

## **8-16 Locust Street and 15 Oxford Drive – Official Plan and Zoning By-law Amendment and Rental Housing Demolition Applications – Preliminary Report**

Date: June 22, 2020

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Ward: 5 - York South-Weston

**Planning Application Number:** 20 113215 WET 05 OZ

**Related Applications:** 20 113222 WET 05 RH

**Current Use(s) on Site:** The development site is comprised of six lots containing 184 residential dwellings. The current uses include three 2-storey semi-detached dwellings, one 1-storey single detached dwelling, one 2-storey single detached dwelling, one 10-storey rental apartment building and open space area proposed to be severed from 15 Oxford Drive.

### **SUMMARY**

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This report provides information and identifies a preliminary set of issues regarding the application to amend the Official Plan Site and Area Specific Policy No. 39 (SASP 39), Official Plan Land Use Map 14, the former City of York Zoning By-law No. 1-83 and City-wide Zoning By-law No. 569-2013 for the lands located at 8-16 Locust Street and 15 Oxford Drive to permit a proposed 35-storey (112.5 metres in height, inclusive of the mechanical penthouse) residential tower. The proposal includes a total gross floor area of 25,429 m<sup>2</sup> and would have a Floor Space Index of 9.5 times the area of the lot. There are 374 new dwelling units proposed in the residential tower in addition to 175 dwelling units that would be retained in the existing rental apartment building on 15 Oxford Drive.

A total of 154 vehicular parking spaces are proposed within 3 levels of underground parking. The application includes a proposed severance of a 1,217 m<sup>2</sup> portion of 15 Oxford Drive and the reconfiguration of the terminus of Locust Street into a new cul-de-sac. The 2-storey semi-detached dwelling at 8 Locust Street would be retained as part of the development application.

An associated application for Rental Housing Demolition seeks approval to demolish 3 rental dwelling units at 12 Locust Street and replace them with 3 rental dwelling units in the proposed development. The Rental Housing Demolition application will be reviewed concurrently with the Official Plan and Zoning By-law Amendment application.

Staff are currently reviewing the applications. They have been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting for the applications with the Ward Councillor.

## **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the applications located at 8-16 Locust Street and 15 Oxford Drive 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.
3. That the Final Report for the applications located at 8-16 Locust Street and 15 Oxford Drive be brought forward following the completion of the Mount Dennis Planning Framework Study.

## **FINANCIAL IMPACT**

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City Planning confirms there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

## **DECISION HISTORY**

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### **Mount Dennis Planning Framework Study**

On March 10, 2016, City Council adopted a motion directing the Chief Planner and Executive Director, City Planning to undertake a review of the current planning framework for the Mount Dennis study area including: built form; density; building heights; and public realm for the properties on Weston Road between Parke Street and Wilby Crescent/Wright Avenue in Mount Dennis, to consult with the community, landowners and stakeholder groups, and to report back on the findings of the review and to provide recommendations for changes, if necessary, to the planning framework for the study area. The motion can be found here:  
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.EY12.30>

On July 23, 2018, City Council considered a Status Report from City Planning and adopted a motion directing City Planning to undertake a review and update of the planning framework for the Mount Dennis area generally along Weston Road between Jane Street and Humber Boulevard/Black Creek Drive, including some lands between Weston Road and Black Creek Drive fronting Eglinton Avenue West, and including

those lands subject to Official Plan Site and Area Specific Policies 39, 40, 41, 42, 43, 53 and 320. The motion can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.EY32.21>

The subject site is located within the Mount Dennis Planning Framework Study area. It should be noted that City Planning staff initiated the planning framework study for Mount Dennis in 2019 and the proposed development will be considered through the study process. The website for the Mount Dennis Planning Framework Study area is currently being established and will provide further information on the study's progress.

## **Pre-Application Consultation**

A formal pre-application consultation meeting was held with the applicant on June 10, 2019 to discuss complete application submission requirements and to identify issues with the proposal. The proposal discussed at the meeting was for a 30-storey residential tower. During the pre-application meeting, staff raised concerns regarding the proposed height of the tower, the lack of transition to the adjacent lower scale built form, the loss of existing open space at 15 Oxford Drive, the context of the existing block and the proximity of the development to the abutting rail corridor to the north. Staff also noted to the applicant that the Mount Dennis Planning Framework Study was underway.

## **ISSUE BACKGROUND**

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### **Application Description**

The Official Plan and Zoning By-law amendment application proposes to amend Official Plan Site and Site and Area Specific Policy No. 39 (SASP 39), Official Plan Land Use Map 14, the former City of York Zoning By-law No. 1-83 and City-wide Zoning By-law No. 569-2013 for the lands at 8-16 Locust Street and 15 Oxford Drive to permit a 35-storey residential building containing 374 units. The application proposes a total gross floor area of 25,429 m<sup>2</sup>, resulting in a Floor Space Index of 9.5 times the area of the lot. The height of the proposed building is 112.5 metres, inclusive of the mechanical penthouse.

The application proposes the severance of 1,217 m<sup>2</sup> of existing open space from 15 Oxford Drive that would be consolidated with the properties at 8-16 Locust Street to facilitate the proposed 35-storey residential building. The application proposes to provide adjoining shared outdoor amenity space that would be located between the existing 10-storey apartment building at 15 Oxford Drive and the proposed 35-storey residential building. No changes are proposed to the existing 10-storey apartment building to be retained at 15 Oxford Drive.

The proposed 35-storey residential building would be comprised of a 3-storey podium with a 32-storey tower above. The podium would be 11.1 metres in height and would step back above the second storey along Locust Street. The tower would be setback 6.4 metres above the proposed podium at the south side of the building. The application proposes a tower floor plate approximately 784 m<sup>2</sup> in size with a 25.3 metre separation

distance from the existing apartment building at 15 Oxford Drive. The existing 2-storey (7.6 metres in height) semi-detached dwelling at 8 Locust Street, located along the southern property line is proposed to be retained and would have a separation distance of 0.7 metres from the proposed podium to the north. The proposed podium would be setback 12.4 metres from the adjacent rail corridor to the north and a 38.7 metres long crash wall measuring 2.14 metres in height is proposed along the site's north lot line.

A total of 374 residential units are proposed, comprised of the following mix of units: 96 one-bedroom units (26%); 143 one-bedroom plus den units (38%); 99 two-bedroom units (26%); and 36 three-bedroom units (10%).

Vehicular access to the site would be provided from Locust Street at the northeast corner of the site. The development would include a total of 154 parking spaces that would be provided in three levels of below-grade parking. The parking garage would extend below the majority of the site, but would not extend beneath the existing semi-detached house at 8 Locust Street. The parking supply would consist of 117 resident spaces and 37 visitor spaces. The development would provide a total of 381 bicycle parking spaces consisting of 343 long term spaces and 38 short term spaces. The proposed long term bicycle parking spaces would be located on levels 1 and 2 of the parking garage. Short term bicycle parking spaces would be provided at grade.

The application proposes to reconfigure the terminus of Locust Street into a new cul-de-sac. The new sidewalk of the proposed cul-de-sac would partially encroach onto the subject site. The cul-de-sac would require a reconfiguration of the City's existing right-of-way on both sides of Locust Street.

The application is proposing a total of 1,161 m<sup>2</sup> of outdoor amenity space (3.1 m<sup>2</sup> per unit) on the proposed consolidated lot and 762 m<sup>2</sup> of indoor amenity space (2.0 m<sup>2</sup> per unit). Amenity space is proposed to be located throughout the lower part of the building with outdoor amenity space proposed on levels 1 through 4 and indoor amenity space proposed on levels 1 through 3. The application proposes sharing the outdoor amenity space between the proposed 35-storey residential building and the adjacent existing 10-storey apartment building on 15 Oxford Drive. The proposed consolidated lot would have 649 m<sup>2</sup> of shared outdoor amenity space along the rear of the proposed development and 362 m<sup>2</sup> of shared outdoor amenity space would be located on the retained lands at 15 Oxford Drive.

An associated application for Rental Housing Demolition seeks approval to demolish 3 rental dwelling units at 12 Locust Street and replace them with 3 rental dwelling units in the proposed development. The submitted materials state there are 9 existing dwelling units on the subject site, 3 of which are currently vacant and 3 are owner occupied. No changes are proposed to the existing 10-storey apartment building on 15 Oxford Drive as part of this application.

