TORONTO

REPORT FOR ACTION

2650-2672 St. Clair Avenue West – Zoning By-law Amendment and Draft Plan of Subdivision Applications – Request for Directions Report

Date: June 24, 2020

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Ward: 5 - York South-Weston

Planning Application Numbers: 18 208427 WET 11 OZ and 18 208431 WET 11 SB

SUMMARY

The owner of 2650-2672 St. Clair Avenue West has appealed its Zoning By-law Amendment and Draft Plan of Subdivision applications for the site to the Local Planning Appeal Tribunal (LPAT) citing City Council's failure to make a decision on the applications within the time prescribed by the *Planning Act*. A Pre-Hearing Conference of the LPAT has not been scheduled.

These applications propose to amend the former City of York Zoning By-law No. 1-83 and City-wide Zoning By-law No. 569-2013 and seek Draft Plan of Subdivision approval to redevelop the site of the former Danier Leather factory, municipally known as 2650-2672 St. Clair Avenue West. The proposed development is for a new residential neighbourhood at the rear of the site, while renovating the existing building at the front of the site for employment uses.

The proposed residential neighbourhood would be comprised of townhouses, below grade parking, public and private roads and publicly accessible open spaces (see Attachment 6: Site Plan and Attachment 7: Draft Plan of Subdivision).

The townhouses would be in five blocks (Blocks A to E), having a total of 98 three-bedroom units. Each block is proposed to be 4-storeys (12.75 metres in height) with an additional pop-up access to rooftop private amenity space (14.71 metres in height). The total residential floor area of the proposal would be 14,334 m².

The existing 2-storey building that fronts St. Clair Avenue West is currently under renovation and would be used for commercial and office uses. This building has a gross floor area of 6,500 m².

A total of 388 parking spaces are proposed to serve the development, with 225 parking spaces for the residential component and 163 parking spaces for the non-residential

component. Each of the townhouses would have two parking spaces (a total of 196 spaces) and 29 residential visitor parking spaces are proposed.

The Draft Plan of Subdivision application proposes to establish a new public road to the west of the existing commercial building extending from St. Clair Avenue West to the existing public lane to the north and creating two development blocks. Block 1 would be located to the east of the proposed public road and would contain both the residential and commercial developments. Block 2 would be located to the west of the public road and would contain a surface parking lot.

The Provincial Policy Statement (PPS 2020) provides policy direction on matters of provincial interest related to land use planning and development. Key objectives include: building strong communities; wise use and management of resources; and protecting public health and safety.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe. The policies contained in the Growth Plan are to be read in conjunction with all applicable provisions of the PPS.

Both these documents are high-level and broad reaching. The City is a development area and infill is encouraged under these policies. Policy 4.6 of the PPS states that the most important method of implementing the policies is a municipality's Official Plan which guides the method of intensification and where it should be focused. While the proposed development would achieve the goals of residential intensification and the provision of employment uses, the development in its current form fails to conform to the Built Form policies of the City of Toronto Official Plan and therefore is not consistent with the PPS.

Planning staff do not support the proposal in its current form, as it does not conform to the policies of the Official Plan and does not satisfactorily respond to applicable design guidelines. The proposed development does not fit within its existing and planned context and fails to respect and reinforce the existing physical character of the area, in particular its building heights, scale and site layout. The proposed public and private road network does not meet City design objectives (width of sidewalks, amount of streetscaping and tree planting) nor does it adequately provide appropriate frontage for the proposed building entrances or permeability of and mobility throughout the site. The development, as proposed, does not satisfy all fire protection requirements and therefore, from a health and safety perspective is not acceptable. Lastley, the proposal fails to conform to the recently approved Site and Area Specific Policy No. 540 in terms of building heights, building separation and the provision of a centrally located green space.

Staff are of the opinion the current proposal constitutes an over-development of the site. However, a development which provides an appropriate road network and open spaces (pivate and public) and has building heights and setbacks respecting the context of the block and surrounding neighbourhood could be considered for this site.

This report recommends that the City Solicitor, together with appropriate staff, be directed to attend the Local Planning Appeal Tribunal hearing to oppose the appeal respecting the Zoning By-law Amendment application (File No. 18 208427 WET 11 OZ) and to co-ordinate with the Chief Planner in connection with the associated appeal of the Draft Plan of Subdivision application (File No.18 208431 WET 11 SB), as proposed at 2650-2672 St. Clair Avenue West.

Planning staff have undertaken discussions with the applicant regarding revising the proposal to develop a proposal that is more appropriate to its context. While unsusuccessful to date, staff are recommending that discussions continue with the applicant on resolving the matters identified in this report.

RECOMMENDATIONS

The City Planning Division recommends that:

- 1. City Council direct the City Solicitor, together with appropriate staff, to attend the Local Planning Appeal Tribunal hearing to oppose the appeal respecting the Zoning Bylaw Amendment application (File No. 18 208427 WET 11 OZ), as proposed at 2650-2672 St. Clair Avenue West.
- 2. City Council direct that the City Solicitor co-ordinate with the Chief Planner and Executive Director, City Planning resparding instructions and attendance at the Local Planning Appeal Tribunal hearing respecting the associated Draft Plan of Subdivision application (File No. 18 208431 WET 11 SB), as generally illustrated in Attachment 7 at 2650-2672 St. Clair Avenue West.
- 3. City Council authorize the City Solicitor, together with appropriate staff, to continue discussions with the applicant on resolving the matters identified in this report.
- 4. In the event that the Local Planning Appeal Tribunal allows the appeal in whole or in part, City Council authorize the City Solicitor to request the LPAT to withhold the issuance of any Order(s) until such time as the LPAT has been advised by the City Solicitor that:
 - a. The final form and content of the Zoning By-law Amendment is to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor;
 - b. The owner has entered into an Agreement under Section 37 of the *Planning Act* with the City for the purpose of securing community benefits to the satisfaction of the City Solicitor in consultation with the Chief Planner and executive Director, City Planning and the Ward Councillor;

- c. The owner has provided a revised Functional Servicing Report satisfactory to the Chief Engineer and Executive Director, Engineering and Construction Services, including identifying any required improvemments and/or upgrades to municipal infrastructure;
- d. The owner has provided a revised Transportation Impact Study, satisfactory to the General Manager of Transportation Services, including securing any identified and/or required improvements and/or upgrades to municipal infrastructure and the provision of any financial securities; and
- e. The Conditions of Draft Plan Approval respecting the proposed Draft Plan of Subdivision are in a form and content acceptable to the Chief Planner and Executive Director, City Planning, prepared in consultation with the City Solicitor and appropriate City Divisions.

FINANCIAL IMPACT

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

DECISION HISTORY

At its meeting of December 16, 17 and 18, 2013, City Council adopted Official Plan Amendment 231 (OPA 231), to implement the results of the Official Plan and Municipal Comprehensive Review of economic policies, designations and mapping for Employment Areas, to strengthen and protect the City's finite supply of employment uses. OPA 231 was approved by the Minister of Municipal Affairs and Housing in July 2014, and was subsequently appealed in its entirety to the Ontario Municipal Board (now known as the Local Planning Appeal Tribunal). Dunpar Holding Inc. was granted Party status to the OPA 231 proceedings in relation to the subject lands.

Dunpar Holding Inc. engaged in mediation with the City at the OMB, together with other parties, in an attempt to settle Dunpar's site specific issues regarding OPA 231 in relation to the subject lands. Dunpar submitted a Settlement Offer to the City which City Council accepted on December 5, 6, 7 and 8, 2017, with instructions to the City Solicitor to support the settlement at the OMB. City Council's decision and the staff report in this regard can be found at the following link:

http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.CC35.3.

As there was not a specific redevelopment plan for the site at the time, Dunpar Holding Inc. entered into an Acknowledgement and Understanding, which noted that Dunpar would finalize all design matters through a subsequent Zoning By-law Amendment application, including but not limited to: site layout, built form, massing and vehicular and pedestrian access to the entire site.

The settlement consisted of modifying OPA 231 as it applies to the lands in the following respects:

- Redesignating the northern portion of the subject lands to Neighbourhoods;
- Redesignating the southern portion of the subject lands to General Employment
 Areas at the ground level and to Core Employment Areas on the second level
 (stratified designation); and
- Adding a planned but unbuilt road from St. Clair Avenue West to the public lane to the north.

In addition, the settlement further modified OPA 231 through the addition of Site and Area Specific Policy (SASP) No. 540 for the subject lands. SASP No. 540 includes various conditions that would secure the purpose and intent of OPA 231 to be fulfilled through the eventual review of future development applications for the subject lands. The conditions related to: maximum residential building height; minimum townhouse facing distances; provision of sufficient sunlight; the provision of sidewalks; a 3.44 metre road widening on St. Clair Avenue West; a 1.3 metre public lane widening; publicly accessible open spaces in a consolidated central green space; the timing for the completion of the existing 2-storey building renovation; the location for the parking spaces serving the Employment Areas uses; and the types of uses for the Employment Areas designated building.

On February 13, 2018, the OMB approved the settlement and the proposed modifications to OPA 231 (including the addition of SASP No. 540) were brought into force with respect to the subject lands.

Site and Area Specific Policy No. 307 applies to certain lands on the north and south side of St. Clair Avenue West between Runnymede and Scarlett Roads, which includes the subject lands. SASP 307 permits both retail and service uses on the site.

A pre-application meeting to discuss the development of the site was held on April 5, 2018. The current application was submitted on August 13, 2018 and deemed complete on September 20, 2018.

