area.

The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. Payment will be required prior to the issuance of the first above grade building permit.

### **Ravine and Natural Feature Protection**

The southwest portion of the site includes a natural forested slope which contains contiguous tree canopy and a grade change of more than two metres. The area is regulated by the City of Toronto Municipal Code Chapter 658 – Ravine and Natural Feature Protection (RNFP). RNFP staff agree that slope stability is not a concern on the site and have recommended measures to protect and mitigate impact on the protected natural feature.

At the direction of City staff, the overall building footprint has been reduced and setbacks from the feature have been increased. This has reduced the extent of development within the RNFP area from 1,251 square metres to 925.54 square metres. The majority of this encroachment is confined to the tableland portion of the subject property, which under existing conditions consists of manicured lawn and does not support natural features.

These changes have allowed a reduction in the number of trees within the RNFP By-law area proposed to be removed. There are currently 39 trees within the RNFP By-law area. A total of 8 trees are proposed to be removed, and 16 trees are proposed to be planted within the RNFP By-law Area. The Arborist Report (May 2018) indicates that the 8 trees proposed to be removed are generally in poor to fair condition. An additional 31 existing trees are proposed to be retained, resulting in a total of 47 trees within the RNFP By-law area.

In response to comments from RNFP staff, the applicant has also agreed to additional tree protection measures to ensure the long-term health of trees within the RNFP By-law area. This includes further investigation to determine the extent of the trees root structures and elevated construction platforms where appropriate to avoid negative impacts from construction within the tree protection zone.

Through the site plan approval process, the applicant will be required to provide detailed shoring, grading, and drainage plans to clearly demonstrate that there will be no grading within the established tree protection zones. The applicant must also provide a watering program and planting list including at least 50% native species, as required by Toronto Green Standards.

TRCA has indicated that the property is regulated by the TRCA with respect to its location adjacent to a slope associated with a valley corridor. TRCA has confirmed that the proposed development has no impact on TRCA'S programs and policies, and as such TRCA does not object to its approval. A TRCA permit is not required.

City Planning staff are satisfied that the applicant has taken appropriate measures to preserve and mitigate impacts on the protected natural feature within the RNFP by-law area. These include a reduction in building footprint, an increase in building setbacks from the protected natural feature, tree planting, and additional tree protection measures.

### **Natural Heritage System**

The subject site is not located within the Natural Heritage System identified on Map 9 of the Official Plan. However, it is near the Natural Heritage System, including the Nordheimer Ravine ESA, which is located west of Russell Hill Road. The Official Plan requires all proposed development in or near the Natural Heritage System to be evaluated to identify measures to mitigate negative impacts and/or improve the Natural Heritage System.

A scoped Natural Heritage Impact Study (NHIS) was submitted as part of the initial application in August 2015 and updated in 2018 based on the revised plans. The study recognized that while not a contiguous part of the Official Plan Natural Heritage System, the wooded feature on the site does contribute to the City's urban forest and provides ecological functions such as shading, erosion control and limited habitat. Recommended mitigation strategies include erosion and sediment controls prior to construction, and the implementation of the proposed Tree Preservation and Landscaping Plans.

As noted above, City Staff recognize the presence of a RNF bylaw protected natural feature on the site and have worked with the applicant to minimize impacts to this feature. City Planning staff are satisfied that these measure will help protect most of the wooded slope feature on the site. The proposed development does not negatively impact the nearby Natural Heritage System.

### **Tree Protection and Plan Review**

An Arborist Report, Tree Preservation Plan, and Landscaping Plan has been reviewed by Urban Forestry - Tree Protection and Plan Review Staff.

There are currently 48 trees on or near the site. Following tree removal and planting as proposed, there will be a total of 62 trees on or near the site. A total of 17 trees are proposed to be removed, and a total of 31 trees are proposed to be planted. An



additional 31 existing trees will be retained. As noted above, within the RNFP By-law area, 8 trees are proposed to be removed, 16 trees are proposed to be planted, and 30 existing trees are proposed to be retained.

There are currently 6 private trees on the site, and all 6 are proposed to be removed. Urban Forestry has advised that these trees meet the criteria for protection under the City of Toronto's Private Tree By-law. The Landscaping Plan proposes to plant 7 private trees. Urban Forestry typically requires tree planting to replace trees removed at a ratio of 3:1. Where is this not physically possible of a site, Urban Forestry will accept a cash in lieu payment in an amount equal to 120 percent of the cost of replanting and maintaining the trees for a period of two years. A detailed planting plan will be required at the site plan control stage so that Urban Forestry can calculate any cash-in-lieu payment that may be required.

