

1718, 1720, 1722, 1724, 1726, 1728, 1730, 1732 and 1734 Bayview Avenue - Zoning By-law Amendment and Rental Housing Demolition Applications – Preliminary Report

Date: August 19, 2020

To: North York Community Council

From: Acting Director, Community Planning, North York District

Ward: Ward 15 - Don Valley West

Planning Application Number: 20 153356 NNY 15 OZ

Related Applications: 20 153939 NNY 15 RH

Notice of Complete Application Issued: July 8, 2020

Current Use(s) on Site: Each property contains a 2-storey semi-detached dwelling, with the exception of 1734 Bayview Avenue which is one half of a pair of semi-detached dwellings.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the applications submitted for 1718, 1720, 1722, 1724, 1726, 1728, 1730, 1732 and 1734 Bayview Avenue (1718-1734 Bayview Avenue). Staff are currently reviewing the application. They have been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting for the applications with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 1718, 1720, 1722, 1724, 1726, 1728, 1730, 1732 and 1734 Bayview Avenue together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

FINANCIAL IMPACT

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

ISSUE BACKGROUND

Application Description

This application proposes to amend City of Toronto Zoning By-law Nos. 438-86 and 569-2013 for the lands at 1718-1734 Bayview Avenue to permit a 9-storey high mixed use building with 123 residential units, of which 5 units would be grade-related townhouse units facing the rear yard. A total gross floor area of 10,879 square metres is proposed, including 336 square metres of retail space on the ground floor fronting onto Bayview Avenue.

Details of the application are outlined in the chart below and in Attachment 10 – Application Data Sheet.

Category	June 8, 2020 Submission	
Site Area	2,504 square metres	
Building Setbacks from Property Line	North	0 metre
	South	0 metre
	East (Bayview Ave)	3 metres
	West	6 metres to the ground floor townhouses, increasing to 7.5 metres to the outdoor amenity area and 9.25 metres to the at-grade mechanical
Building Stepbacks along Bayview Ave		
Above the 4th Floor	1 metre	
Above the 7th Floor	1.5 metres	
Rear Building Stepbacks		
Above the 2nd Floor	1.5 metres	
Above the 4th Floor	1.15 metres	
Above the 5th Floor	2.7 metres	
Above the 6th, 7th and 8th Floors	3.3 metres	
Above the 9th Floor	1.95 metres	
Gross Floor Area (GFA)		
Residential	10,543 m ²	
Non-Residential (Retail)	336 m ²	
TOTAL	10,879 m ²	

Floor Space Index (FSI)	4.34 times the lot area
Building Height	31.3 metres
Proposed Residential Units	
Studio	0 (0%)
1 Bedroom	25 (20%)
2 Bedroom	85 (69%)
3 Bedroom	13 (11%)
Total	123
Amenity Area	
Indoor	246 square metres
Outdoor	123 square metres
Total	369 square metres
Proposed Vehicular Parking (residential: visitor)	77 spaces (65:12)
Loading Spaces	1 Type 'G'
Bicycle Parking (long-term residential:short term)	123 spaces (111:12)
Proposed Parkland Dedication	None

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

See Attachments 1-7 of this report for three dimensional representations of the application in context, a location map, site plan and building elevations.

Provincial Policy Statement and Provincial Plans

Land use planning in the Province of Ontario is a policy led system. Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2020) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) and, where applicable, the Greenbelt Plan (2017). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

The PPS provides policy direction 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:

- Managing and directing land use to achieve efficient and resilient development and land use patterns;
- Providing for an appropriate range and mix of housing options and densities required to meet projected requirements;
- The protection of natural features and areas for the long term; and

- Encouraging compact, mixed use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy.

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 a 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;
- Supporting the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime;
- Support a diverse range and mix of housing options;
- 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 Greater Golden Horseshoe 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 Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

The Growth Plan (2019) sets out minimum density targets for Major Transit Station Areas (MTSAs) and Urban Growth Centres (UGC's). MTSAs are the lands around transit stations generally defined as the areas within an approximate 500-800 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan requires that, at the time of the next municipal comprehensive review (MCR), the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs achieve appropriate densities.

MTSAs that may be delineated in advance of the MCR's completion are identified in the *Planning Act* as "Protected Major Transit Station Areas" or PMTSAs. The Growth Plan (2019) allows municipalities to delineate these PMTSAs in advance of the next MCR, provided that a very detailed implementation framework is brought into effect in accordance with Section 16(15) of the *Planning Act*. Such a framework must identify the number of residents and jobs per hectare, permitted uses and minimum densities with respect to buildings and structures in the area.

Toronto Official Plan Policies and Planning Studies

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

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

The subject lands are designated *Mixed Use Areas* on Map 17 of the Official Plan and is subject to Official Plan Policy 3.2.1.6, which requires any new development resulting in the loss of six or more rental housing units to replace the same number, size and type of rental housing units with rents similar to those in effect at the time the redevelopment application is made.