Detailed project information can be found on the City's Application Information Centre at:

<https://www.toronto.ca/city-government/planning-development/application-information-centre/>

See Attachments 2 and 3 for three dimensional representations of the project in context. See Attachment 4 for a site plan of the proposal.

### **Site and Surrounding Area**

The subject site is located on the north side of Locust Street, northwest of the Eglinton Avenue West and Weston Road intersection, in the Mount Dennis neighbourhood (see Attachment 1: Location Map). The site is rectangular in shape and is approximately 2,675 m<sup>2</sup> in size. The subject site is a consolidation of 6 parcels occupied by the following: two detached dwellings; three semi-detached dwellings; and existing open space to be severed from 15 Oxford Drive. The existing detached and semi-detached dwellings front Locust Street and contain 9 dwelling units. The existing open space is located on the northeastern portion of 15 Oxford Drive and serves the existing 10-storey apartment building containing 175 dwelling units.

Surrounding land uses include:

North: Immediately adjacent to the subject site is the Metrolinx/GO Transit Rail Corridor. North of the rail corridor are lands previously known as Kodak Heights, the current location of the Mount Dennis LRT Station and mobility hub, with planned all-day, two-way service on the GO Transit Kitchener Line, UP Express and an off-street TTC Bus Terminal.

West: West of the subject site is a 15-storey apartment building at 30 Denarda Street. Along Oxford Drive and Denarda Street are semi-detached dwellings and single detached dwellings on properties designated *Mixed Use Areas*, *Apartment Neighbourhoods* and *Neighbourhoods* in the City of Toronto Official Plan.

East: On the east side of Locust Street are single detached and semi-detached dwellings designated *Mixed Use Areas* in the City of Toronto Official Plan. Further east on Hollis Street are single-detached dwellings on properties also designated *Mixed Use Areas*.

South: Directly south of the subject site are semi-detached homes that are designated *Mixed Use Areas* in the City of Toronto Official Plan. Further south is a mix of low-rise residential dwellings types and commercial uses along Locust Street and Weston Road on properties designated *Mixed Use Areas* in the City of Toronto Official Plan.

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

Land use planning in the Province of Ontario is a policy led system. Any decision of City Council related to this application is required to be consistent with the Provincial Policy Statement (2020) (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 (2019) and, where applicable, the Greenbelt Plan (2017). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

## 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 can be found here:

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

The current applications are located on lands designated *Mixed Use Areas* and *Apartment Neighbourhoods* on land use Map 14 of the Official Plan (see Attachment 5: Official Plan Land Use Map). *Mixed Use Areas* are made up of a broad range of residential, commercial and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities. Development in *Mixed Use Areas* will locate and mass new buildings to provide appropriate transition towards areas of different intensity and scale, and particularly towards lower scale *Neighbourhoods*. *Apartment Neighbourhoods* are made up of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of area residents.

The applications are subject to Site and Area Specific Policy No. 39 (SASP 39) and Site and Area Specific Policy No. 53 (SASP 53). SASP 39 applies to lands between Ray Avenue and Denarda Street, Denarda Street and Oxford Drive, and Oxford Drive and Locust Street (see Attachment 6: Site and Area Specific Policy No. 39). SASP 53 applies to the entirety of the Mount Dennis area (see Attachment 7: Site and Area Specific Policy No. 53).

SASP 39 states that low to medium-rise residential buildings are permitted subject to suitable land assembly. SASP 53 states that a development concept plan for an entire redevelopment block may be required to assess comprehensive projects. A development concept plan may also be required for a land assembly of a portion of a block. Any proposed assembly of lots will be comprehensively undertaken to allow for a distribution of density, uses and massing that is functional, compatible and does not prevent the potential compatible redevelopment of the rest of the block.

## City-Initiated Mount Dennis Planning Framework Study

On March 10, 2016, City Council directed City Planning staff to undertake a review of the current planning framework for the Mount Dennis area including: built form; density; building heights; and public realm for the properties in Mount Dennis. City Council directed staff to consult with the community, landowners and stakeholder groups, and to report back on the findings of the review and to provide recommendations for changes, if necessary, to the planning framework for the study area.

On July 23, 2018, City Council considered a Status Report from City Planning and directed City Planning to undertake a review and update of the planning framework for the Mount Dennis area generally along Weston Road between Jane Street and Humber Boulevard/Black Creek Drive, including those lands between Weston Road and Black Creek Drive fronting Eglinton Avenue West, and including those lands subject to Official Plan Site and Area Specific Policies 39, 40, 41, 42, 43, 53 and 320.

City Planning staff have retained and are currently working with a consultant team led by Perkins and Wills in facilitating an inter-divisional comprehensive review of the existing planning policy framework for the Mount Dennis area. The study will include the creation of an area wide vision and the development of goals, objectives and priorities for the area, pertaining to land use, transportation, servicing infrastructure, community facility and social service needs requirements. The purpose of the study is to develop a renewed planning policy framework, guidelines and other legislative tools that will assist in effectively managing growth and change in the area. The study area is generally bounded by the Humber River, Clouston Avenue, the CN rail line, Trethewey Drive, Keesledale Park, Humber Boulevard, Rockcliffe Boulevard, Lambton Avenue, Jane Street and Eglinton Avenue West.

The study team being led by Perkins and Wills was retained on December 18, 2019. The team consists of Nelson/Nygaard, GM Blue Plan, Canadian Urban Institute, Centre for Connected Communities, Sean Hertel, Common Bond Collective, LGL Limited, Timmins Martelle and NBLC. The study work being led by City Planning commenced on January 13, 2020 and it is anticipated the study will conclude in 2021.

All development applications received by City Planning for properties located within the study boundary will be evaluated and considered within the context of the study work. The Mount Dennis Planning Framework Study will include extensive community consultation and technical review to evaluate existing conditions, develop an area vision and outline recommendations for an area specific planning framework that will guide future growth, development and infrastructure improvements. Implementing policies and design guidelines will be developed based on the outcomes of the study.

## **Zoning By-laws**

Under City-wide Zoning By-law No. 569-2013, 15 Oxford Drive and 16 Locust Street are zoned Residential Apartment Commercial Zone (RAC) (u428)(x140) and the lands at 8-14 Locust Street are zoned Commercial Residential (CR) (c2.0; r2.0) (SS2).

The RAC zone permits apartment buildings and a range of small scale commercial and community uses with conditions. The zoning for 15 Oxford Drive and 16 Locust Street permits a maximum of 428 dwelling units (u428). Site Specific Exception 140 (x140) of this by-law refers to the Section 16(237) of the prevailing former City of York Zoning By-law No. 1-83, which provides site specific exceptions to permit the two existing apartment buildings at 15 Oxford Drive and 30 Denarda Street with conditions, such as maximum building heights, maximum number of apartment units and maximum floor space index.



The CR zone permits apartment buildings, mixed use buildings and townhouses, with conditions. The zoning further permits a range of institutional uses and commercial uses with conditions. The zoning for 8-14 Locust Street permits a maximum residential density of 2.0 times the area of the lot (r2.0), non-residential density of 2.0 times the area of the lot (c2.0) and is subject to Development Standard Set 2 (SS2).

See Attachment 8 of this report for the Zoning By-law Map of the subject lands.

The City's Zoning By-law No. 569-2013 can be found here: <https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

## **Design Guidelines**

The following Design Guidelines will be used in the evaluation of these applications:

- City-Wide Tall Buildings Design Guidelines;
- Growing Up: Planning for Children in New Vertical Communities;
- Bird-Friendly Development Guidelines; and
- Toronto Green Standard.

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

## **Site Plan Control**

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

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

Section 111 of the *City of Toronto Act, 2006* authorizes City Council to regulate the demolition and conversion of residential rental properties in the City. Chapter 667 of the City's Municipal Code, the Rental Housing Demolition 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.

City Council may refuse an application, or approve the demolition with conditions that must be satisfied before a demolition permit is issued. These conditions implement the City's Official Plan policies protecting rental housing. City Council approval of demolition under Section 33 of the *Planning Act* may also be required where six or more residential 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, City Council typically considers both applications at the same



time. Unlike *Planning Act* applications, decisions made by City Council under By-law No. 885-2007 are not subject to appeal to the Local Planning Appeal Tribunal.