There are currently 3 public street trees along Clarendon Avenue, and all 3 are proposed to be removed. Urban Forestry has advised that these trees meet the criteria for protection under the City's Street Tree By-law. The Landscaping Plan propose to plant 8 new public street trees along Clarendon Avenue. This exceeds the replacement ratio of 1:1 that Urban Forestry typically requires.

Prior to rezoning, the applicant is required to apply for and complete the necessary permits for tree removal as required by the City of Toronto's Private Tree By-law and the City's Street Tree By-law.

### **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.

The applicant is required to meet Tier 1 of the TGS. The site specific Zoning By-law will secure performance measures for the following Tier 1 development features: landscaped open space, vehicular parking space with electric roughed-in conduits, and bicycle parking spaces at- and below-grade.

Other applicable TGS performance measures such as tree planting and species-type, soil volumes, stormwater management, and solid waste storage space will be secured through the site plan approval process.

## **School Board Requirements**

The Toronto District School Board has requested the proponent be required to erect Notice Signs and that warning clauses be included in all agreements of purchase and sale or agreements to lease, and condominium declaration document(s) for each affected residential unit within the proposed development, that reference the potential for children from the development to be transported to schools outside of the immediate neighbourhood. These requirements would be secured through the site plan approval process.

There were no comments received from the Toronto Catholic District School Board.

## **Section 37**

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the Planning Act. While the proposed development exceeds the height and density limits of the existing Zoning By-law, the application is consistent with the objectives and policies of the Official Plan, and thus constitutes good planning. This proposal would not be subject to the Official Plan policies for the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the Planning Act as the development would not exceed the 10,000 square metres threshold set out in the Official Plan.

## **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 is consistent with the PPS (2014) and conforms with Growth Plan. Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan, particularly as it relates to new development in designated Neighbourhoods.

The proposal presents an appropriate redevelopment of the site which currently contains a 5 storey apartment building. Significant refinements have been made to the massing, built form, and exterior facade to ensure a harmonious relationship with the surrounding context. The applicant has agreed to a reduced building footprint, increased setbacks and additional tree preservation measures in order to minimize impact on the protected featured. The proposal also supports improvements to the surrounding streetscape and maintains a landscape that contributes to the unique physical character of the neighbourhood.

Planning Staff recommend approval of the proposed Official Plan Amendment and Zoning By-law Amendments. Planning Staff also recommend that City Council approve the demolition of the 10 existing rental dwelling units located at 77 Clarendon Avenue subject to the conditions set out in the Recommendations of this Report.

## **CONTACT**

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Heather Oliver, Planner, Tel. No. 416-392-4988, E-mail: Heather.Oliver3@toronto.ca  
Jeremy Kloet, Senior Planner, Tel. No. 416-392-7863, E-mail: Jeremy.Kloet@toronto.ca

## **SIGNATURE**

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

## **ATTACHMENTS**

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### **City of Toronto Data/Drawings**

Attachment 1: Application Data Sheet  
Attachment 2: Location Map  
Attachment 3: Official Plan Land Use Map  
Attachment 4: Existing Zoning By-law Map  
Attachment 5: Draft Official Plan Amendment  
Attachment 6: Draft Zoning By-law Amendment 486-86  
Attachment 7: Draft Zoning By-law Amendment 569-2013

### **Applicant Submitted Drawings**

Attachment 8: Site Plan  
Attachment 9: North Elevation  
Attachment 10: East Elevation  
Attachment 11: South Elevation  
Attachment 12: West Elevation

## Attachment 1: Application Data Sheet

Municipal Address: 77 CLARENDON AVE Date Received: August 6, 2015

Application Number: 15 202792 STE 22 OZ

Application Type: OPA / Rezoning

Project Description: Proposal for a 5 storey residential building with 30 units and a GFA of 5,375 square metres and a density of 1.71 FSI. A total of 55 parking spaces will be located within 3 levels of underground parking.

