

1861 O'Connor Drive – Zoning By-law Amendment– Request for Direction Report

Date: October 9, 2020

To: North York Community Council

From: Acting Director, Community Planning, North York District

Wards: Ward 16 - Don Valley East

Planning Application Number: 18 269227 NNY 16 OZ

SUMMARY

This Report responds to the Zoning By-law Amendment application which has been appealed to the Local Planning Appeal Tribunal due to the lack of a decision by City Council.

This application proposes to amend Zoning By-law 569-2013 and Zoning By-law 7625 for the property at 1861 O'Connor Drive to permit a 9-storey residential building, measuring 27 metres in height, plus mechanical penthouse, and containing 252 residential dwelling units and 122 square metres of retail space at grade. The applicant proposes to provide 217 underground parking spaces.

The proposed development in its current form is not consistent with the Provincial Policy Statement (2020) and does not conform with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). Issues to be resolved, as outlined in this report, include: conforming with the O'Connor Drive Avenue Study, Site and Area Specific Policy 400, and addressing the policy direction of the Golden Mile Secondary Plan, the provision of family sized units, a community services and facilities analysis, and community benefits. Additionally, the amount of non-residential gross floor area along O'Connor Drive, site organization, building height/massing and setbacks, and vehicular access are issues that require resolution.

The applicant has appealed their Zoning By-law Amendment application and the associated Site Plan Control application to the Local Planning Appeal Tribunal (the "LPAT"). The first Case Management Conference took place on September 21, 2020. A 10-day hearing, commencing March 15, 2021 has been scheduled by the LPAT. This report recommends that the City Solicitor attend the LPAT hearing to oppose the application in its current form.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor, together with City Planning staff and other appropriate staff to attend the Local Planning Appeal Tribunal hearing to oppose the Zoning By-law Amendment Application in its current form.
2. City Council direct City Planning Staff to continue to work with the applicant to resolve the issues detailed in this report.
3. In the event that the Local Planning Appeal Tribunal approves the applications in whole or in part, City Council authorize the City Solicitor to request the Local Planning Appeal Tribunal withhold its Order(s) approving the Zoning By-law Amendment(s) applicable to the subject lands until such time as the City Solicitor confirms that:
 - a. the final form and content of the draft Zoning By-law Amendment(s) are satisfactory to the City Solicitor, and the Chief Planner and Executive Director, City Planning Division, in consultation with the Chief Engineer and Executive Director, Engineering and Construction Services, and amongst other matters includes:
 - i. the requirement for appropriate matters, services, and facilities to be provided by the owner, at its expense, and pursuant to Section 37 of the Planning Act and other matters necessary to support development.
 - b. the Local Planning Appeal Tribunal has received confirmation from the City Solicitor that:
 - i. the Owner has at its sole expense provided a Functional Servicing Report and Stormwater Management Report, Hydrogeological Review, including the Foundation Drainage Report satisfactory to the Chief Engineer and Executive Director, Engineering and Construction Services, and the General Manager, Toronto Water;
 - ii. the Owner at its sole expense designed and provided financial securities for any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Functional Servicing Report and Stormwater Management Report, and Hydrogeological Review, including the Foundation Drainage Report, to support the development, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and General Manager, Toronto Water, should it be determined that improvements or upgrades are required to support the development, according to the accepted Functional Servicing Report and Stormwater Management Report, Foundation Drainage Report, and Hydrogeological Review, accepted by the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water;

iii. confirmation from the City Solicitor that the implementation of the Functional Servicing Report, Groundwater Report, Stormwater Management Report and Hydrogeological Report, including the Foundation Report, accepted by Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Transportation Services does not require changes to the proposed amending by-laws or any such required changes have been made to the proposed amending by-laws to the satisfaction of the Chief Planner, City Planning Division and the City Solicitor; and

iv. should it be deemed necessary by the Chief Engineer and Executive Director, Engineering and Construction Services, the by-laws and the Section 37 agreement shall require the owner, at no cost to the City, prior to the issuance of any above grade permit for all or any part of the site, including for clarity, any conditional above-grade building permit, to design, financially secure, construct, and make operational, any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Functional Servicing Report and Stormwater Management Report, and Hydrogeological Review, including the Foundation Drainage Report, to support the development, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, the General Manager, Toronto Water, and the City Solicitor.

c. The Local Planning Appeal Tribunal has been advised by the City Solicitor that appropriate services, facilities, or matters pursuant to Section 37 of the Planning Act, as may be considered appropriate by the Chief Planner and Executive Director, City Planning Division, in consultation with the local Ward Councillor, have been appropriately secured in the implementing Zoning By-laws and in a Section 37 Agreement satisfactory to the Chief Planner and Executive Director, City Planning Division and the City Solicitor, and that the agreement has been executed and registered on titled to the satisfaction of the City Solicitor.

4. City Council direct that any approved Zoning By-law Amendment for the lands municipally known at 1861 O'Connor Drive contain a Holding Symbol (H) pursuant to Section 36 of the Planning Act, the form and content to the satisfaction of the Chief Planner and Executive Director City Planning Division and the City Solicitor, be subject to the substantial completion of the Municipal Class Environmental Assessment Study for the Golden Mile area, where a preferred alignment of O'Connor Drive has been selected.

FINANCIAL IMPACT

Adopting this report will have no financial impact beyond what has already been approved in the current year's budget.

DECISION HISTORY

A Preliminary Report on the application was adopted by North York Community Council on February 14, 2019 authorizing staff to conduct a community consultation meeting. The Preliminary Report is available via the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.NY3.8>

The City is currently undertaking the Golden Mile Secondary Plan Study in Scarborough District which will develop a vision and comprehensive planning framework for the Golden Mile area. The vision and planning framework will form the foundation for the Secondary Plan, Urban Design Guidelines and other planning tools to be developed by the City Planning Division. At a Community Meeting held on June 26, 2018, Scarborough Community Planning Staff presented three development alternatives which illustrated the potential realignment of O'Connor Drive and the O'Connor Drive and Victoria Park intersection. The proposed realignment would impact the North York District and the subject site at 1861 O'Connor Drive.

On July 17, 2020, Scarborough Community Council adjourned the statutory public meeting for the Golden Mile Secondary Plan until October 16, 2020. The report recommends that City Council adopt the Golden Mile Secondary Plan (the "Secondary Plan") and associated amendments in Official Plan Amendment ("OPA") No. 499. The Final Report can be found at:

<https://www.toronto.ca/legdocs/mmis/2020/sc/bgrd/backgroundfile-148359.pdf>

ISSUE BACKGROUND

Original 2018 Proposal

A Zoning By-law Amendment application was made in December 2018, which sought to amend Zoning By-law 569-2013 and Zoning By-law 7625 for the property at 1861 O'Connor Drive. The applicant originally proposed to redevelop the site with a 10-storey residential building containing 222 residential dwelling units and a commercial unit at grade.

The applicant's 2018 submission proposed a total gross floor area of approximately 15,785 square metres, including approximately 232 square metres of commercial space. The overall floor space index proposed for the site was 3.92 times the gross site area, or 3.95 times the lot area after the 0.4 metre road widening. The 10-storey building was proposed to be 30 metres in height, excluding mechanical penthouse.

The site was proposed to be accessed from a driveway at the south property limit. The driveway would provide access to the underground parking garage as well as the servicing area. The applicant proposed to provide 190 underground parking spaces and two at-grade parking spaces which were proposed to serve the non-residential use.

A total of 200 residential long term bicycle parking spaces and 23 residential short term bicycle parking spaces were proposed as part of this application.

2019 Revised Proposal

In September 2019, the applicant revised their proposal decreasing the height of the building to 9-storeys, measuring 27 metres in height (exclusive of mechanical) and containing 252 dwelling units and one commercial unit at grade.

The overall gross floor area of the development was increased by 168 square metres to approximately 15,953 square metres, of which approximately 122 square metres are proposed for a commercial unit at grade. The overall floor space index has increased to 3.96 times the gross site area, or 3.99 times the lot area after lands are conveyed for the road widening.

The application continues to propose that the site be accessed from a driveway at the south property limit. The driveway provides access to the underground parking and the servicing areas. A total of 217 vehicular parking spaces are proposed in three levels of underground parking. A total of 255 bicycle parking spaces are proposed, of which 227 will be for residential long term use, 25 for residential short term use, and 3 for commercial short term use.

The following table compares key elements of the two submissions:

	December 2018	September 2019
Lot Area	4,030 m2	4,030 m2
Building Height- Storeys	10-storeys	9-storeys
Building Height- Metres	30 metres	27 metres
Floor Space Index - gross	3.92	3.96
Gross Floor Area -Total	15, 785 m2	15, 953.3 m2
Gross Floor Area- Residential	15,551.6 m2	15,830.9 m2
Gross Floor Area- Commercial	232.4 m2	122.4 m2
Total Dwelling Units	222	252
Bachelor Unit	0	4
1-bedroom Unit	170	188

	December 2018	September 2019
2-bedroom Unit	30	36
3-bedroom Unit	22	24
Indoor Amenity Space	447 m2	504 m2
Outdoor Amenity Space	508 m2	532 m2
Vehicular Parking- Total	192	217
Bicycle Parking- Total	223	255

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

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

The September 2019 proposal was appealed to the LPAT on June 15, 2020 due to the lack of a decision by City Council. A Case Management Conference was held on September 21, 2020.

See Attachment 1 of this report for the Application Data Sheet, Attachment 5 for the Site Plan drawing and Attachment 6a through 6d for building elevation drawings.

Site and Surrounding Area

The subject site is located on the east side of O'Connor Drive, southwest of the Eglinton Avenue East and Victoria Park Avenue intersection. The site is irregular in shape with an overall site area of 4,030 square metres, a frontage of 84.39 metres along O'Connor Drive and a lot depth of 85.38 metres along the south boundary narrowing to 50 metres in depth along the north property limit. The lands are currently occupied by a 1-storey automotive use that is proposed to be demolished.

Development within the vicinity of the site is as follows:

North: Immediately north of the site is a 1-storey commercial plaza. Further north is a car rental establishment, an office building, commercial uses, and low density residential neighbourhoods. The intersection of O'Connor Drive and Victoria Park Avenue is to the north-east of the subject site.