A Preliminary Report for the Zoning By-law Amendment and Draft Plan of Subdivision applications was adopted by Etobicoke York Community Council on January 15, 2019 authorizing staff to conduct a community consultation meeting with an expanded notification area. The Preliminary Report can be viewed at: http://app.toronto.ca/tmmis/viewAgendaltemHistory.do?item=2019.EY2.5

Planning staff held several meetings with the applicant, through the pre-application process and since the submission of the application, including two community working group meetings, to outline the concerns and work towards revising the proposal in an effort to develop a proposal that is more appropriate to its context. These discussions were uncessessful and the applicant appealed both applications on March 6, 2020. Although various alternative development concepts (on a Without Prejudice basis) were discussed in the various meetings with staff and the community, the applicant has not formally submitted any revisions to the original applications. As a result, this report only addresses the applications which were formally submitted to the City and appealed to

LPAT and does not consider any concepts which have not been formally submitted to the City for a full review by all appropriate City Divisions.

Community consultation is summarized in the Comments section of this report.

PROPOSAL

These applications propose to amend the former City of York Zoning By-law No. 1-83 and City-wide Zoning By-law No. 569-2013 and seek Draft Plan of Subdivision approval to redevelop of the former Danier Leather factory site, municipally known as 2650-2672 St. Clair Avenue West.

The applications propose to reuse the existing building at the front of the site for employment uses and create a new residential neighbourhood at the rear of the site (see Attachment 6: Site Plan and Attachment 7: Draft Plan of Subdivision).

A new public road having a right-of-way of 16.5 metres is proposed to the west of the existing non-residential building running from St. Clair Avenue West, north to the public lane. In addition to the proposed public road, a private road system is also proposed to provide vehicle and pedestrian access. The private road network would include a one-way inbound private road having a width of 5.5 metres to the east of the existing building, connecting to a 6.0 metre private road running along the eastern boundary of the site terminating at a proposed garbage kiosk at Esposito Crescent. A 6 metre wide private road to the north of the existing building would connect the public road to the easterly private road. The private road along the east property line is proposed as a fire route as well as providing access to the proposed residential parking on the ground level of each townhouse block.

The existing 2-storey building fronting St. Clair Avenue West, which is currently undergoing renovations, is proposed to be reused for non-residential uses. The existing building has frontage of 140 metres along St. Clair Avenue West and as renovated is constructed of red brick with canopies proposed at each of the three entrances. A total of 6,500 m² of space is proposed, comprised of office/business services (1,138 m²), retail (1,267 m²) and restaurant (845 m²) uses on the first level and office uses (3,250 m²) on the second level. The existing building setbacks are: 10.9 metres on the east; 13.2 to 14 metres on the north to Blocks D and E; 33.1 metres on the west; and 7.5 metres on the south.

In the rear portion of the site, the applications propose 98 three-bedroom back-to-back townhouse units on five blocks (Blocks A to E). Each townhouse block would be four storeys (12.75 metres in height) with an additional pop-up rooftop access to private amenity space (14.71 metres in height). The five blocks are aligned east to west so the units would face north and south with Block A at the north end of the site, Blocks B and C in the middle of the site, and Blocks D and E on the north side of the commercial building (see Attachment 6: Site Plan). The separation distances between the blocks range from: 8 to 12 metres from Block A to Blocks B and C; 11 metres from Blocks B and C to Blocks D and E; and 13.2 to 14 metres from Blocks D and E to the 2-storey commercial building.

The total number of townhouse dwellings proposed for each block is: 18 units in Block A; 14 units in Block B; 16 units in Block C; 26 units in Block D; and 24 units in Block E. Each townhouse unit would have a front entrance connecting to a 1.5 metre paved pedestrian walkway that extends the length of the block, wrapping around to the sides, with soft landscaping interspersed throughout the site. The ground floor of each townhouse block is proposed to consist of a storage area across the front face of each unit with residential parking behind.

A total of 388 parking spaces are proposed to serve the development, with 163 parking spaces for the non-residential component and 225 parking spaces for the residential component.

The 163 non-residential parking spaces would be propovided both at grade and in a below grade parking structure below the residential component of the development.

The non-residential surface parking spaces would be provided throughout the site: 53 parking spaces, including five accessible spaces, would be located in a surface parking lot at the west end of the site accessed from the proposed public road; three parking spaces would be located along the private road running north of the existing building; and six parking spaces would be located at the one-way access driveway abutting the east property line. It should be noted that there would be 9 parking spaces, including 2 accessible parking spaces partially located in the future St. Clair Avenue West right-ofway. In addition, 3 parking spaces are proposed within a layby in the new public road.

A further 101 parking spaces for the commercial building are proposed to be provided in a one level garage below the proposed townhouses and all within the *Neighbourhoods* designated lands. Access would be provided from the public lane on the north of the site with a ramp located at the west end of Block B. A pedestrian tunnel under the private road is proposed to connect the commercial building to the underground parking lot. Additional pedestrian access to the below grade parking garage would be provided via stairwells between and adjacent to the residential buildings.

The applicant proposes two parking spaces adjacent to each townhouse unit (a total of 196 spaces). The first parking space for each unit would be located at grade and the second space accommodated in parking stackers located in the at grade parking structure. Access to these residential parking spaces would be from the private road along the eastern property line. Additionally, 29 residential visitor parking spaces are proposed throughout the site: ten spaces would be located on the south side of Blocks D and E; nine spaces, including one accessible space, are proposed along the public lane at the northwest corner of the site adjacent to Block A; and ten spaces would be located in the underground parking area described above.

The applicant is also requesting that the City provide layby parking within the St. Clair Avenue West right-of-way along the frontage of the site to provide additional parking for the commercial building. As these spaces would be located within the City right-of-way, the owner would not have exclusive use of these spaces and they are not counted towards meeting the parking requirements for the development.

No loading spaces for the commercial building were identified on the plans submitted in support of these applications. However, the Site Plan Control application recently submitted for the employment portion of the lands identifies two Type B loading spaces at the rear of the building accessed from the private road.

A 3.44 metre wide road conveyance is proposed along the St. Clair Avenue West frontage to satisfy the 27 metre wide road right-of-way requirement in the Official Plan. In addition, a 1.35 metre wide lane widening is proposed along the north property line to be added to the existing rear public laneway to create a functional 6 metre wide lane right-of-way.

There are 24 short-term bicycle parking spaces proposed on the west side of the proposed public road, with an additional 8 short-term bicycle parking spaces proposed adjacent to the bicycle wheel ramp leading to the underground parking. A total of 17 long-term bicycle parking spaces are proposed underground.

Proposed along the public lane are three separate public open spaces having a total area of 1,252 m². The proposal would contain an overall total 6,195 m² of publicly accessible and private landscaped open space.

A 2.1 metre wide public sidewalk is proposed along the majority of the St. Clair Avenue West frontage which ends at the west portion of the site with surface parking extending into the future public right-of-way. The applicant is also proposing 1.5 metre wide private sidewalks throughout the site.

Reasons for the Applications

Amendments to City-wide Zoning By-law No. 569-2013 are required to bring the lands into the by-law and to zone the *Neighbourhoods* designated lands on the north side of the property as Residential Multiple Dwelling (RM) zone to permit the residential townhouse use, along with appropriate performance standards. In addition, an amendment is required to zone the employment lands as Employment Industrial Office (EO) to permit the retail, restaurant and office uses, along with appropriate performance standards.

Amendments to the former City of York Zoning By-law No. 1-83 are required to rezone the lands from the existing Commercial Employment (CE) zone to the Residential 3 (R3) zone for the *Neighbourhoods* designated lands to permit the proposed residential townhouse use, along with appropriate performance standards. In addition, amendments are required to the zoning of the employment lands to accommodate the development concept and implement the use permissions and restrictions in SASP No. 540.

The applicant is also requesting to revise the loading standards for the site.

A Plan of Subdivision is required to create the proposed new public road, known as 'Street A', to be oriented in a north south direction that would connect St. Clair Avenue West to the existing public lane to the north (see Attachment 7: Draft Plan of Subdivision). The surface parking lot on the west side of the site is proposed as Block 2

and the balance of the site is identified as Block 1. Additional applications may be required to create separate blocks/lots for the residential and commercial developments.

APPLICATION BACKGROUND

Application Submission Requirements

The following reports/studies were submitted with the applications:

- Transportation Impact Study;
- Planning Justification Report;
- Draft Zoning By-laws;
- Shadow Study;
- Community Services and Facilities Study;
- Toronto Green Standard Checklist;
- Environmental Noise Assessment:
- Environmental Vibration Assessment:
- Site Servicing and Stage 1 Stormwater Management Report;
- Preliminary Geotechnical Investigation Report;
- Hydrogeological Investigation Report;
- Public Consultation Strategy;
- Phase 1 Environmental Site Assessment;
- Phase 2 Environmental Site Assessment; and
- Tree Inventory and Preservation Plan Report.

The current planning information for the applications is available at the Application Information Centre (AIC) https://www.toronto.ca/city-government/planningdevelopment/application-information-centre /.

Agency Circulation Outcomes

The applications together with the applicable reports noted above, were circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the applications and to formulate staff's recommendations on the applications.

Statutory Public Meeting Comments

In making their decision with regard to these applications, City Council members have an opportunity to view the oral submissions made at the statutory public meeting held by the Etobicoke York Community Council for these applications, as these submissions are broadcast live over the internet and recorded for review.

POLICY CONSIDERATIONS

Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. City Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of City Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by City Council shall also be consistent with the PPS and conform with Provincial Plans.

The Provincial Policy Statement (2020)

The Provincial Policy Statement (2020) (the "PPS") provides policy direction provincewide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The provincial policy-led planning system recognizes and addresses the complex interrelationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the *Planning Act* and all decisions of City Council in respect of the exercise of any authority that affects a planning matter shall be

consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by City Council shall also be consistent with the PPS.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.6 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."

