

72 Perth Avenue – Zoning Amendment Application – Preliminary Report

Date: February 25, 2019

To: Toronto and East York Community Council

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

Ward 9: Davenport

Planning Application Number: 18 170127 STE 18 OZ

Notice of Complete Application Issued: July 3, 2018

Current Use(s) on Site: Two-storey place of worship building and surface parking lot

SUMMARY

This report provides information, and identifies a preliminary set of issues regarding the Zoning By-law Amendment application for an 11-storey mixed-use building at 72 Perth Avenue. Staff are currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. Staff held a community consultation meeting for the application with the Ward Councillor on July 26, 2018.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff continue to work with the applicant to address issues discussed within this report including, but not limited to, overall height, density, setbacks, and servicing.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

Application Description

This application proposes to amend former City of Toronto Zoning By-law 438-86 and City-Wide Zoning By-law 569-2013 for the property located at 72 Perth Avenue to construct an 11-storey (41.94 metres to the top of the rooftop mechanical penthouse) mixed-use building. Commercial artist space is proposed at-grade, with 105 residential units proposed as rental units on the upper floors. The proposal includes 47 parking spaces, of which 12 visitor spaces are proposed to be located on the ground level at the south west portion of the building and 37 resident spaces are proposed to be located in an underground garage. There are 135 bike parking spaces, and two loading areas proposed.

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

See Attachments 1 and 2 for three dimensional representations of the proposal in context, and Attachment 4 for the proposed site plan drawing.

Provincial Policy Statement and Provincial Plans

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

Toronto Official Plan Policies and Planning Studies

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

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

The current application is located on lands designated as Mixed-Use Areas on Official Plan Land Use Map 18, as depicted in Attachment 5.

Zoning By-laws

The property is currently zoned Commercial-Residential by former City of Toronto By-law 438-86 with a maximum height limit of 12 metres. The property is also zoned Commercial-Residential by City-Wide Zoning By-law 569-2013 with a maximum height limit of 14 metres. The Commercial-Residential zoning classification permits a broad range of commercial and residential uses.

Design Guidelines

The City's Mid-rise Design Guidelines and Growing Up Design Guidelines will be used in the evaluation of this application, which can be found by following this link: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>.

Site Plan Control

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

COMMENTS

Reasons for the Application

An application to amend the Zoning By-law is required for non-compliance with certain performance standards of the By-law, including, but not limited to, the overall proposed height and density.

ISSUES TO BE RESOLVED

The application has been circulated to City divisions and public agencies for comment. City Planning, in consultation with the Ward Councillor, held a community consultation meeting to discuss this application on July 26, 2018.

At this meeting some of the community members voiced support for the proposed rental tenure of the units and the affordability of the units, but expressed concern regarding the process of securing both of these objectives. The proposed height of the building, and the potential of the proposal to shadow their properties if approved and constructed, was of concern to residents living on the east side of Perth Avenue.

Some residents at the meeting felt the property should be redeveloped in a similar manner as the townhouse development currently under construction south of the proposed project, stating that a similarly-scaled four-storey development would be a better response to the existing context of the neighbourhood than the proposed 11-storey mixed-use building.

Concerns over increased traffic and increased demand for on-street parking resulting from this redevelopment proposal were raised. The amount of recent construction, both past and present, and the associated noise and dust, was also raised as a concern at the community meeting.

At this stage in the review, the following preliminary planning issues discussed within this report have been identified.

Provincial Policies and Plans Consistency/Conformity

Section 2 of the Planning Act requires municipalities to have regard for matters of provincial interest, including the conservation of features of significant architectural, cultural, historical, archeological or scientific interest, the adequate provision of employment opportunities, and the promotion of a built form that is well designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive, and vibrant.

The Growth Plan (2017) establishes 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.

The application proposes residential and commercial uses within a built up Mixed-Use designated area of the city. The proposed tenure of both the residential and non-residential units is rental.

Official Plan Conformity

Ensuring proper transitioning of built form from Mixed-Use Areas to the lower-scaled residential districts is an important objective of the Official Plan.

- The application will be evaluated for its conformity to the Official Plan policies.