East: A vacant lot exists at 1460 Victoria Park Avenue. Further east of the site are retail uses along Victoria Park Avenue and residential neighbourhoods beyond.

South: Residential buildings ranging in height from 4 to 10-storeys.

West: Residential dwellings in the form of townhouses and detached dwellings.

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.

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The Provincial Policy Statement (2020) (the "PPS") provides policy direction province-wide 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 use and management of land and infrastructure;
- ensuring the sufficient provision of housing to meet changing needs and affordable housing;
- ensuring opportunities for job creation;
- ensuring that appropriate transportation, water, sewer and other infrastructure is available to accommodate current and future needs; and
- protecting people, property and community resources by directing development away from natural or human-made hazards.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships 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 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 Council shall also be consistent with the PPS.

The PPS is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation.

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 (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan (2020)") came into effect on August 28, 2020. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region (the "GGH region"), of which the City forms an integral part. The Growth Plan (2020) 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 (2020), 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;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space, and better connected 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 (2020) 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 (2020) 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 (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2020).

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.

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. 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 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 Council shall also be consistent with the PPS and conform with Provincial Plans.

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 are summarized in the Comments section of this Report.

Toronto Official Plan

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 application is located on lands shown as Avenues on Map 2 - Urban Structure of the Official Plan and Mixed Use Areas on Map 20, Land Use Plan. Intensification is anticipated along Avenues and within Mixed Use Areas.

Mixed Use Areas will absorb most of the anticipated increase in retail, office and service employment in Toronto in the coming decades, as well as much of the new housing but not all Mixed Use Areas will experience the same scale or intensity of development. The Official Plan states that "Mixed Use Areas are made up of a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities".

Section 2.2.3 of the Plan identifies that:

- The Avenues are important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities while improving the pedestrian environment, the look of the street, shopping opportunities and transit service for community residents.
- The Avenues will be transformed incrementally. They will change building-by-building over a number of years. The framework for new development on each Avenue will be established by a new zoning by-law and design guidelines created in consultation with the local community. The zoning by-law will set out the mix of uses, heights, densities, setbacks and other zoning standards.

- Ultimately, all Avenues should perform this "main street" role and become meeting places for local neighbours and the wider community. Avenues that are characterized by one and two storey commercial buildings, vacant and underutilized lands and large areas of surface parking will be the priorities for future Avenue Studies.

An Avenue Study for O'Connor Drive, from Sandra Road to Victoria Park Avenue, was undertaken by the City of Toronto in 2006 and completed in 2012. The O'Connor Drive Avenue Study included the adoption of an Official Plan Amendment No. 207 (Site and Area Specific Policy 400) and Urban Design Guidelines which are to be used to guide public realm improvements and to assess future development proposals within the Avenue. The Official Plan Amendment establishes local objectives for the study area and sets out how the urban design guidelines will be used to provide direction for future development and improvements to the public realm along O'Connor Drive. The objectives for O'Connor Drive are:

- contribute to the vision of the desired urban structure for the area;
- support the range of permitted uses including residential, employment, retail and institutional while contributing to the vitality of the area;
- enhance, improve or add to the public realm;
- provide appropriate relationships between buildings, and between buildings and the public realm by addressing matters such as massing, setbacks, and step-backs;
- provide high quality architecture, site planning, and landscape design;
- provide active at grade uses in support of a dynamic, interesting and safe street life; and
- encourage environmental sustainability.

The northerly portion of O'Connor Drive, where the subject site is located, is identified as an emerging main street area in SASP 400. Applications for development on lands designated Mixed Use Areas are to provide an urban design plan which provides an appropriate transition in scale to adjacent uses, consolidates vehicular access to the site and provides for active uses at grade.

Zoning

Zoning By-law 569-2013 zones the property CR 1.0 (c1.0, r1.0) SS3 (x87). This zoning category permits a range of commercial and residential uses having a combined maximum floor space index of 1.0 times the lot area. The maximum building height permitted in the CR zone is 11 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/>

The site is also subject to the former City of North York Zoning By-law 7625, as amended. The site is zoned C1(5) in By-law 7625, which permits a range of commercial uses at a maximum coverage of 33.3%.

The C1(5) zone also permits all uses permitted in the R5 and RM5 zone which includes one-family detached dwellings, apartment house dwellings, duplexes, multiple attached dwellings, home occupations, recreational, and institutional uses.

Design Guidelines

The following design guidelines will be used in the evaluation of this application:

- O'Connor Drive Urban Design Guidelines
- O'Connor Drive Avenue Study- Implementation Plan for Streetscape and Other Public Space Improvements
- Mid-Rise Building Performance Standards
- Growing Up: Planning for Children in New Vertical Communities
- 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 been submitted. The applicant has appealed their Site Plan Control application to the LPAT.

Reasons for Application

Amendments to the former City of North York By-law 7625, as amended, and Zoning By-law 569-2013 are required to permit the proposed gross floor area, building height, building setbacks and parking requirements, amongst other development standards to implement the proposed development.

Agency Circulation

The application together with the submitted reports have been circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and will be used to formulate appropriate Zoning By-law standards.

Community Consultation

A Community Consultation meeting was held on April 25, 2019 at the O'Connor Community Centre. Approximately 30 members of the public were in attendance, in addition to the applicant, City Planning staff, and the local Ward Councillor. The adjacent Ward Councillors in Scarborough and Toronto East York Districts were made aware of this application and the Community Consultation meeting as the subject site is in close proximity to the Ward boundaries and were invited to the Community Consultation Meeting.

Key issues raised at the Community Consultation Meeting included:

- Concerns that the height proposed was too tall and questions about how it will relate to existing buildings in the area, including the 4-storey condominium immediately south of the site.

- Some attendees identified that a lower height (4 storeys) or even townhouses were more appropriate for this site.
- The number of parking spaces provided were not sufficient for both the residential units and the commercial use.
- Concerns that the commercial use will generate a lot of parking requirements and traffic.
- Concerns with how site is accessed, location of driveway and possible conflicts with the O'Connor Drive road curvature.
- Some attendees suggested the driveway and garage/servicing be moved to the north side of the building.
- Suggestion that the City look at installing a centre turn lane along O'Connor Drive, a traffic light, or crosswalk.
- Concerns with loss of privacy and shadow impacts on the residential buildings to the south.
- Concerns with another building being located close to the existing residential building and the overlook and loss of privacy.
- Question regarding how much, if any affordable housing is proposed as part of this development. Attendee suggested some be provided.
- There was concern with construction timing, noise and disruption.
- Questions about the potential O'Connor Drive road realignment and the impact that may have on this site and development.

The issues raised by the public are analyzed and addressed in the comments section of this report.

COMMENTS

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (2020) (the PPS), and the Growth Plan for the Greater Golden Horseshoe (2020) are high-level and broad reaching policy documents. The PPS provides policy direction on matters of provincial interest related to land use planning and development. Key policy objectives include: building strong communities, wise use and management of resources, and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Council's planning decisions are required, by the Planning Act, to be consistent with the PPS.

The PPS and the Growth Plan (2020) encourage intensification and redevelopment in urban areas and direct planning authorities to identify appropriate locations for growth. Intensification and redevelopment is to be provided in areas that take into account the existing building stock or area, and availability of infrastructure and public service facilities that meet projected needs. Within this framework, Policy 4.6 of the PPS recognizes that the Official Plan is the most important vehicle for the implementation of the PPS and assists in implementing the Growth Plan by setting out appropriate land use designations and policies. The City of Toronto Official Plan establishes areas for intensification and includes policies to encourage intensification, provided that this can occur in the context of other applicable policies.

The City's Official Plan contains clear, reasonable and attainable policies that protect provincial interests and direct development to suitable areas while taking into account the existing building stock and protects the character of the area consistent with the direction of the PPS. Although the sites location on an Avenue contemplates growth, the proposal does not address other relevant matters of the Official Plan as discussed in this report.

Policy 1.5.1 of the PPS states "Healthy, active communities should be promoted by: (a) planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity." The applicant's current proposal does not propose to animate the street with active uses at grade, instead the applicant proposes to have residential uses lining O'Connor Drive, an Avenue in the Official Plan, not accessed directly from the public street. With a small amount of non-residential gross floor area at grade, the proposed residential use at grade does not animate the Avenue, nor does it foster the social interaction which could be achieved by having non-residential uses that are directly accessed from O'Connor Drive. The proposed residential building with a small non-residential component at grade requires revisions in order to meet the objectives of the PPS and the Official Plan. Staff are of the opinion that the residential units at grade should be replaced with non-residential uses, with direct access to O'Connor Drive in order to meet the direction of the PPS and the SASP. The revisions would ensure an appropriate mix of residential and non-residential uses within the building as well as improvements to the pedestrian realm along O'Connor Drive.

The Growth Plan (2020) 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. The Growth Plan strives, among other goals, to direct growth to areas of urban intensification. It requires municipalities to set clear targets for population and employment growth.

The Growth Plan identifies that municipalities are obligated to undertake integrated planning to manage forecasted growth to the horizon of the Growth Plan which provides direction for urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact urban form. Complete communities are identified by the Growth Plan (Policy 2.2.1.4) as places such as mixed-use neighbourhoods that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living. Complete communities are age-friendly, and may take different shapes and forms appropriate to their contexts. The creation of a walkable neighbourhood that is characterized by a well-connected network of streets, sidewalks with minimal interruptions for vehicle access, and a pedestrian-friendly environment along public streets that encourages active transportation is required for this site. Site and Area Specific Policy 400 and the associated O'Connor Urban Design Guidelines provide built form and public realm direction for O'Connor Drive between Sandra Road and Victoria Park Avenue to ensure the development of a complete community as per the Growth Plan.

Staff have reviewed the proposal against the policies of the Growth Plan. It is the opinion of staff that the proposal requires modifications in order to address the policies contained within the Official Plan and to better relate the proposed development to O'Connor Drive. In its current form, the application does not conform with the Growth Plan for the Greater Golden Horseshoe.