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

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

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

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan (2019) builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan (2019) take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

In accordance with Section 3 of the *Planning Act* all decisions of City Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by City Council shall also conform with the Growth Plan.

Staff have reviewed the proposed development for consistency with the PPS (2020) and for conformity with the Growth Plan (2019). The outcome of staff analysis and review is summarized in the Comments section of this report.

Toronto Official Plan

The site is designated in the Official Plan's Land Use Map 14 as follows: the southern portion of the subject lands are designated *General Employment Areas* at the ground level and *Core Employment Areas* on the second level, a stratified designation, and the north portion of the site is designated *Neighbourhoods* (see Attachment 2: Official Plan Land Use Map).

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

Chapter 2 - Shaping the City

Section 2.3.1 of the Official Plan identifies *Neighbourhoods* as low rise and low density residential areas that are considered physically stable. Development within *Neighbourhoods* will be consistent with this objective and will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas.

Chapter 3 - Building a Successful City

The policies in Chapter 3 of the Official Plan guide growth by integrating social, economic and environmental perspectives in decision making to create an attractive Toronto with a strong economy and complete communities. As such, this chapter contains policies to improve the everyday lives of Torontonians by ensuring high quality design, providing parks and open spaces, building liveable neighbourhoods, and ensuring clean air and a strong economy.

Section 3.1.1 - The Public Realm

The Public Realm policies in the Official Plan (3.1.1) speak to the design and function of Toronto's streets, parks, sidewalks and other open spaces that residents and visitors use to get around the city and connect with each other. Streets, sidewalks and other open spaces should be designed to be safe, accessible, connected and related appropriately to adjacent and nearby buildings. These policies also recognize that streets are significant public open spaces that serve pedestrians and vehicles, provide space for trees, landscaping and building access, and can provide amenities such as public gathering places. The policies also note that new streets should be public streets and private streets, where appropriate, should be designed to integrate into the public realm and meet design objectives of new streets.

Section 3.1.2 Built Form

The built form policies in the Official Plan require new development to be located and organized to fit harmoniously into its existing and/or planned context, and limit its impact on neighbouring streets, parks, open spaces and properties by:

- Massing new buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion;
- Incorporating exterior design elements, their form, scale, proportion, pattern and materials, and their sustainable design, to influence the character, scale and appearance of the development;
- Creating appropriate transitions in scale to neighbouring existing and/or planned buildings for the purpose of achieving the objectives of the Official Plan;
- Providing for adequate light and privacy; and
- Adequately limiting any resulting shadowing of, and uncomfortable wind conditions on, neighbouring streets, properties and open spaces.

Section 3.2.3 Parks and Open Spaces

The Parks and Open Space policies in the Official Plan establish the criteria for the acquisition, location and configuration of parks.

Chapter 4 - Land Use Designations

Neighbourhoods are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. Development proposals in Neighbourhoods will respect and reinforce the existing physical character of each geographic neighbourhood, including:

- Patterns of streets, blocks and lanes, parks and public building sites;
- Prevailing size and configuration of lots;
- Prevailing building heights, massing, scale, density and dwelling type of nearby residential properties;
- Prevailing building type(s);
- Prevailing location, design and elevations relative to the grade of driveways and garages;
- Prevailing setbacks of buildings from the street or streets;
- Prevailing patterns of rear and side yard setbacks and landscaped open space;
- Continuation of special landscape or built-form features that contribute to the unique physical character of the geographic neighbourhood; and
- No changes will be made through rezoning, minor variance, consent or other public action that are out of keeping with the overall physical character of the entire Neighbourhood.

Section 4.6 *Employment Areas* are places of business and economic activity. Uses that support this function consist of: offices, manufacturing, warehousing, distribution,

research and development facilities, utilities, media facilities, parks, hotels, retail outlets ancillary to these uses, and restaurants and small scale stores and services that serve area businesses and workers.

Core Employment Areas are considered places for business and economic activities. Uses permitted in Core Employment Areas are all types of manufacturing, processing, warehousing, wholesaling, distribution, storage, transportation facilities, vehicle repair and services, offices, research and development facilities, utilities, waste management systems, industrial trade schools, media, information and technology facilities, and vertical agriculture.

The following additional uses are permitted provided they are ancillary to and intended to serve the *Core Employment Area* in which they are located: parks; small-scale restaurants; catering facilities; and small-scale service uses such as courier services, banks and copy shops. Small scale retail uses that are ancillary to and on the same lot as the principal use are also permitted. The Zoning By-law will establish development standards for all these uses.

General Employment Areas are considered places for business and economic activities generally located on the peripheries of Employment Areas. In addition to all uses permitted in Core Employment Areas, restaurants and retail and service uses are permitted.

Official Plan Policy 4.6.6 provides criteria to review developments proposed within *Employment Areas*. The objective of these criteria is to ensure that proposed developments include:

- Providing a high quality public realm with a connected, easily understood, comfortable and safe network of streets, parks and accessible open spaces;
- Integrating the development into the public street network and systems of roads, sidewalks, walkways, bikeways and transit facilities, and establishing new segments where appropriate;
- Mitigating the potential negative impacts from traffic generated by development within *Employment Areas* and adjacent areas;
- Providing adequate parking and loading on-site;
- Sharing driveways and parking areas wherever possible;
- Providing landscaping on the front and any flanking yard adjacent to any public street, park and open space to create an attractive streetscape, and screening parking, loading and service areas; and
- Providing a buffer and/or mitigating adverse effects, where appropriate, to Neighbourhoods.

Chapter 7- Site and Area Specific Policies (SASP)

SASP No. 540 includes various conditions that would secure the purpose and intent of OPA 231 to be fulfilled through development applications for the subject lands. The conditions relate to: maximum residential building height (12 metres); minimum townhouse facing distances; provision of sufficient sunlight; the provision of sidewalks; a 3.44 metre wide road widening on St. Clair Avenue West; a 1.35 metre wide public lane

widening; publicly accessible open spaces in a consolidated central green space; the timing for the completion of the existing 2-storey building renovation; the location for the *Employment Areas* use parking spaces; and the types of uses in the *Employment Areas* designated building.

SASP No. 307 also applies to the lands and permits both retail and restaurant uses.

Official Plan Amendment 320

The Local Planning Appeal Tribunal issued an Order on December 7, 2018 to approve and bring into force Official Plan Amendment 320 (OPA 320). The approved policies reflect the policies endorsed by City Council at its meetings of June 26 to 29, 2018 and July 23 to 30, 2018 in response to mediation and settlement offers from OPA 320 appellants. In its Order approving OPA 320, the LPAT found that the OPA 320 policies are consistent with the PPS and conform with the Growth Plan (2017), which was in force at the time.

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

The applications have been reviewed against the Official Plan policies described above as well as the policies of the Toronto Official Plan as a whole.

The Toronto Official Plan may be found here: https://www.toronto.ca/official-plan/

Zoning

The site is excluded from City-wide Zoning By-law No. 569-2013 and defers to the provisions of the former City of York Zoning By-law No. 1-83. The site is zoned under the former City of York Zoning By-law No. 1-83 as Commercial Employment (CE), which permits a wide range of uses such as: industrial, office, retail, business services, restaurant, motor vehicle sales and rental, recreational, day nursery, public garage and theatre uses (see Attachment 4: Existing Zoning By-law Map). This zoning does not permit residential uses. The zoning by-law stipulates that, when a building is within 10 metres of any lot line abutting a Residential Zone, the maximum height of any building or structure within an Employment Zone shall be 14 metres, or the maximum height limit within the Residential Zone up to a maximum of 20 metres, whichever is greater. The subject site abuts a Residential (R2) zone on the north and east sides with a maximum building height of 11 metres. Therefore, the maximum permitted building height for the subject site is 14 metres.

Townhouse and Low-Rise Apartment Design Guidelines

City Council adopted City-wide Townhouse and Low-Rise Apartment Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of townhouse

and low-rise apartment development applications. These new Townhouse and Low-Rise Apartment Guidelines replace the Infill Townhouse Guidelines (2003) and are intended to be used in the review of an application when the proposed built form meets the City's Official Plan policies. The new Guidelines identify strategies to enhance the quality of these developments, provide examples of best practices, and improve clarity on various development scenarios. The link to the Guidelines is here: https://www.toronto.ca/city-government/planning-development/official-plan-quidelines/design-quidelines/townhouse-and-low-rise-apartments/.

The applications have been reviewed by staff against the Townhouse and Low-Rise Apartment Design Guidelines and the Urban Design Streetscape Manual.

Site Plan Control

The proposed redevelopment is subject to Site Plan Control. A Site Plan Control application for the residential portion of the development has not been submitted.

A Site Plan Control application for internal renovations to the existing building fronting St. Clair Avenue West, Application No. 19 2533099 WET 05 SA, was submitted on November 26, 2019. This application proposes office, retail, design show rooms and restaurant uses with 161 parking spaces and two Type B loading spaces. Staff are currently reviewing this application and anticipate that the Notice of Approval Conditions will be issued shortly.

Toronto Buildings staff have issued a conditional permit for the internal renovation of the existing building. The conditional permit is for business office and studio design uses on the ground floor. Additional permits will be required for the future renovation of the second floor.

Draft Plan of Subdivision

An application for Draft Plan of Subdivision is required for a development which includes a new public road. A new public road is being proposed as part of the redevelopment of the site, as well as two development blocks. The Plan of Subdivision will secure matters such as: public roads; public parks (if provided); required public infrastructure; and any proposed phasing requirements.

An application for Draft Plan of Subdivision was submitted (Application No. 18 208431 WET 11 SB) and was reviewed concurrently with the Zoning By-law Amendment application. A such, this report recommends that the City Solicitor co-ordinate with the Chief Planner in connection with the associated appeal of the Draft Plan of Subdivision.

