

954-958 Broadview Avenue and 72 Chester Hill Road – Official Plan Amendment and Zoning Amendment Applications – Preliminary Report

Date: April 4, 2019

To: Toronto and East York Community Council

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

Ward 14 - Toronto-Danforth

Planning Application Number: 18 118403 STE 29 OZ and 19 125893 STE 14 OZ

Notice of Complete Application Issued: March 14, 2019

Anticipated City Council Meeting Date: October 2, 2019

Designated Heritage Buildings(s) on Site: 958 Broadview Avenue

Current Use(s) on Site: 958 Broadview Avenue is a 4-storey building known as the Estonian House, which operates as a non-profit community centre; 954 and 956 Broadview Avenue are 2-storey semi-detached dwellings; and 72 Chester Hill Road is a 3-storey detached dwelling.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application for an 18 storey seniors' residence located at 954-958 Broadview Avenue and 72 Chester Hill Road. 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 954-958 Broadview Avenue and 72 Chester Hill Road 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

On June 7, 2016, City Council adopted Site and Area Specific Policy 509 (SASP 509) relating to Broadview Avenue between Danforth Avenue and O'Connor Drive. SASP 509 was subsequently appealed to the Local Planning Appeal Tribunal (LPAT).

Council's decision on SASP 509 can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.TE16.5>

On February 16, 2018, the applicant submitted an Official Plan Amendment for the subject site. The application was deemed incomplete on March 14, 2018. In response, the applicant has now submitted all the plans and studies requested in response to the incomplete Official Plan Amendment application and has also submitted a Zoning By-law Amendment application.

ISSUE BACKGROUND

Application Description

This application proposes to amend the Official Plan and the Zoning By-law for the property at 954-958 Broadview Avenue and 72 Chester Hill Road to permit a seniors' retirement residence. The proposal is 18 storeys tall (55.7 metres, excluding mechanical penthouse) consisting of 18,270 square metres of gross floor area (GFA). The proposal would contain a variety of programs and resident care services, including assisted living suites and independent living suites in the form of purpose-built rental units. A total of 214 residential units are proposed: 61 studio (29%), 127 one-bedroom (59%) and 26 two-bedroom (12%). The floor space index (FSI) of the proposed development is 3.86 times the area of the lot. The proposal would also retain and readapt a property designated under Part IV of the Ontario Heritage Act.

The proposal includes three levels of underground parking. A total of 64 vehicular parking spaces are proposed. In terms of amenity space, a total of 1,881 square metres of indoor amenity space is proposed and a total of 553 square metres of outdoor amenity space.

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 Attachments 4-8 contain the site plan and elevations.

Provincial Policy Statement and Provincial Plans

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

Toronto Official Plan Policies

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 Avenues on Map 2 of the Official Plan and *Mixed Use Areas* for the 954-958 Broadview Avenue properties. The 72 Chester Hill Road property is designated *Neighbourhoods* on Map 18 of the Official Plan's Land Use Map.

Official Plan Amendment 343 (Broadview Avenue Planning Study)

On June 7, 2016, City Council adopted the City-initiated Site and Area Specific Policy (SASP) 509 through Official Plan Amendment 343 for Broadview Avenue, from Danforth Avenue to O'Connor Drive. The SASP was appealed to the Local Planning Appeal Tribunal (LPAT). On August 15, 2018, the LPAT approved SASP 509 save and except for three site-specific appeals that remain outstanding. The lands with outstanding site-specific appeals are the following: 995-1005 Broadview Avenue and 2-4 Mortimer Avenue; 1132 Broadview Avenue; and 954-958 Broadview Avenue and 72 Chester Hill Road. All three of these site-specific appeals have site-specific development applications under way.

SASP 509 guides and manages moderate incremental development on Broadview Avenue, between Danforth Avenue and O'Connor Drive; complements, builds upon, and strengthens the physical character of the area as a whole and within each of its five character areas; conserves and reinforces the area's natural and cultural heritage; and ensures compatibility between existing and future development.

SASP 509 provides five character areas for Broadview Avenue, each area defined by its attributes in terms of function, built form and character. The subject site has unique

conditions and dimensions and therefore has been identified as being a part both of Character Area A and Character Area C. Within SASP 509 there are site-specific development criteria that apply to the subject property. Those criteria are that new development will:

- Provide a built form transition between the tall buildings to the north and single-family houses (*Neighbourhoods*) to the south;
- Provide front yard setbacks which are consistent with the adjacent front yard building setbacks;
- Conserve the integrity of the property's cultural heritage values and attributes, including the 19th century Chester Public School;
- Avoid negative impacts on the rear yard amenity of properties in adjacent *Neighbourhoods*; and
- Maintain an appropriate mix of uses where possible to enable accommodation of a multi-purpose non-profit community facility.

These policies, though not in-force, have been adopted by Council and will be used to inform the review of this application.

Zoning By-laws

Former Township of East York Zoning By-law 6752

The Former Township of East York Zoning By-law 6752 zones the property at 958 Broadview Avenue as "C" (Commercial). This zoning category permits commercial, institutional and accessory structures. It also permits residential uses for buildings of a maximum of 3-storeys.

Former City of Toronto Zoning By-law 438-86

The properties at 954-956 Broadview Avenue are zoned MCR (Main Streets Commercial Residential) T2.5 C0.5 R2.5 with a height limit of 14 metres. This zone category permits a wide range of residential and non-residential uses including apartment buildings, triplexes, row houses, live-work units, retail stores, restaurants, offices and institutional and community services to a maximum density of 2.5 times the area of the lot.

The property at 72 Chester Hill Road is zoned R2 (Residential) Z0.6 with a height limit of 10 metres. This zone category permits a wide range of residential uses such as apartment buildings, detached and semi-detached dwellings, row houses, duplexes and triplexes to a maximum density of 0.6 times the area of the lot.

Citywide Zoning By-law 569-2013

The property at 958 Broadview Avenue is zoned CR (Commercial Residential) 2.7 (c.2.7; r1.0) SS2 (x1163) with a height limit of 10.5 metres. This zoning category permits a wide range of residential and non-residential uses, including nursing homes and retirement homes, to a maximum density of 2.7 times the area of the lot.

The properties at 954-956 are zoned CR (Commercial Residential) 2.5 (c.0.5; r2.5) SS2 (x1578) with a height limit of 14 metres. This zoning category permits a wide range of

residential and non-residential uses, including nursing homes and retirement homes, to a maximum density of 2.5 times the area of the lot.