Site Organization and O'Connor Road Realignment

The applicant's proposal is massed in a manner that compromises the public realm and is not in keeping with the objectives of SASP 400 or the direction of the O'Connor Drive Urban Design Guidelines. Increased setbacks are required along O'Connor Drive, at the northern limit of the site, and at the southern limit of the site, in order to improve the public realm, provide safe pedestrian connections, create more rational spaces on the subject site, and facilitate the proposed private shared driveway/private street. In addition to the greater setbacks, additional non-residential space at grade is required in order to contribute towards an animated and attractive pedestrian environment. Although explained in greater detail below, it is the opinion of staff that these setbacks, in addition to increased non-residential uses at grade, can be accommodated on site and still result in a viable midrise development proposal.

As part of the Golden Mile Secondary Plan, the potential Realignment and Extension of O'Connor Drive has been identified. A public consultation process will be established as part of the Municipal Comprehensive Environmental Assessment (MCEA), where community stakeholders and landowners will have the opportunity to participate and provide further comments on the selection of alignment options, including the potential reconfiguration and alignments options for O'Connor Drive and other transportation infrastructure improvements.

The selection of the preferred alignment of O'Connor Drive as part of the MCEA process could significantly impact the subject site at 1861 O'Connor Drive and may preclude any redevelopment from occurring on the site. Staff recommend that the Site Specific Zoning By-law contain a Holding Symbol (H) that is subject to the substantial completion of the MCEA process for the Golden Mile area where the preferred alignment of O'Connor Drive would be selected to inform how best to proceed with the development of the site.

Use of Holding Symbol

The use of a Holding Symbol (H), in accordance with Section 36 of the Planning Act, is recommended to be enacted for the entire parcel until such time as Municipal Class Environmental Assessment is substantially completed and the preferred alignment of O'Connor Drive has been selected.

Land Use

Although the Official Plan Mixed Use Areas policies identify that these areas are made up of a broad range of commercial, residential, and institutional uses in single use or mixed use buildings, staff are of the opinion that a greater mix of non-residential uses at grade should be provided for as part of this application in order to meet the objectives SASP 400 as described below.

O'Connor Drive Avenue Study and SASP 400

The O'Connor Drive Avenue Study included the adoption of an Official Plan Amendment No. 207 (Site and Area Specific Policy 400) and Urban Design Guidelines which are to be used to guide public realm improvements and to assess future development proposals within the Avenue. The Official Plan Amendment establishes local objectives for the study area and sets out how the urban design guidelines will be used to provide direction for future development and improvements to the public realm along O'Connor Drive. The objectives for O'Connor Drive are:

- contribute to the vision of the desired urban structure for the area;
- support the range of permitted uses including residential, employment, retail and institutional while contributing to the vitality of the area;
- enhance, improve or add to the public realm;
- provide appropriate relationships between buildings, and between buildings and the public realm by addressing matters such as massing, setbacks, and step-backs;
- provide high quality architecture, site planning, and landscape design;
- provide active at grade uses in support of a dynamic, interesting and safe street life; and
- encourage environmental sustainability.

The property at 1861 O'Connor Drive is within the O'Connor Drive Avenue study area and identified as being within the Victoria Park /O'Connor Drive Key Intersection. This intersection is the entrance to the Avenue from the north. Existing development in this Key Intersection is suburban in character and consists of large lots with standalone one and two storey commercial buildings and surface parking. The Avenue Study identified that lands within the Victoria Park/O'Connor Drive Key Intersection are intended to be generally mid-rise, mixed-use buildings which transition downward in density, height and scale to the low rise Neighbourhood and Apartment Neighbourhoods fronting onto O'Connor Drive immediately to the south.

Site and Area Specific Policy 400 identifies that future development in key intersections will be sensitive to the adjacent land uses, will contribute towards the creation of a consistent street wall and provide room for an attractive pedestrian environment. Active uses at grade, which include commercial and retail uses are encouraged. Staff have recommended to the applicant that the uses fronting onto O'Connor Drive meet the objectives of SASP 400. There is a small commercial use proposed at the north end of the proposed building that fronts O'Connor Drive. Staff are of the opinion that additional non-residential uses (both service and retail) should be located along the O'Connor Drive frontage in order to better meet the policies of the SASP. The provision of additional non-residential uses will animate the street and contribute to an active pedestrian environment for O'Connor Drive.

The O'Connor Drive Urban Design Guidelines, for this Key Intersection, state that in the event that properties on the east side of the Key Intersection (1474 to 1861 O'Connor Drive) are consolidated, or partially consolidated, the proponent will prepare a detailed urban design master plan which will show how development will address these Urban Design Guidelines as well as:

- the location of a limited number of consolidated vehicular access points to the site;
- the organization and location of parking and consolidated service functions within the built form of the development;
- the location and conceptual design of mid-block pedestrian connections across the site; and
- the organization and conceptual design of open space on site.

Applications for individual properties, or partial consolidations, will provide a detailed three dimensional plan that will explain how their proposal would fit with potential future development on adjacent lands within the Key Intersection. The Urban Design Guidelines also contain a Conceptual Plan for Key Intersections within the document.

The applicant prepared a Massing Block Plan that reflects the planned elements in the O'Connor Drive Urban Design Guidelines Conceptual Plan. The Conceptual Plan shows Open Space at the rear of the site and a service laneway connecting O'Connor Drive and Victoria Park Avenue through the block; both elements are shown on the applicant's Massing Block Plan. Staff have identified that in order to facilitate the proposed private shared driveway/private street, a larger building setback from the south property line is required. Staff have identified that a minimum of 13 metres should be provided in order to ensure that a buffer, appropriate space for landscaping, sidewalks, grade changes and tree planting, driveway, and appropriate setback to the buildings be possible, whereas the applicant's revised proposal provides 9.6 metres. This siting will ensure that the private shared driveway/private street functions like a public street and minimizes conflicts between vehicles and other modes of movement, such as cycling and pedestrians and allows for universal accessibility, and provides an address to the open space at the rear of the building, as well as the grade related units.

The O'Connor Drive Urban Design Guidelines also identify that rear yards in this Key Intersection will be a minimum of 15 metres in depth in order to accommodate a service lane, a walkway, a landscape buffer and tree planting. The applicant's proposal currently provides for a 10 metre rear yard setback. Staff are of the opinion that the site has sufficient depth to provide the required minimum 15 metre rear yard setback while allowing the site to be developed with a mid-rise building.

Building Height and Massing

The Official Plan identifies that developments may be considered not only in terms of the individual building and site, but also in terms of how that building and site fit within the context of the neighbourhood and the City. Section 4.5 of the Official Plan sets out criteria to evaluate development within the "Mixed Use Areas" designation. All new development within "Mixed Use Areas" is required to locate and mass new buildings to frame the edge of streets, maintain sunlight and comfortable wind conditions, and locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives contained within the Plan.

These objectives are addressed by ensuring that developments provide appropriate setbacks and/or stepping down of heights, between areas of different development intensity and scale, and by locating and massing of new buildings in a manner that is sensitive and limits shadow impacts during the spring and fall equinoxes.

The O'Connor Drive Urban Design Guidelines, form part of Official Plan Amendment 207 and Site and Area Specific Policy 400, identify how new developments will fit harmoniously into the existing/planned context by ensuring that appropriate transitions in scale to adjacent uses occurs and that there are limited impacts. The guidelines are intended to foster the creation of a high quality, safe, urban environment with attractive streetscapes, pedestrian friendly open spaces and vibrant streets. The Guidelines identify: how mid-rise, mixed-use buildings should be designed; how the streetscape and pedestrian environment can be improved; where trees should be planted; and how use of the road allowance can be optimized.

The guidelines are intended to provide the tool for a co-ordinated and consistent response related to the City's development review process for development applications, and are intended to give clear guidance to the development industry, and their consultants, in the preparation of development applications. The objective is to ensure that new development is sensitive to its existing and/or planned context. The application of angular planes and building stepbacks are intended to provide a transition towards adjacent low rise residential neighbourhoods, to limit shadow impacts on neighbourhoods and to optimize sunlight for pedestrians on O'Connor Drive. The built form guidelines provide direction regarding siting, massing, and detailing of new development so that there is an attractive and well proportioned frame to the public realm and an interesting environment for pedestrians. The guidelines encourage excellence in architecture, site planning and landscape design in order to create an attractive urban corridor.

The District Structure Plan and Conceptual Plan for the Key Intersection in the O'Connor Drive Urban Design Guidelines identifies the site and adjacent properties along O'Connor Drive as locations for mid-rise buildings. The City's Avenues & Mid-Rise Buildings Study defines mid-rise buildings as buildings that are no taller than the width of their adjacent street right-of-way. O'Connor Drive has a consistent right-of-way width of 27 metres, as shown on the City's Official Plan, Map 3 -Right-of-Way Widths Associated with Existing Major Streets. Currently, the proposal is a 9-storey building with an overall building height of 27 metres, excluding mechanical penthouse. The applicant has reduced the overall building height to match the right-or-way width height, but has not provided the necessary floor-to-ceiling heights on the ground floor in order to meet the objectives of SASP 400 to provide for active non-residential uses at grade. In order to facilitate retail and commercial uses at grade, in keeping with the Site and Area Specific Policy, the ground floor height should be increased to 4.5 metres, while maintaining the overall building height maximum of 27 metres. This would likely result in the building being reduced to 8-storeys in height, excluding the mechanical penthouse.

The O'Connor Drive Urban Design Guidelines also identify that base buildings will have a minimum height of 3-storeys, and when taller than 3-storeys, a minimum building stepback above the third storey of 3 metres from O'Connor Drive is required.

In addition, a 45 degree angular plane at 80% of the O'Connor Drive right-of-way width is required, and all building mass is required to fall within this angular plane. Although the applicant's proposal complies with the 45 degree angular plane requirement, the proposed base building, fronting onto O'Connor Drive has a height of 4-storeys, with the storeys above stepped back 3 metres, but having a 2 metre balcony encroachment into the required 3 metre setback.