On February 6, 2020, the applicant submitted an application for a Rental Housing Demolition Permit, pursuant to Chapter 667 of the City of Toronto Municipal Code. The submitted materials state there are 9 existing dwelling units on the subject site, 3 of which are currently vacant and 3 are owner occupied. A Housing Issues Report has been submitted with the application which is currently under review for consistency with the Official Plan.

As per Chapter 667-14, a tenant consultation meeting will be held to review the impact of the proposal on tenants of the residential rental property and other matters under Section 111.

## **COMMENTS**

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### **Reasons for the Applications**

Amendments to the Official Plan, former City of York Zoning By-law No. 1-83 and City-wide Zoning By-law No. 569-2013 are required to redesignate and change the permitted land use on part of the site from *Apartment Neighbourhoods* to *Mixed Use Areas*, amend the other site and area specific policies and create site specific zoning provisions to permit the proposed building type, density, building height, setbacks, lot coverage and other development standards that may be identified through the review process to reflect the proposed development.

The Rental Housing Demolition application is required to permit the demolition of the existing rental housing units as required by Chapter 667 of the Municipal Code.

### **ISSUES TO BE RESOLVED**

On June 10, 2019 a pre-application consultation meeting was held with the applicant to discuss a proposal for a 30-storey residential tower. At this meeting, staff raised concerns with the height of the tower, the lack of transition to the adjacent lower scale built form, the loss of existing open space at 15 Oxford Drive, the context of the existing block and the proximity of the development to the abutting rail corridor to the north. Although staff raised the above noted concerns, the applicant submitted the subject Official Plan and Zoning By-law Amendment application for a 35-storey residential tower on February 6, 2020.

It is recognized that part of the lands are designated *Mixed Use Areas* in the City of Toronto Official Plan and, subject to a decision by City Council, the lands may be considered part of a Major Transit Station Area as defined by the Growth Plan. Higher densities are anticipated than currently exist on the subject lands, but as currently proposed, staff continue to have the same concerns that were discussed at the pre-application consultation meeting.

The applications have 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**

The applications will be evaluated against the *Planning Act* and applicable Provincial Plans to establish the application's consistency with the PPS (2020) and conformity with the Growth Plan (2019).

Section 2 of the *Planning Act* sets out matters of provincial interest that City Council shall have regard to in making any decision under the *Planning Act*. Relevant matters of provincial interest are: (j) the adequate provision of a full range of housing, including affordable housing; (p) the appropriate location of growth and development; (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians; and (r) the promotion of 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 Provincial Policy Statement (PPS) (2020) contains policies related to managing and directing development. It requires that sufficient lands be made available for intensification and redevelopment, that planning authorities identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account, among other things, the existing building stock and surrounding area.

While the PPS (2020) encourages intensification and efficient development, it recognizes that local context is important and that well-designed built form contributes to overall long-term economic prosperity. The PPS indicates that the Official Plan is the most important vehicle for implementing the PPS and planning authorities shall identify appropriate locations for intensification and redevelopment. Policy 4.8 states that zoning and development permit by-laws are important for implementation of the PPS and that planning authorities shall keep their zoning and development permit by-laws up-to-date with their Official Plan and the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) emphasizes the importance of complete communities where a range of housing options are to be provided; and that new development should provide high quality compact built form and an attractive and vibrant public realm. The Growth Plan provides municipalities the authority to define the location and nature of growth that will occur in intensification areas in a flexible manner suitable to the local context, while still meeting the overriding objectives of the Growth Plan.

The Growth Plan (2019) contains policies pertaining to population and employment densities that should be planned for in Major Transit Station Areas (MTSAs) along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan requires that, at the time of the next Municipal Comprehensive Review (MCR), the City update its Official Plan to delineate MTSA

boundaries and demonstrate how the MTSA's achieve appropriate densities. The development proposal is within 500 metres of the future Mount Dennis LRT Station.

The applications will be evaluated against the policies and objectives of the *Planning Act*, Provincial Policy Statement and Growth Plan, especially in regards to the promotion of well-designed built form, providing for a range of housing options and whether the proposal complies with the municipal direction for growth.

### **Official Plan Conformity**

The lands are designated *Mixed Use Areas* and *Apartment Neighbourhoods* in the City of Toronto Official Plan. The current proposal requires an Official Plan Amendment as the application proposes to redesignate the portion of the subject lands that is designated *Apartment Neighbourhoods* to *Mixed Use Areas*.

The Official Plan states that *Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service employment in Toronto in the coming decades, as well as much of the new housing. However, not all *Mixed Use Areas* will experience the same scale or intensity of development.

*Mixed Use Areas* policies establish a number of site-related development criteria that must be met. The Built Form policies emphasize the importance of ensuring that new development fits within its existing and/or planned context, while limiting impacts on neighbouring streets, parks and open spaces. Development in *Mixed Use Areas* will locate and mass new buildings to adequately limit shadow impacts on adjacent *Neighbourhoods*, and to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces. The development criteria within the *Mixed Use Areas* policies are also supplemented by additional development criteria outlined in the Built Form policies in Section 3.1.2 of the Official Plan

*Apartment Neighbourhoods* are residential areas with taller buildings and higher density than *Neighbourhoods*, and are considered to be physically stable. While *Apartment Neighbourhoods* are not areas of significant growth on a city-wide basis, there are sites containing one or more existing apartment building(s) where compatible infill development may take place. This compatible infill development may take place where there is sufficient space on a site to accommodate additional buildings. On larger sites, infill opportunities may require planning for new and extended public realm including new streets or shared driveways, and may require preserving significant existing landscape and recreation features as part of integrating new development with older apartments in a manner that improves the quality of life for all.

Site and Area Specific Policy No. 39 (SASP 39) permits low to medium-rise residential buildings subject to suitable land assembly. The draft Official Plan Amendment submitted with this application includes an amendment to SASP 39 to permit a tall building.

The Healthy Neighbourhoods policies of the Official Plan provide guidance for development in neighbourhoods. Policy 2.3.1.4 states that the intensification of land

adjacent to neighbourhoods will be carefully controlled so that neighbourhoods are protected from negative impact. Where significant intensification of land adjacent to a *Neighbourhood* or *Apartment Neighbourhood* is proposed, City Council will determine, at the earliest point in the process, whether or not a Secondary Plan, area specific zoning by-law or area specific policy will be created in consultation with the local community following an Avenue Study, or area based study.

The Official Plan recognizes the requirement of adequate and affordable housing for everyone. Current and future residents must be able to access and maintain adequate, affordable and appropriate housing. The policies in Section 3.2.1 of the Official Plan provide guidance as to how and where this housing should be supplied and developed. The policies of the Official Plan also recognize that development could occur on sites where rental units are existing and will be maintained. These policies outline specific requirements which are needed to secure and maintain the existing units without hardship on the existing tenants. Policy 3.2.1.5 states that significant new development on sites containing six or more rental units, where existing rental units will be kept in the new development, will secure the existing rental housing units which have affordable rents and mid-range rents and any needed improvements and renovations to the existing rental housing, without passing on costs to existing tenants. Policy 3.2.1.6 requires that development that would result in the loss of six or more rental housing units will not be approved unless at least the same number, size and type of rental housing units are secured with similar rents for at least 10 years and an acceptable tenant relocation and assistance plan is provided.

Staff will review the applications to determine the impacts and appropriateness of the requested increased intensity of building type, the redesignation of a portion of the site from *Apartment Neighbourhoods* to *Mixed Use Areas*, and their conformity with the Official Plan, particularly given the location of the lands within the study area of the Mount Dennis Planning Framework Study.

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

The suitability of the proposed height and massing or other built form issues will be assessed based on Section 2 (j), (p), (q) and (r) of the *Planning Act*; the PPS (2020) and the Growth Plan (2019). The built form will also be assessed based on the City's Official Plan policies and the City's Design Guidelines. An evaluation will be made to confirm whether the proposal is contextually appropriate and fits within its planned and built context. In particular, staff will be evaluating:

- Appropriateness of the proposed building height and density;
- Appropriateness of the proposed building massing, separation distances between buildings, angular planes, setbacks and step backs;
- Appropriate transition in height towards buildings of different scale and intensity;
- Shadowing and wind impacts of the proposed development;
- Appropriateness of the proposed setback to the rail corridor and the proposed mitigation measures;
- The provision of adequate indoor and outdoor amenity space;

- Impacts and appropriateness of the severance of amenity space from the adjacent property; and
- Appropriate mix of dwelling units and the provision of affordable housing.