Built Form, Planned and Built Context

The surrounding built form context is predominantly low-scale, made up of newly constructed four-storey townhomes located directly to the south of the subject property,

and two-to-three-storey residentially-zoned buildings along the east side of Perth Avenue. To the north of the site, an application for a 14-storey apartment building is currently under review. The Canadian National Railway corridor borders the property along its western property line.

The site is not appropriate for a tall building. However, staff will continue to evaluate the application to move towards a more appropriate height and massing including the following:

- Conformity with the criteria found within the Mid-rise Building Performance Standards, and through the Site Plan Approval process.
- The proposal's relationship with the surrounding low-scaled residential buildings to ensure an appropriate scale of development that fits within the context of the area.
- Mitigating any potential negative impacts by adequately transitioning to the residentially-zoned properties.
- The relationship of the proposed height of the building and its floor plate with the right-of-way width of Perth Avenue. A mid-rise typology with a one-to-one relationship of building height to right-of-way width would be a more appropriate response to the existing neighbourhood and its Mixed-Use designation.
- A safe separation distance between the abutting rail corridor located to the west of the property and the proposed residential uses, and including any potential safety measures that may be required.

Unit Tenure, Mix and Size

The application is proposing rental tenure with below-market residential and commercial units. City Planning staff supports this objective and have asked the applicant for clarity on how both the affordability and tenure will be secured.

The application proposes fifty percent two-bedroom units, ten percent three-bedroom units, and forty percent one-bedroom units. This supports the unit mix objectives of the Growing Up Design Guidelines, the Official Plan housing policies and the Growth Plan's growth management and housing policies to accommodate, within new development, a broad range of households, including families with children.

- The proposed two-bedroom and three-bedroom residential units do not meet the Growing Up Design Guidelines' minimum size requirements. City Planning staff have requested the applicant consider increasing the size of these units to better meet the objectives of the Growing Up Design Guidelines.

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). There are no existing street trees on the adjacent City right-of-way. There are, however, trees along the west abutting West Toronto Rail Path Lands that will require tree protection hoarding during construction.

There are four trees the applicant proposes to remove to facilitate the proposed development, two of which appear to be located on the property line shared with the abutting property to the north. The third appears to be located on the subject property, while the fourth appears to be located solely on the property to the north.

A replacement ratio of three trees for every tree removed is required to replace the four privately-owned trees proposed to be removed to facilitate the development. Urban Forestry has requested a more detailed landscape plan for review in the subsequent submission of supporting materials to determine whether tree replacement or cash-in-lieu is appropriate, and to determine adequate space for trees to be planted within the adjacent public right-of-way.

Infrastructure/Servicing Capacity

As part of the review process, the Zoning By-law Amendment application has been circulated to Engineering and Construction Services for comment. Detailed information regarding the existing and proposed water and sewer service connections for the property has been requested. Additional information regarding driveway width dimensions, canopies encroaching into the City's right-of-way, and revisions to the submitted Urban Transportation Considerations Report has been requested by Transportation Services.

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 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.

- City Planning is reviewing the TGS Checklist submitted by the applicant for compliance with the Tier 1 performance measures. City Planning Staff will encourage the applicant to pursue Tier 2 performance measures throughout the review process.

Parkland Dedication

Parks, Forestry & Recreation Staff have identified the opportunity to potentially expand the abutting West Toronto Rail Path to the west of the property through an on-site parkland dedication. The parkland dedication required will create opportunities for elements such as seating, trees, and/or wayfinding infrastructure.

Other Matters

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

CONTACT

Kirk Hatcher, Planner, Tel. No. 416-392-0481, Email: Kirk.Hatcher@toronto.ca.