In order to achieve a walkable neighbourhood that is well-connected and pedestrian-friendly, greater setbacks at grade are required as part of the proposal. The O'Connor Drive Urban Design Guidelines identify pedestrian linkages for this key intersection. Although the applicant has proposed a pedestrian walkway at the north side of the site, the walkway width has been shown at 2.5 metres. Staff are of the opinion that a walkway with a greater width of 5.5 metres would be more appropriate at this location which would allow for landscaping, lighting, and an improved pedestrian experience to the POPs at the rear of the site. Staff are also of the opinion that a greater setback along O'Connor Drive should be provided. Staff are of the opinion that this setback should be increased to 3 metres, to comply with the minimum 3 metre front yard setback as per the O'Connor Drive Urban Design Guidelines. The greater setback would allow for a wider and more attractive pedestrian environment and allow the grade changes to be resolved more fully.

The built form policies of the Official Plan identify that new development will frame and support adjacent street by locating main building entrances so that they are clearly visible and directly accessible from the public sidewalk. The proposal currently shows the main building entrance at the north elevation, tucked behind the commercial unit, with no direct access from the public sidewalk, and with minimal visibility from the public realm. Staff are of the opinion that the main building entrance should be located fronting onto O'Connor Drive and directly from the public sidewalk. This will improve the buildings connection to O'Connor Drive and give the residential entrance prominence.

Staff have reviewed the applicant's proposal and have identified to the applicant that the building massing and setbacks require revision in order to be more in keeping with the Built Form Policies of the Official Plan, the development criteria contained within the Mixed Use Areas designation, SASP 400, and the standards contained within the O'Connor Drive Avenue Study.

Sun, Shadow, Wind

The applicant was required to submit a sun/shadow study illustrating the shadows that will be generated by the proposed development. The applicant's shadow study demonstrates that there will be some shadow impact on the lands designated Neighbourhoods on the west side of O'Connor Drive during the hours of 9:18 and 10:18 am in March and September. Staff have provided the applicant with a concept sketch for this site, which reduces the building length, and has moved the building massing to the southern portion of the development site. The modifications as proposed by City staff will assist in mitigating the shadow impacts on the Neighbourhoods.

Traffic Impact, Parking, and Loading

The applicant's traffic engineering consultant LEA Consulting Ltd submitted a Transportation Impact Study (TIS) report dated December 2018. The consultant report concludes that the new site related traffic activity can be acceptably and appropriately accommodated on the area road network. Transportation Services have indicated that they generally accept the methodology and conclusions in the applicant's study for this individual site.

Engineering and Construction Services has advised that this development application must be reviewed in conjunction with the ongoing "Golden Mile Secondary Plan" boundary expansion project initiated by City Planning, Scarborough District. Any and all traffic impacts on the adjacent road network along with transportation needs deemed necessary to accommodate projected growth from the Golden Mile Secondary Plan must be reviewed as part this development application.

Access to the site is via a driveway located at the south end of the site. Staff have identified that a minimum building setback to the south property limit, currently shown at 9.6 metres, should be increased to 13 metres in order to ensure that the shared private driveway/private street, functions like a street and is designed in a way that minimizes conflicts between vehicles and other modes of movement, such as cycling and pedestrian movements and allows for universal accessibility.

The site is governed by North York Zoning By-law No. 7625. However, Zoning By-law No. 569-2013 was developed by City staff in order to update the parking requirements for developments. This By-law was adopted by City Council in April 2013. The parking provisions contained in this By-law have been accepted by staff on recent development projects, where appropriate, as the associated parking standards are based on more recent information when compared to the former North York Zoning By-law. As a result, parking for this project is required to be provided in accordance with Zoning By-law No. 569-2013, Policy Area 4.

Given the above, a summary of the parking requirement for this project are provided in the following table:

Use	Scale	Parking Rate ¹	No. of Spaces Required
Residential			
Bachelor	4 units	0.7 spaces per unit	2
1 Bedroom	188 units	0.8 spaces per unit	150
2 Bedrooms	36 units	0.9 spaces per unit	32
3 Bedrooms	24 units	1.1 spaces per unit	26
Visitors	252 units	0.15 spaces per unit	37
Retail/Commercial	122 m ²	1.0 space per 100m ²	1
Sub-Total Residents			210
Sub-Total Visitors			37
Sub-Total Retail/Commercial			1
Total			248

The applicant submitted a Site Plan Control application in March 2020. The following table provides the breakdown between the minimum required and the proposed parking for the subject site.

Use	No. of Spaces Required	No. of Spaces Provided
Residential	210	175
Visitor	37	25
Retail	1	1
Car-Share	N/A	2
Net Parking Space Reduction	(-6)	N/A
Total	242	203

A total of 203 parking spaces (175 residential parking, 25 visitor parking spaces and 1 retail/commercial space) are proposed to be provided for this project. As such, there is a shortfall of 39 spaces from the by-law requirement, which include the net reduction of 6 spaces from 2 car-share spaces provided. Transportation Services has identified that they will require that the proposed parking to meet the minimum by-law requirement until such time as appropriate documentation is submitted for review and approval, which justifies an alternate parking supply.

By-law 579-2017 requires a minimum of 5 accessible parking spaces for the first 100 parking spaces, plus 1 space per additional 50 spaces above 100 spaces. As per By-law 579-2017, seven accessible parking spaces for this development are required. A total of 7 accessible parking spaces are proposed for the subject site which satisfies the minimum required under By-law 579-2017.

Similar to the parking requirements, loading space requirements are also governed by North York By-law 7625. However, Zoning By-law 569-2013 will apply. The minimum loading space requirement is one (1) Type G space, which is being proposed.

Road Widening

In order to satisfy the Official Plan requirement of a 27 metre right-of-way for this segment of O'Connor Drive, a 0.4 metre road widening dedication along the O'Connor Drive frontage of the subject site is required and is proposed to be conveyed to the City with this application. O'Connor Drive currently has a width of approximately 26.21metres. The widening will be required to be conveyed to the City, free of encumbrances, for a nominal sum.

Streetscape

City Council, at its meeting of July 7, 8, 9, 2015 requested the Director, Urban Design, City Planning in consultation with Transportation Services, Parks, Forestry and Recreation and Economic Development and Culture, to develop an implementation plan for streetscape and other public realm improvements identified through the O'Connor Drive Avenue Study and contained in the O'Connor Drive Avenue Study Urban Design Guidelines adopted by Council on November 27, 28 and 29, 2012.

The purpose of the implementation plan is to provide further detail and coordinated design input for capital projects along O'Connor Drive in the 2016-2020 capital plan. The O'Connor Drive Streetscape Masterplan Project began in the fall of 2017, studying the same boundaries as the Avenue Study, to provide a comprehensive look at the area and recommend various design solutions to improve the streetscape along O'Connor Drive. The details for this section of O'Connor Drive have not been finalized, but the O'Connor Urban Design Guidelines identify street trees planted in planters with an additional row of trees planted at the property line. Staff have requested that for this section of O'Connor Drive, street trees should be planted in planters, with an additional row of trees planted at the property line. The applicant is proposing to plant street trees in sod.

Solid Waste

Solid Waste Management has reviewed this proposal. They have indicated that based upon the information available, Solid Waste Management will provide bulk lift compacted garbage, recycling and organic collection services to the residential component of the development. The commercial component of this development is ineligible for City of Toronto collection, and is required to store, transport and make arrangements for collection of all waste materials separately from the residential component.

Housing Issues

Section 3.2.1 of the City's Official Plan states that a full range of housing will be provided and maintained to meet the needs of current and future residents. The Growth Plan (2020) also contains policies 2.2.1.4, 2.2.4.9 and 2.2.6.4 to support the development of affordable housing and a range of housing to accommodate the needs of all household sizes and incomes. The Council-adopted Growing Up: Planning for Children in New Vertical Communities urban design guidelines provide guidance on the proportion and size of larger units in new multi-unit residential developments.

Housing Policy staff have reviewed the applicant's proposal and have indicated that the provision of 24 (10%) three-bedroom units adequately supports the unit mix objectives of the Growing Up guidelines, Official Plan housing policies, and the Growth Plan's growth management and housing policies to accommodate a broad range of households, including families with children within new developments. However, the provision of 36 (14%) two-bedroom units does not adequately support these objectives. The proposal should be revised to provide a minimum of 25% of the residential units as larger (two-bedroom or larger) units.

The average proposed two-bedroom unit size is 75 square meters, and the average proposed three-bedroom unit size is 93 square meters. These unit sizes do not adequately support the unit size objectives of the Growing Up guidelines, which note that two-bedroom units should range in size from 87-90 square meters and three-bedroom units should range in size from 100-106 square meters. The applicant has been requested to revise their proposal to meet the minimum size requirements.

Open Space/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. Map 8B of the Toronto Official Plan shows local parkland provisions across the city. The lands which are the subject of this application are in an area with 0 to 0.42 hectares of local parkland per 1,000 people. The site is in the lowest quintile of current provision of parkland. The site is in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The residential component of this proposal is subject to a cap of 10% parkland dedication while the non-residential component is subject to a 2% parkland dedication.

The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. The appraisal will be conducted upon the submission of an application for the first above ground building permit and is valid for six months. Payment will be required prior to the issuance of permits.

Privately-Owned Publicly Accessible Open Space (POPS)

The O'Connor Drive Urban Design Guidelines show a conceptual design of an open space in the middle of the Key Intersection lands accessed by mid-block pedestrian connections. A small POPS is proposed at the northeast corner at the site. Staff have concerns with the POPS location, accessibility, and potential conflicts with vehicular and loading uses. Staff have presented a revised concept to the applicant that has the outdoor amenity space adjacent to lands for a POPS. The provision of the two spaces adjacent to one another provide for an improved site organization as well as increase the usability and size of the proposed centralized open space area as identified in the Guidelines.

Staff recommend that the POPS provided as part of this development be secured in the Section 37 Agreement as a legal mechanism and its final design be secured through the Site Plan Control approval process.

Residential Amenity Area

Section 3.1.2.6 of the Official Plan states that every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the new development. Within the proposed development, the applicant proposes to provide approximately 504 square metres of common residential indoor amenity space.

The applicant proposes 532 square metres of outdoor residential amenity space as part of their application. The proposed amount of indoor and amenity space meets the minimum requirement of 2 square metres of each per dwelling unit. The applicant's proposal to locate outdoor amenity space adjacent to indoor amenity areas is appropriate as it improves connectivity and use of these areas.