Applicant	Agent	Architect	Owner
Adam Brown		Richard Wengle	77 Clarendon Avenue Limited

### EXISTING PLANNING CONTROLS

Official Plan Designation: Neighbourhoods Site Specific Provision: No

Zoning: RD (f15.0; d0.6) (x1275) Heritage Designation: No

Height Limit (m): 10 Site Plan Control Area: Y

### PROJECT INFORMATION

Site Area (sq m): 3,152 Frontage (m): 53 (Russell Hill Road) Depth (m): 62

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	376	0	1,120	1,120
Residential GFA (sq m):	1,786	0	5,375	5,375
Non-Residential GFA (sq m):		0		
Total GFA (sq m):	1,786	0	5,375	5,375
Height - Storeys:	5		5	5
Height - Metres:			21.3	21.3

Lot Coverage Ratio (%): 35.53 Floor Space Index: 1.71

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	5,375	
Retail GFA:	0	

Office GFA: 0  
 Industrial GFA: 0

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	10	0	0	0
Freehold:				
Condominium:			30	30
Other:				
<b>Total Units:</b>			<b>30</b>	<b>30</b>

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:		0	0	0	0
Proposed:				26	4
<b>Total Units:</b>				<b>26</b>	<b>4</b>

Parking and Loading

Parking Spaces: 55      Bicycle Parking Spaces: 30      Loading Docks: 1

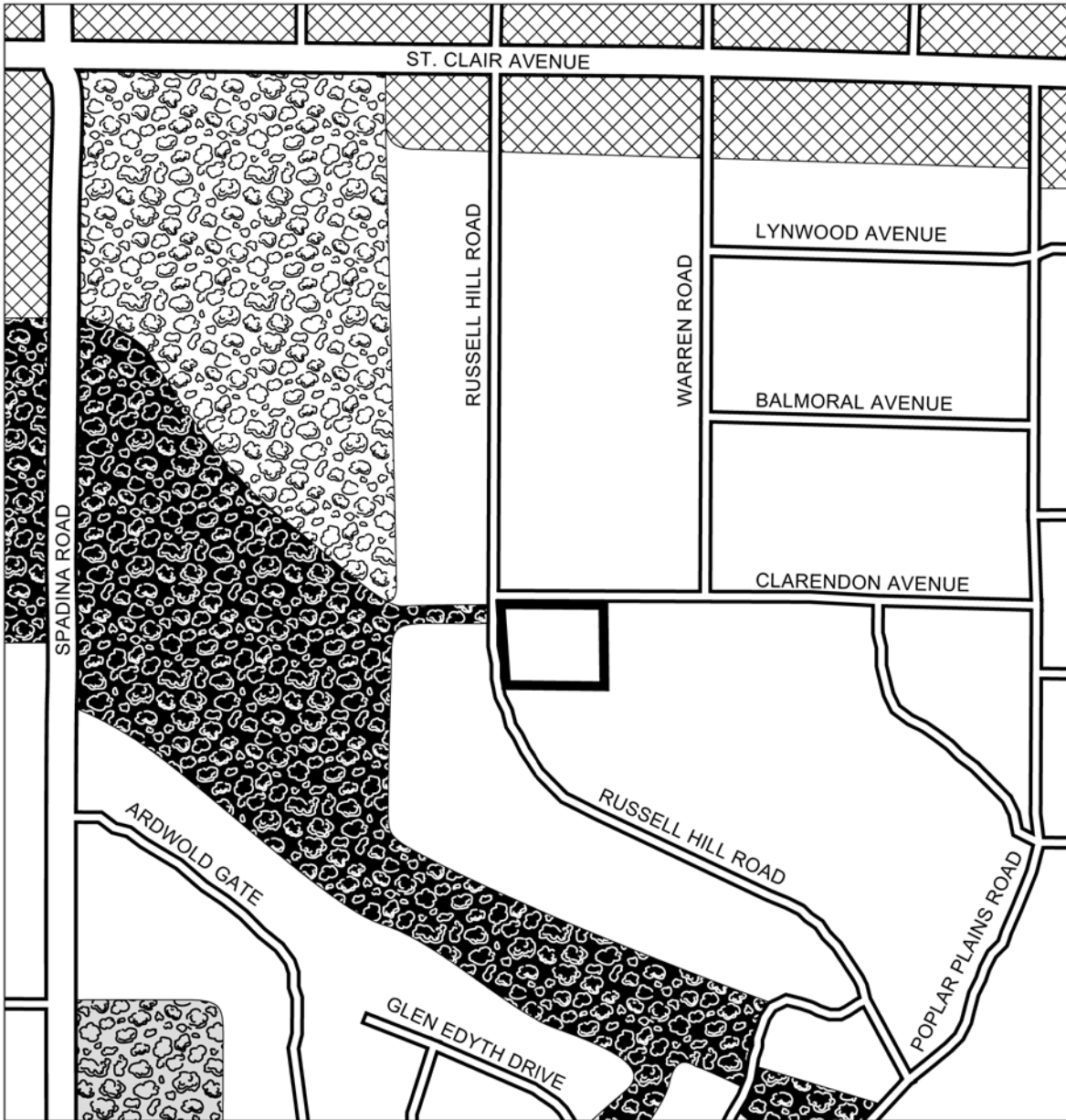
CONTACT:

Heather Oliver, Planner  
 (416) 392-4988  
 Heather.Oliver3@toronto.ca

## Attachment 2: Location Map










# Attachment 3: Official Plan Land Use Map



## Official Plan Land Use Map #17

77 Clarendon Avenue

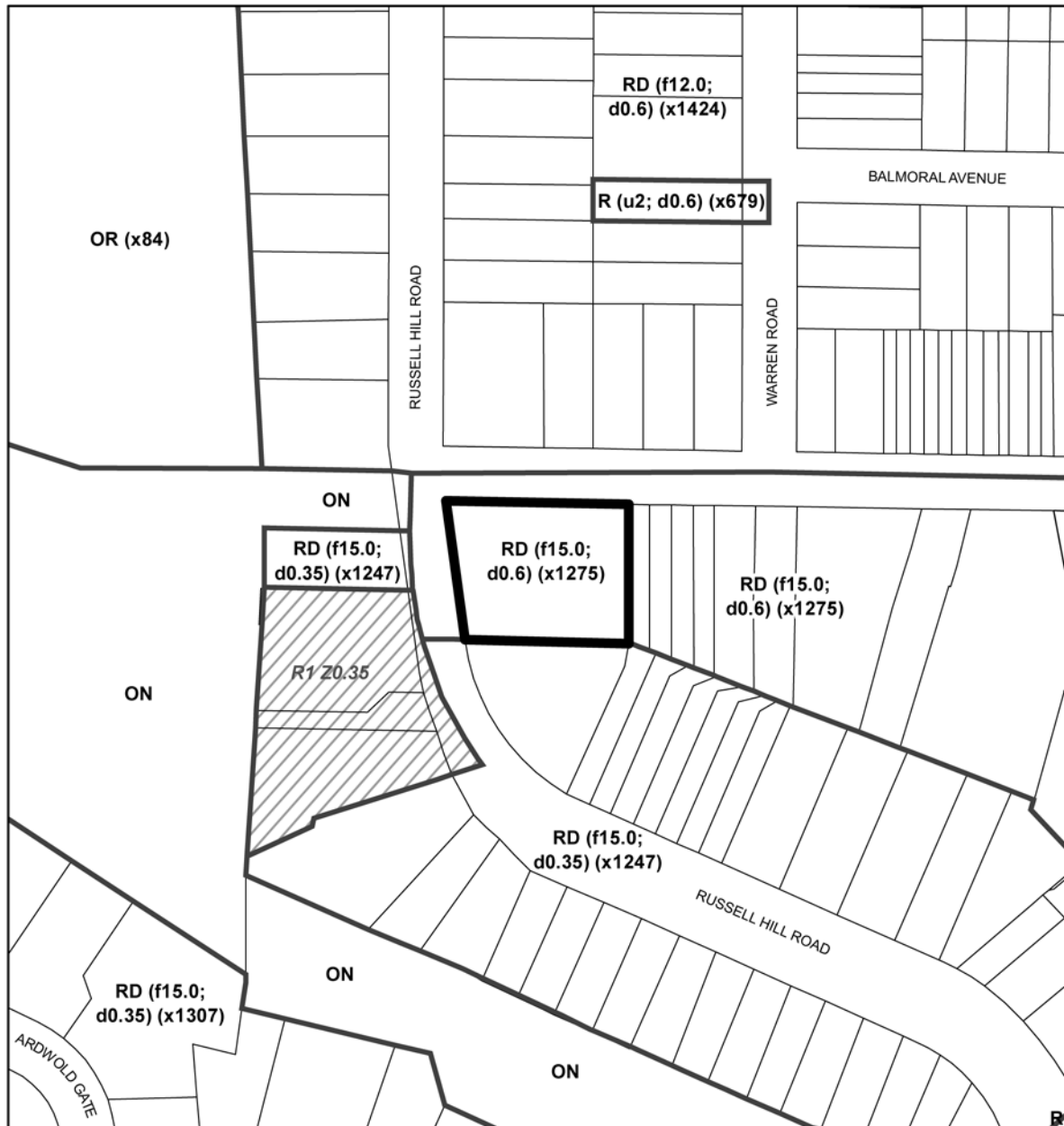
File # 15 202792 STE 22 0Z

	Location of Application		Parks & Open Space Areas
	Neighbourhoods		Natural Areas
	Apartment Neighbourhoods		Parks
			Other Open Space Areas