### **City-Wide Tall Buildings Design Guidelines**

In May 2013, Toronto City Council adopted the updated City-wide Tall Buildings Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts.

Tall buildings are defined as buildings having a height that is greater than the width of the adjacent street right-of-way. The proposed building height is 112.5 metres inclusive of the mechanical penthouse and exceeds the existing right-of-way width of Locust Street.

The City-wide Tall Buildings Design Guidelines are available at:  
<http://www.toronto.ca/planning/tallbuildingdesign.htm>.

### **Growing Up: Planning for Children in New Vertical Communities**

In July 2017, Toronto City Council adopted the Growing Up Draft Urban Design Guidelines, and directed City Planning staff to apply the "Growing Up Guidelines" in the evaluation of new and under review multi-unit residential development proposals. The objective of the Growing Up Draft Urban Design Guidelines is that developments deliver tangible outcomes to increase liveability for larger households, including families with children at the neighbourhood, building and unit scale. The Growing Up Draft Urban Design Guidelines will be considered in the review of this proposal.

The Growing Up Guidelines state that at least 10% of units should be three-bedroom units and 15% should be two-bedroom units. The proposed 99 two-bedroom units (26%) and 36 three-bedroom units (10%) supports the unit mix objectives of the Growing Up Guidelines. These guidelines also recommend ideal unit sizes for two-bedroom units (90 m<sup>2</sup>) and three-bedroom units (106 m<sup>2</sup>). The proposed unit sizes will be evaluated against the objectives of the Growing Up Guidelines and the applicant will be encouraged to provide larger unit sizes. The other elements of the proposed development will also be evaluated against the Growing Up Guidelines objectives to understand how this vertical neighbourhood is responding to the needs of families and other future residents.

### **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).

Additionally, Official Plan policies have been adopted by City Council to increase tree canopy coverage. City Council has adopted the objective of increasing the existing 27 percent tree canopy coverage to 40 percent. Policy 3.4.1 (d) states that "to support

strong communities, a competitive economy and a high quality of life, public and private city-building activities and changes to the built environment, including public works, will be environmentally friendly based on: d) preserving and enhancing the urban forest by: i) providing suitable growing environments for trees; ii) increasing tree canopy coverage and diversity, especially of long-lived native and large shade trees; and iii) regulating the injury and destruction of trees".

The applicant submitted an Arborist Report and Tree Preservation Plan prepared by Geometric Studio Inc., dated January 28, 2020. The Arborist Report and Tree Preservation Plan indicates that the development would preserve 1 privately-owned tree; transplant 3 privately-owned trees; remove 1 City-owned protected by-law tree; and remove 19 privately-owned protected by-law trees. Urban Forestry staff do not currently support the extent of the proposed tree removal and require revisions to the proposed development to show more consideration for the protection of the by-law protected trees. Urban Forestry staff require an *Application to Injure or Destroy Trees* with the required application fees to remove or injure any trees.

The Landscape Plan prepared by Geometric Studio Inc. proposes 14 new trees on private property and 6 new trees on the City road allowance. Five of the new private trees would be located on the retained portion of 15 Oxford Drive as part of the existing apartment building. Staff will work with the applicant to address the provision of trees and the requirement to add to the City's tree canopy.

## **Housing**

A Housing Issues Report is required for Official Plan Amendments, Zoning By-law Amendments and Plans of Condominium where these applications seek to demolish existing rental properties, intensify existing rental sites, convert existing rental housing to condominiums or that propose residential development in excess of five hectares.

The applicant submitted a Housing Issues Report prepared by Bousfileds Inc., dated February 2020 and a Rental Housing Declaration of Use and Screening Form in support of the applications. The submitted materials state there are 9 existing dwelling units on the subject site, 3 of which are currently vacant and 3 are owner occupied.

Official Plan Policy 3.2.1.5 (a) requires the securing of existing rental units that have affordable and mid-range rents. Official Plan Policy 3.2.1.5 (b) requires the identification and securing of needed improvements to the existing rental housing, without pass through of costs to tenants. Official Plan Policy 3.2.1.6 (b) requires at least the same number, size and type of rental housing units to be secured with similar rents for at least 10 years and an acceptable tenant relocation and assistance plan is provided if a development would result in the loss of six or more rental housing units. The submitted Housing Issues Report does not address Official Plan Policy 3.2.1.5, 3.2.1.6 or the existing apartment building at 15 Oxford Drive. Planning staff will work with the applicant to address the applicable Official Plan policies and identify needed improvements, in consultation with existing tenants.

As the Planning Rationale and Housing Issues Report do not address Official Plan Policy 3.2.1.5 (a) and (b) or 3.2.1.6 (b) and do not identify the existing rents, number of

rental dwelling units or existing amenities, the applicant will be required to provide additional information through a revised report and/or an addendum to address these matters.

### **Community Services and Facilities**

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures used for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions. They include recreation, libraries, childcare, schools, public health, human services, cultural services and employment services, etc. The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable and accessible communities. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

As part of the City-initiated Mount Dennis Planning Framework Study, a Community Services and Facilities Study (CS&F Study) will be undertaken. The study area for the CS&F Study is bounded by Lawrence Avenue West to the north, the Humber River to the west, Lavender Creek/Terry Drive to the south and the Rail Corridor to the east. The CS&F Study is currently in progress and will be used to inform the review and evaluation of community facility needs and opportunities arising from this proposed development.

### **Infrastructure/Servicing Capacity**

The applicant submitted a Preliminary Geotechnical Investigation prepared by OHE Consultants, dated January 13, 2020 and a Geohydrology Assessment prepared by McClymont & Rak Engineers Inc., dated January, 2020. In addition, the applicant submitted a Functional Servicing Report and a Stormwater Management Report both prepared by WSP and dated January 24, 2020.

The purpose of these reports is to evaluate existing subsurface conditions and the effects of the development on the City's municipal servicing infrastructure and watercourses, and to identify and provide the rationale for any new infrastructure or upgrades to existing infrastructure necessary to adequately service the proposed development. Staff are reviewing the submitted reports and plans.

The applicant submitted a Phase One Environmental Site Assessment (Phase I ESA) prepared by OHE Consultants, dated August 2, 2019 and a Preliminary Phase Two Environmental Site Assessment prepared by OHE Consultants, dated August 23, 2019 in order to identify and assess areas of potential site contamination. Staff are reviewing the submitted reports.

The applicant submitted a Transportation Impact Study report prepared by WSP, dated January 29, 2020 in order to evaluate the effects of the proposal on the transportation



system and suggest any transportation improvements that are necessary to accommodate the travel demands and impacts generated by the proposed development. The site is located approximately 400 metres away from the future Mount Dennis LRT Station and mobility hub and as such, the Transportation Impact Study prepared by WSP contains a review of traffic operations in the area under both existing conditions and future conditions. Future conditions include the consideration of the anticipated Mount Dennis LRT Station, which will include a stop on the Eglinton Crosstown LRT, TTC buses, the Union Pearson Express and the GO Transit Kitchener line.

Transportation Services and Transportation Planning staff are reviewing the submitted report.

### **Rail Safety**

The subject lands are located adjacent to the Metrolinx Rail Corridor to the north. Metrolinx and other rail companies have established a set of criteria for new development adjacent to rail corridors, including minimum building setbacks and the requirement for safety barriers. Generally, new development in proximity to a rail corridor must be set back a minimum of 30 metres from the rail corridor and protected by an earthen berm. This standard is recognized in the Federation of Canadian Municipalities (FMC) and the Railway Association of Canada's (RAC) Proximity Guidelines.

The applicant submitted a Rail Safety Assessment prepared by Stantec Consulting Ltd., dated January 24, 2020, to assess the derailment protection measures required for the proposed residential development and how the proposed development can provide the required protection. The proposed development is setback from the rail corridor 12.4 metres to the base building and 20.7 metres to the proposed tower. The assessment concluded that a crash protection wall measuring 38.7 metres in length and 2.14 metres in height will be required along the northern property line. City staff have retained a third party consultant to undertake a peer review of this study, at the cost of the applicant.