The property at 72 Chester Hill Road is zoned R (Residential) (d0.6) (x744) with a height limit of 10 metres. This zone category permits a wide range of residential uses such as apartment buildings, detached and semi-detached dwellings, row houses, duplexes and triplexes to a maximum density of 0.6 times the area of the lot.

The City's Zoning By-law 569-2013 may be found here: <https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

Design Guidelines

The following design guideline(s) will be used in the evaluation of this application:

- Tall Building Design Guidelines
- Broadview Avenue Urban Design Guidelines
- Avenues and Mid-Rise Buildings Study and Mid-Rise Performance Standards Addendum

The City's Design Guidelines may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

Site Plan Control

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

COMMENTS

Reasons for the Application

The applicant has submitted an Official Plan Amendment that seeks to amend the site-specific development criteria that apply to the site at 958 Broadview Avenue in SASP 509.

The Zoning Amendment application proposes to amend Zoning By-laws 6752, 438-86 and 569-2013 to vary performance standards including: building height, density, setbacks, and parking, amongst other areas of non-compliance.

ISSUES TO BE RESOLVED

The application has been circulated to City divisions and public agencies for comment. At this stage in the review, the following preliminary issues have been identified:

Provincial Policies and Plans Consistency/Conformity

In its current form, the proposal presents concerns with consistency with the Provincial Policy Statement (2014) and with conformity to the Growth Plan.

The PPS states in Policy 1.1.3.3 that planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs. The City, through the implementation of SASP 509, have identified this site for a midrise building that avoids negative impacts on the rear yard amenity of properties in adjacent *Neighbourhoods*.

Policy 1.7.1 of the PPS states that long-term economic prosperity should be supported by maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets and encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources. The proposed tower is currently proposed to be built atop the designated heritage property on 958 Broadview Avenue.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing these, and other, 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 contains policies related to setting minimum intensification targets throughout delineated built-up areas (Section 2.2.2 Policy 4). The proposed development, however, presents concerns with regard to Section 2.2.2 Policy 4(b) of the Growth Plan as it does not currently represent an appropriate scale of development for the surrounding area and does not appropriately transition to adjacent properties. Further, the proposed development presents concerns with Section 5.2.4 Policy 5(b) requiring the type and scale of development to be contextually appropriate.

Official Plan Conformity

In its current form, the proposal presents concerns with conformity to the Official Plan and Official Plan Amendment 343 (Broadview Avenue Planning Study). OPA 343, which was an intense planning study with numerous consultation processes, identified the site at 958 Broadview Avenue as appropriate for a lowrise or midrise building only due to the site's surrounding context and the need for mitigation of negative impacts to surrounding properties designated *Neighbourhoods*. The applicant's Official Plan Amendment contemplates a tall building, which would not be in keeping with the Official Plan or OPA 343.

Built Form, Planned and Built Context

The application, in its current form, presents significant built form concerns. Staff will consider Sections 2.3.1 (Healthy Neighbourhoods), 3.1.2 (Built Form), 3.1.3 (Built Form Staff Report for Action - Preliminary Report - 954-958 Broadview Avenue and 72 Chester Hill Road Page 6 of 23

- Tall Buildings), 4.1 (Neighbourhoods) and 4.5 (Mixed Use Areas), and OPA 343 which applies to Broadview Avenue.

The property at 958 Broadview Avenue is a deep but narrow property. The depth of the lot is 135 metres, backing onto the ravine, and the frontage along Broadview Avenue is 37.5 metres. In addition, the property is further constrained by the fact that the 135 metres of depth is adjacent to the backyards of lowrise residential properties that are designated *Neighbourhoods*. Policies in the Official Plan state that new development adjacent to *Neighbourhoods* will transition appropriately and be compatible with those *Neighbourhoods*. Moreover, a lot with a width of 37.5 metres presents significant challenges to accommodate a tower, which typically require 12.5 metre setbacks to the side lot lines and should transition down to *Neighbourhoods*. For these reasons, OPA 323 identified this site for a low-rise or mid-rise building as appropriate development, which would still allow for the intensification of the site, as per the requirements of the Provincial Policy Statement and the Growth Plan, and which would fit contextually within the surrounding existing and planned context. A proposal that has a mid-rise building closer to Broadview Avenue - and that is compatible with the designated heritage property - and a low-rise portion to the rear would be a proposal that could meet the intent of both the Official Plan and OPA 343.

In addition to the above, staff also note the following preliminary concerns with the current proposal:

- The proposed height of 18 storeys, whereas a mid-rise building would be a more appropriate fit within the existing and planned context;
- The proposal's inadequate transition to lowrise neighbourhoods to the south;
- The proposed tower's failure to meet tall building setbacks (12.5 metres from the north and south side lot lines) and the proposal's reliance on the position of the existing tower to the north to achieve the appropriate 25-metre tower separation;
- The proposal's impacts to light, view and privacy to surrounding properties and the public realm
- The relationship of the proposal's 6-storey portion at the rear of the site with the lowrise neighbourhoods to the south, which presents privacy and overlook concerns as the proposal only provides a 7.5 metre setback to the backyards of those lowrise neighbourhood properties;
- The proposal's ability to enhance the public realm; and
- The appropriateness of the proposal's current relationship to the designated heritage building.

Additional issues may be identified through the review of the application including further review from City divisions and agencies and the public consultation process.

Ravine Protection

The subject lands are within a Toronto and Region Conservation Authority (TRCA) Regulated Area and within the City of Toronto Ravine and Natural Feature Protection By-law area. The proposal includes a building which is shown to be set back 10 meters

from top of bank. The TRCA and Urban Forestry Division will evaluate the proposal and have been circulated for comment.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law). The applicant has submitted an Arborist Report and a Tree inventory and Preservation Plan. There are 59 trees and four tree polygons (groups of trees) on the subject property, neighbouring property, within the City road allowance, and within the Ravine and Natural Feature Protection area. The applicant proposes to remove three trees and one tree polygon to accommodate the proposed development and proposes to remove an additional ten trees and one tree polygon due to poor condition. Forestry staff are reviewing the Arborist Report submitted with the application. Staff will continue to assess the appropriateness of the applicant's proposal and tree replacement plan.

Heritage Impact & Conservation

The property at 958 Broadview Avenue, the former Chester Public School, is designated under Part IV of the Ontario Heritage Act. The proposal includes retention of the former Chester Public School while removing the later additions and alterations. The proposal also includes building atop the designated heritage property. The applicant has provided a Heritage Impact Assessment, which Heritage Preservation Services are reviewing.

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.