Not to Scale  
06/13/2018

# Attachment 4: Existing Zoning By-law Map



**Zoning By-law 569-2013**

**77 Clarendon Avenue**

**File # 15 202792 STE 22 02**



Location of Application



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

R1 Residential District

R Residential  
RD Residential Detached

ON Open Space Natural  
OR Open Space Recreation



Not to Scale  
Extracted: 06/13/2018



## **Attachment 5: Draft Official Plan Amendment 424**

Authority: Toronto and East York Community Council Item ## as adopted by City of Toronto Council on ##, 2019.

Enacted by Council: ##, 2019

### **CITY OF TORONTO**

**Bill No. ##**

**BY-LAW No. #####-2019**

**To adopt Amendment No. 424 to the Official Plan for the City of Toronto respecting the lands known municipally in the year 2018 as 77 Clarendon Avenue.**

Whereas authority is given to Council under the Planning Act, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act;

The Council of the City of Toronto enacts:

1. The attached Amendment No. 424 to the Official Plan is adopted pursuant to the Planning Act, as amended.

Enacted and passed on ##, #####, 2019.

Frances Nunziata,  
Speaker

Ulli S. Watkiss,  
City Clerk

(Seal of the City)

## AMENDMENT NO. 424 TO THE OFFICIAL PLAN

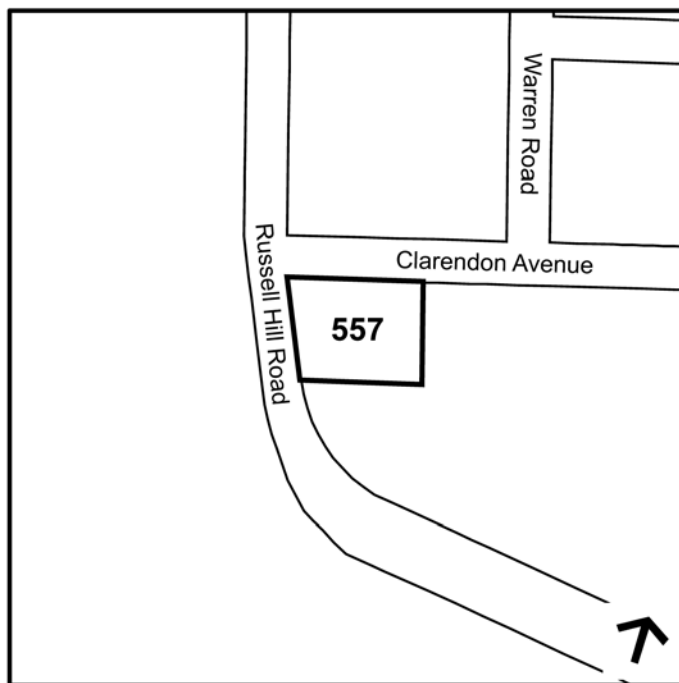
### LANDS MUNICIPALLY KNOWN IN THE YEAR 2018 AS 77 CLARENDON AVENUE

The Official Plan of the City of Toronto is amended as follows:

1. Chapter 7, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy No. 557 for the lands known municipally in 2017 as 77 Clarendon Avenue, as follows:

#### 557. 77 CLARENDON AVENUE

An apartment building with a maximum height of 5 storeys is permitted.



2. Chapter 7, Map 28, Site and Area Specific Policies, is amended by adding the lands known municipally in 2017 at 77 Clarendon Avenue, as shown on the map above as Site and Area Specific Policy No. 557.