SIGNATURE

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

ATTACHMENTS

City of Toronto Drawings

Attachment 1: 3D Model of Proposal in Context (Looking North-west)

Attachment 2: 3D Model of proposal in Context (Looking South-east)

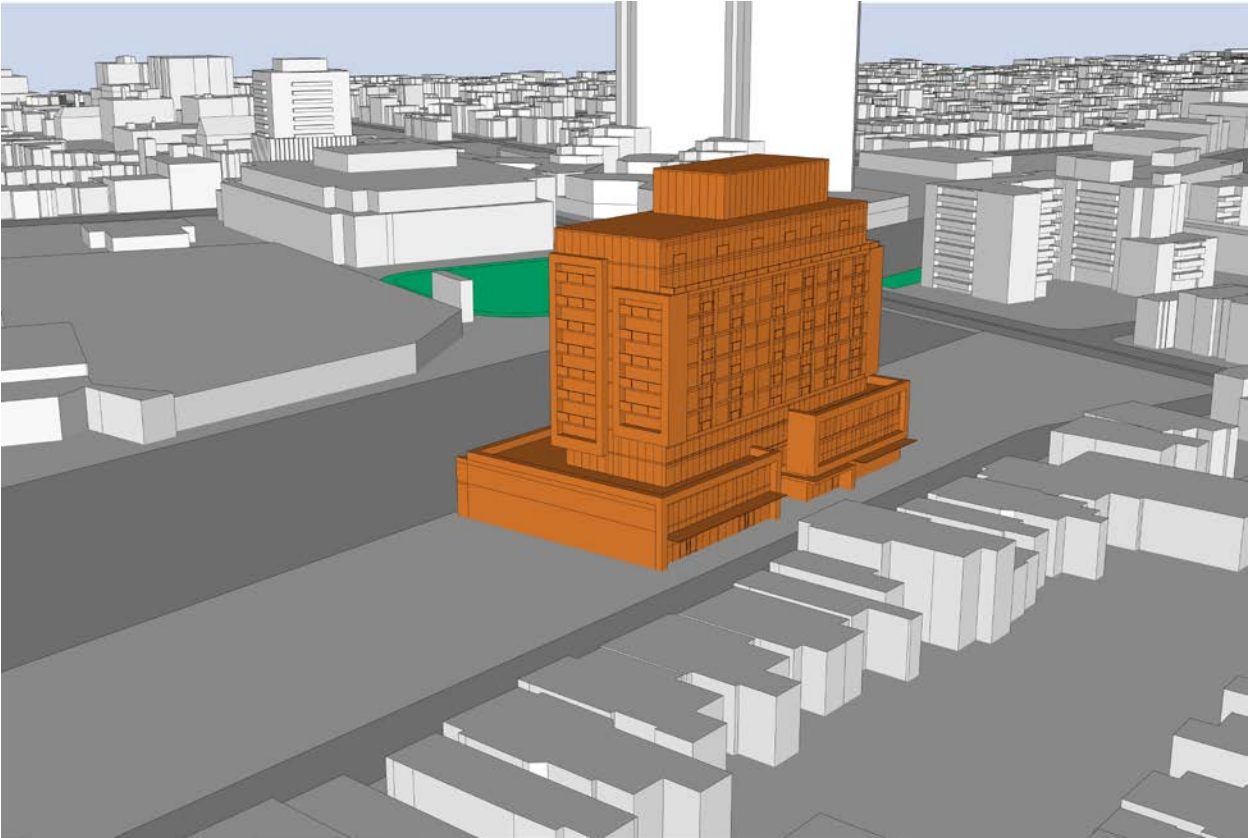
Attachment 3: Location Map

Attachment 4: Site Plan

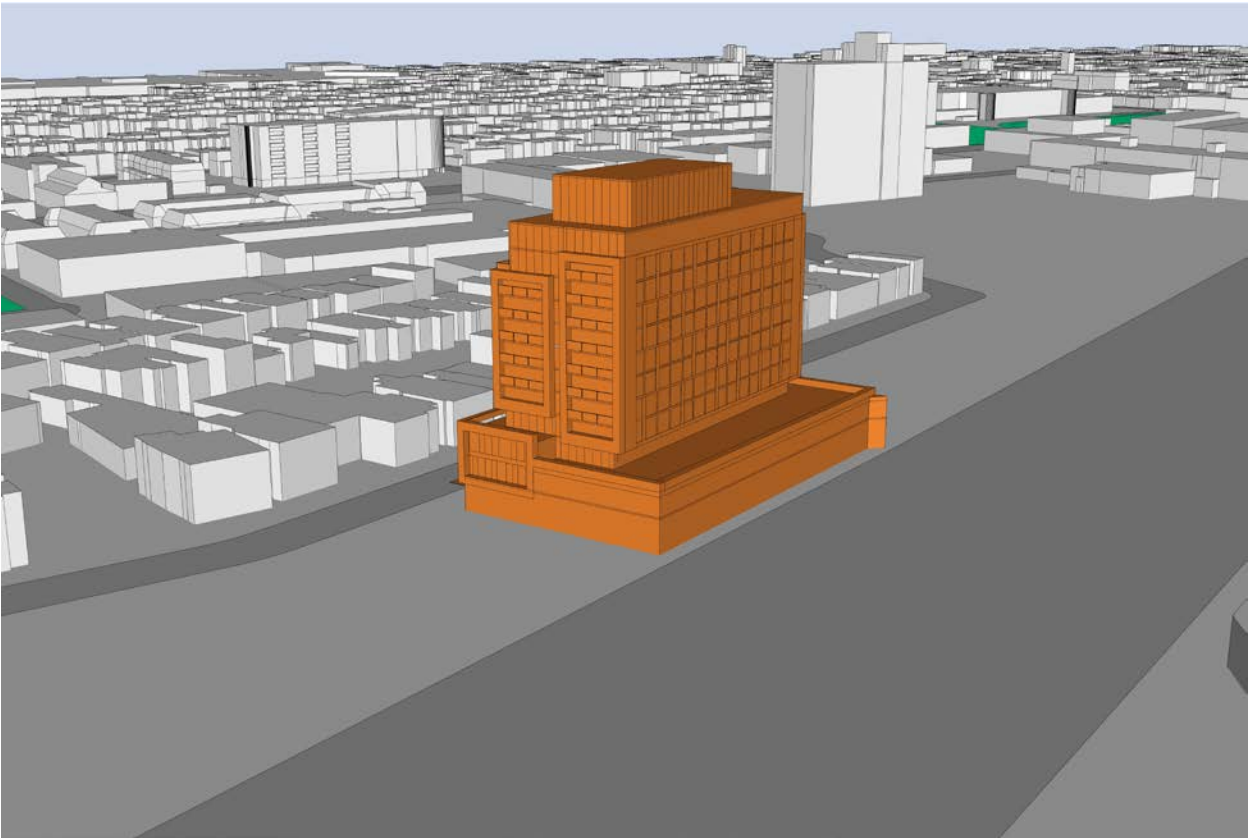