The proposal at its current height and density is subject to Section 37 contributions under the Planning Act should it proceed to approval in some form. Section 37 benefits have not yet been discussed. Potential benefits may include provisions for affordable housing, improvements to parks and the public realm, and improvements to community services and facilities.

Infrastructure/Service Capacity

Staff are reviewing the application to determine if there is sufficient infrastructure capacity (roads, transit, water, sewage, hydro) to accommodate the proposed development. The applicant has submitted the following studies and reports which are reviewed by Engineering and Construction Services: Detailed Geotechnical Investigation and Engineering Design Report, Preliminary Hydrogeological Review Summary and Report, Functional Servicing Report, Stormwater Management Report,

Transportation Impact Assessment. The reports submitted in support of the development application evaluate the impacts of the proposal on the City's municipal infrastructure.

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 has submitted the Toronto Green Standards Checklist and Statistics Template for Tier 1 performance measures. The City is reviewing this submission for compliance.

Other Matters

Staff are of the opinion that the current proposal presents significant concerns with regard to consistency with the PPS (2014) and conformity with the Growth Plan (2017). Further, there are concerns with the current proposal's ability to conform with the Toronto Official Plan, particularly as it relates to building height, massing, and relationship to surrounding existing and planned contexts. Staff will work with the applicant towards an improved proposal that addresses staff's concerns.

CONTACT

George Pantazis, Planner, Tel. No. 416-392-3566, E-mail: George.Pantazis@toronto.ca

SIGNATURE

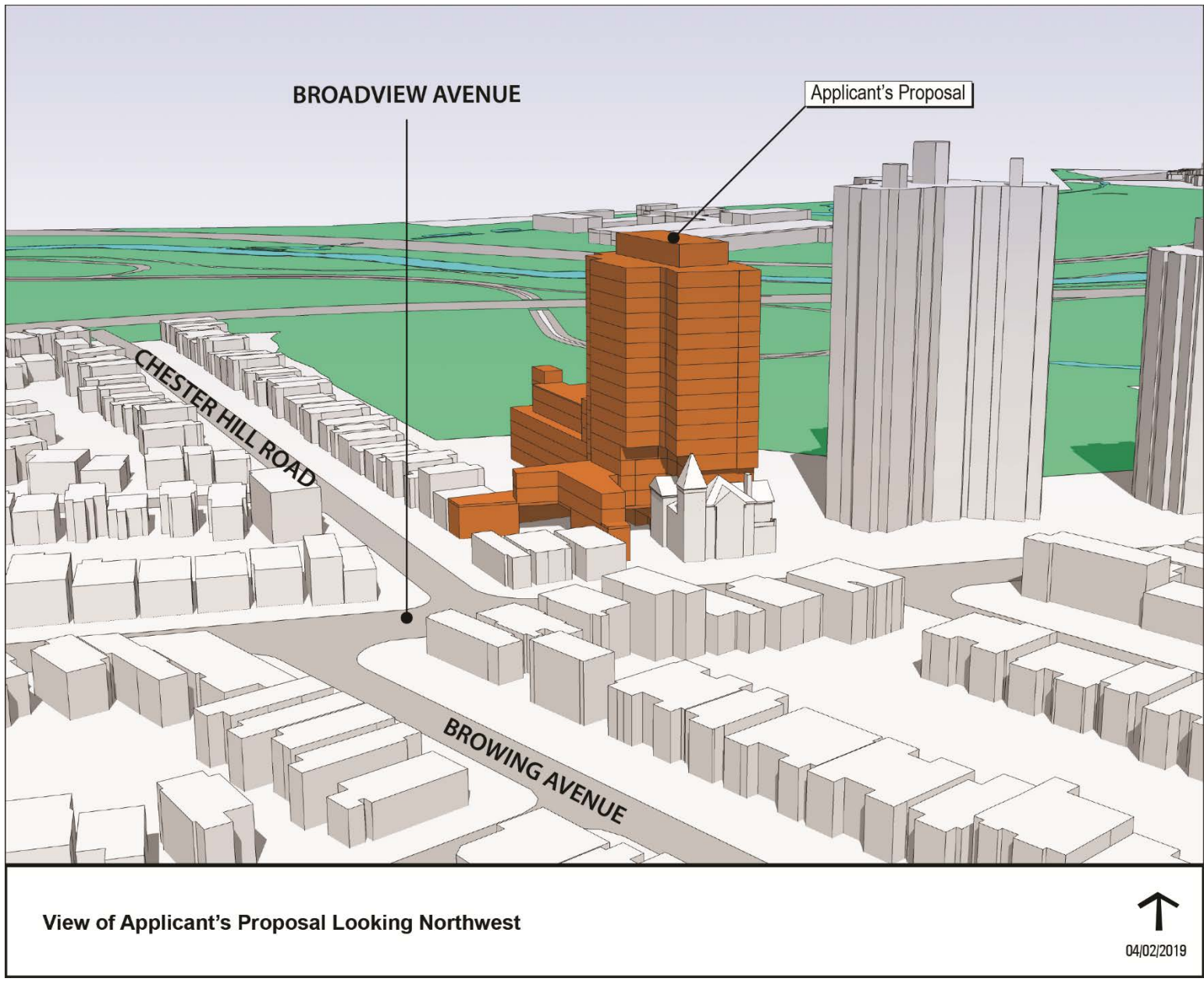
Lynda H. Macdonald, MCIP, RPP, OALA
Director, Community Planning
Toronto and East York District