### **Noise and Vibration**

The applicant submitted a Noise and Vibration Impact Study prepared by J.E. Coulter Associates Limited, dated February 5, 2020 to determine potential noise and vibration impacts on the proposed development and compliance with provincial regulations and guidelines. City staff will retain a third party consultant to undertake a peer review of this study, at the cost of the applicant. The review may be undertaken later in the review process once the design of the building and site are further evolved.

### **Wind Assessment**

The applicant submitted a Pedestrian Level Wind Study prepared by Gradient Wind Engineering Inc., dated April 29, 2020. The study indicates that some uncomfortable wind conditions would occur across the street and at the ground level outdoor amenity space to the north and west as a result of the proposed development. Additionally, wind and weather impacts on the proposed fourth storey outdoor amenity area would result in

conditions only suitable for walking or more vigorous activities. The wind study identifies that wind mitigation measures for the ground level amenity areas, the fourth floor amenity area and second floor amenity area would be required to ensure comfortable conditions are provided. The applicant may be required to submit further iterations of the wind study once the built form, massing and other elements of the site evolve to address the wind and other issues noted in this report.

### **Toronto Green Standard**

City 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 submitted the TGS Checklist indicating they are pursuing Tier 1 performance measures. Staff are reviewing the submitted TGS Checklist for compliance with the Tier 1 performance measures. Planning staff will encourage the applicant to pursue higher tiers of performance measures through the application review process.

### **Incorporation of City Owned Lands into the Development Site**

The application currently proposes the reconfiguration of the terminus of Locust Street into a new cul-de-sac. As part of the proposed cul-de-sac, the application proposes a portion of the public sidewalk to be located on the subject site. City staff are currently reviewing the proposal to determine the suitability and appropriateness of the cul-de-sac including the location, configuration and design standard proposed. City staff will work with the applicant to design any changes to the City's right-of-way to City standards and mitigate any impacts to other properties on Locust Street.

### **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 exceeds the Official Plan minimum size threshold of 10,000 m<sup>2</sup> for consideration of Section 37 benefits. Section 37 contributions could be secured towards specific benefits for the local community in the event the application is recommended for approval. Facilities and/or service needs will be identified through the Mount Dennis Planning Framework Study and in consultation with the Ward Councillor.

## Other Matters

All development applications received by City Planning for properties located within the boundary of the Mount Dennis Planning Framework Study will be evaluated and considered within the context of the study work. As the study commenced prior to the submission of this application, the applicant is encouraged to collaborate in the study process, participate in the consultation and work toward a solution for this site that is in keeping with the direction of the study.

Given the nature and extent of the issues raised in this report, staff advise that the applicant should revisit the design of the proposed development and resubmit a revised concept more in keeping with the Official Plan vision and other requirements.

Staff have also identified the additional following issues:

- The suitability, appropriateness and impact on the site specific zoning provisions of severing the existing open space from 15 Oxford Drive to permit the proposed development;
- The tenure proposed in the current application is unclear. Staff will strongly encourage the applicant to provide purpose-built rental units at mid-range or affordable rent levels and/or affordable ownership units within this proposed development to support the City's housing policy objectives to provide for a full range of housing by tenure and affordability within new developments;
- In order to comply with current City standards and the requirements of the Accessibility for Ontarians with Disabilities Act (AODA), the proposal is to be revised to provide a continuous 2.1 m wide clear linear path of public sidewalk along the Locust Street site frontage;
- Parks, Forestry and Recreation staff advise that the applicant would be required to satisfy the parkland dedication requirement through cash-in-lieu; and
- Given the current increase in dog-owning populations, the applicant will be strongly encouraged to provide dog amenities on-site with proper disposal facilities such as dog relief stations. This would alleviate pressure on neighbourhood parks, as directed by the *Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings*.

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

## CONTACT

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## **SIGNATURE**

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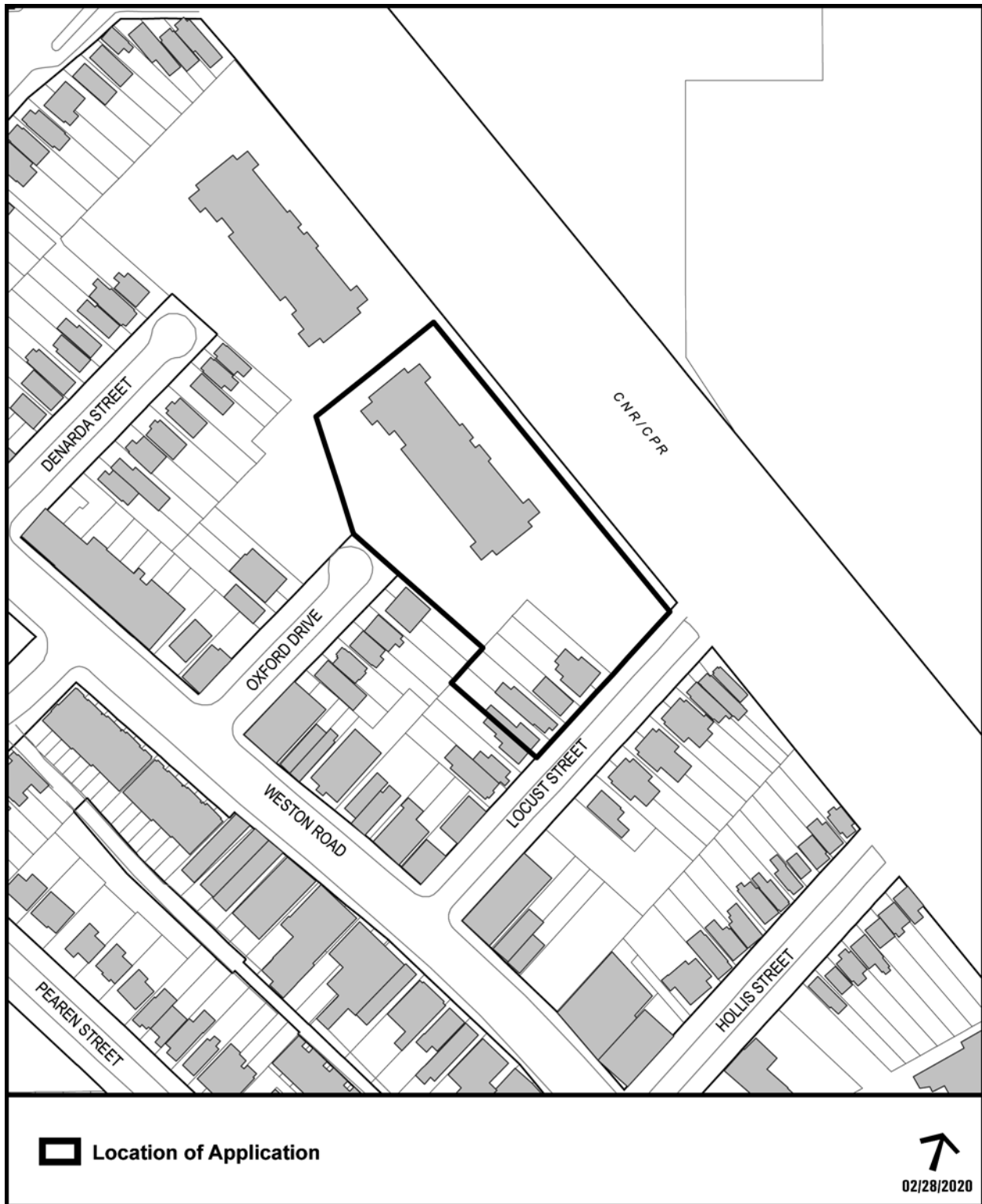
Neil Cresswell, MCIP, RPP  
Director of Community Planning  
Etobicoke York District