The application is located on lands designated as *Mixed Use Areas "C"* within the Yonge-Eglinton Secondary Plan Area. On June 5, 2019, the Minister of Municipal Affairs and Housing issued his decision on the Yonge-Eglinton Official Plan Amendment (OPA 405). The Official Plan Amendment, as modified, is now in force. As this application was submitted after OPA 405 came into force and effect, it is subject to the policies of OPA 405. OPA 405 can be found here:

<https://www.toronto.ca/wp-content/uploads/2018/05/970b-2018-05-18-Final-OPA-and-YESP-combined-AODA.pdf>

Zoning By-laws

The site is subject to both former City of Toronto Zoning By-law 438-86 and City-wide Zoning By-law 569-2013. Under Zoning By-law 438-86, as amended, the site is zoned Residential Districts R4 Z 1.0. Under Zoning By-law 569-2013, as amended, the site is zoned Residential R (d1.0)(x690).

Both the R4 and R zones permit residential uses, a maximum density of 1.0 times the lot area and a maximum height of 9 metres.

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

Design Guidelines

The following design guidelines will be used to evaluate this application:

- *Mid-Rise Buildings Performance Standards;*
- *Midtown Parks and Public Realm Plan;*
- *Pet Friendly Guidelines;*
- *Growing Up Urban Design Guidelines; and*
- *Bird Friendly Guidelines.*

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

Site Plan Control

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

Growing Up: Planning for Children in New Vertical Communities Guidelines

In July 2017, City Council adopted the City-wide Growing Up: Planning for Children in New Vertical Communities draft guidelines. At its July 28, 2020 meeting, Council adopted the Guidelines in their final form.

The objectives of the guidelines are rooted in the Official Plan vision to create an attractive, safe and healthy city where children are valued and residents have access to housing, support services and recreational activities. The draft guidelines implement Official Plan policies that highlight the importance of integrated community facilities and amenities, the need for a comfortable and safe public realm and the creation of a range of housing options in communities.

The Final Growing Up Guidelines and City Council decision can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.PH15.5>

Rental Housing Demolition and Conversion By-law

Section 111 of the *City of Toronto Act, 2006* authorizes City Council to regulate the demolition and conversion of residential rental properties in the City. Chapter 667 of the City's Municipal Code, the Rental Housing Demolition By-law, implements Section 111. Chapter 667 prohibits the demolition and conversion of rental housing units in buildings containing six or more residential dwelling units, of which at least one is rental, without obtaining a permit from the City and requires a decision by either City Council or, where delegated, the Chief Planner & Executive Director.

City Council may refuse an application, or approve the demolition with conditions that must be satisfied before a demolition permit is issued. These conditions implement the City's Official Plan policies protecting rental housing. Council approval of demolition under Section 33 of the *Planning Act* may also be required where six or more residential units are proposed for demolition before the Chief Building Official can issue a permit for demolition under the *Building Code Act*.

Where an application for rezoning triggers an application under Chapter 667 for rental demolition or conversion, City Council typically considers both applications at the same time. Unlike *Planning Act* applications, decisions made by City Council under By-law 885-2007 are not appealable to the LPAT.

On June 13, 2020, the applicant made an application for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code, as the proposal would result in the removal of three units with a history of rental. A Housing Issues Report has been submitted with the required application and is currently under review for consistency with the Official Plan. As per Chapter 667-14, a tenant consultation meeting shall be held to review the impact of the proposal on tenants of the residential rental property and matters under Section 111.

COMMENTS

Reasons for the Application

A Zoning By-law amendment is required as the application proposes to exceed the maximum building height and density permitted by the existing Zoning By-laws, as amended, and to establish new development standards related to, amongst other things: parking, loading and building setbacks.

ISSUES TO BE RESOLVED

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

Provincial Policies and Plans Consistency/Conformity

Planning staff will continue to evaluate the application to determine its consistency with the PPS (2020) and conformity with A Place to Grow (2019).

Given the recognition in Provincial Policy of the importance of official plans and long term planning, conformity with the PPS and A Place to Grow will be informed by conformity with the City's Official Plan.

Official Plan Conformity

Staff will evaluate this planning application to determine its conformity with the Official Plan, including the application's conformity with the *Mixed Use Areas* policies and the Yonge-Eglinton Secondary Plan (OPA 405) which applies to this application.

Built Form, Planned and Built Context

The site is located within the Bayview-Leaside Character Area and is designated as *Mixed Use Areas "C"* as identified in the Yonge-Eglinton Secondary Plan (OPA 405). It is immediately east of an area designated *Neighbourhoods* in the Official Plan and OPA 405.

This portion of Bayview Avenue is planned to accommodate a mix of uses in well-proportioned mid-rise buildings that reinforce the local character of Bayview Avenue and provide transition to the adjacent *Neighbourhoods* designated lands.

While the proposal is generally aligned with the built form standards described in OPA 405, staff will continue to assess the proposal's conformity with all relevant policies of OPA 405, including building height. It is of note that the application proposes a 9-storey building, where a height of 8-storeys is anticipated in the Bayview-Leaside Character Area.