ATTACHMENTS

City of Toronto Drawings

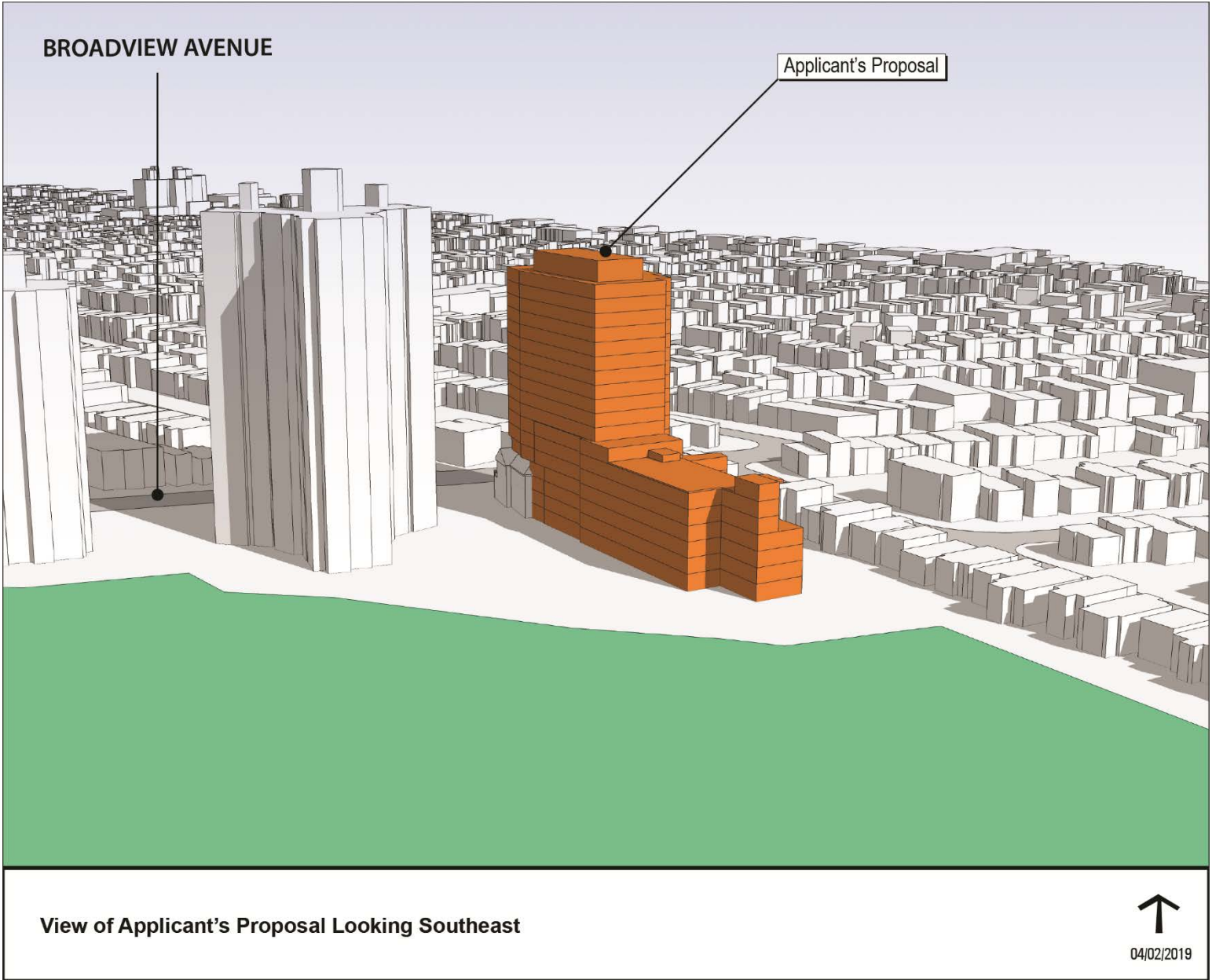
Attachment 1: 3D Model of Proposal in Context

Attachment 2: Location Map
Attachment 3: Official Plan Map
Attachment 4: Site Plan
Attachment 5: West Elevation
Attachment 6: East Elevation
Attachment 7: North Elevation
Attachment 8: South Elevation
Attachment 9: Application Data Sheet