## **ATTACHMENTS**

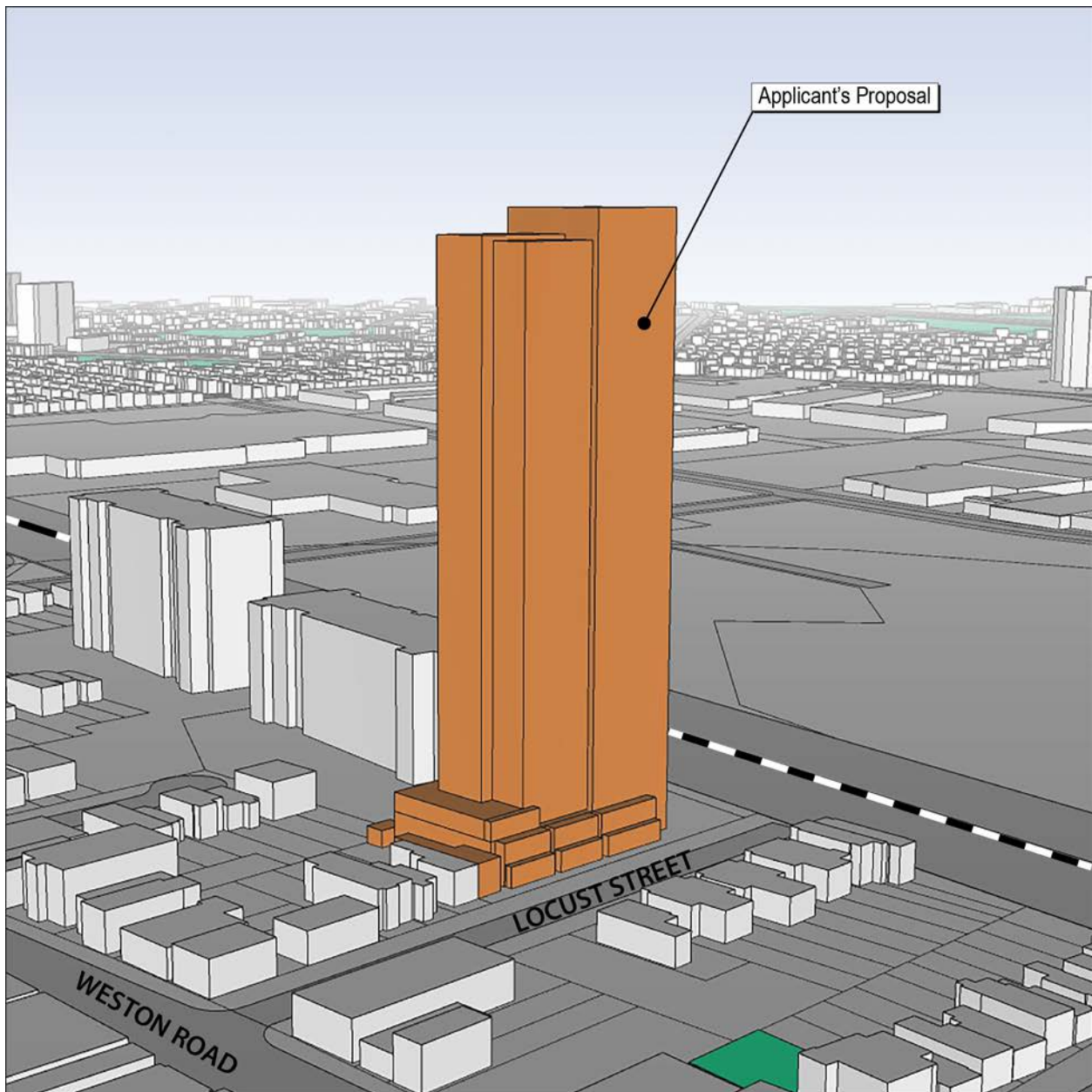
### **City of Toronto Drawings**

Attachment 1: Location Map  
Attachment 2: 3D Model of Proposal in Context - Looking Northwest  
Attachment 3: 3D Model of Proposal in Context - Looking Southeast  
Attachment 4: Site Plan  
Attachment 5: Official Plan Land Use Map  
Attachment 6: Site and Area Specific Policy No. 39  
Attachment 7: Site and Area Specific Policy No. 53  
Attachment 8: Zoning By-law Map