Tree Preservation

The applicant submitted an Arborist Report and Tree Plan with their submission. The proposal seeks to remove 9 City-owned trees and injure/remove 10 privately owned trees. The applicant proposes to plant 8 new street trees along O'Connor Drive. Urban Forestry Services requires additional information for the proposed street trees. Urban Forestry Services has requested the applicant to have the arborist report revised to show the extent of injury to existing street trees for the sidewalk widening.

Urban Forestry Services has indicated that they would like the applicant to explore the opportunity to retain some of the City-owned trees as they are healthy. In addition, they have identified that the proposed landscape plan shows 12 new trees on private property. Eight of the proposed trees are pyramidal hornbeam trees and will not count towards the 12 replacement trees as they are not considered large growing shade trees.

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. Performance measures for the Tier 1 development features will be secured within the Site Specific Zoning By-law for the site and on the appropriate plans through the Site Plan Approval process.

Community Services Assessment

The City's Official Plan Policy 2.3.1.6 identifies that community and neighbourhood amenities will be enhanced where needed by improving and expanding facilities, creating new facilities and adapting existing services to changes in the needs of the neighbourhood. Section 3.2.2 of the Official Plan calls for adequate and equitable access to community services and local institutions, and sets out a policy framework that, among other things, encourages the inclusion of community service facilities as part of private development.

A Community Services and Facilities Study (December 2018) was submitted as part the application for the area bounded by O'Connor Drive and Hobson Avenue to the west, Pharmacy Avenue and Warden Avenue to the east, St Clair Avenue East to the south, and the Hydro corridor to the north. It concludes that the introduction of a new residential mid-rise building on the site will not significantly increase pressure on services that are already provided in the community.

Based on the information and analysis provided and recent work completed in the area, City Policy staff cannot support the applicant's conclusion and have identified a number of CS&F contributions that may be considered in review of this application. These contributions include: securing a non-profit, licensed child care facility (62 spaces) to be integrated at the base of the proposed development to respond to existing gaps and growth; securing financial contributions towards improvement to existing recreation facilities in the surrounding community; and/or securing on-site community agency space (minimum 5,000-10,000 ft² or 465-929 m²) as per the terms of the City's Community Space Tenancies policy.

Schools

The application was circulated to both the Toronto Catholic District School Board and the Toronto District School Board. Both School Boards have indicated that there is sufficient space at local schools to accommodate students from this development. The impact from this development is insufficient to require any warning clauses, which would normally be requested.

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. As the application is seeking an increase in height and density, and meets the threshold, a Section 37 contribution would be warranted if this application were approved in some form. Staff will work with the applicant regarding Section 37 contributions for this development.

Conclusion

The proposal has been reviewed against the policies of the PPS 2020, the Growth Plan (2020), and the Toronto Official Plan. Staff are of the opinion that the proposed development, in its current form, has elements that are not consistent with the PPS and do not conform with the Growth Plan and the Official Plan. Furthermore, the following staff and community concerns have not been resolved:

- Provision of service, retail and commercial uses along O'Connor Drive to meet the objectives of this Key Intersection as an emerging main street area;
- Site Organization;
- Building height, massing and setbacks;
- Community Services and Facilities;
- The provision of adequate amount, mix, and family sized housing units;
- Site access and parking provision;
- Compliance with the O'Connor Drive Avenue Study and the emerging direction of the Golden Mile Secondary Plan; and
- The provision of Section 37 benefits.

Staff recommend that City Council direct City Staff to continue to review the application and resolve outstanding issues detailed in this report. City Council direct the City Solicitor, and appropriate City Staff, to attend and oppose the application in its current form, as per the issues identified in this report.

CONTACT

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SIGNATURE

Giulio Cescato, Acting Director
Community Planning, North York District

ATTACHMENTS

City of Toronto Data/Drawings

Attachment 1: Application Data Sheet
Attachment 2: Location Map
Attachment 3a: Official Plan Land Use Map
Attachment 3b: Site and Area Specific Policy Map
Attachment 4: Existing Zoning By-law Map

Applicant Submitted Drawings

Attachment 5: Site Plan
Attachment 6a: West Elevation
Attachment 6b: East Elevation
Attachment 6c: North Elevation
Attachment 6d: South Elevation

Attachment 1: Application Data Sheet

Municipal Address 1861 O'CONNOR DR
Application Number: 18 269227 NNY 16 OZ
Application Type: OPA / Rezoning, Rezoning

Date Received: December 17, 2018

Project Description: 9 storey mixed-use building containing 252 residential units, one commercial unit on the ground floor and three levels of underground parking

Applicant
GOLDBERG GROUP

Owner
10285773 CANADA CORP

EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas and Apartment Neighbourhoods

Site Specific Provision: N

Zoning: CR 1.0 (c1.0; r1.0) SS3 (x87)

Heritage Designation: N

Height Limit (m): 11m

Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 4,030 Frontage (m): 84 Depth (m): 85

Building Data	Retained	Proposed	Total
Ground Floor Area (sq m):	928	2,324	2,324
Residential GFA (sq m):		15,831	15,831
Non-Residential GFA (sq m):	928	122	122
Total GFA (sq m):	928	15,953	15,953
Height - Storeys:	1	9	9
Height - Metres:		27	27
Lot Coverage Ratio (%): 57.66	Floor Space Index: 3.96		

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	15,774	57
Retail GFA:	122	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure

	Existing Retained	Proposed	Total
Rental:			
Freehold:			
Condominium:		252	252
Other:			
Total Units:		252	252

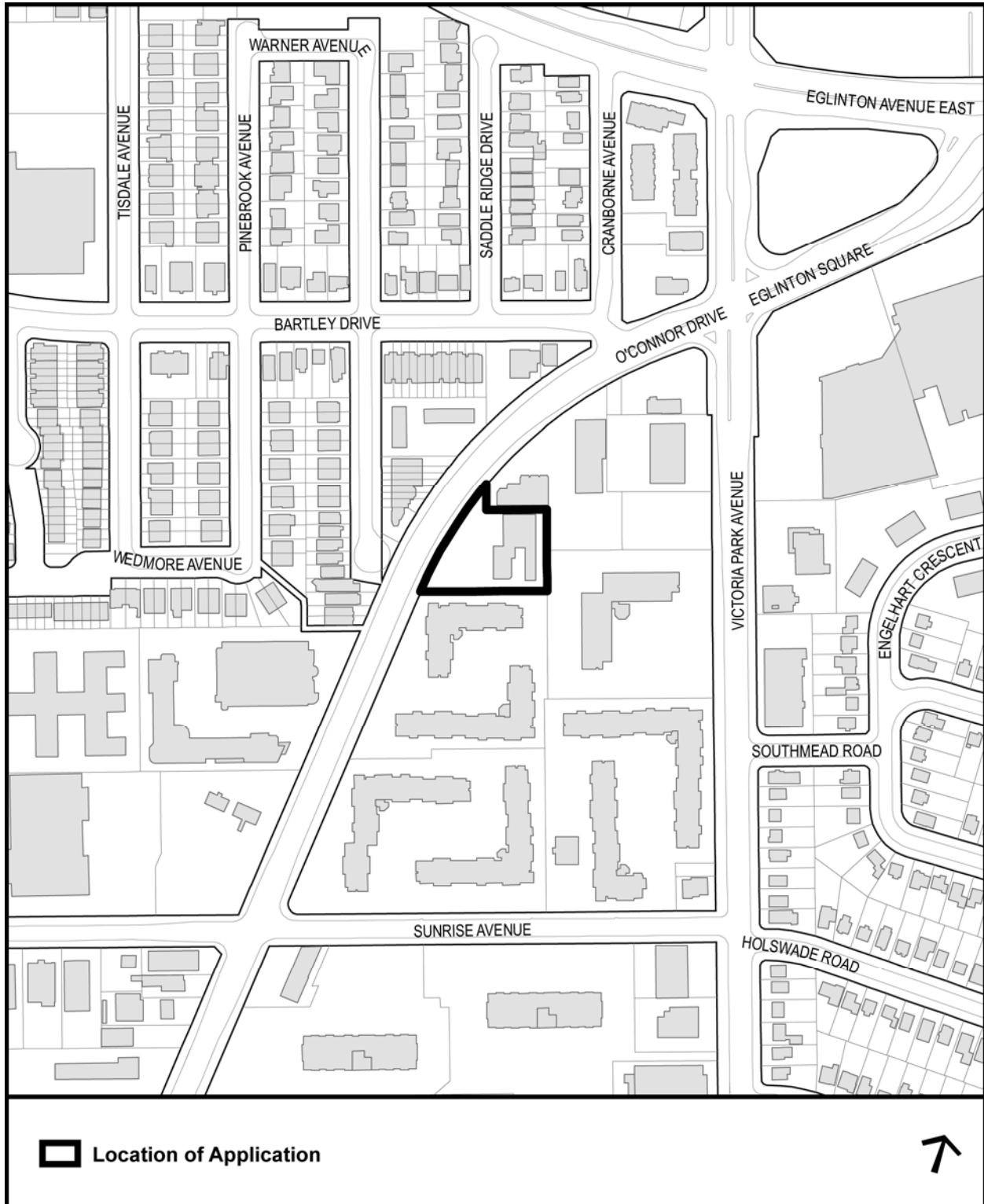
Total Residential Units by Size

Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:				
Proposed:	4	188	36	24
Total Units:	4	188	36	24