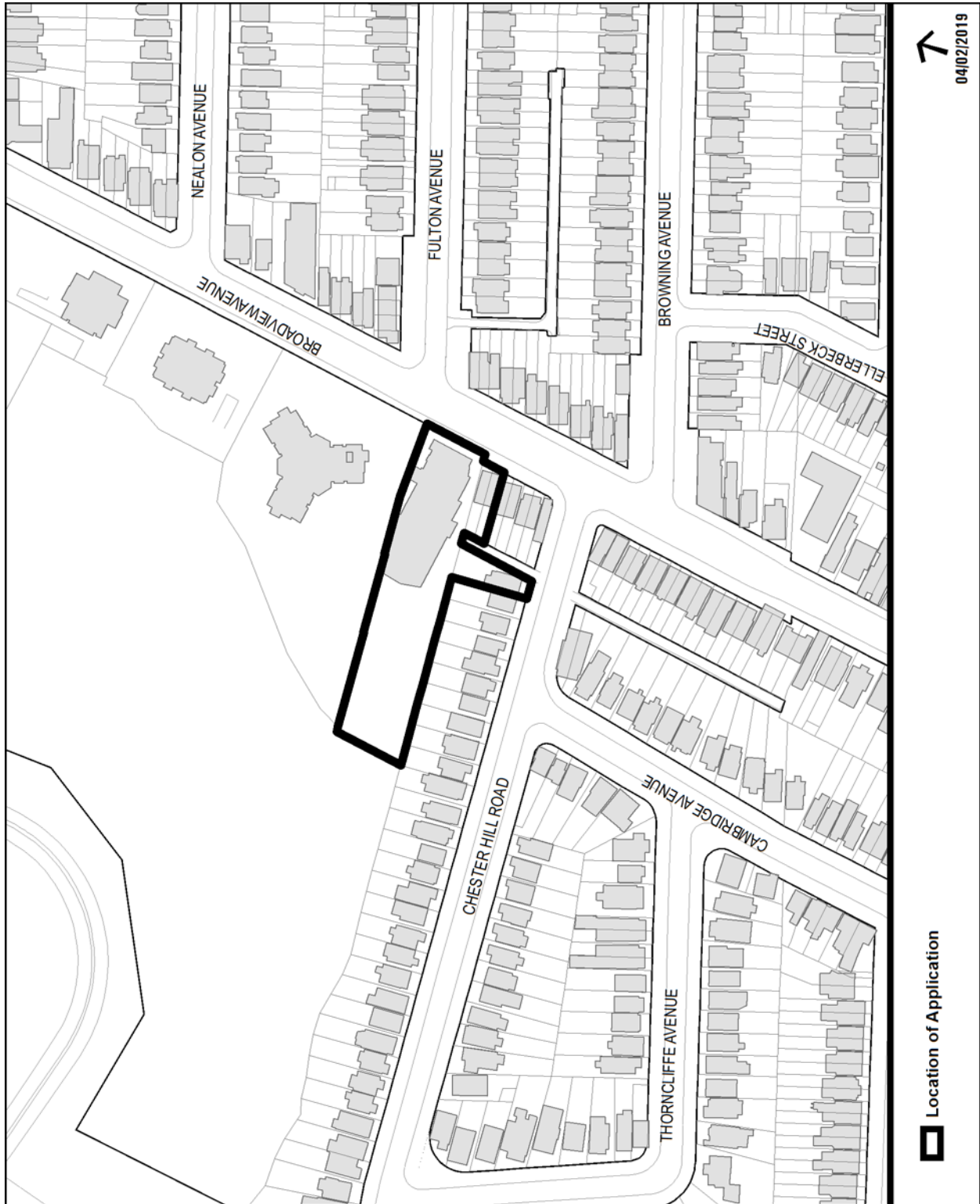


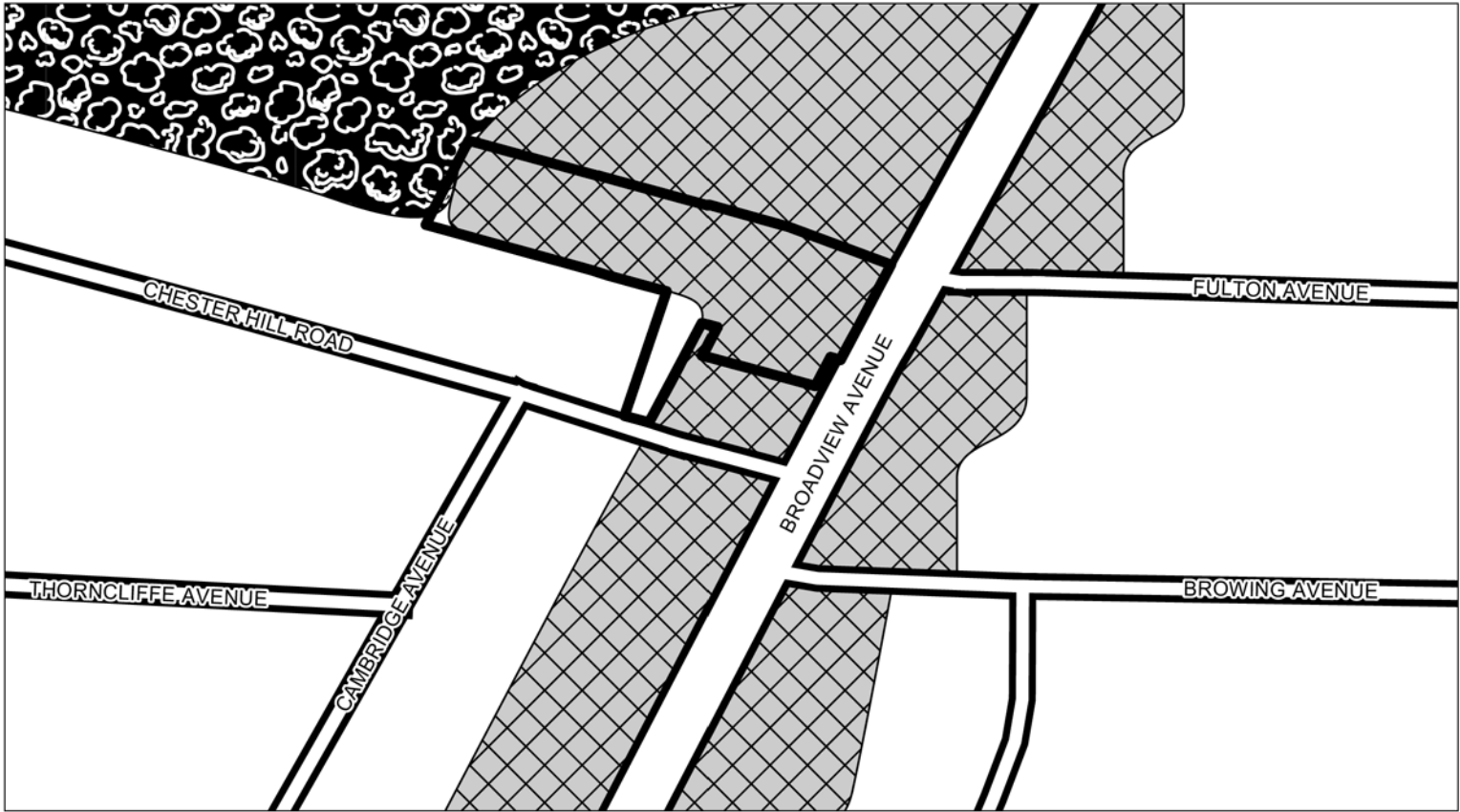
View of Applicant's Proposal Looking Northwest

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Attachment 