## Attachment 1: Location Map



## Attachment 2: 3D Model of Proposal in Context - Looking Northwest

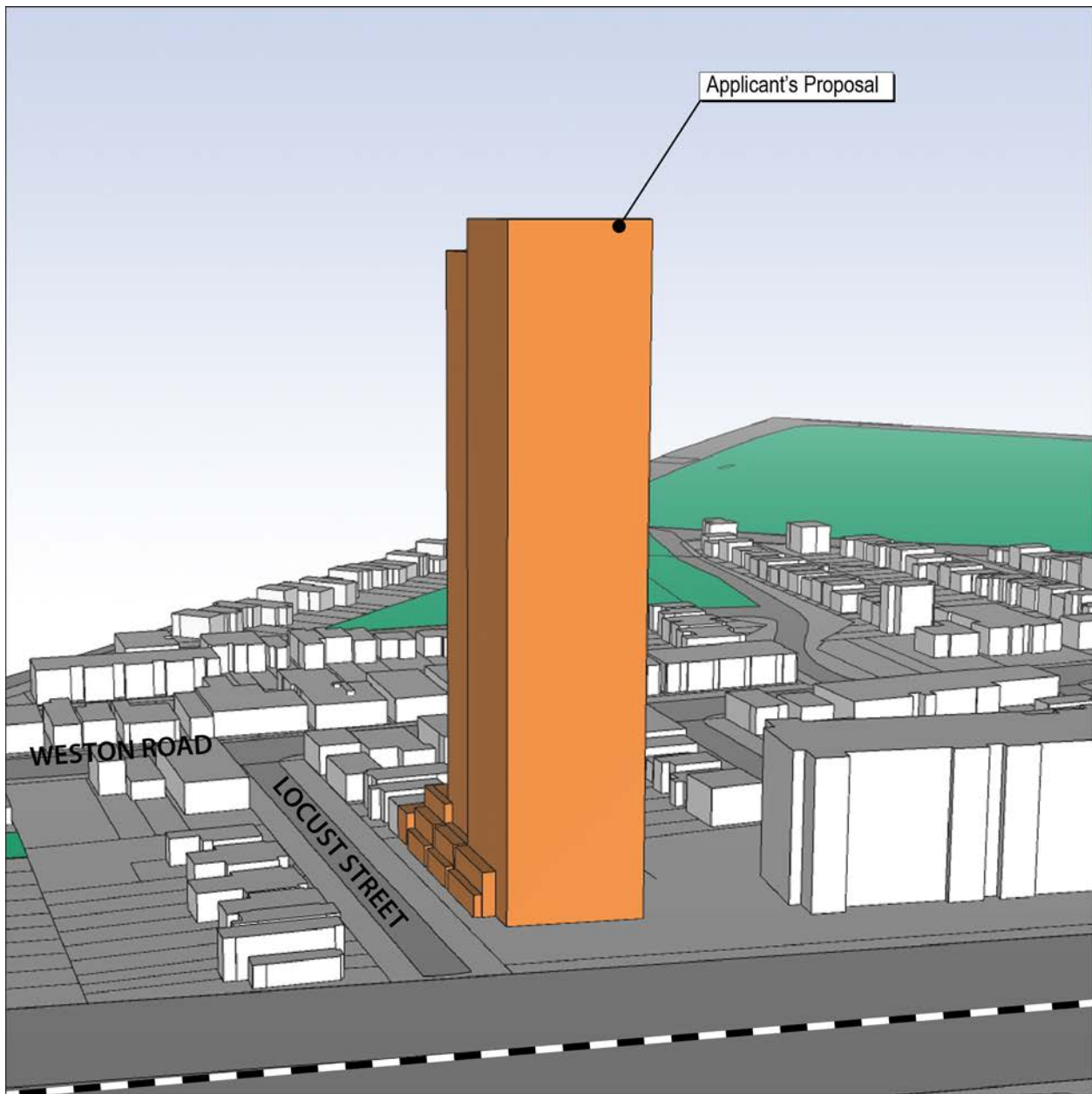


**View of Applicant's Proposal Looking Northwest**



06/10/2020

### Attachment 3: 3D Model of Proposal in Context - Looking Southeast



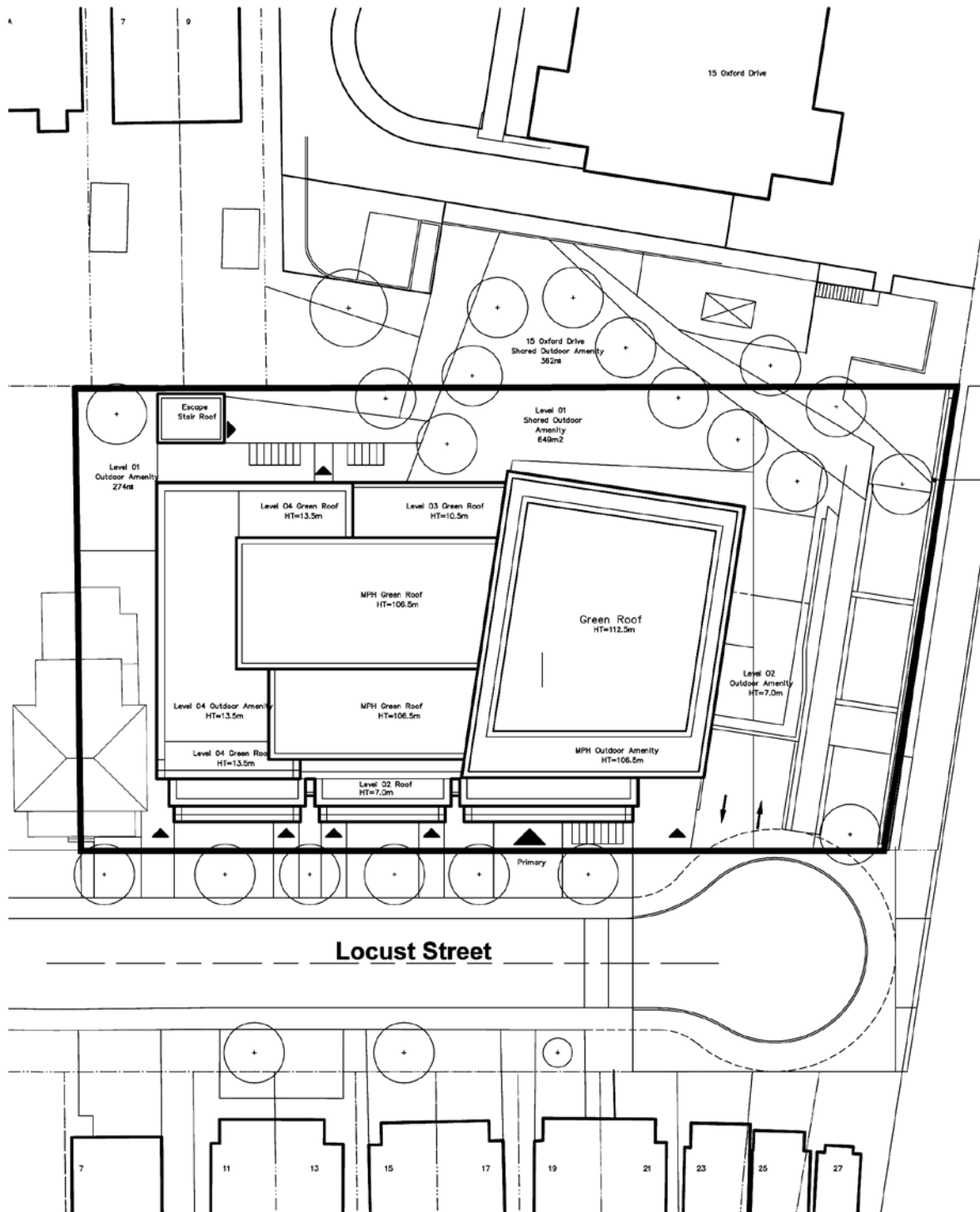
**View of Applicant's Proposal Looking Southwest**