Issues identified on a preliminary basis include:

- The suitability of the proposed height, massing, and other built form issues based on Section 2 q. and r. of the *Planning Act*; the Growth Plan (2019), the City's Official Plan policies and the Avenues and Mid-Rise Buildings Performance Standards and Addendum;
- The appropriateness of maintaining one-half of a semi-detached dwelling at the north end of the site (1734 and 1736 Bayview Avenue);
- The appropriateness of the proposed building setbacks on Bayview Avenue;
- The appropriateness of the proposed townhouses facing the rear yard;
- The adequacy of the total area, suitability and function of the proposed indoor and outdoor amenity areas;
- The proposal's transition to the adjacent *Neighbourhoods* designated area;
- Review of the proposed retail uses to ensure conformity with the development principles for sites on Priority Retail Streets;
- The appropriateness of the proposed parking access at the north end of the site; and
- The need for on-site parkland dedication.

Laneway Requirement

Per Policy 4.8 of OPA 405, Map 21-9 identifies the locations of existing and potential new laneways which could provide important access to properties primarily located adjacent to Midtown's Major Streets, and that could also contribute to additional pedestrian and cyclist connectivity.

The subject lands are identified as a site for a new north-south laneway on Map 21-9, which is to be located on the west side of the site. Laneways on mid-block sites are also referenced in Performance Standard 16B of the Mid-Rise Buildings Performance Standards.

The application, as submitted, is not providing the required laneway dedication per the policies of Chapter 4 of the Secondary Plan, but rather a setback of 4.5 metres from the westerly property line to the proposed underground parking levels.

In its current form, this application is not supportable by Planning Staff absent a laneway dedication. Staff will continue discussions with the applicant with respect to the need for a laneway dedication.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law). The applicant has submitted a Tree Inventory and Preservation Plan which are currently under review by City staff.

The report concludes that there are a total of 38 trees on and within six metres of the subject property. The removal of 24 trees is required to accommodate the proposed development.

Staff will assess the appropriateness of the applicant's proposal and tree protection and replacement measures.

Housing and Unit Mix

The Rental Housing Demolition application will be assessed against the requirements of the Planning Act, the City of Toronto Act, Official Plan policies relating to rental housing, and Chapter 667 of the Toronto Municipal Code.

The Growing Up Guidelines recommend a minimum of 25% of dwelling units be larger to provide for larger households, including families with children. The Guidelines also specify that 10% of the total units be three-bedroom units with a minimum size of 100-106 square metres and 15% of the total units be two-bedroom units with a minimum size of 87-90 square metres.

The proposal contemplates 85 two-bedroom dwelling units (69% of all units) and 13 three-bedroom dwelling units (11% of all units). While the allocation of units by bedroom type meet the Guidelines, the proposed unit sizes are substandard.

Staff will continue to evaluate the proposal with respect to providing a full range of housing types in terms of location and unit size to allow for a broad range of households, including families with children.

Heritage Impact and Conservation

No part of the subject site is included on the City's Heritage Register. However, 1708 Bayview Avenue (Church of Christ), located to the south of the site, the two-storey commercial building at 1745 Bayview Avenue located southeast of the site and the 2-storey residential dwellings from 1747 to 1781 Bayview Avenue on the east side of Bayview Avenue were all identified as properties with potential cultural heritage value per Map 21-10 of OPA 405. In addition, the residential dwellings at 1783 and 1785 Bayview Avenue are included in the City's Heritage Register as enacted by City Council on January 31, 2019.

A Heritage Impact Assessment (HIA) has been submitted with the application and is currently under review.

School Boards

The application was circulated to the both the Toronto Catholic District School Board (TCDSB) and the Toronto District School Board (TDSB).

The TCDSB and TDSB will evaluate the impact of the proposed development within the context of local development activity on area schools, including assessment of existing school capacity to support the amount of potential students proposed by this application.

Community Services and Facilities

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures used for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions. They include recreation, libraries, childcare, schools, public health, human services, cultural services and employment services.

The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

A Community Services and Facilities study is to be submitted with the application and will be reviewed by staff.

Infrastructure/Servicing Capacity

The applicant has submitted a Functional Servicing and Stormwater Management Report, a Hydrogeological Report, and a Geotechnical Report. These reports will allow City staff to evaluate the effects of the development on the City's municipal servicing infrastructure. It will also identify and provide the rationale for whether the City requires the applicant to provide new infrastructure and/or upgrades to the existing infrastructure in order to facilitate this development. These reports are currently under review by staff.

A Transportation Impact Study was submitted by the applicant to evaluate the effects of the development on the transportation system, and to suggest any transportation improvements, if deemed necessary, to accommodate the travel demands and impacts generated by the development. The study is currently under review by staff.

Staff will also assess the appropriateness of the proposed loading and garbage storage facilities.

Section 37 Community Benefits

The Official Plan authorizes the City to apply Section 37 of the Planning Act to pass by-laws to allow for increases in height and/or density that are not otherwise permitted by the Zoning By-law in return for the provision, by the applicant, of community benefits in the form of capital facilities. It is standard to secure community benefits in a Section 37 Agreement which is then registered on title for projects that meet the development thresholds identified in the Official Plan.

Further discussion with the Ward Councillor, City staff, residents and the applicant will be required to determine the extent and nature of the Section 37 community benefits that the Applicant would be required to agree to, should the proposal proceed to approval in some form.