2: Location Map










TORONTO
 Official Plan Land Use Map

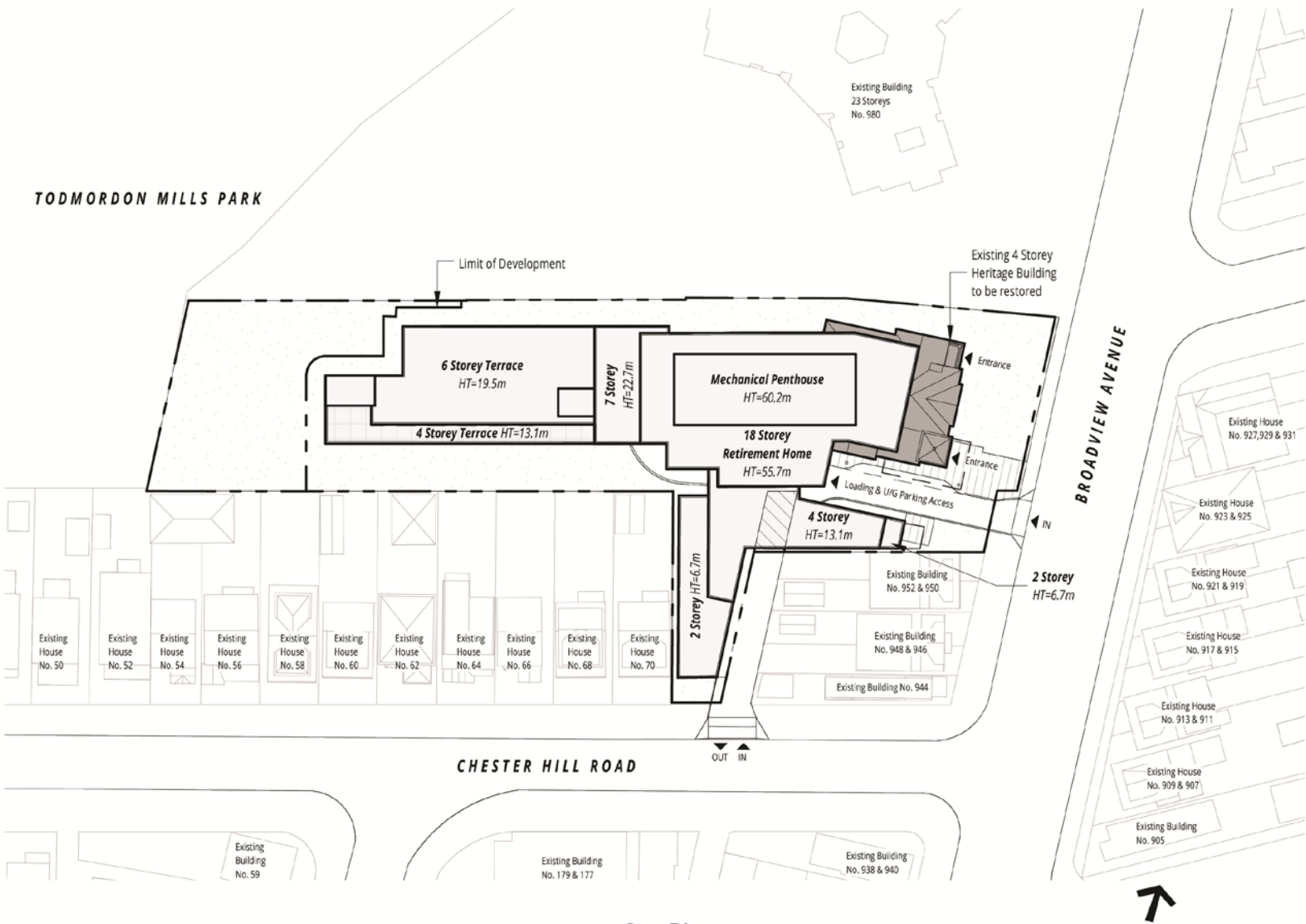
954-958 Broadview Avenue & 72 Chester Hill Road