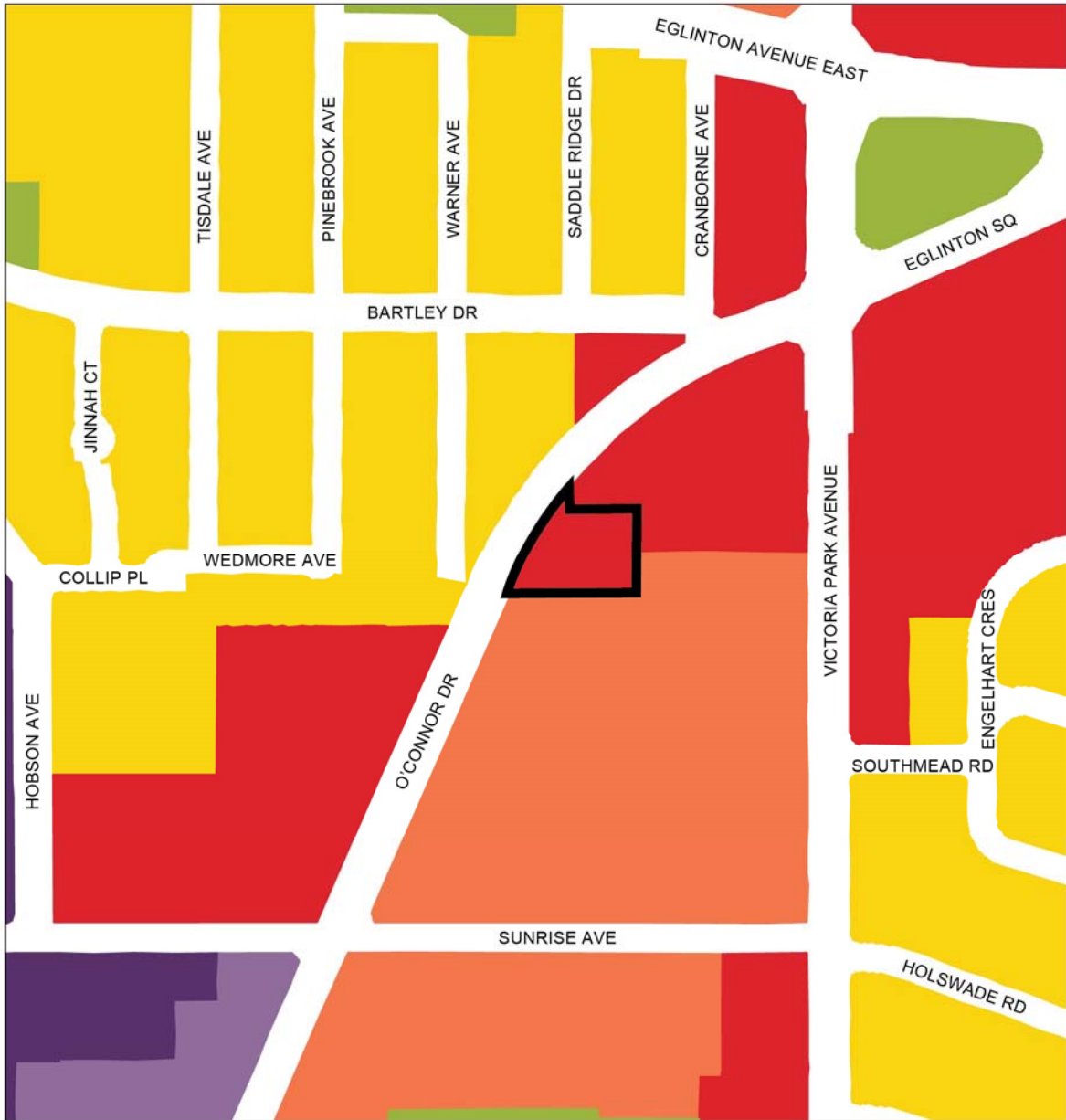
Parking and Loading

Parking Spaces: 217 Bicycle Parking Spaces: 255 Loading Docks: 1
Request for Direction Report - 1861 O'Connor Drive

Attachment 2: Location Map



Attachment 3a: Official Plan Land Use Map



1861 O'Connor Drive

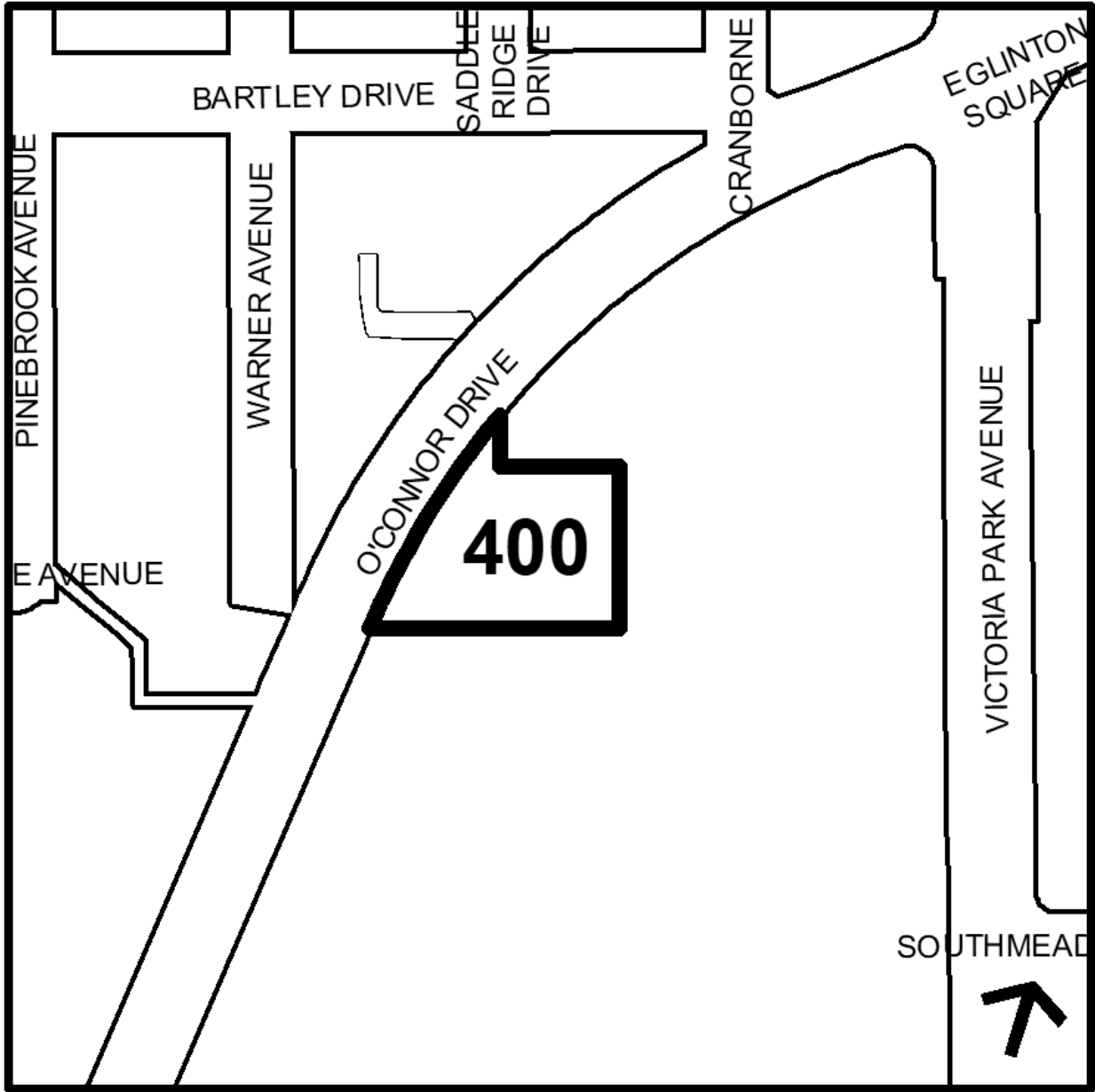
Official Plan Land Use Map #20

File # 18 269227 NNY 16 0Z

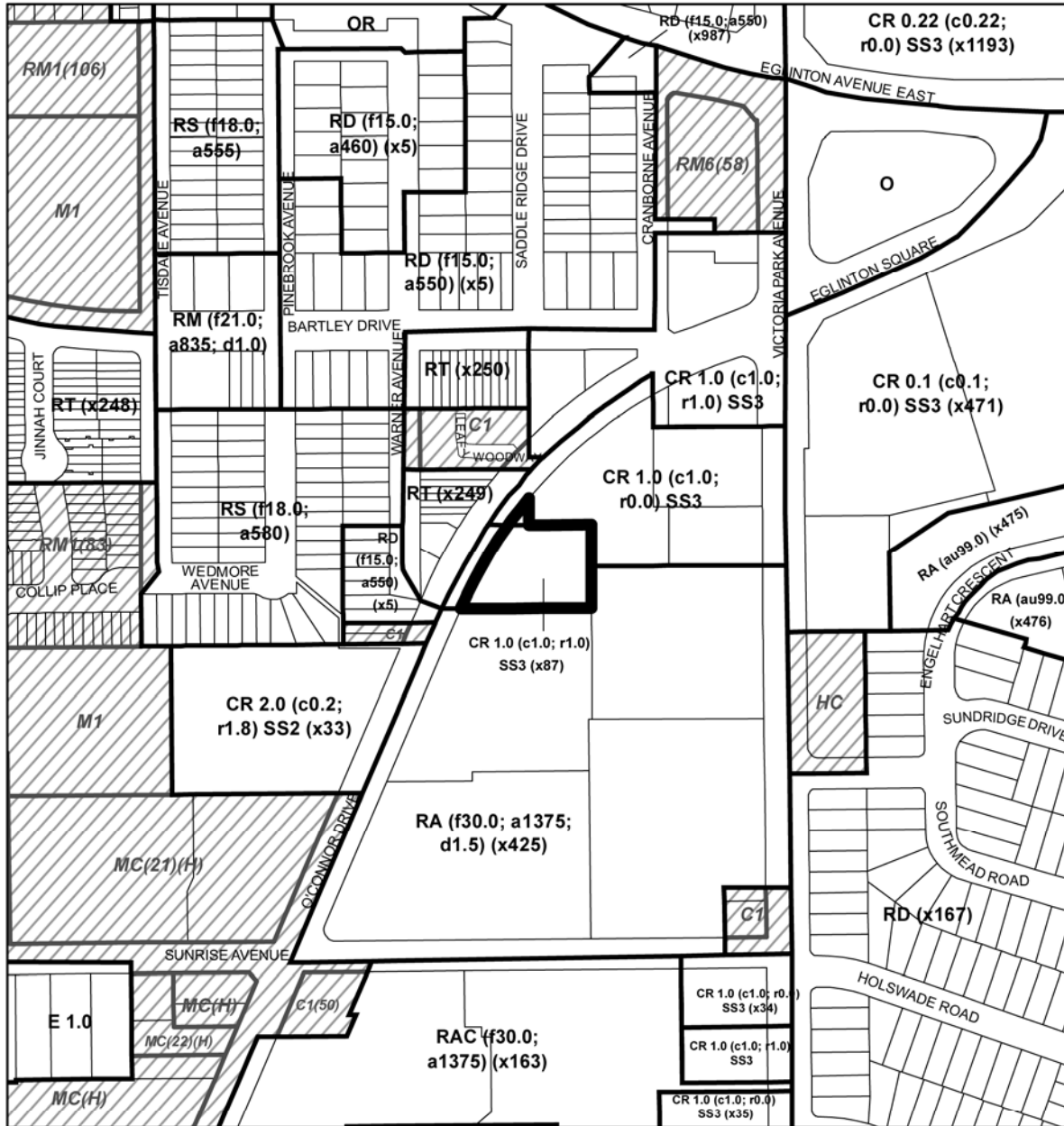
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|--|--|--|
|  Location of Application |  Parks & Open Space Areas |  General Employment Areas |
|  Neighbourhoods |  Parks |  Core Employment Areas |
|  Apartment Neighbourhoods | | |
|  Mixed Use Areas | | |