Tenure

The applicant has advised that the proposed 98 three-bedroom townhouse units would be condominium.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS (2020) and the Growth Plan (2019). The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Key objectives include: building strong communities; wise use and management of resources; and protecting public health and safety.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe. The policies contained in the Growth Plan are to be read in conjunction with all applicable provisions of the PPS.

Both these documents are high-level and broad reaching. The City is a development area and infill is encouraged under these policies. Policy 4.6 of the PPS states that the most important method of implementing the policies is a municipality's Official Plan which guides the method of intensification and where it should be focused. While the proposed development would achieve the goals of residential intensification and the provision of employment uses, the development in its current form fails to conform to the Built Form policies of the City of Toronto Official Plan and therefore is not consistent with the PPS.

Land Use

The applications have been reviewed against the policies of the Official Plan as a whole including those described in the Policy Considerations section of this report and the area and site specific policies of SASP 540 and 307.

The non-residential uses proposed in the existing building, within the stratified designation of *General Employment Areas* (at the ground level) and *Core Employment Areas* (on the second level) and subject to SASP No. 540, represent a range of retail, service, office and restaurant uses. The proposed development would provide for employment opportunities, which would be consistent with the land use provisions of SASP Nos. 540 and 307. The draft Zoning By-law Amendments submitted with the application would implement the non-residential use permissions and restrictions of SASP No. 540.

The residential uses proposed as part of the applications, while contemplated by the *Neighbourhoods* Official Plan designation and SASP No. 540, can only be supported if they are provided in a built form that provides an appropriate transition of scale, limits shadow conditions, provides compatible physical relationships between the development and the adjacent neighbourhood, creates a positive visual relationship to the street and minimizes any negative impacts in terms of parking and traffic.

The proposed development would also need to address all relevant policies of the Official Plan. In its current form, the building heights, massing, scale and site layout of the proposal fails to conform the Policies of the Official Plan and represents an overdevelopment of this site.

Existing Building

SASP No. 504 requires that, prior to the issuance of any building permit for the residential uses on the site, the exterior of the existing building be renovated, inclusive of windows and doors. A building permit for the external renovations was issued and the owner has completed the required exterior renovations and has adequately satisfied this requirement of SASP No. 540.

Density and Massing

These applications have been reviewed against the Official Plan policies and SASP No. 540 and the City's Townhouse and Low-Rise Apartment Design Guidelines, described in the Policy Considerations section of this report.

The location, size and configuration of the site, provides too many constraints for the 98 units as proposed. The majority of the proposed residential units would have little or no frontage onto either a public or private road and would front onto internal walkways. A reduction of the built form and massing would permit a more suitable site design; provide greater opportunities to provide additional roads (public or private); provide improved frontage for the residential units; provide for more open space and landscaping; improve the transition and buffering to the surrounding neighbourhood; and result in increased permeability of and mobility throughout the site.

The revised development must ensure that the proposed residential buildings are massed and designed to frame the proposed public and private roads and open spaces.

In addition to the Built Form Policies and policies for development with the *Neighbourhoods* designation, SASP No. 540 sets out additional development criteria for the development on this site.

Adherence to the City's Townhouse and Low-Rise Apartment Design Guidelines helps ensure that low-rise developments fit within their existing context. In a low-rise building environment, buildings should be located to frame the edges of streets and parks and open spaces. This maintains high visibility and direct access to front doors from a public sidewalk, and better integrates the built form into the City fabric. The back-to-back townhouses as currently proposed have no relationship to any public street, do not have a massing that is consistent with the surrounding neighbourhood, and do not respect and reinforce the character of the neighbourhood.

The applicant should revise the design of the ground floor of all building blocks and their related units, as well as the front entrances. Functional grade related uses that add to the safety and animation of the open spaces should be provided. It is not appropriate to have garages located at the front wall of a building block.

Building Height

SASP No. 504 limits the maximum building height to four storeys or 12 metres, whichever is lower, in the form of singles, semi-detached, townhouses, and/or back to back townhouse dwellings. The proposed back-to-back townhouses would be four storeys with an additional pop-up rooftop access to private amenity space. The height, as illustrated on the drawings submitted in support of the Zoning By-law Amendment application, would have an approximate height of 12.27 metres to the top of the fourth storey and 14.71 metres to the top of the building. As proposed, the development would not conform to the height policies of SASP No. 540.

Additional information is required to demonstrate the established grade used to determine the height of the townhouses. It is important to understand how the height is measured for this development to ensure consistency with permitted heights within the adjacent residential neighbourhood.

As proposed, the height of the buildings at 14.71 metres would exceed the height limit established by SASP 540 at 12.0 metres. The proposed draft Zoning By-law Amendment submitted in support of the application does not set out a height in the draft by-law, leaving it as undetermined. The applicant is required to revise the draft by-law to conform to the policies of SASP No. 540.

Separation Distance

SASP No. 504 requires a minimum facing distance between townhouse blocks be at a 1:1 ratio of main building face height to the separation distance, to provide sufficient setbacks and maximize sunlight into units. As noted above, the proposed building height would be approximately 14.71 metres to the top of the building, or 12.27 metres to the top of the fourth floor.

The separation distances between the blocks range from: 8 to 12 metres from Block A to Blocks B and C; 11 metres from Blocks B and C to Blocks D and E; and 13.2 to 14 metres from Blocks D and E to the 2-storey commercial building.

The applicant's shadow study illustrates that the proposed separation between the townhouse blocks will permit virtually no natural light to penetrate the spaces between the townhouse blocks until the evening hours between the months of September 21 and March 21. Even on June 21, the longest day of the year, when the sun is at its highest, the penetration of sunlight between the townhouse blocks appears to be limited.

Additional fit and transition aspects (increased setbacks, building orientation and landscaping) need to be considered for Blocks D and E, which are adjacent to the employment and commercial uses.

The proposed separation distances between building blocks are too narrow and do not properly contribute to the life and activity of the public realm and do not meet the requirements as set out in SASP No. 540.

Transition and Buffer

To ensure that appropriate transition and buffer are provided to the adjacent single-family detached neighbourhood, the applicant must revise the application to:

- Fit all townhouse Blocks within a 45 degree angular plane, taken from the adjacent residential lot lines;
- Provide for perimeter landscaping and tree planting, to limit and buffer the impacts of new development adjacent to existing neighbourhoods; and
- Provide a landscape buffer along the east lot line.

For the residential units immediately adjacent to the existing single-detached neighbourhood, consideration must be given to the design of the rooftop amenity, to minimize potential overlook and privacy impacts on adjacent single-detached dwellings.

Sun and Shadow

This application has been reviewed against the Official Plan Policies, SASP No. 540 and design guidelines described in the Policy Considerations section of this report. To ensure that the impact of any proposed development is limited on adjacent uses, the applicant must demonstrate shadows have been limited through setbacks, stepbacks, massing and transition between the proposal and existing development.

The applicant's shadow study illustrates that the proposed siting of the townhouse blocks will impact the adjacent houses in the neighbourhood to the north between 9:18AM and 11:18AM at the spring and fall equinoxes, and starting at 3:18PM, will shadow the existing yards and houses in the neighbourhood to the east, also during the spring and fall equinoxes.

The proposed townhouse blocks offer no transition through landscaping or massing, nor is there a reduction in height to conform with the requirement of a maximum 12 metre height laid out in SASP No. 540. A reduction in height combined with transitioning space such as soft landscaping between the proposed development and the existing context to the east and west would help limit shadow impacts.

The soft landscaping proposed between Blocks D & E and Blocks B & C, as well as Block B & C and Block A will be impacted by shadowing. The proposed landscaping plan demonstrates soft landscape elements throughout the spaces between the blocks. These plantings will be affected by the lack of sunshine and will therefore suffer as a result of lack of access to sunlight for growth. Lowering the height and increasing setback distances between blocks would increase access to sunlight and the success of any plantings.

Traffic Impact

In support of the development proposal, the applicant submitted a Transportation Impact Study dated August, 2018 and prepared by LEA Consulting Limited.

The consultant estimates the proposed development of 98 residential units and the renovated two-storey building will generate approximately 128 and 91 two-way trips

during the weekday morning and weekday afternoon peak hours, respectively. The consultant concludes that the proposed development can be reasonably accommodated on the area road network with no transportation mitigation measures recommended.

Transportation Services staff reviewed the report and determined that revisions are required to the study. The required revisions to the Transportation Impact Study were provided to the applicant in a memo dated October 22, 2018 and summarized below. No formal revisions have been submitted to date.

Transportation Services staff are requesting the following:

- The signalized intersection of St. Clair Avenue West and Jane Street is shown to operate with multiple movements at a vehicle capacity ratio above 1.00 under the existing traffic conditions. This is not acceptable, given that the TMC represent "supply" volumes. The existing traffic analysis must be calibrated such that all movements are shown to operate at a volume to capacity ratio equal to, or below 1.00.
- The consultant is required to recommend mitigation measures for intersections that are forecast to operate over capacity during the future conditions.
- The consultant recommended provision of Presto Cards in Section 9: Conclusions of the Submitted TIS. However, the provision of Presto Cards was not mentioned in Section 8: Transportation Demand Management in the report. The consultant is required to confirm if Presto Cards are part of the TDM plan, and further details with the Presto Card program must be provided (e.g., who are eligible for the Presto Cards, are they free or at a discount, is there a limit to the implementation period).

The consultant is also required to provide a signage and pavement marking plan, loading facilities, truck turning path diagrams and functional drawings identifying the proposed one-way inbound traffic from St. Clair Avenue West with the private roads.

The applicant is required to remove the proposed on-street parking spaces on the public and private roads.