File # 19 125892 STE 14 0Z

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|---|--|
|  Location of Application |  Parks & Open Space Areas |
|  Neighbourhoods |  Natural Areas |
|  Mixed Use Areas | |

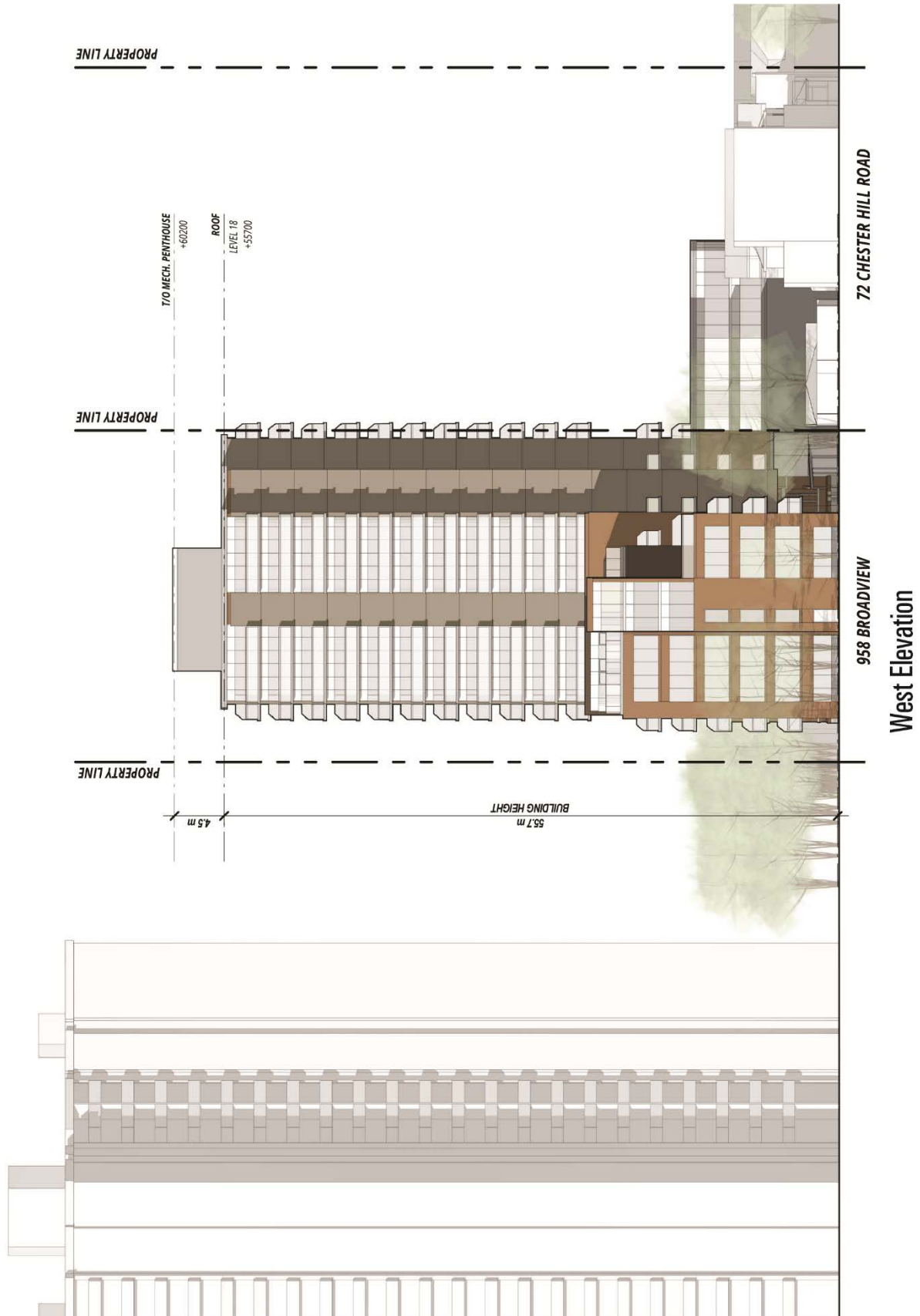


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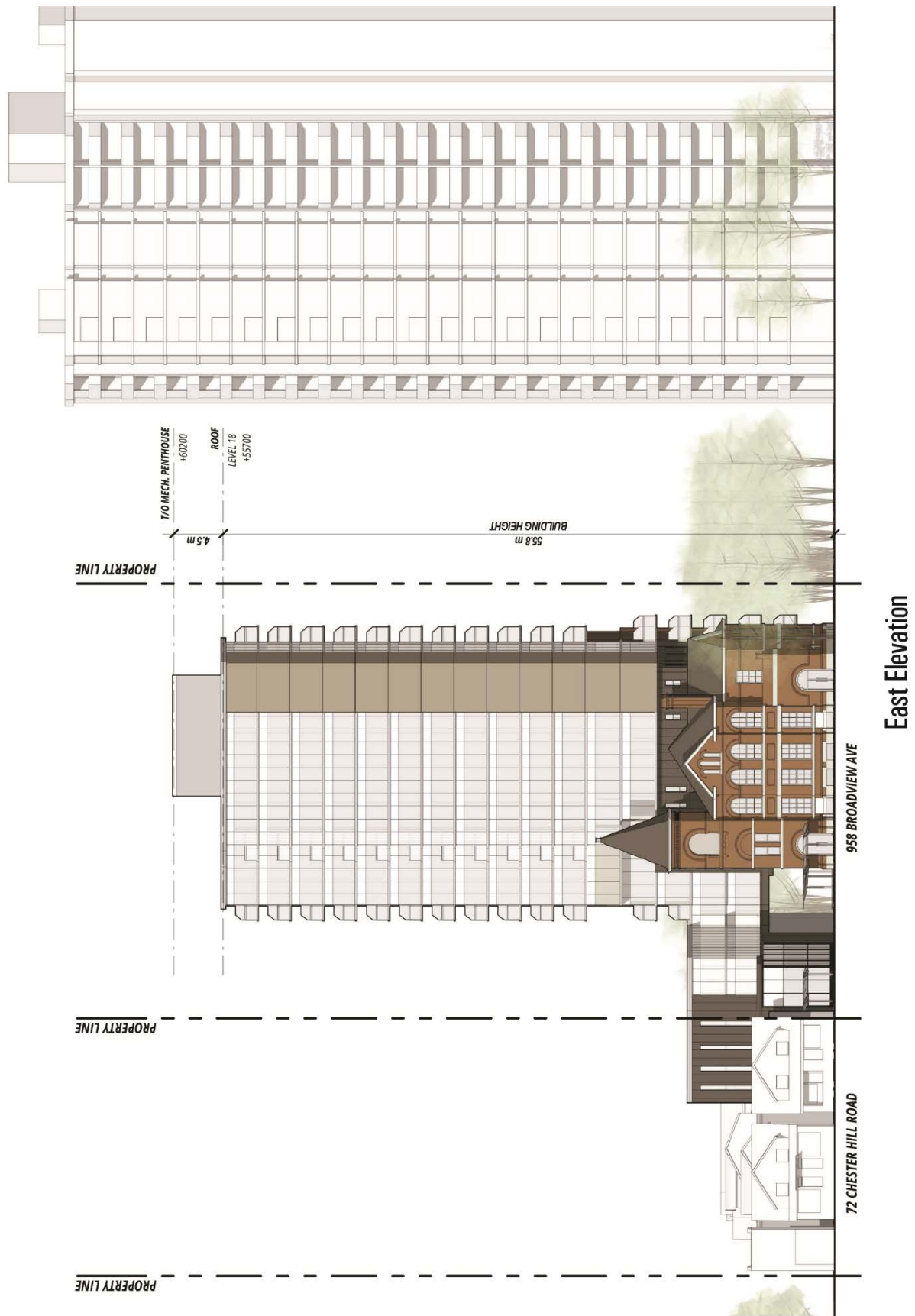