Other Matters

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

CONTACT

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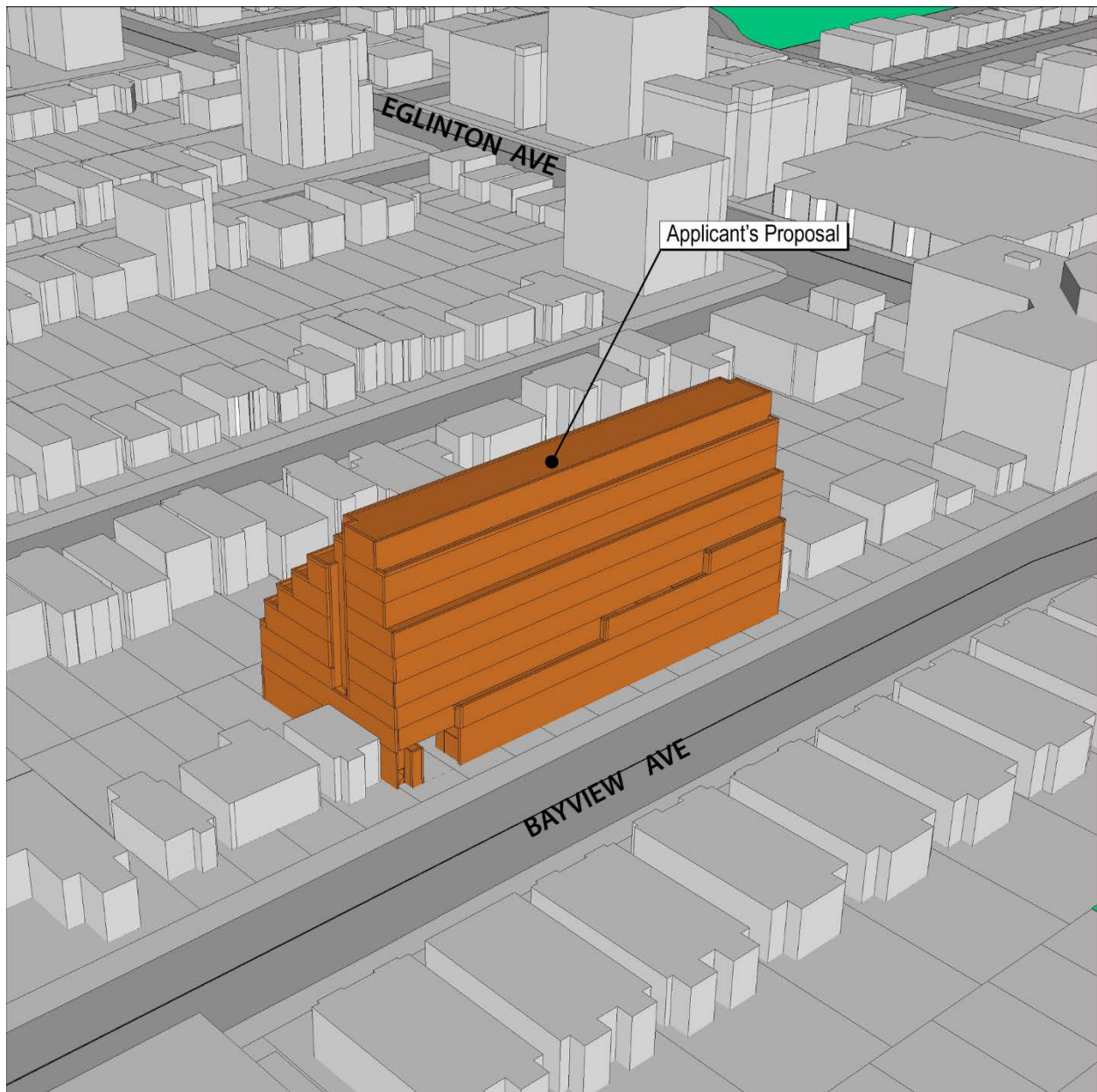
SIGNATURE

Al Rezoski, Acting Director
Community Planning, North York District

ATTACHMENTS

Attachment 1a: 3D Model of Proposal in Context - Looking Northwest
Attachment 1b: 3D Model of Proposal in Context - Looking Southeast
Attachment 2: Location Map
Attachment 3: Site Plan
Attachment 4: North Elevation
Attachment 5: South Elevation
Attachment 6: East Elevation
Attachment 7: West Elevation
Attachment 8: Official Plan Map
Attachment 9: Yonge-Eglinton Secondary Plan Map
Attachment 10: Application Data Sheet