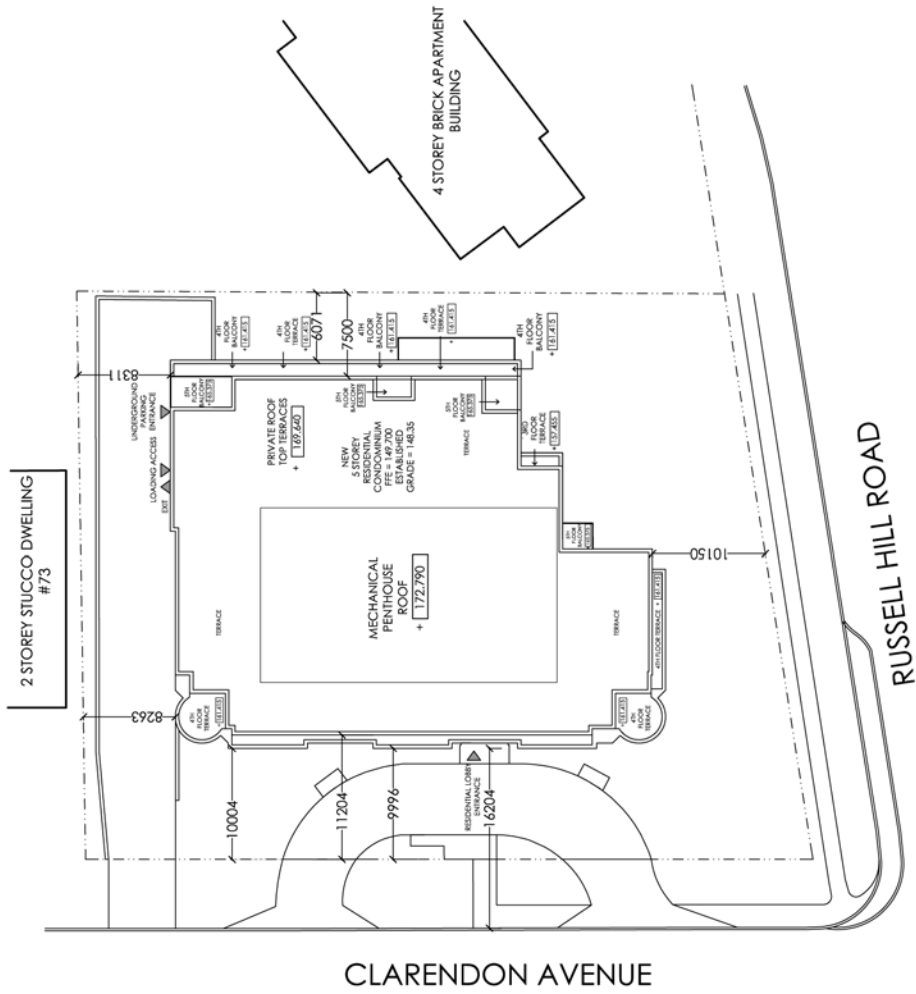
**Attachment 6: Draft Zoning By-law Amendment 438-86**

To be provided in prior to the February 14, 2019 Toronto and East York Community Council meeting.

**Attachment 7: Draft Zoning By-law Amendment 569-2013**

To be provided in prior to the February 14, 2019 Toronto and East York Community Council meeting.