Should the development be approved, it is recommended that LPATwithhold the final order until the applicant has submitted a revised Transportation Impact Study for review and acceptance by the General Manager of Transportation Services.

In addition, should the development be approved the requirements/recommendations of the Traffic Impact Study, including pavement marking plan would be secured through the Draft Plan of Subdivision approval process and/or through any Site Plan approval process for the site.

Parking

The applicant is proposing a total of 388 parking spaces to serve the development, with 225 parking spaces for the residential component (196 for occupant and 29 visitor) and 163 parking spaces for the non-residential component. However, there are a number of

proposed spaces that would be either partially or fully located in public road right-of-ways. There are 9 parking spaces, including 2 accessible parking spaces that would be partially located in the future St. Clair Avenue West right-of-way and 3 parking spaces within a layby in the new public road. These spaces cannot be considered as spaces as required by the zoning by-law. Notwithstanding, staff are requesting these spaces be removed from the public right-of-way and relocated elsewhere on the site.

Transportation Services staff are of the opinion the application should comply with the parking requirements of City-wide Zoning By-law No. 569-2013. Under this By-law, the applicant would be required to provide a minimum of 117 residential spaces (98 resident parking spaces and 19 visitor parking spaces) and 126 parking spaces for the non-residential uses.

The proposal appears, with the exception of accessible parking spaces, to provide a parking supply that complies with the parking space supply requirements of Zoning Bylaw No. 569-2013.

As per the requirements of accessible parking spaces under Zoning By-law No. 569-2013, the subject site requires a minimum of six accessible parking spaces for the proposed non-residential use and one accessible parking space for the required residential visitor parking. Currently, the site and underground plan illustrate 6 accessible parking spaces, which is inadequate. The applicant is required to provide seven accessible parking spaces that comply with the parking space and dimensional requirements as per the requirements Zoning By-law No. 569-2013.

Consideration should be given to relocating the proposed residential visitor surface parking into the underground parking garage to provide additional open space and landscape opportunities on the site.

Detailed comments regarding the layout and design of the proposed parking supply will be provided through the site plan application review process for the proposed development.

Bicycle Parking

The applicant proposes 32 short-term bicycle parking spaces, 24 spaces within the future road allowance and 8 spaces adjacent to the bicycle wheel ramp leading to the underground parking abutting the west side of Block D. A total of 17 long-term bicycle parking spaces are proposed underground. However, the site data on the site plan states that a total of 51 bicycle parking spaces would be provided, consisting of 34 short-term bicycle parking spaces and 17 long-term parking spaces. This discrepancy must be addressed.

The minimum requirement for bicycle parking as per Zoning By-law No. 569-2013 would be 34 spaces (23 short-term bicycle parking spaces -13 for the retail component and 10 for the office component; and 11 long-term bicycle parking spaces - 4 for the retail component and 7 for the office component). No bicycle parking would be required for the residential component of the development. The proposed quantity of bicycle spaces would be acceptable; however staff have concerns with the size and proposed location

of some of these spaces. The site plan also illustrates a number of the short-term parking spaces within the future public road right of way. These spaces need to be relocated elsewhere on the site.

Should the development be approved, the site specific zoning by-law would secure the number, location and size of the bicycle parking spaces as per Zoning By-law No. 569-2013. The bicycle parking location, space design and layout for the non-residential component is beigng reviewed in more detail and would be secured through the existing site plan application review process for the commercial building.

Loading

The draft Zoning By-law Amendment submitted by the applicant indicates that no loading spaces would be provided for either the non-residential or residential components of the development. However, through the site plan application for the commercial building, the applicant is proposing two Type B loading spaces within the existing building to serve the non-residential uses.

Transportation Services staff are of the opinion the proposed development should comply with the loading requirements of Zoning By-law No. 569-2013 which would require a minimum of 3 Type B, 2 Type C and 1 Type G loading spaces for the entire development. The loading spaces must also be dimensioned according to the specifications in Zoning By-law No. 569-2013.

The applicant must revise the proposed development to satisfy the loading requirements identified above. Alternatively, the applicant may submit an acceptable loading study that documents the anticipated loading needs associated with the various proposed uses and demonstrates how the loading functions can be adequately accommodated on site.

The applicant is also required to submit truck manoeuvring diagrams to demonstrate that all garbage and loading/delivery vehicles can be accommodated within the site and enter and exit the site onto public roads in a cab-forward manner.

Should the development be approved, the Draft Zoning By-law Amendment would secure the loading requirements as per Zoning By-law No. 569-2013. The loading space location, design and layout would be reviewed in greater detail and secured through the site plan application review process for both the residential and non-residential developments.

Solid Waste

The Built Form policies of the Official Plan in Chapter 3.1.2. state that new development will locate and organize service areas to minimize their impact on the property and on the surrounding properties and to improve the safety and attractiveness of adjacent streets, parks and open spaces by integrating service functions within buildings where possible.

The applicant is proposing a garbage collection area/building located at the northeast corner of the site, which appears to be intended to serve the entire development. Staff have concerns with the proposed location and design of the proposed garbage collection area/building. This garbage kiosk would be separate from the existing non-residential building or the proposed residential buildings and consideration should be given to integrating this service function into either the existing non-residential building or the proposed residential buildings. The proposed location of the garbage kiosk is not appropriate as it would be located at the view terminus of a private road and adjacent to the rear yards of the houses on Florence Crescent.

Solid Waste Management staff have advised that bulk lift compacted garbage, recycling and organic collection services would be provided for the residential component of the development. Staff further advise that collection of waste materials from the residential portion would be in accordance with the "City of Toronto Requirements for Garbage, Recycling and Organics Collection Services for New Developments and Re-Developments" and Chapter 844, Solid Waste of the Municipal Code.

Solid Waste Management staff have advised the non-residential portion of the development is ineligible for City of Toronto waste collection services and, as such, all garbage and recyclables would be collected privately. Appropriate loading/storage facilities located on private property are required to be provided and must meet all applicable by-laws and legislation including Chapter 841 of the Municipal Code.

Should the development be approved, the requirements of Solid Waste Management staff would be secured through the site plan application review process for each component of the development.

Fire Services

Fire Services staff have reviewed the proposed development and have identified a number of deficiencies with the proposed development as noted in the staff memo dated October 22, 2018. Staff have met with the applicant to review the issues identified in the memo, but to date no revisions have been submitted. The applicant is required to revise the proposed development to demonstrate that all Fire Services requirement have been satisfactorily addressed.

Road Widening

In order to satisfy the Official Plan requirement of a 27 metre right-of-way for this segment of St. Clair Avenue West, a 3.44 metre wide road widening along the frontage of the site is required and is proposed to be conveyed to the City through the Plan of Subdivision application.

The applicant proposes to convey to the City a strip of land measuring 3.44-metre in width along the St. Clair Avenue West property frontage and a strip of land measuring 1.35-metre in width along the north property frontage of the existing rear public laneway, in order to satisfy the requirements of SASP No. 540.

The submitted Draft Plan of Subdivision illustrates the new public road as well as the future right-of-way limit for the required 3.44-metre wide road widening along the south property limit of St. Clair Avenue West and the required 1.35 metre wide lane widening along the north property limit with the new public road.

Should the development be approved, the required road and lane widenings would be secured as part of the Draft Plan of Subdivision approval and/or through any future site plan application review process.

New Public and Private Roads

The Toronto Official Plan directs that all new streets should be public streets and designed to divide larger sites into smaller development blocks. This provides an address and access to new development, allowing the public to enter freely without obstruction and providing emergency vehicle access. Where private roads are proposed and considered appropriate they should be designed to integrate into the public realm and meet design objectives for new streets.

Schedule 2 of the Official Plan (The Designation of Planned but Unbuilt Roads) and Site and Area Specific Policy No. 540 contemplates a new public road generally located to the west of the existing building extending in a north-south alignment connecting the north side of St. Clair Avenue West to the existing rear public laneway.

The submitted Draft Plan of Subdivision illustrates a 16.5 metre wide public road, shown as Street 'A'.

The proposed public road, Street A must be designed and constructed with municipal boulevards on both sides in accordance with the DIPS Standard No. UD-DIPS-3B (Sheet 1). Any new public street must follow the City's Development Infrastructure Policy and Standards (DIPS). Staff are of the opinion the proposal should be revised to provide a minimum 18.5 metre wide local public road. As a municipal road, the street cross section must follow either approved Option A (DIPS – 2A) or Option B (DIPS – 2B). Both cross sections provide for the accommodation of a 2.1 metre sidewalk and street trees. In addition, the proposed north-south public road is required to terminate in a cul-de-sac as per the City standard. The cul-de-sac needs to follow DIPS-5 Turning Circle for Local Residential Streets. These requirements will require revisions to the draft plan and site plan.

The applicant is proposing three parallel visitor parking space within the new public right-of-way. These proposed spaces need to be removed and accommodated on private property, to provide sufficient space for a 2.1 metre wide sidewalk, landscaping and tree planting.

In addition to the public road, the applicant is also proposing a private road system to provide access to the development. The private roads as illustrated on the site plan would vary in widths from 5.5 metres to 6.0 metres.

The Official Plan requires, where private roads are proposed and considered appropriate, they roads should be designed to integrate into the public realm and meet

design objectives for new streets. The private roads need to have enough space to accommodate two way movement, as well as sufficient space for pedestrian sidewalks, landscaping and tree planting.

In order to accommodate two way movement, pedestrian sidewalks, landscaping and tree planting and the proposed visitor parking, the east west private road between the proposed non-residential and residential uses should be increased in width.

Staff are of the opinion the proposed six parking spaces located in the private road at the east end of the site should be removed in order to accommodate a 2.1 metre sidewalk and landscaping along the property line.