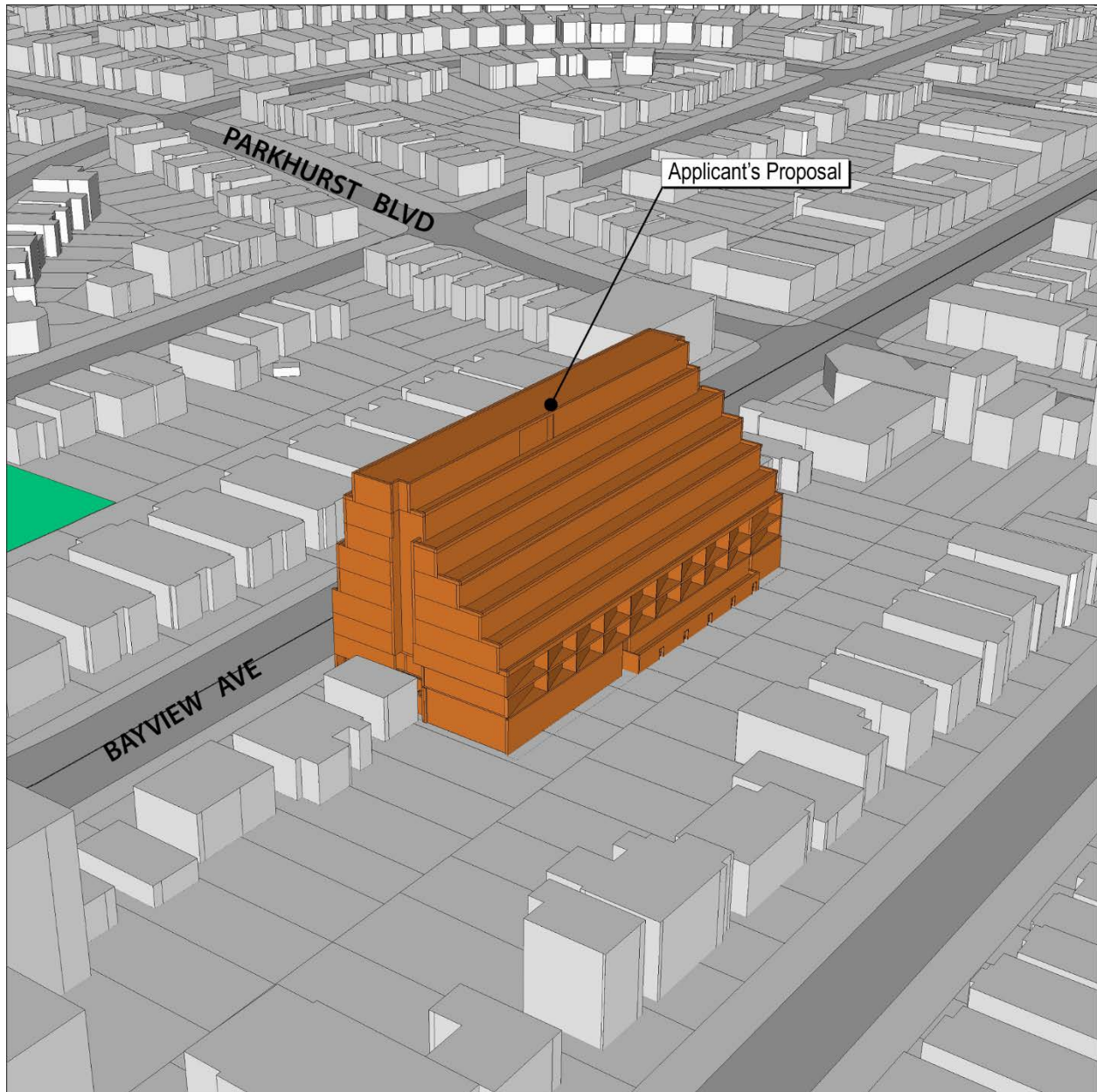
Attachment 1a: 3D Model of Proposal in Context - Looking Northwest