Attachment 5: Official Plan Map

Attachment 6: Application Data Sheet

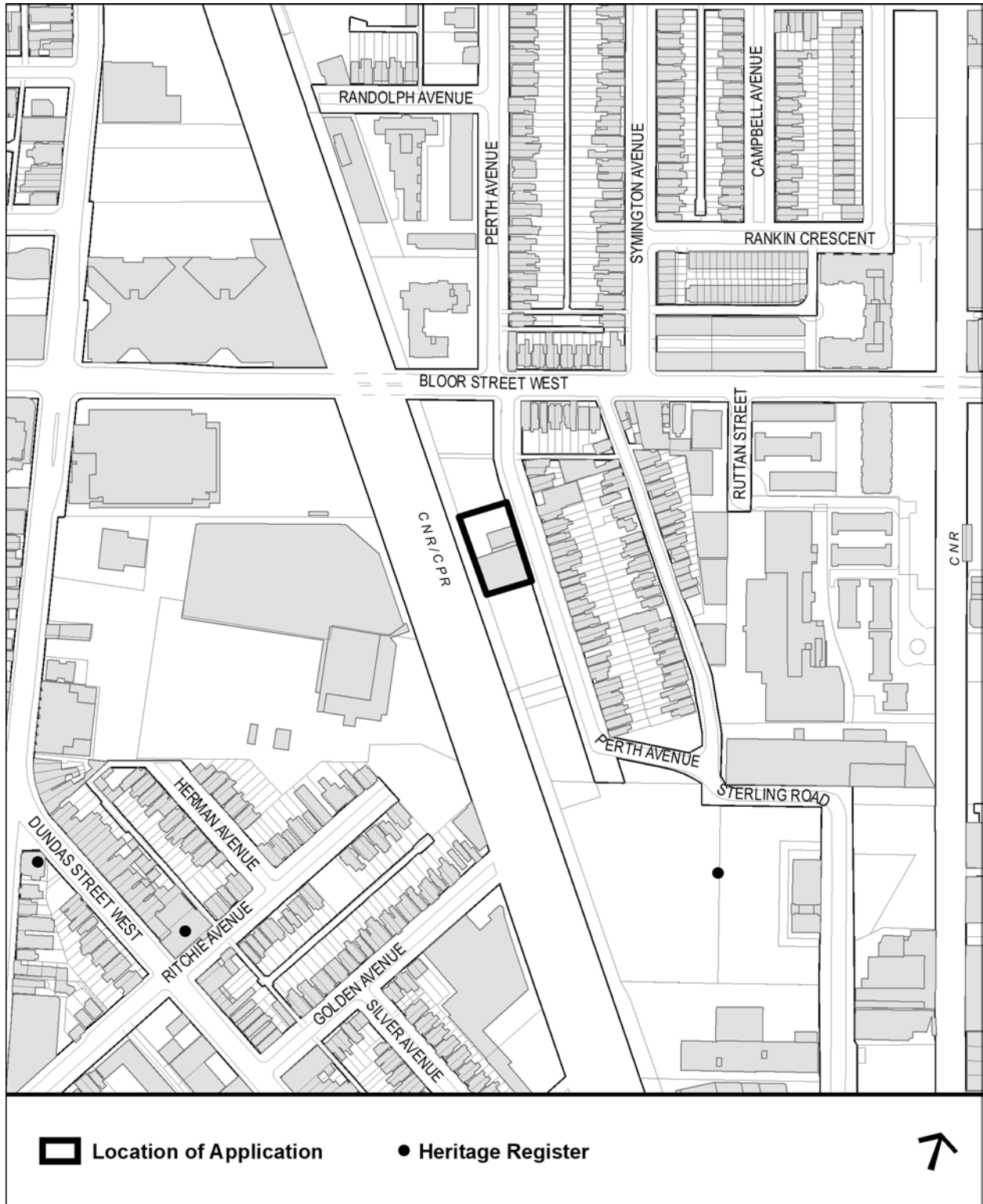
Attachment 1: 3D Model of Proposal in Context (Looking North-west)