Site Plan

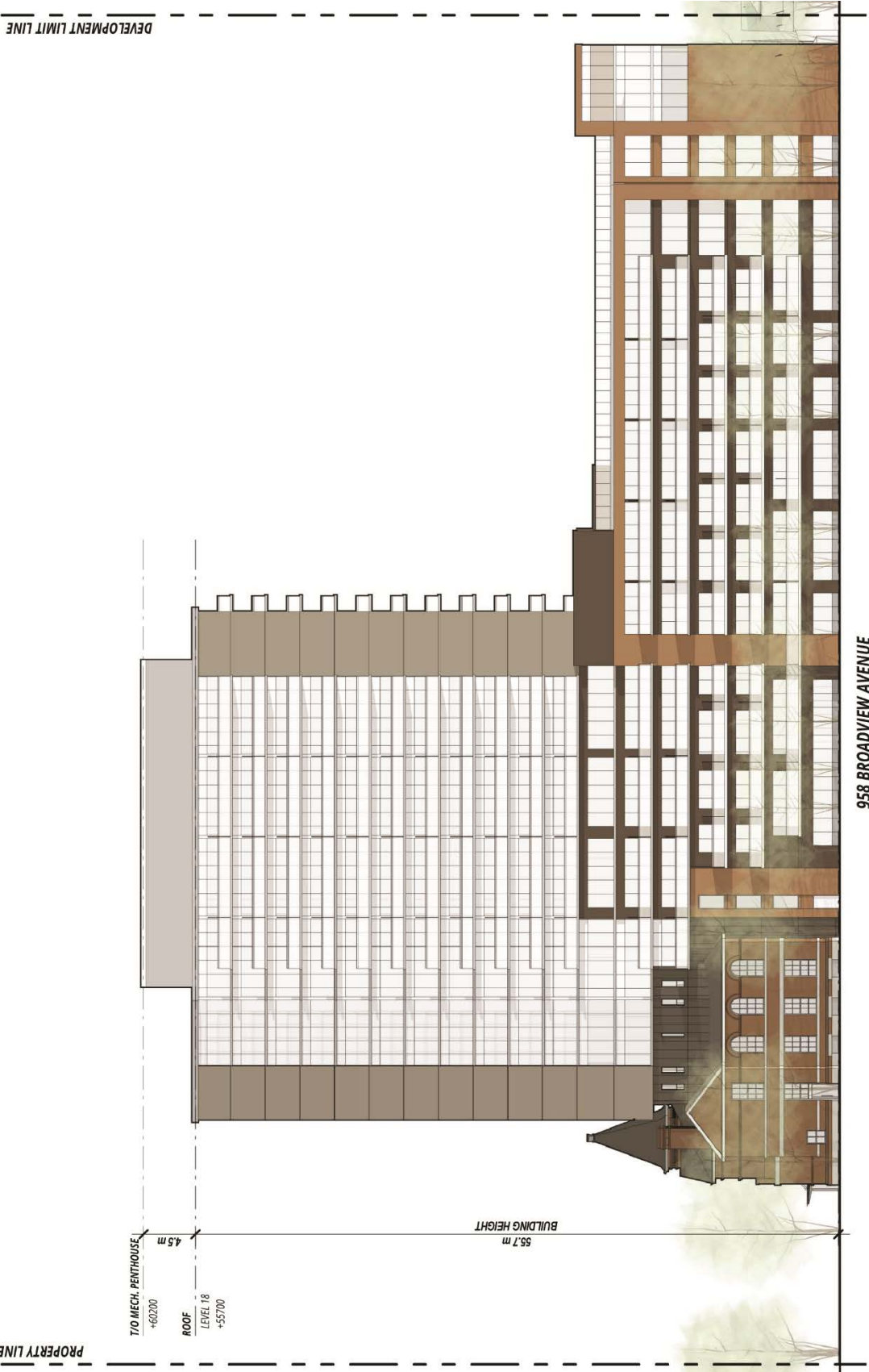
Attachment 5: West Elevation



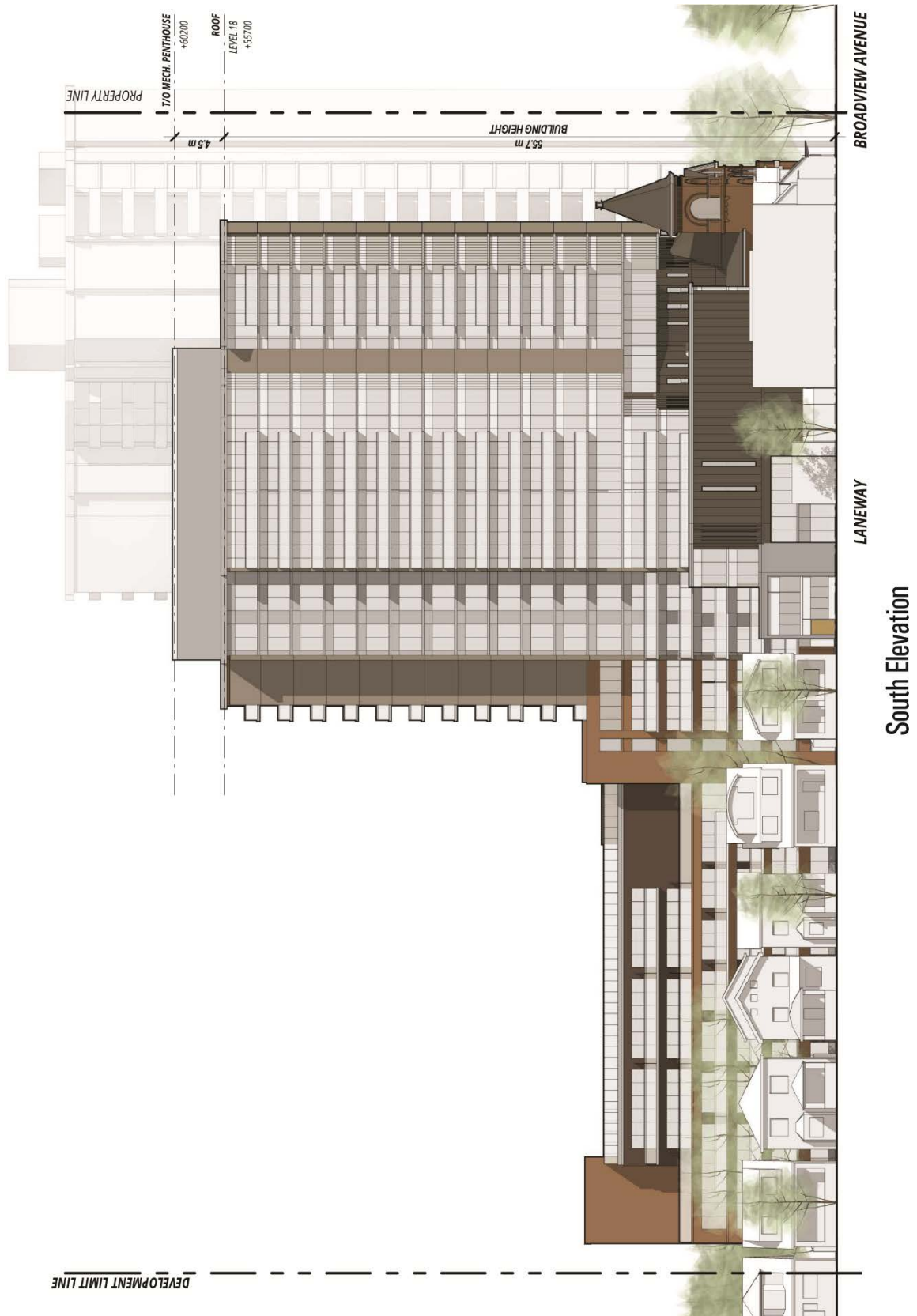
Attachment 6: East Elevation



Attachment 7: North Elevation



Attachment 8: South Elevation



Attachment 9: Application Data Sheet

Municipal Address: 954 Broadview Avenue Date Received: March 14, 2019

Application Number: 19 125893 STE 14 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: Proposal to amend the Official Plan and the Zoning By-law for the property at 954-958 Broadview Avenue and 72 Chester Hill Road to permit a seniors' retirement residence. The proposal is 18 storeys tall (55.7 metres, excluding mechanical penthouse) consisting of 18,270 square metres of gross floor area (GFA). The proposal would contain a variety of programs and resident care services, including assisted living suites and independent living suites in the form of purpose-built rental units. A total of 214 residential units are proposed: 61 studio (29%), 127 one-bedroom (59%) and 26 two-bedroom (12%). The floor space index (FSI) of the proposed development is 3.86 times the area of the lot. The proposal would also retain and readapt a property designated under Part IV of the Ontario Heritage Act.

Applicant	Agent	Architect	Owner
REVERA INC.	BOUSFIELDS INC.	MONTGOMERY SISAM	ESTONIAN HOUSE IN TORONTO LTD.

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	OPA 343
Zoning:	CR 2.7 (c2.7; r1.0) SS2 (x1163)	Heritage Designation:	Y
Height Limit (m):	10, 14	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m):	4,730	Frontage (m):	39	Depth (m):	136
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Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			2,756	2,756
Residential GFA (sq m):			14,434	14,434
Non-Residential GFA (sq m):		1,238	2,598	3,836
Total GFA (sq m):		1,238	17,032	18,270

Height - Storeys:	2	2	18	18
Height - Metres:			56	56

Lot Coverage Ratio (%)	58.27	Floor Space Index:	3.86
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Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	14,434	
Retail GFA:		
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:	3,836	

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:			172	172
Freehold:				
Condominium:				
Other:			42	42
Total Units:			214	214

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:		61	127	26	
Proposed:					
Total Units:		61	127	26	

Parking and Loading

Parking Spaces:	64	Bicycle Parking Spaces:	4	Loading Docks:	1
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CONTACT:

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 George.Pantazis@toronto.ca