View of Applicant's Proposal Looking Northwest



Attachment 1b: 3D Model of Proposal in Context - Looking Southeast



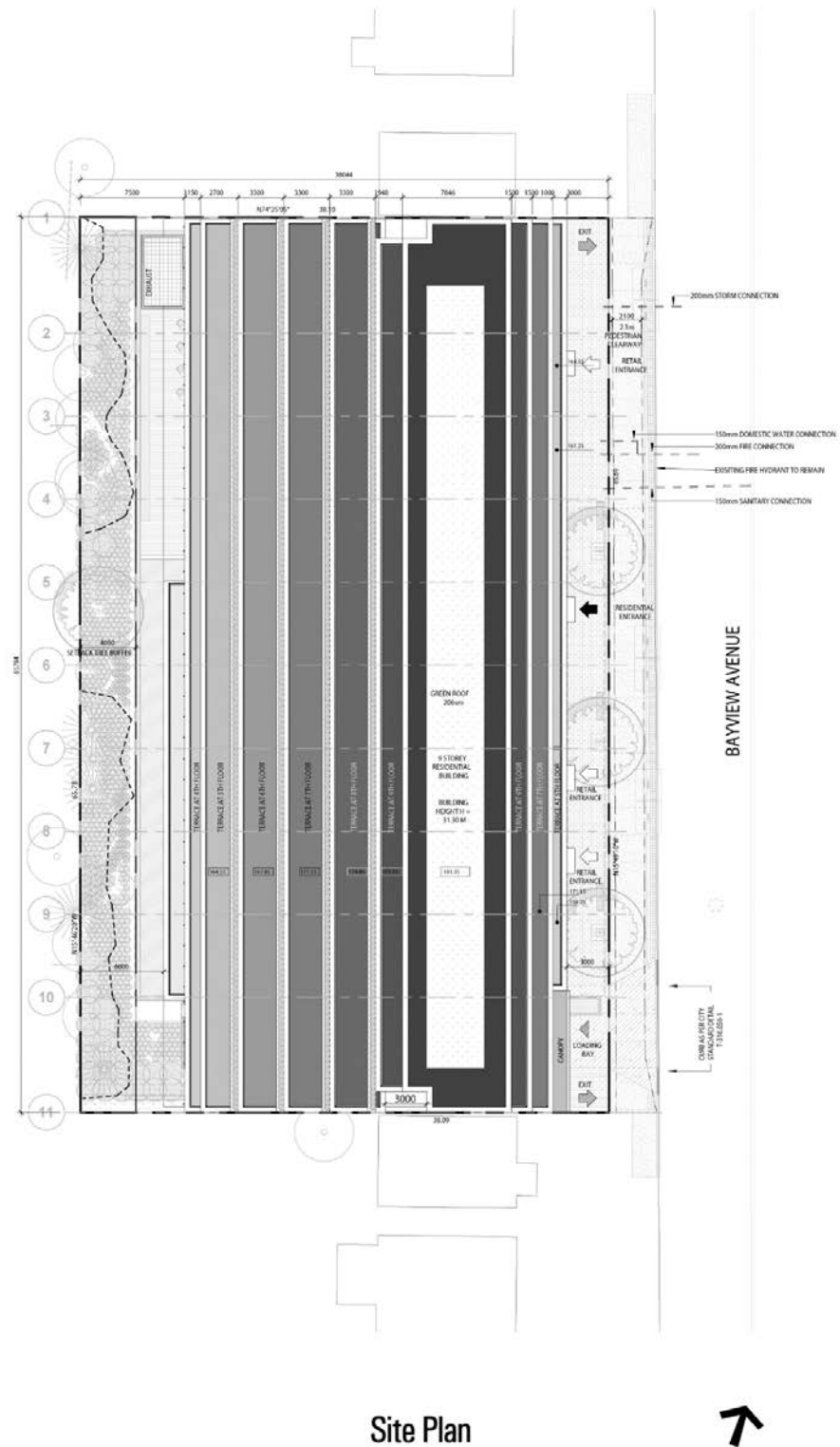
View of Applicant's Proposal Looking Southeast