Attachment 8: Site Plan



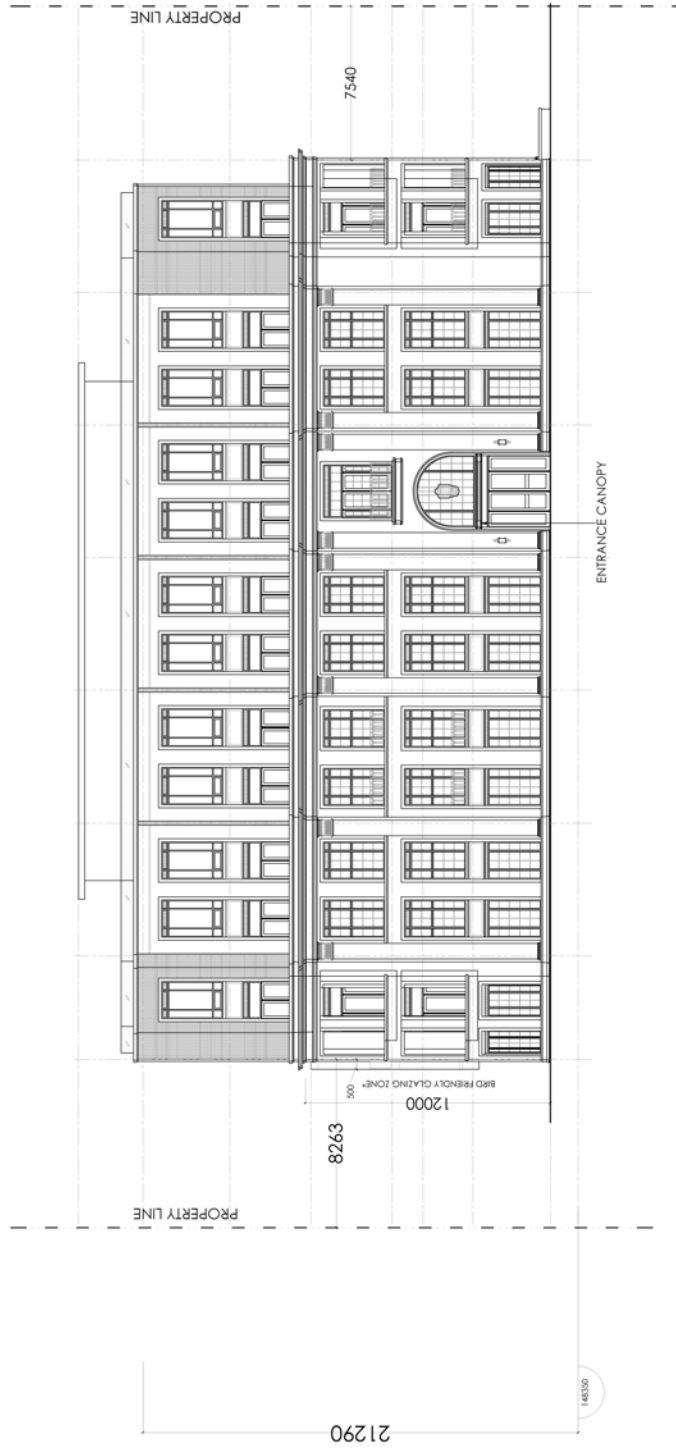
77 Clarendon Avenue

File # 15 202792 STE 22 0Z

**Site Plan**  
 Applicant's Submitted Drawing  
 Not to Scale  
 01/21/2019



# Attachment 9: North Elevation



North Elevation

## Elevations

77 Clarendon Avenue

Applicant's Submitted Drawing

Not to Scale  
01/21/2019

File # 15 202792 STE 22 0Z

Attachment 10: East Elevation



East Elevation

Elevations

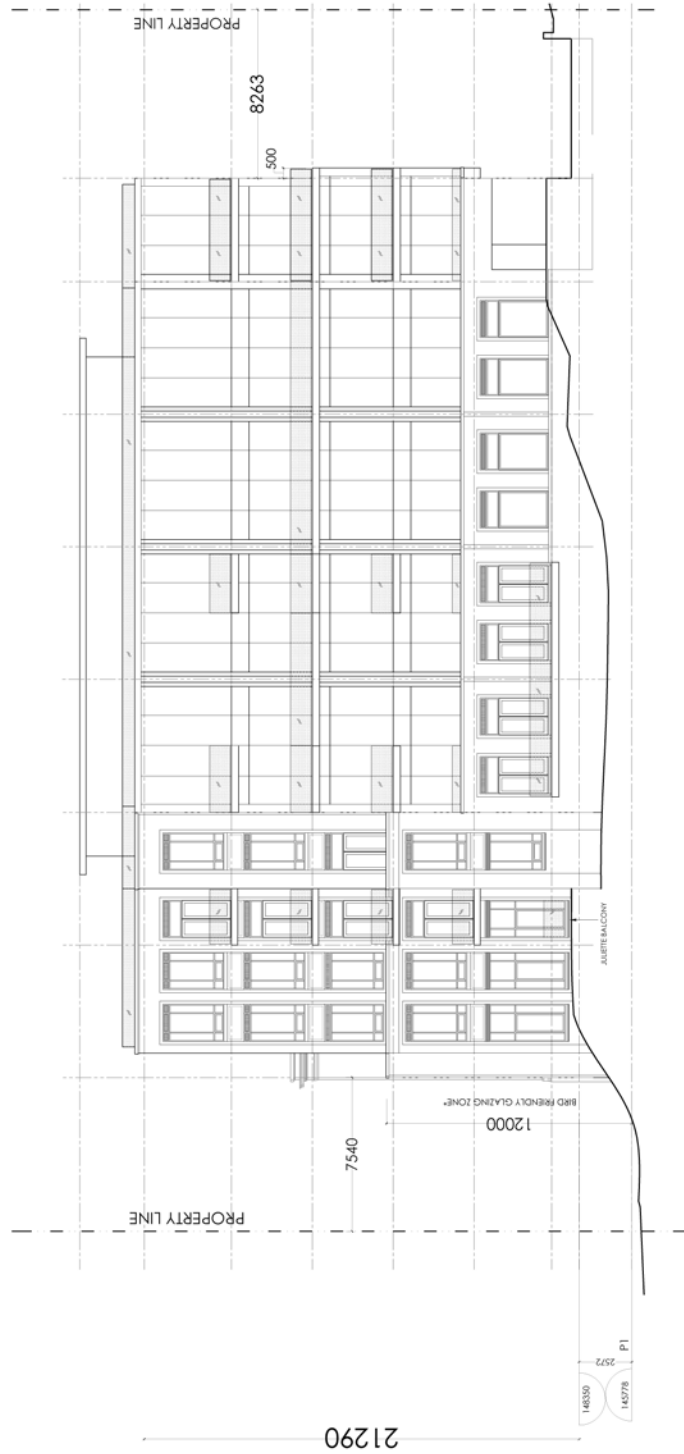