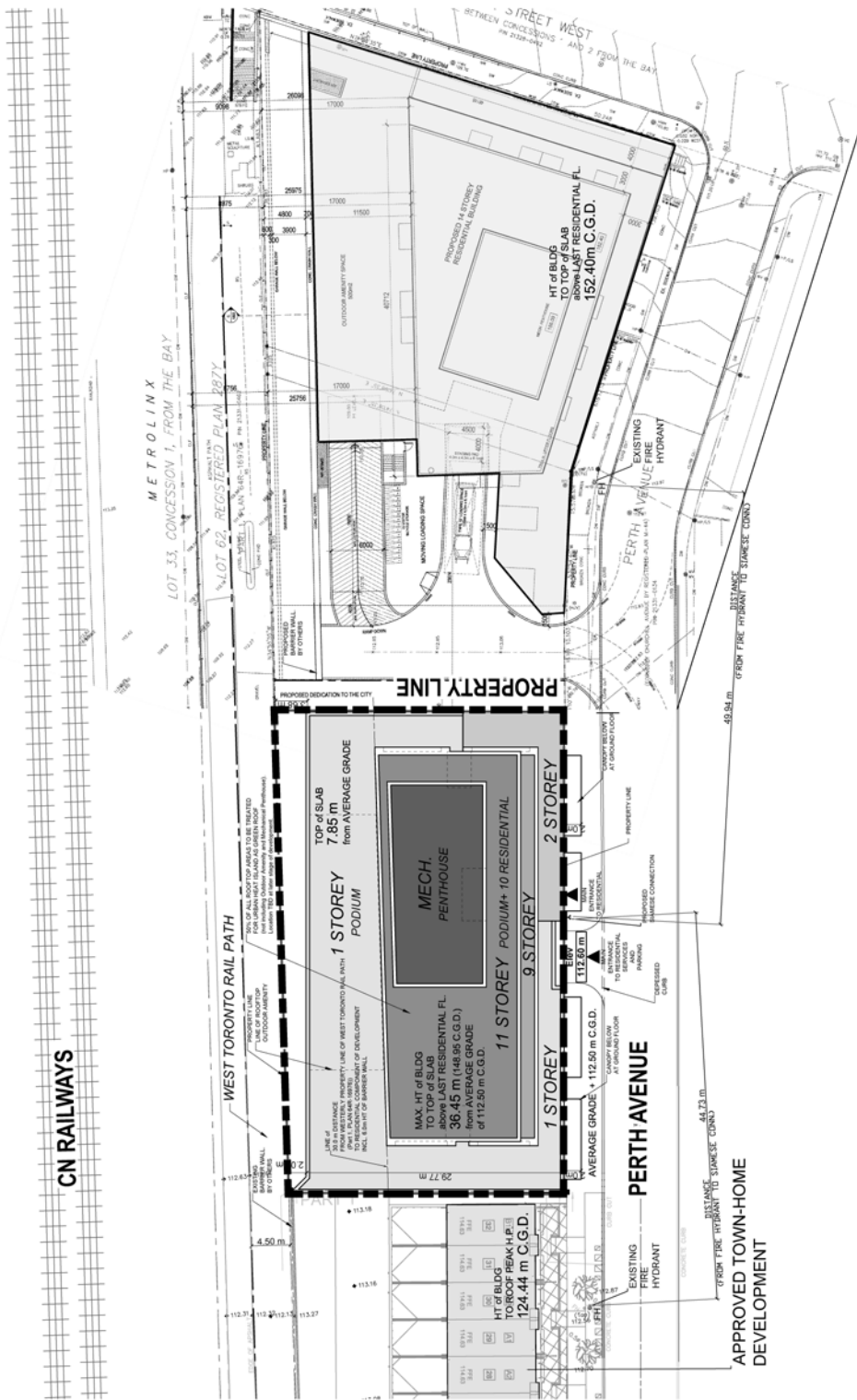
Attachment 2: 3D Model of Proposal in Context (Looking South-east)