The proposed development would need to be revised to address the comments above regarding the design requirements for the public road, cul-de-sac and private roads. Staff are of the opinion the proposed development should also be redesigned to provide for additional roads (private or public) in order to provide additional frontage for the residential units and increased permeability of and mobility throughout the site.

Pedestrian Circulation

SASP No. 504 requires sidewalks to be provided, where appropriate, to ensure safe and convenient pedestrian access and routes to local streets. To create universally accessible pedestrian links throughout the new development, staff have requested the proposal be amended to provide 2.1 metre pedestrian walkways on site.

A strong pedestrian connection from St. Clair Avenue West should be provided through the site and to the neighbourhood north of the subject site. Staff are of the opinion a continuous sidewalk in the east driveway from St. Clair Avenue West to the residential development running adjacent to the townhouses should be provided.

The applicant is proposing 1.5 metre wide sidewalks throughout the site with no pedestrian connection to St. Clair Avenue West at the east end of the site.

Staff are of the opinion the proposed development should be revised to accommodate 2.1 metre pedestrian walkways throughout the site to improve pedestrian access, mobility and safety.

As noted previously, the applicant is providing a 2.1 metre wide public sidewalk along the St. Clair Avenue West frontage for the area to the east of the proposed public road. Staff are of the opinion the 2.1 metre sidewalk should be continued to the west property line.

St. Clair Avenue West Streetscape

The applicant is requesting the City provide layby parking within the St. Clair Avenue West right-of-way along the frontage of the site to provide additional parking for the commercial building. This request was also reviewed in conjunction with road works along St. Clair Avenue West undertaken last year. To date, the layby parking spaces have been roughed into the St. Clair Avenue West right-of-way. The applicant would be

responsible for finalizing the design of the St. Clair Avenue West streetscape including the layby parking spaces and implementing the approved streetscape.

Urban Forestry staff have requested a row of large shade trees be planted on the City road allowance along St. Clair Avenue West by eliminating the proposed street parking which Urban Forestry does not support.

Planning staff have expressed concerns the proposed layby parking limits opportunities for tree planting and other streetscape elements. Planning staff have noted that the consideration for lay-by parking along St. Clair Avenue West cannot eliminate the City's ability to plant street trees in order to meet the Toronto Green Standard, to meet City Council's targets to increase the City's tree canopy, and to beautify our streets and improve our public realm. The proposed introduction of lay-by parking eliminates the ability for street trees to be planted between the lay-by curb and the sidewalk location.

The applicant is required to obtain confirmation on whether the Traffic Operations Group accepts the proposed on-street parking spaces on St. Clair Avenue West.

As noted above, the applicant is proposing parking that will encroach into the lands to be conveyed to the City as part of the required road widening along St. Clair Avenue West adjacent to the western parking lot. As noted previously, staff are of the opinion the parking encroachment into the future right-of-way should be removed in order to provide a 2.1 metre sidewalk, tree planting and other streetscape improvements.

Servicing

The applicant submitted a Functional Servicing Report prepared by R. V. Anderson (dated August 10, 2018). Engineering and Construction Services staff reviewed the report and determined that revisions are required to the study. Specific requirements were provided by Engineering and Construction Services staff in a memo provided to the applicant dated October 22, 2018. To date, no revisions have been submitted.

Should the development be approved, it is recommended that City Council authorize the City Solicitor to request the LPAT to withhold the final Order until the applicant has submitted to the Chief Engineer and Executive Director of Engineering and Construction Services for review and acceptance a revised Functional Servicing Report.

Parkland

Parks are essential to making Toronto an attractive place to live, work and visit. They offer a broad range of outdoor leisure and recreation opportunities, transportation routes and places for residents to interact with nature and with each other. Public parks and open spaces perform a variety of critical functions that improve and maintain our city's health, including helping mitigate the effects of climate change.

In the context of a rapidly growing city, it is imperative to enhance and expand the amount of public parkland provided to residents and visitors alike. The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded.

Section 1.5.1 of the Provincial Policy Statement (2020) states that "Healthy, active communities should be promoted by: planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity; and planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources".

The City of Toronto Parkland Strategy is a 20-year strategic City-wide plan that guides long-term planning for new parks, park expansions and improvements, and improved access to existing parks. The Strategy includes a new methodology to measure and assess parkland provision, using the baseline of residential population against the area of parkland available across the City. According to the Strategy's methodology, the development site is currently in an area with 12 to 28 m² of parkland per person, which is less than the City-wide average provision of 28 m² of parkland per person in 2016. Given the future expected growth, both on the development site itself and surrounding sites, a parkland deficit will be generated if no new parks are created. This anticipated parkland deficit must be addressed through the creation of a new parks to serve the future population.

At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 1,461 m² or 7.5% of the site area.

For sites that are 1 to 5 hectares in size, a minimum of 5% to a cap of 15% of the development site is applied to the residential use while the non-residential use is subject to a 2% parkland dedication.

The applicant is required to satisfy the parkland dedication requirement through an onsite dedication. The park is to comply with Policy 3.2.3.8 of the Toronto Official Plan. Parks, Forestry and Recreation staff are of the opinion the park should be located at the terminus of Esposito Crescent at the northeast corner of the site. The applicant is required to revise the applications to address the requirement for the provision of an onsite public park.

An on-site park dedication for this development would be a desirable City building objective for the site. Any park would be a primary organizing element for the site, and should be prominently located, with frontage onto a public street. Streets and open spaces are fundamental components to any development and their size and location set the foundation for the location and orientation of the built form.

Should the development be approved, it is recommended that the draft plan and conditions reflect a proposed public park to the satisfaction Parks, Forestry and Recreation staff.

Privately-Owned Publicly Accessible Open Space (POPS)

SASP No. 540 requires that as part of the residential development, a consolidated central lawn be provided as publicly accessible open space. The submitted site plan illustrates three separate publicly accessible open spaces, all located adjacent to the public laneway on the north side of the site, having a total area of 1,252 m².

As illustrated, the publicly accessible open spaces do not contribute to a high quality living environment, nor do they contribute to the broader environment. The proposed publicly accessible open spaces are proposed in isolated and irregularly shaped spaces. Staff are of the opinion the application should be revised to include one larger, centrally located publicly accessible open space as required by SASP No. 540. As proposed, the development does not conform to SASP No. 540 in terms of the requirement for a centrally located open space.

It is staff's opinion that one larger, centrally located publicly accessible open space would improve the use and animation of the open space and would provide better opportunities to program the open space. It is also staff's position that the publicly accessible open space should be located in an area that fronts onto a public street to provide high visibility and to improve accessibility.

Staff are of the opinion that consideration should be given to coordinating the locations of the publicly accessible open space and the required public park, in such a way as to enhance and complement the required public park.

Should the development be approved, the requirement for Publicly Assessable Open Space would be secured as part of the Draft Zoning By-law Amendment and/or Draft Plan of Subdivision approval and the detailed design and programming would be reviewed and secured through the future site plan application review process for the residential component of the development.

Toronto Transit Commission

The TTC have commented that the westbound bus stop (#13310) which is located on the St. Clair frontage of the site is proposed to be eliminated due to limited usage. As a result, TTC staff are not requiring the applicant to provide a bus stop at this time. However, given the proposed new commercial and residential uses proposed on this site, further discussion with the TTC would be required to determine if a bus stop may be required in the future.

Should it be determined in further discussions with TTC staff that a bus stop is required, the requirement for the stop would be secured in the Draft Plan of Subdivision approval and/or through any site plan application review process.

Tree Planting and Preservation

The Arborist Report and Tree Preservation Plan submitted in support of these applications indicates that the removal of 3 protected privately owned trees and 21 trees located on the City road allowance will be required.

Where it is not possible to adequately protect or retain trees that qualify for protection under the tree by-laws, it will be necessary for the applicant to submit an application and applicable fees requesting permission to injure or destroy the trees to Urban Forestry staff for review and approval.

The applicant has been advised that removal of or injury to protected City and privately-owned trees may occur only upon receipt of a "Tree Removal/Injury Permit" issued by the General Manager of Parks, Forestry and Recreation and provided that building and/or demolition permits have been obtained and the permitted construction and/or demolition related activities associated with this project warrant the removal of or injury to the trees involved.

The Subdivision Concept/Landscape Plan shows several trees to be planted throughout the site. The applicant has been advised that the plan is insufficient and that Urban Forestry staff have requested the following revisions to the plans:

- A row of large shade trees shall be planted along the south side of the proposed Blocks D and E to provide more privacy for the residential units from the proposed commercial building;
- A row of large shade trees shall be planted on the City road allowance along the existing public laneway; and
- In addition of the proposed row of trees on private property, a row of large shade trees shall be planted on the City road allowance along St. Clair Avenue West.

In addition, Urban Forestry staff have requested additional information be provided on the Landscape Plan and Planting Details.

Urban Forestry staff do not support the proposed Zoning By-law Amendment and Draft Plan of Subdivision applications due to the matters identified above and the requirement for an application for tree removal and the required consultation process for the tree removal application.

The development should provide trees along the new public and private roads.

Should the development be approved, it is recommended that Urban Forestry's requirements be secured as part of the Draft Plan of Subdivision approval and through any future site plan application review process.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. Tier 1 performance measures include reducing the urban heat island effect through pavement and roofing materials to lower ambient surface temperature, protecting and enhancing tree growth and the use of native plant species to encourage biodiversity and providing stormwater retention and water quality measures through the requirement of an acceptable stormwater management report. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce greenhouse gas emissions and enhance the natural environment.

Urban Forestry staff have noted the Toronto Green Standard Checklist is not complete and requires revisions indicating, in detail, how the applicant will fulfill the required items relating to Forestry under the Ecology Section.