Applicant's Submitted Drawing

Not to Scale  
01/21/2019

77 Clarendon Avenue

File # 15 202792 STE 22 0Z

# Attachment 11: South Elevation



South Elevation

## Elevations

77 Clarendon Avenue

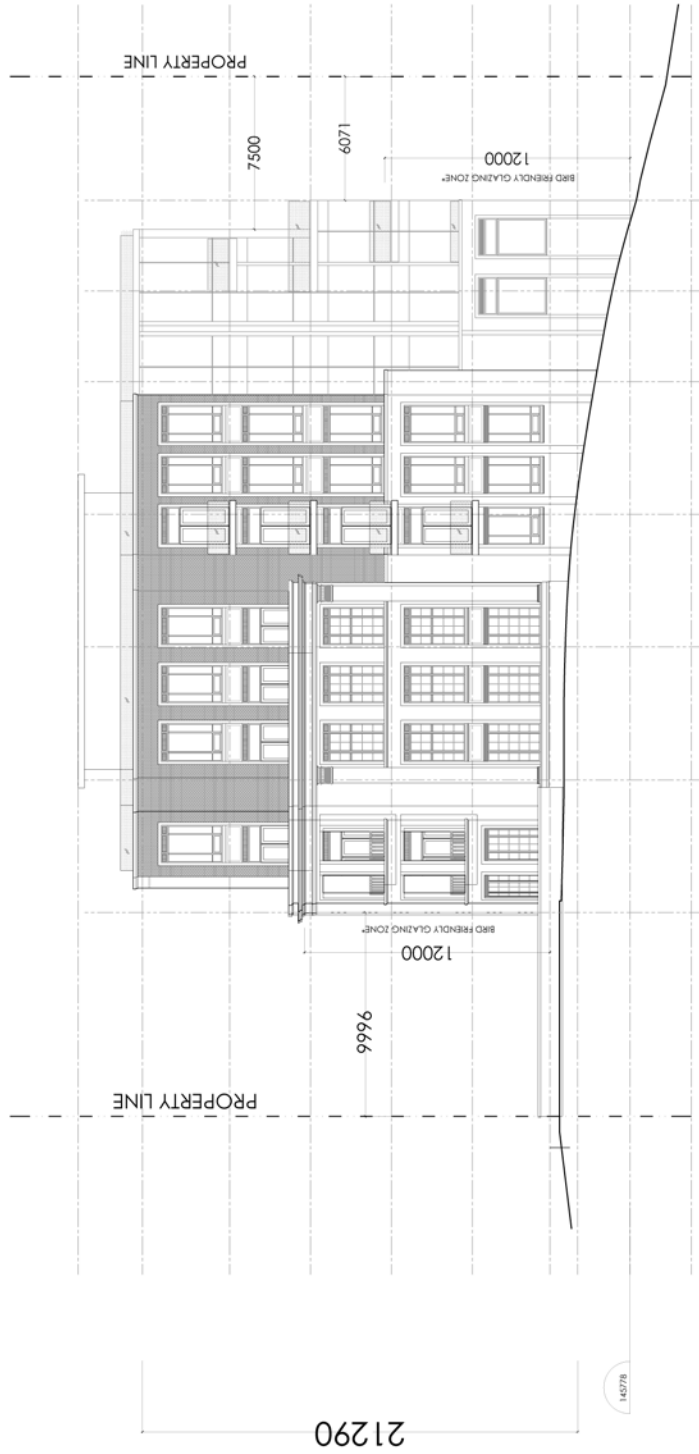
Applicant's Submitted Drawing

Not to Scale  
01/21/2019

File # 15 202792 STE 22 0Z



# Attachment 12: West Elevation



West Elevation

## Elevations

77 Clarendon Avenue

Applicant's Submitted Drawing

Not to Scale  
01/21/2019

File # 15 202792 STE 22 0Z