06/10/2020



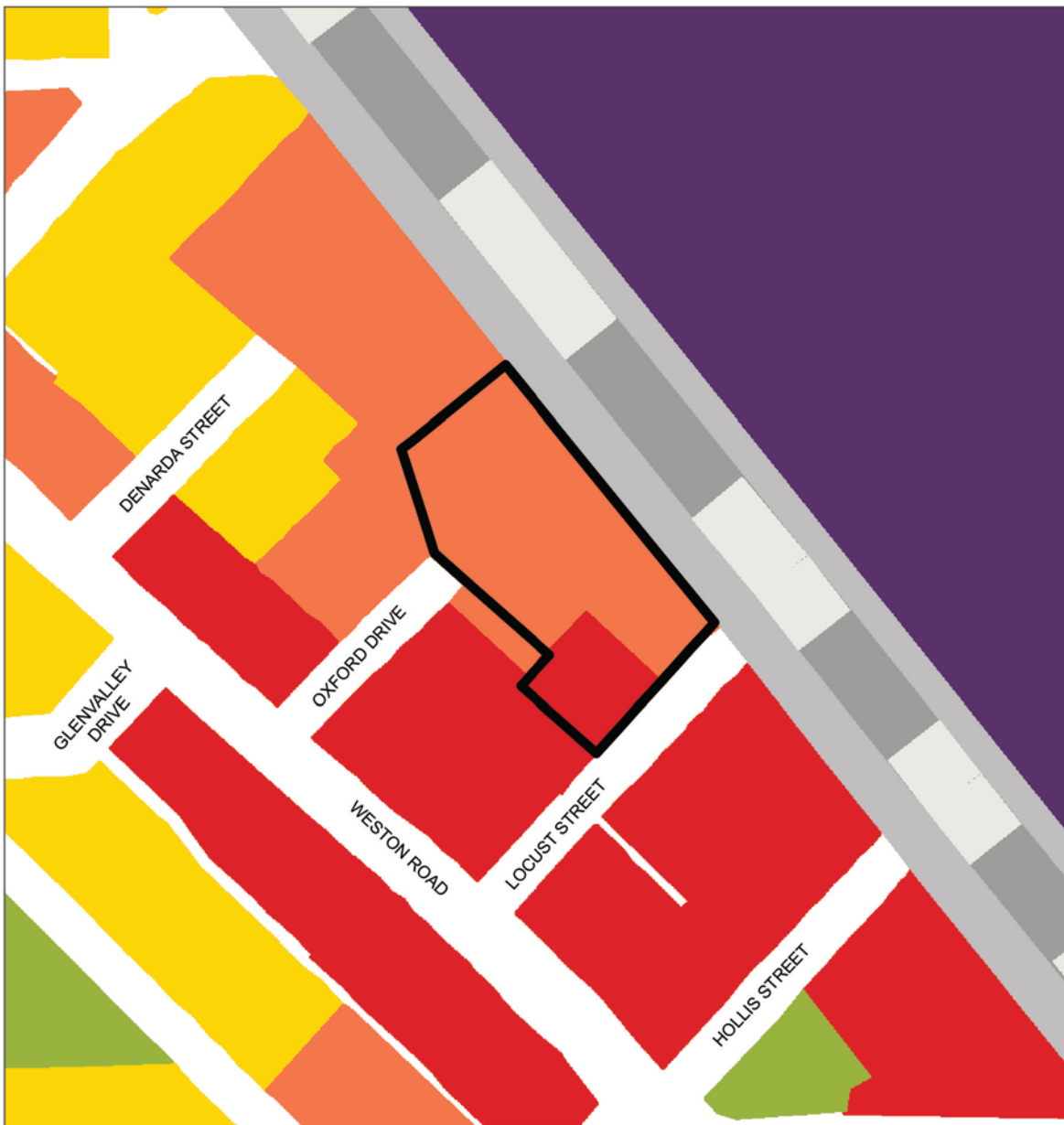
## Attachment 4: Site Plan



Site Plan



## Attachment 5: Official Plan Land Use Map



 **Toronto**

8 -16 Locust Street and 15 Oxford Drive

Official Plan Land Use Map #14

File # 20 123215 WET 05 02

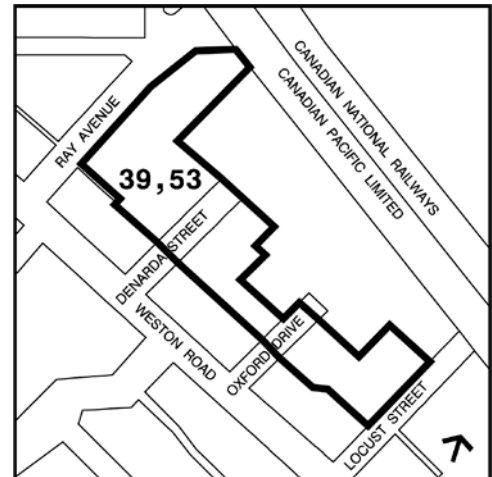


  
Not to Scale  
02/28/2020

## Attachment 6: Site and Area Specific Policy No. 39

### 39. Lands Between Ray Avenue and Denarda Street, Denarda Street and Oxford Drive, and Oxford Drive and Locust Street

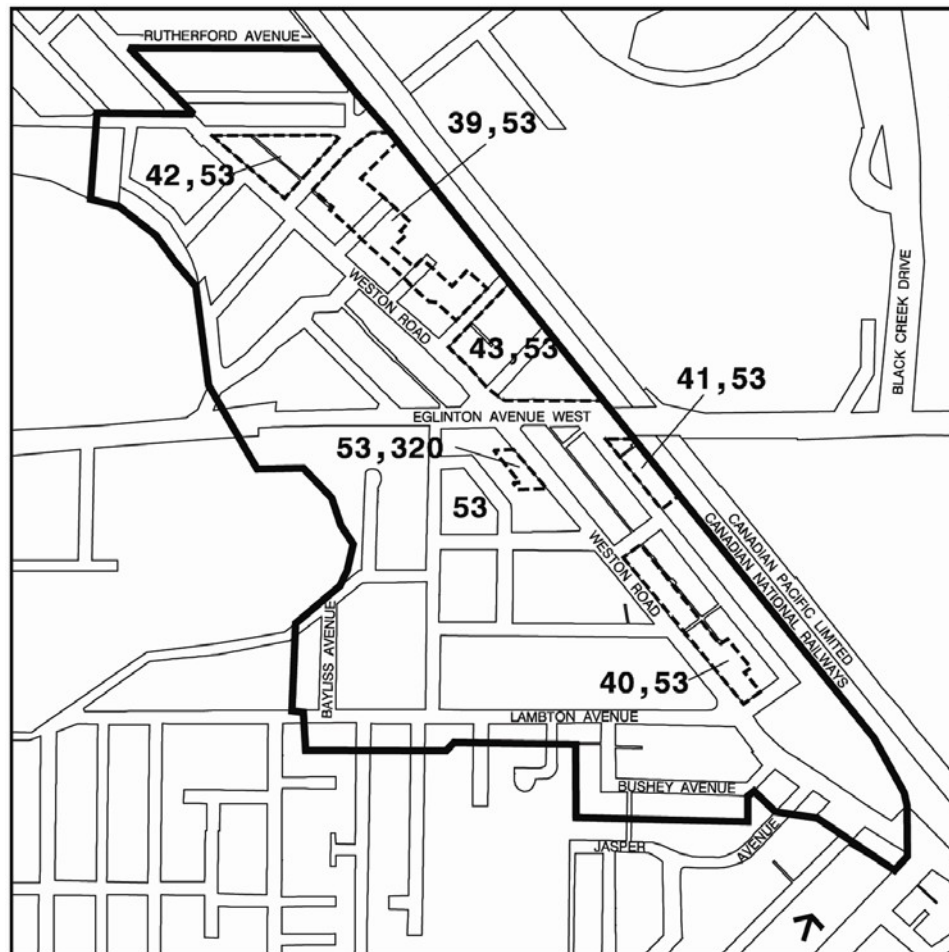
Low to medium-rise residential buildings are permitted subject to suitable land assembly.



## Attachment 7: Site and Area Specific Policy No. 53

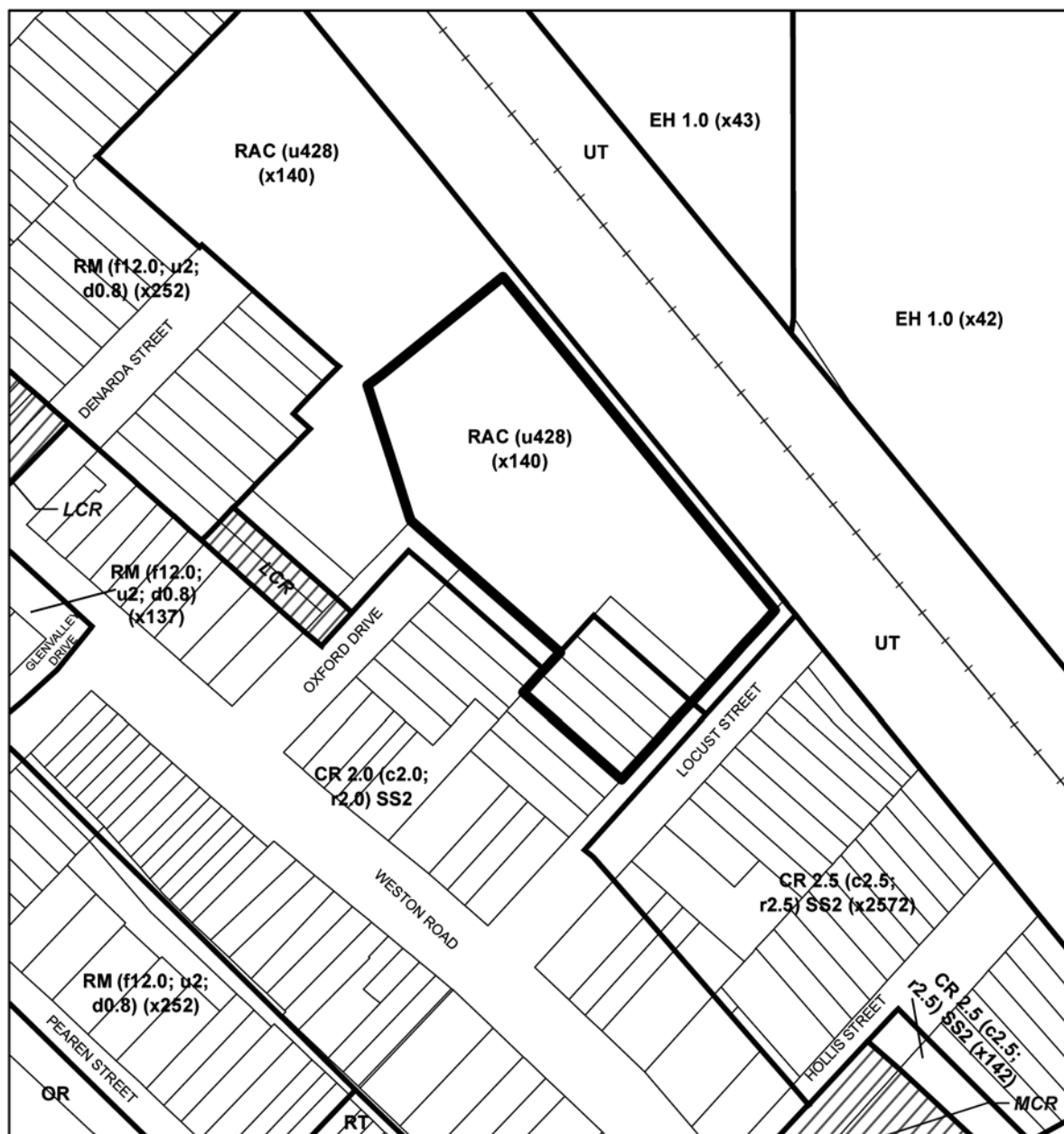
### 53. Mount Dennis Area

- a) A development concept plan for an entire redevelopment block (or block face) may be required to assess comprehensive projects.
- b) A development concept plan may also be required for a property assembly of a portion of a block. The assembly will be comprehensive enough to allow for a distribution of density, uses and massing that is both internally functional and externally compatible, and does not preclude workable and compatible redevelopment of the rest of the block or block face intended for redevelopment. The development concept plan may include preliminary built-form envelopes, to show the distribution of proposed land uses and densities; on-site vehicular circulation, parking arrangements and external access; preliminary location and treatment of on-site amenity areas; pedestrian entrances and circulation, and linkages to public sidewalks; and, a preliminary architectural concept.





# Attachment 8: Zoning By-law Map



Zoning By-law 569-2013

8 -16 Locust Street and 15 Oxford Drive

File # 20 123215 WET 05 0Z



Location of Application

RT Residential Townhouse  
RM Residential Multiple  
RAC Residential Apartment Commercial

CR Commercial Residential  
EH Employment Heavy Industrial  
OR Open Space Recreation  
UT Utility and Transportation



See Former City of York By-law No. 1-83  
LCR Local Commercial Residential Zone  
MCR Mixed Commercial Residential Zone



Not to Scale  
Extracted: 02/28/2020