Engineering and Construction Services staff have advised that the submitted Toronto Green Standard Checklist does not satisfy the solid waste requirements.

Should the development be approved, the Draft Zoning By-law Amendment, the Conditions of Draft Plan of Subdivision Approval and the site plan appplication review process would secure the Tier 1 performance measures for Construction Activity, Stormwater Retention, Cycling Infrastructure and Storage and Collection of Recycling and Organic.

Noise and Vibration

The applicant submitted both an Environmental Noise Assessment and Environmental Vibration Assessment in support of the proposed development. The City's standard practice is to have these studies peer reviewed. A peer review has not been undertaken at this point as there was no agreement on appropriate development for the site and the finding of these studies could change depending on the ultimate development approved for this site. A peer review of these studies will be undertaken once the final form of the development has been resolved.

The Environmental Noise Assessment indicated that noise control measures would be required for portions of the residential buildings in the form of improved exterior windows and enhanced ventilation measures. In addition to the noted mitigation measures, the assessment also recommends that warning clauses be included in all offers to purchase, agreements of purchase and sale or lease and in the title deed or lease of each unit.

The Environmental Vibration Assessment states there would be no vibration impacts to any of the residential buildings on the site and vibration mitigation measures would not be required.

Should the development be approved, the Conditions of Draft Plan of Subdivision Approval would secure the peer review being undertaking for the noise and vibration assessments and the implementation of the recommendations of the assessments.

In addition, if the application is approved, a further review would be undertaken through the site plan application review process, when detailed plans are available. The applicant would also be required to have an acoustical consultant confirm that any mitigation required in the approved noise and vibration assessment have been incorporated into the Site Plan and Building Permit drawings.

Canadian Pacific Railway

The proposed development is located in close proximity to the CP's Subdivision (classified as a principal main line) and Lambton Yard. To ensure the safety and comfort of adjacent residents and mitigate as much as possible the inherent adverse environmental factors, Canadian Pacific Railway staff have requested that the recommendations stipulated in the Noise Assessment prepared by Novus Environmental dated August 3, 2018 be made conditions of the Subdivision Approval and/or Site plan Approvals. Canadian Pacific Railway staff have requested that, in addition to the warning clauses recommended in the noise report, the following clause should be inserted in all offers to purchase, agreements of purchase and sale or lease and in the title deed or lease of each unit:

"WARNING: Canadian Pacific Railway or its assigns or successors in interest have a railway right-of-way and yard located in close proximity to the land subject hereof with operations conducted 24 hours a day, 7 days a week including the shunting of trains and idling of locomotives. There may be alteration to or expansions of the railway facilities and/or operations in the future, which alterations or expansions may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwellings. CPR will not be responsible for complaints or claims arising from the use of its facilities and/or its operations on, over or under the aforesaid right-of-way and yard."

Should the development be approved, the Conditions of Draft Plan of Subdivision Approval would secure the CPR conditions.

Schools

The Toronto District School Board advised that at this time there is sufficient space at the local schools to accommodate students from the proposed development and that no significant impact on local schools is anticipated. The schools anticipated to serve the development are Lampton Park Community School, Rockcliffe Middle School and Runnymede Collegiate Institute. Although the local secondary school is operating close to capacity, the impact from this development is insufficient to require any warning clauses, which would typically be required.

The Toronto Catholic District School Board advised that the proposed development would have no impact on Toronto Catholic District School Board schools and therefore have no concerns.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the *Planning Act*. Given the increase in height and density represented by the current proposal, the Official Plan provides for the provision of Section 37 contributions. Detailed discussions regarding Section 37 benefits between the applicant and the City have not occurred as there was no agreement on appropriate development for the site. Planning staff intend to continue discussions with the applicant to resolve outstanding issues, including the provision of Section 37 contributions. This report recommends that if the LPAT approves the Zoning By-law Amendment application, that in accordance with Policy 5.1.1 of the Official Plan, community benefits should be provided under Section 37 of the *Planning Act* as determined through consultation with the Ward Councillor's office.

Community Consultation

A community consultation meeting was held on February 20, 2019 at Lambton Park Community School. Approximately 80 members of the public attended along with the Ward Councillor, the applicant, their consulting team and City staff. Issues raised were:

- Density and the number of units proposed;
- Massing, setbacks, building type and height;
- Privacy and potential overlook onto adjacent neighbourhoods;
- The need for affordable units:
- Impact on the school system;
- Loss of trees:
- Layby parking along St. Clair Avenue West;
- Amount of parking being proposed;
- Site circulation and traffic generated by the development and impact on surrounding neighbourhoods;
- Potential traffic on the lane and the possible need for an additional road access to the site:
- The size, design and public access to the proposed open spaces and the need for a public park;
- Phasing and construction management plan; and
- How this proposal might benefit the community.

The proposed renovation to the existing building, proposed retail uses and layby parking on St. Clair Avenue West were noted as positive features of the proposed development by most members of the community.

Following the community consultation meeting, Councillor Nunziata established a working group comprised of 11 local residents and the applicant. The purpose of the working group was to identify possible solutions to the above issues raised by the community. The working group met two times (April 8 and April 30, 2019) and discussed issues such as: building height; density; massing; setbacks; overlook; access to the open spaces; laneway traffic; site circulation; traffic generated; and loss of trees. Additional meetings were to be scheduled but were not held.

The material submitted by the applicant at the working group meetings was provided on a "Without Prejudice" basis and was never formally submitted to the City as an amendment to the application. As a result, this material has not been considered in the analysis of this report.

Conclusion

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Key objectives include: building strong communities; wise use and management of resources; and protecting public health and safety.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe. The policies contained in the Growth Plan are to be read in conjunction with all applicable provisions of the PPS.

Both these documents are high-level and broad reaching. The City is a development area and infill is encouraged under these policies. Policy 4.6 of the PPS states that the most important method of implementing the policies is a municipality's Official Plan which guides the method of intensification and where it should be focused. While the proposed development would achieve the goals of residential intensification and the provision of employment uses, the development in its current form fails to conform to the Built Form policies of the City of Toronto Official Plan and therefore is not consistent with the PPS.

Planning staff do not support the proposal in its current form, as it does not conform to the policies of the Official Plan and does not satisfactorily respond to applicable design guidelines. The proposed development, in particular its building heights, scale and site layout, does not fit within its existing and planned context and fails to respect and reinforce the existing physical character of the area. The proposed public and private road network does not meet City design objectives (width of sidewalks, amount of streetscaping and tree planting) nor does it adequately provide appropriate frontage for the proposed building entrances or permeability of and mobility throughout the site. The development, as proposed, does not satisfy all fire protection requirements and, therefore, from a health and safety perspective, is not acceptable. The proposal fails to conform to the recently approved Site and Area Specific Policy No. 540 in terms of building heights, building separation and the provision of a centrally located green space.

Staff are of the opinion the current proposal constitutes an over-development of the site. However, a development which provides an appropriate road network and open spaces (pivate and public) and has building heights and setbacks respecting the context of the block and surrounding neighbourhood could be considered for this site.

This report recommends that the City Solicitor, together with appropriate staff, be directed to attend the Local Planning Appeal Tribunal hearing to oppose the appeal respecting the Zoning By-law Amendment application (File No. 18 208427 WET 11 OZ) and to co-ordinate with the Chief Planner in connection with the associated appeal of the Draft Plan of Subdivision application (File No.18 208431 WET 11 SB), as proposed at 2650-2672 St. Clair Avenue West.

Planning staff have undertaken discussions with the applicant regarding revising the proposal in an effort to develop a proposal that is more appropriate to its context. While no agreement has been reached to date, staff are recommending that discussions continue with the applicant on resolving the matters identified in this report.

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SIGNATURE

Neil Cresswell, MCIP RPP Director Community Planning Etobicoke York District

ATTACHMENTS

City of Toronto Data/Drawings

Attachment 1: Location Map

Attachment 2: Official Plan Land Use Map

Attachment 3: Official Plan Site and Area Specific Policy No. 540 Schedule

Attachment 4: Existing Zoning By-law Map (Former City of York Zoning By-law No.1-

83)

Attachment 5: Existing Zoning By-law Map (City-Wide Zoning By-law No. 569-2013)