↑
Not to Scale
07/23/2020

Attachment 3b: Site and Area Specific Policy Map



Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

1861 O'Connor Drive

File # 18 269227 NNY 16 0Z

Location of Application

See Former City of North York By-Law No. 7625

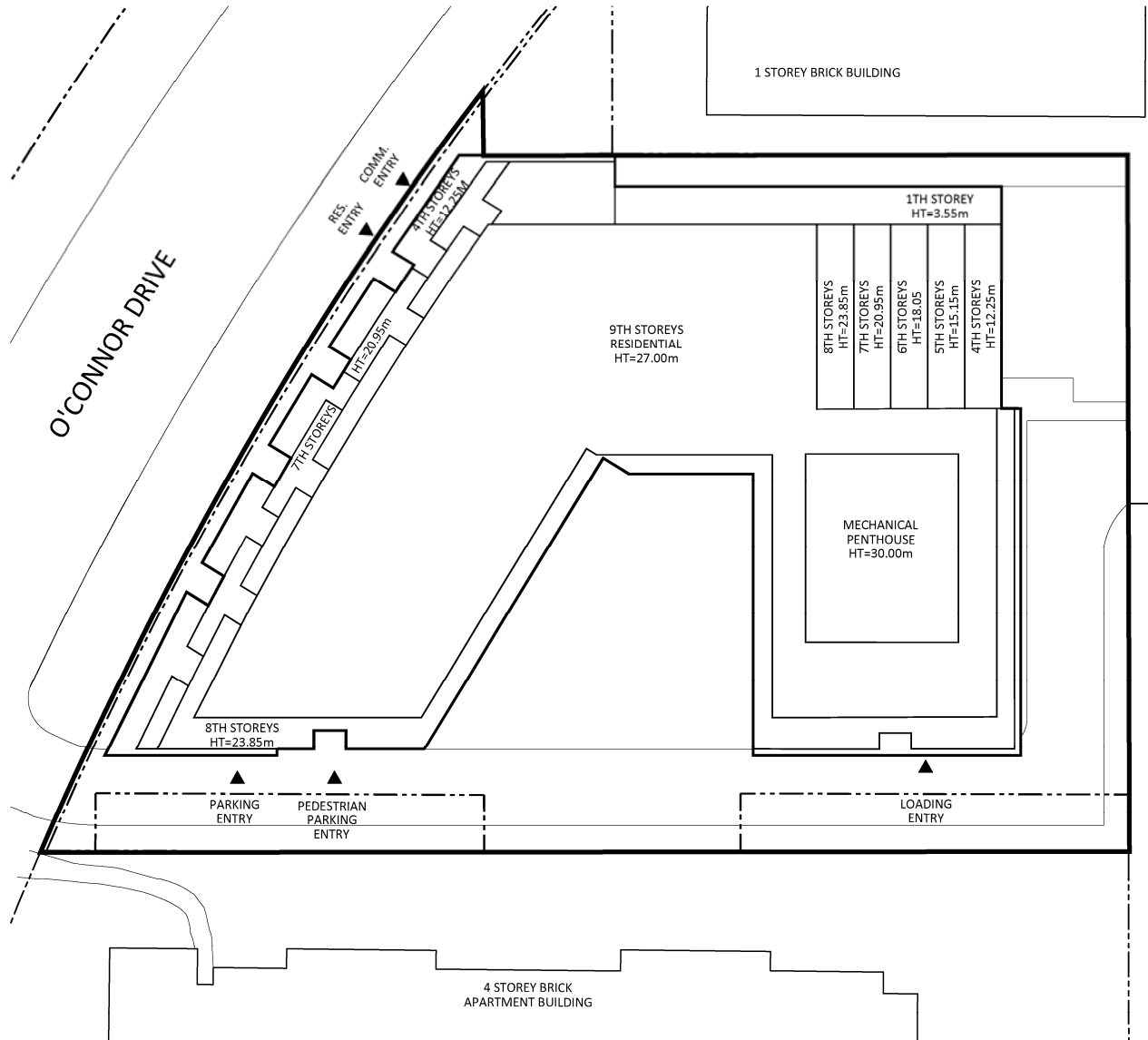
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|------------------------------|--------------------------------------|
| RD Residential Detached | RAC Residential Apartment Commercial |
| RS Residential Semi-Detached | CR Commercial Residential |
| RT Residential Townhouse | E Employment Industrial |
| RM Residential Multiple | O Open Space |
| RA Residential Apartment | OR Open Space Recreation |

- | |
|--|
| RM1 Multiple-Family Dwellings First Density Zone |
| RM6 Multiple-Family Dwellings Sixth Density Zone |
| C1 General Commercial Zone |
| M1 Industrial Zone One |
| MC Industrial-Commercial Zone |
| HC Highway Commercial |