Attachment 2: Location Map



Attachment 3: Site Plan

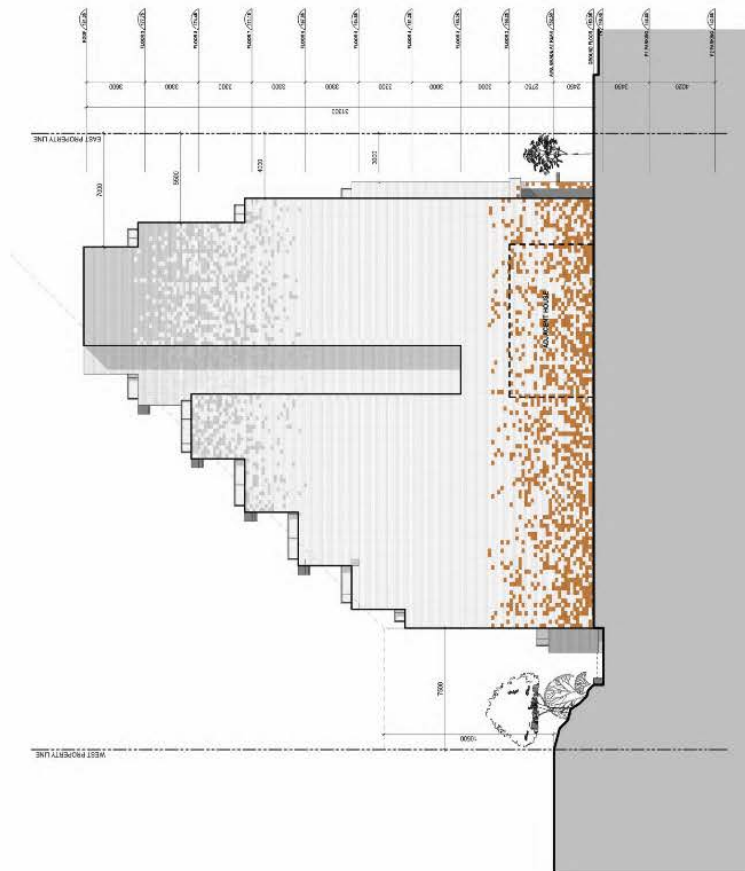


Attachment 4: North Elevation



North Elevation

Attachment 5: South Elevation



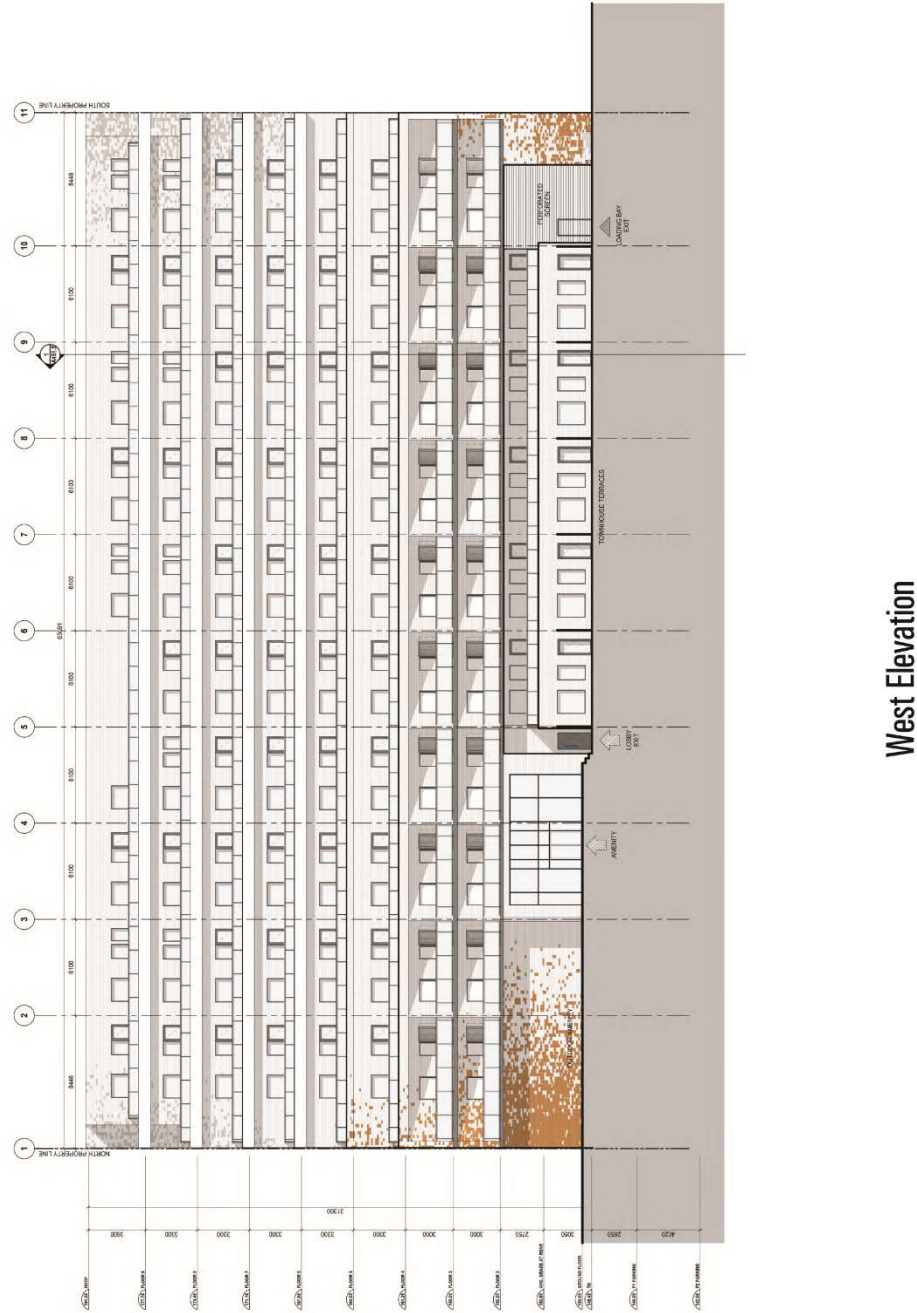
South Elevation

Attachment 6: East Elevation

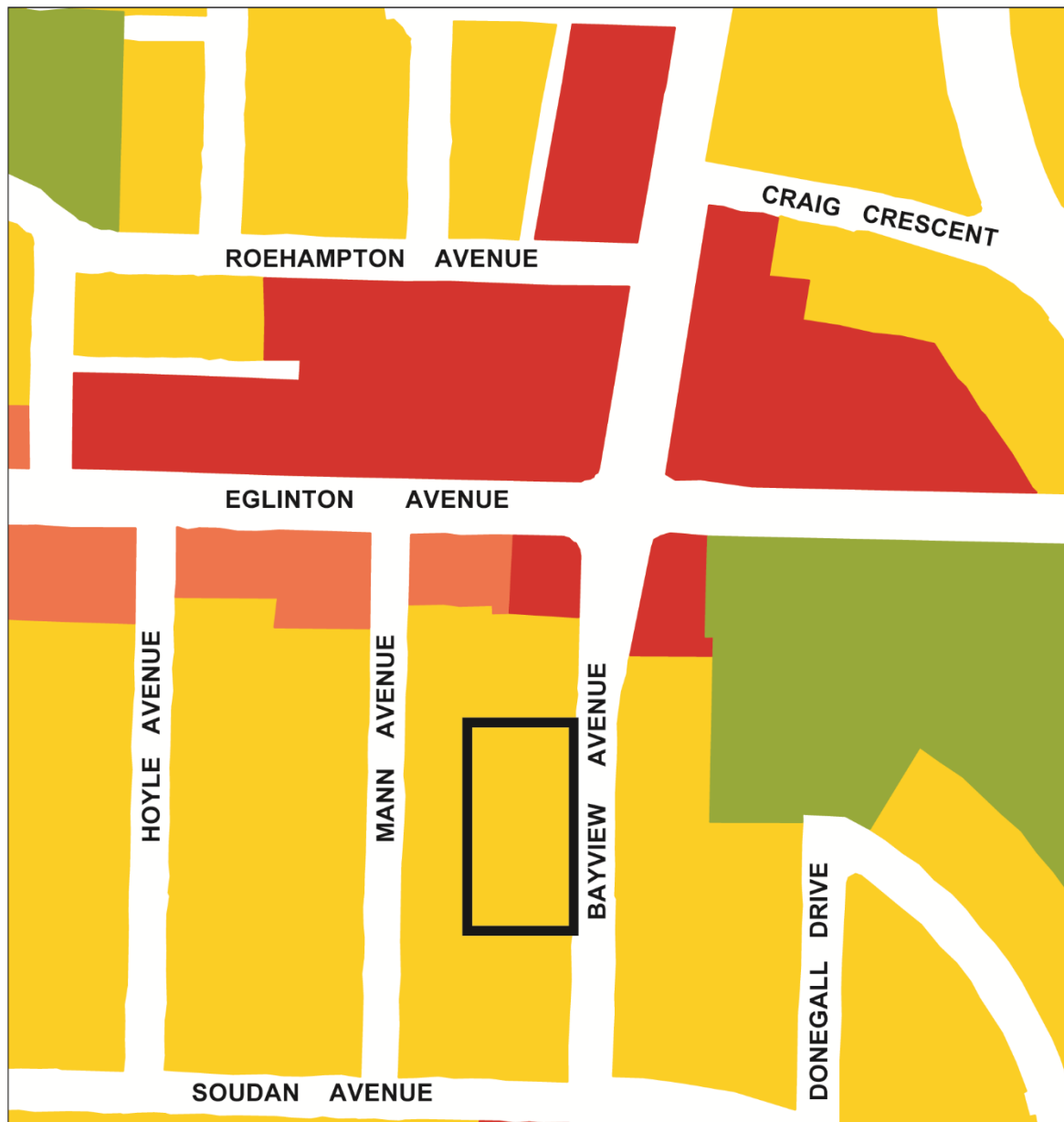


East Elevation

Attachment 7: West Elevation



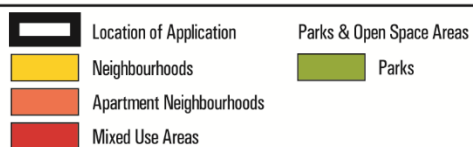
Attachment 8: Official Plan Map



1718 to 1734 Bayview Avenue

Official Plan Land Use Map #17

File # 20 153356 NNY 15 02




 Not to Scale
 07/10/2020

Attachment 9: Yonge-Eglinton Secondary Plan Map



1718 to 1734 Bayview Avenue

Toronto
Yonge-Eglinton Secondary Plan - OPA 405

File # 20 153356 NNY 15 02



Site Location



Not to Scale
07/10/2020

Attachment 10: Application Data Sheet

Municipal Address: 1718-1734 Bayview Ave Date Received: June 8, 2020

Application Number: 20 153356 NNY 15 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: Application to amend City of Toronto Zoning By-law Nos. 438-86 and 569-2013 for the lands at 1718-1734 Bayview Avenue to permit a 9-storey high mixed use building with 123 residential units, of which 5 units would be grade-related townhouse units facing the rear yard. A total gross floor area of 10,879 square metres is proposed, including 336 square metres of retail space on the ground floor fronting onto Bayview Avenue.