Attachment 3: Location Map



Attachment 4: Site Plan



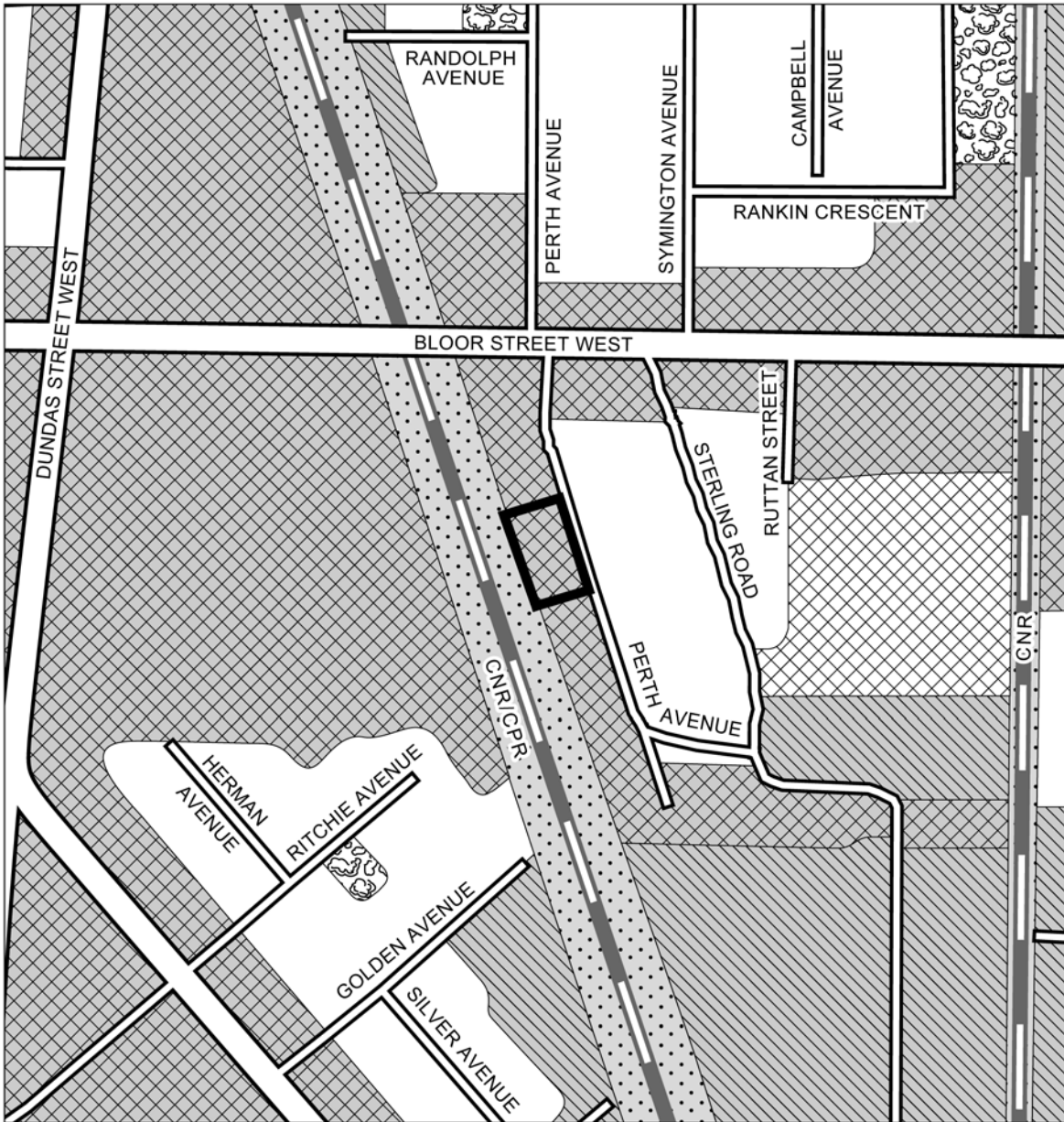
72 Perth Avenue

Site Plan
 Applicant's Submitted Drawing

File # 18 170127 STE 18 0Z

Not to Scale
 07/11/2018

Attachment 5: Official Plan Map



Official Plan Land Use Map #18

72 Perth Avenue

File # 18 170127 STE 18 0Z

- | | | | |
|---|--|--|--|
|  Location of Application |  Apartment Neighbourhoods |  Parks |  Utility Corridors |
|  Neighbourhoods |  Mixed Use Areas |  Employment Areas | |

↑
Not to Scale
07/12/2018

Attachment 6: Application Data Sheet

Municipal Address: 72 PERTH AVE Date Received: June 1, 2018

Application Number: 18 170127 STE 18 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: Zoning By-law Amendment to facilitate redevelopment of the site with a new mixed-use building with 105 rental apartment units, as well as commercial units/maker space at grade along the Perth Avenue frontage. A total gross floor area of 8,818.4 square metres is proposed.

Applicant	Agent	Architect	Owner
URBAN STRATEGIES INC			VALENTINE COLEMAN INC

EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision:

Zoning: CR 2.0 (c2.0; r2.0) SS2 (x1227)

Heritage Designation:

Height Limit (m):

Site Plan Control Area:

PROJECT INFORMATION

Site Area (sq m): 1,818 Frontage (m): 56 Depth (m): 33

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):				
Residential GFA (sq m):			8,324	8,324
Non-Residential GFA (sq m):			483	483
Total GFA (sq m):			8,807	8,807

Height - Storeys:

Height - Metres:

Lot Coverage Ratio (%) : 0 Floor Space Index: 4.84

Floor Area Breakdown Above Grade (sq m) Below Grade (sq m)

Residential GFA: 8,324
 Retail GFA: 483
 Office GFA:
 Industrial GFA:
 Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:			105	105
Freehold:				
Condominium:				
Other:				
Total Units:			105	105

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			43	52	10
Total Units:			43	52	10

Parking and Loading

Parking Spaces: 47 Bicycle Parking Spaces: 115 Loading Docks: 2

CONTACT:

Kirk Hatcher, Planner
 (416) 392-0481
 Kirk.Hatcher@toronto.ca