Not to Scale
Extracted: 01/21/2019

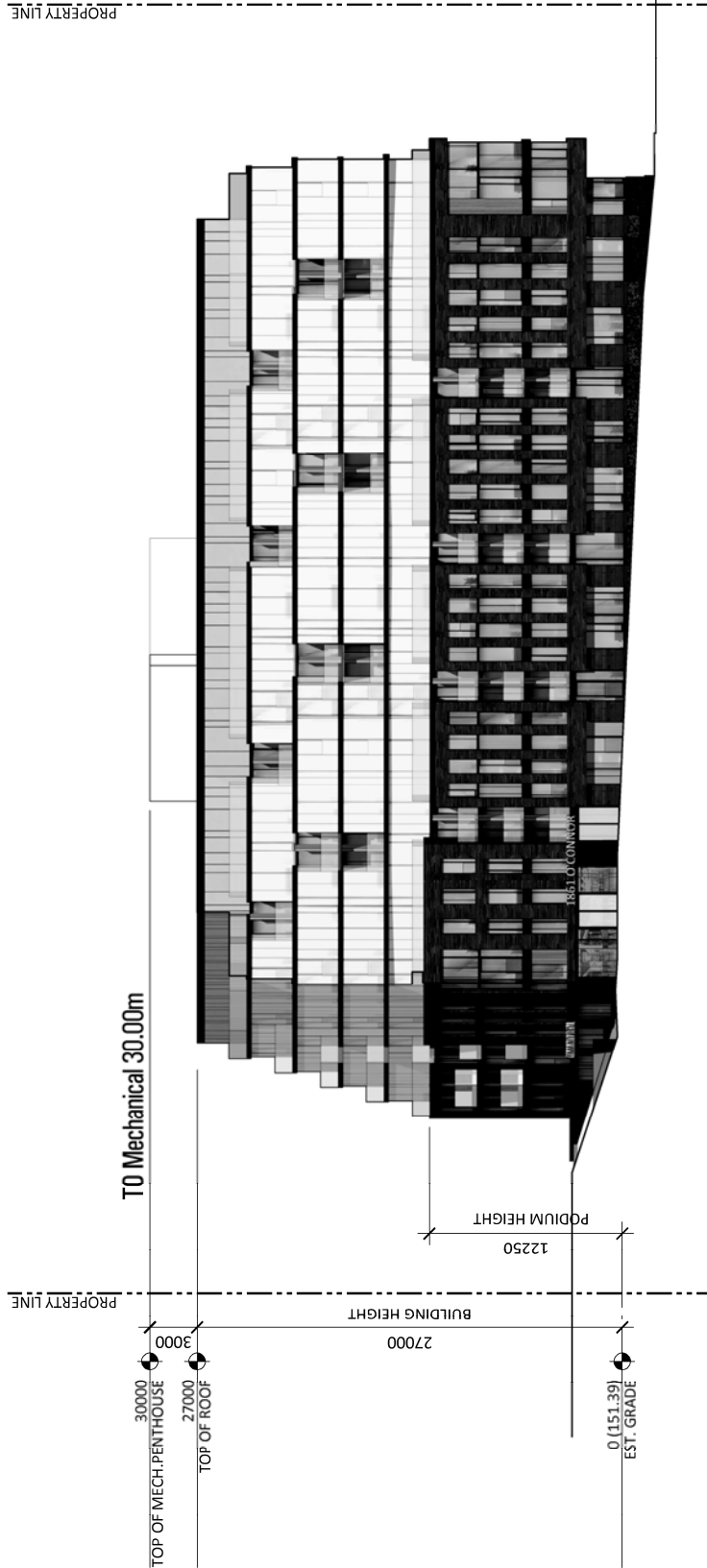
Attachment 5: Site Plan



Site Plan

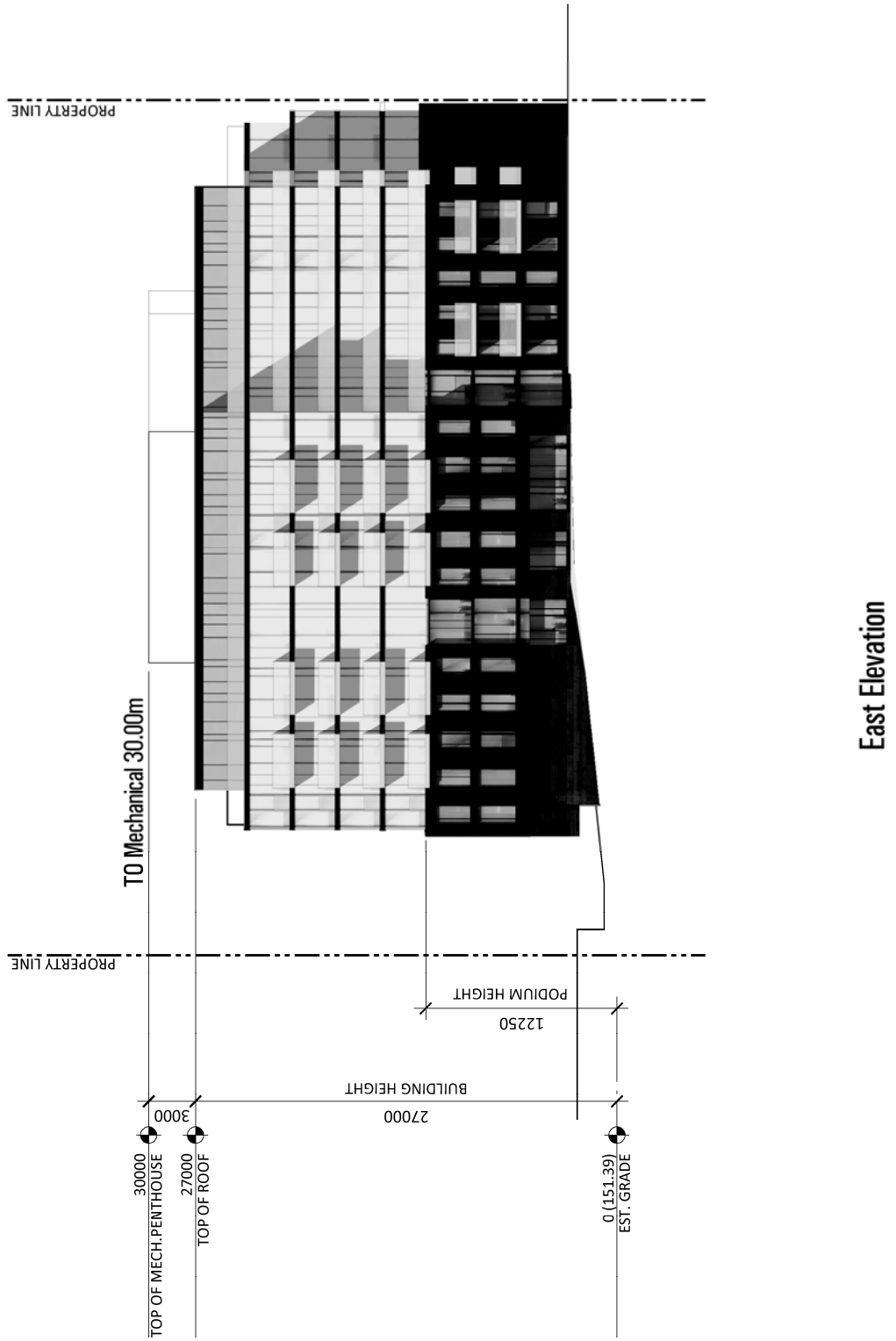


Attachment 6a: West Elevation

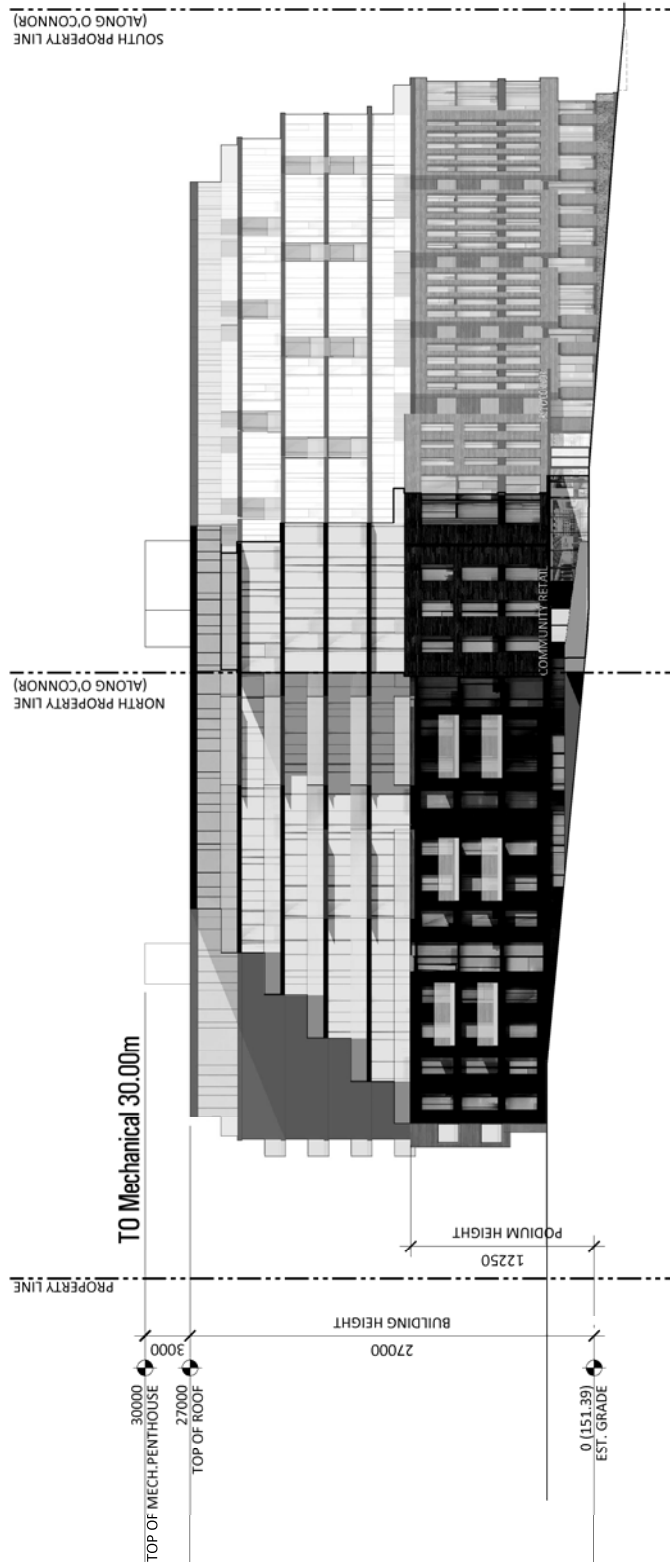


West Elevation

Attachment 6b: East Elevation

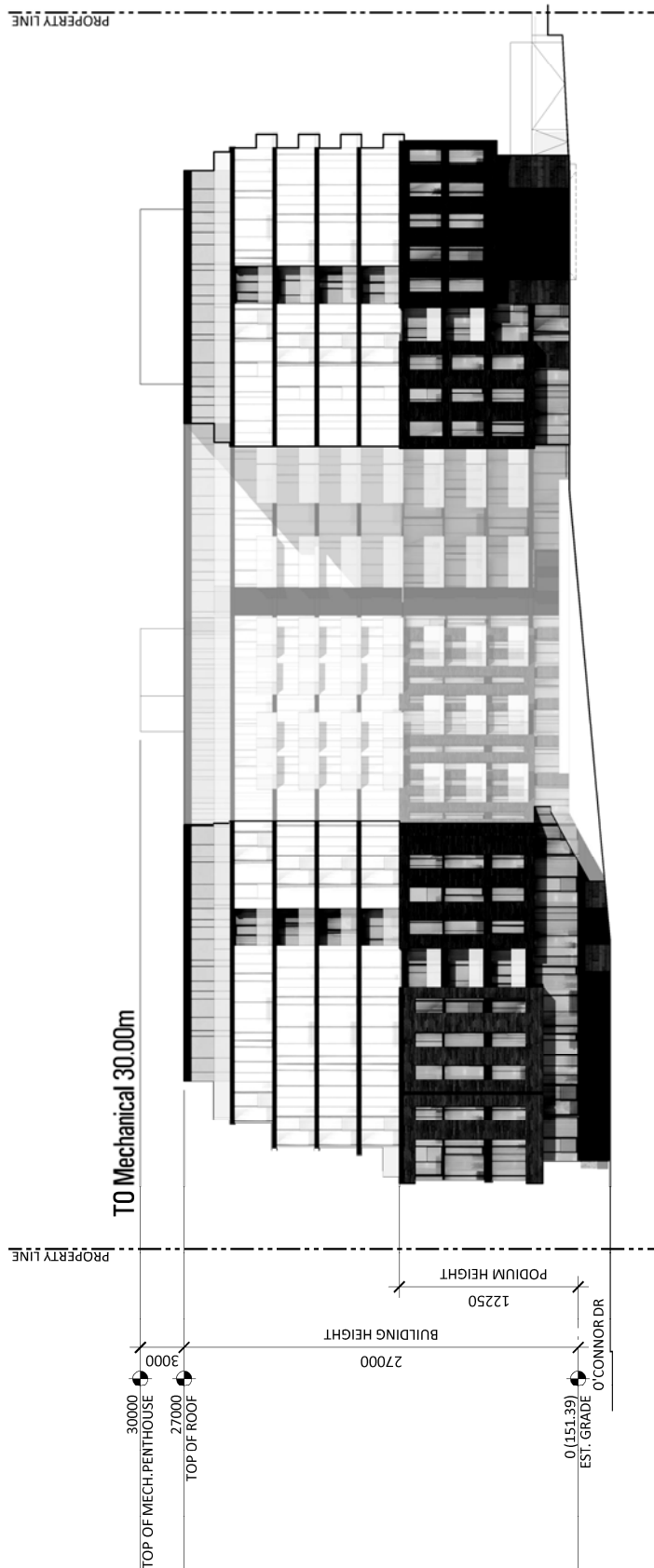


Attachment 6c: North Elevation



North Elevation

Attachment 6d: South Elevation



South Elevation