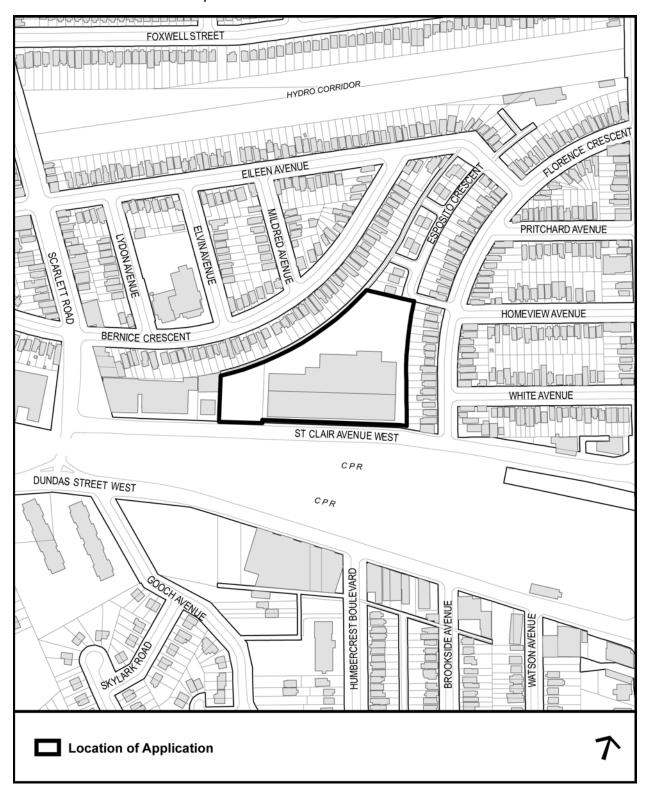
Applicant Submitted Drawings

Attachment 6: Site Plan

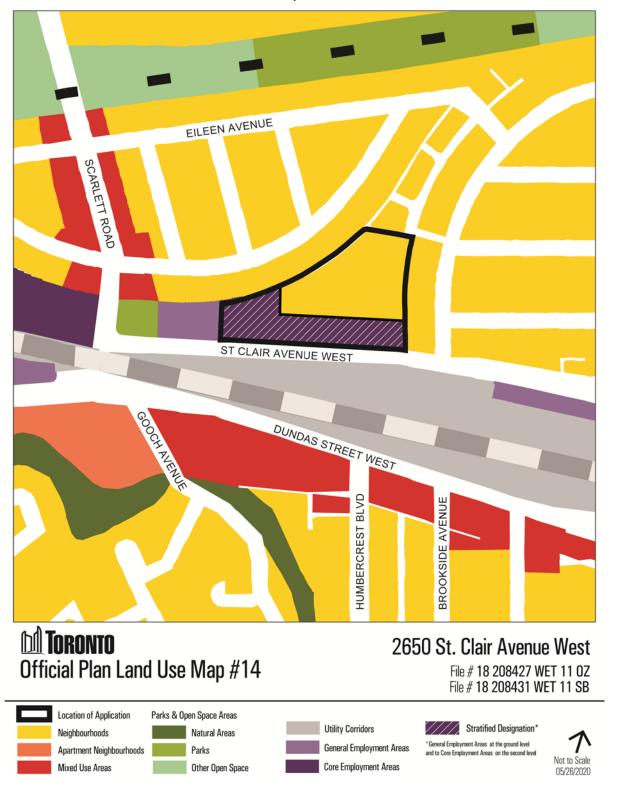
Attachment 7: Draft Plan of Subdivision

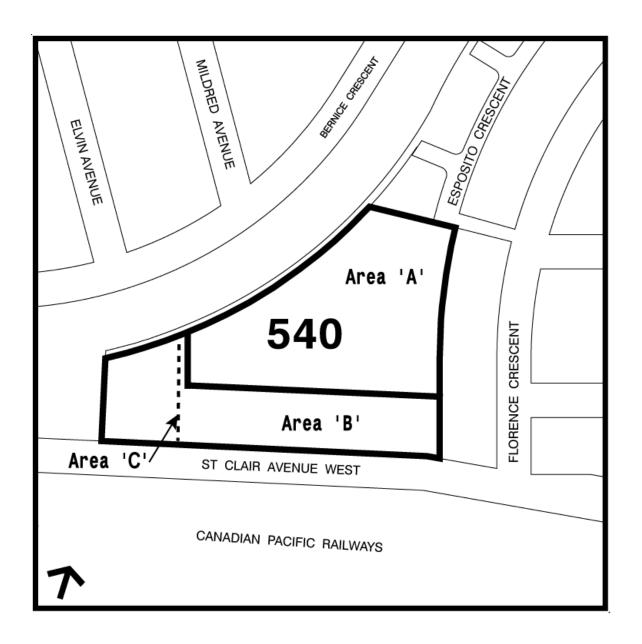
Attachment 8: Elevations

Attachment 1: Location Map

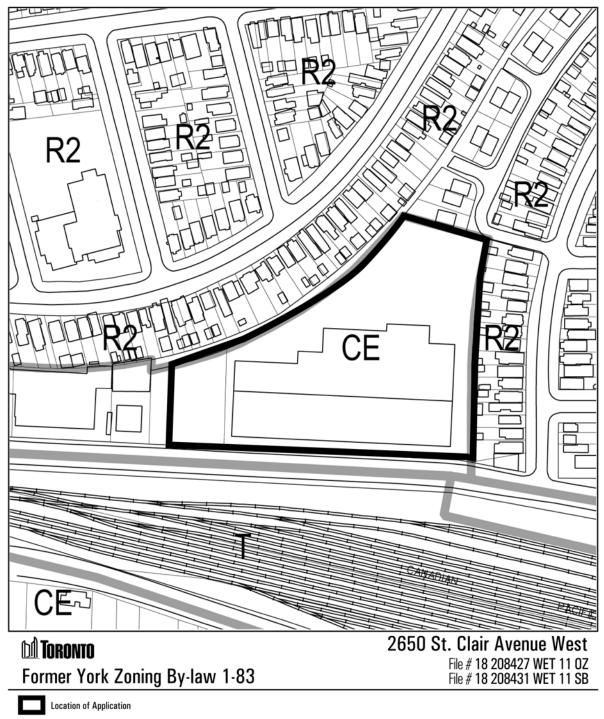


Attachment 2: Official Plan Land Use Map





Attachment 4: Existing Zoning By-law Map (Former City of York Zoning By-law No. 1-83)

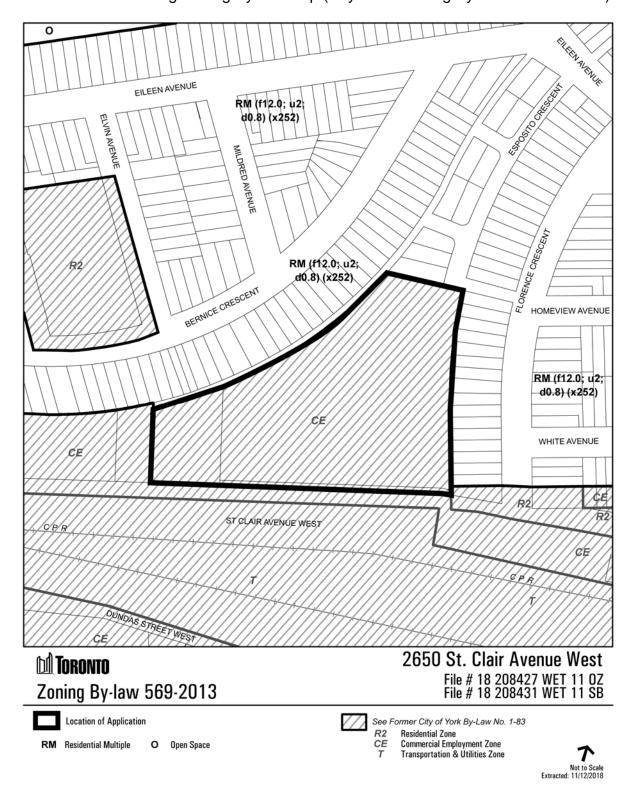


R2 Residential Zone

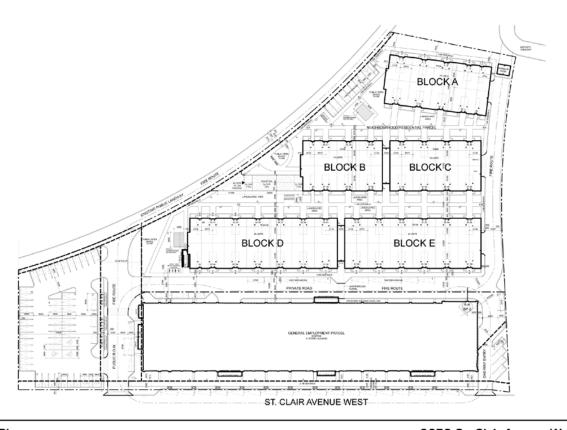
CE Commercial Employment Zone
Transportation & Utilities Zone



Attachment 5: Existing Zoning By-law Map (City-Wide Zoning By-law No. 569-2013)



Attachment 6: Site Plan

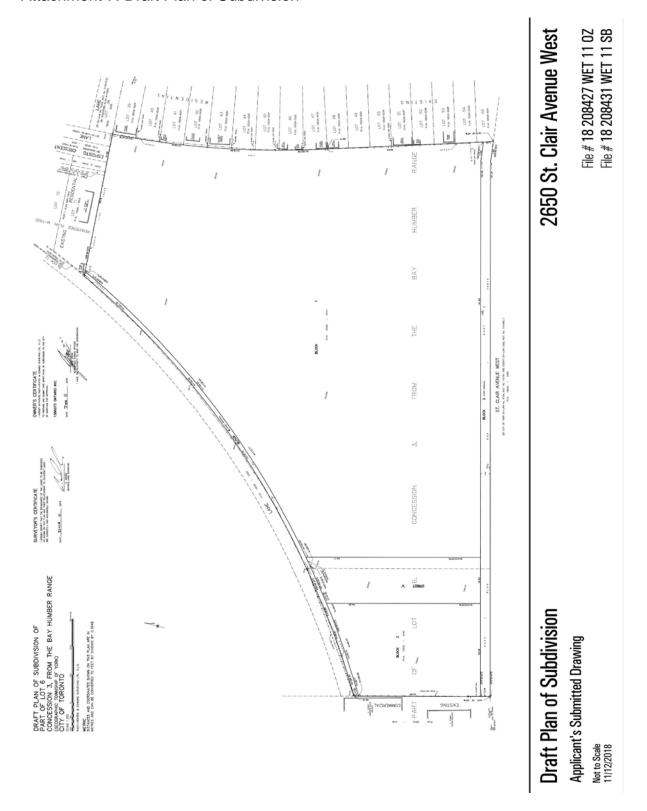


Site Plan
Applicant's Submitted Drawing
Not to Scale
11/12/2018

2650 St. Clair Avenue West

File # 18 208427 WET 11 0Z File # 18 208431 WET 11 SB

Attachment 7: Draft Plan of Subdivision



Attachment 8: Elevations Block A