Applicant/Agent	Architect	Owner
Gairloch Developments c/o Andrew Woods 1 St. Clair Ave W, Suite 401 Toronto, ON, M4V 1K6	Quadrangle Architects Ltd. 901 King St W, Suite 701 Toronto, ON M5V 3H5	2710904 Ontario Limited 2 St. Clair Ave E Toronto, ON M4T 2T5

EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision: N

Zoning: R (d1.0) (x690) Heritage Designation: N

Height Limit (m): 9 Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 2,504 Frontage (m): 66 Depth (m): 38

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	504		1,823	1,823
Residential GFA (sq m):	1,008		10,543	10,543
Non-Residential GFA (sq m):			336	336
Total GFA (sq m):	1,008		10,879	10,879
Height - Storeys:	2		9	9
Height - Metres:			31	31

Lot Coverage Ratio (%) 72.8 Floor Space Index: 4.34

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

Residential GFA: 10,543
 Retail GFA: 336
 Office GFA:
 Industrial GFA:
 Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	3	0		
Freehold:	9	0		
Condominium:			123	123
Other:				
Total Units:	12		123	123

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			25 (20%)	85 (69%)	13 (11%)
Total Units:			25 (20%)	85 (69%)	13 (11%)

Parking and Loading

Parking Spaces: 77 Bicycle Parking Spaces: 123 Loading Docks: 1

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