



REPORT FOR ACTION

159 & 161-181 Mulock Avenue and 6 Lloyd Avenue – Zoning By-law Amendment Application – Preliminary Report

Date: January 29, 2020

To: Planning and Housing Committee

From: Chief Planner and Executive Director, City Planning

Ward: 5 - York South-Weston

SUMMARY

The application proposes to amend the former City of Toronto Zoning By-law No. 438-86 and City-wide Zoning By-law No. 569-2013 for the property at 159 & 161-181 Mulock Avenue and 6 Lloyd Avenue to permit a mixed-use development that would include a north residential building (8-storey podium stepping up to 12 and 15-storeys), a south residential building (18-storeys), one office building (4-storeys) and a new public park (1,003 m²). The proposal includes a total gross floor area of 54,425 m², of which 2,976 m² would be office space and 1,613 m² would be commercial space. The total Floor Space Index would be 5.1 times the area of the lot. The development would contain a total of 529 residential units, of which 492 would be condominium units and 37 are proposed to be affordable rental units. A total of 301 vehicular parking spaces are proposed within a 4 level above grade parking garage.

This report provides information and identifies a preliminary set of issues regarding this application. Staff are currently reviewing the application, as are the appropriate agencies and City divisions. Staff will proceed to schedule a community consultation meeting with the Ward Councillor.

RECOMMENDATIONS

The Chief Planner and Executive Director, City Planning recommends that:

1. Staff schedule a community consultation meeting for the application located at 159 & 161-181 Mulock Avenue and 6 Lloyd Avenue together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 240 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

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

DECISION HISTORY

Previous Applications and Ontario Municipal Board (OMB) Decision

In June 2005, an Official Plan and Zoning By-law Amendment application (File Number 05 151779 WET 11 OZ) was submitted to redesignate the site from Employment Areas to Mixed Use Areas to allow for a mixed use development consisting of two residential buildings having heights of 18 and 21-storeys and a 2-storey employment use building for the property at 6 Lloyd Avenue. The applications were refused by City Council in 2007 and appealed to the OMB by the former owner. Following a 41 day hearing, the OMB in its decision of October 21, 2008 (PL060854) dismissed the appeals and upheld City Council's refusal of the applications. The OMB concluded that the proposed amendments were inconsistent with the Provincial Policy Statement regarding the protection and preservation of employment land for both existing and future users. It also found that the applications did not conform to the overall intent and purpose of the Official Plan or Zoning By-law.

Official Plan Amendment No. 231

At its meeting of December 16, 17 and 18, 2013, City Council adopted Official Plan Amendment (OPA) 231 which converted the northern two-thirds of these lands to a Mixed Use Areas designation to allow for residential uses while retaining the southern one-third of the site for employment uses by designating this portion of land General Employment Areas. Also, an Employment Areas overlay was included on the southern one-third of the site on Map 2 - Urban Structure in the Official Plan. OPA No. 231 introduced Site and Area Specific Policy 447 for the lands to provide specific policies for residential and commercial development on the site. The decision of City Council and OPA No. 231 may be found at the following links:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.PG28.2>

<http://www.toronto.ca/legdocs/bylaws/2013/law1714.pdf>

Official Plan Amendment No. 231 was approved by the Province on July 9, 2014 and the Minister's decision was appealed by a number of parties including an appeal by the former owner as it relates to the subject property and Policy 2.2.4.5 of OPA No. 231. As a result, OPA No. 231 (including Site and Area Specific Policy 447) is not in full force and effect for those lands. The current land owner has assumed carriage of the appeals for OPA No. 231 and the 2013 site specific Official Plan Amendment application.

Official Plan Amendment Application (File Number 13 278533 WET 11 OZ) - Planning and Growth Management Committee, Etobicoke York Community Council and City Council

At its meeting of May 29, 2014, Planning and Growth Management Committee considered a Preliminary Report dated March 17, 2014 from the Director, Community Planning, Etobicoke York District (Item PG33.9), which provided preliminary information on an application for three residential buildings and a retail/office building and sought the Committee's direction on the further processing of the application and on the community consultation process. The Committee recommended that City Council direct the Chief Planner and Executive Director, City Planning to submit the Final Report on the application to the Etobicoke York Community Council on August 12, 2014 after the applicant submitted all outstanding material required for a complete application. City Council adopted the Committee's recommendation at its meeting on June 10, 2014.

As all the required information for a complete application had yet to be submitted by August 12, 2014, a Final Report was not prepared. The last of the required material was submitted on September 3, 2014. A copy of the Preliminary Report and decision history may be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.PG33.9>

At its meeting of February 18, 2015, Etobicoke York Community Council considered a Final Report dated January 8, 2015 from the Director, Community Planning, Etobicoke York District (Item EY4.3), which recommended refusal of the application to amend the Official Plan by redesignating the northern two-thirds of the lands from *Employment Areas* to *Mixed Use Areas* and creating a new Site and Area Specific Policy (SASP) over the entire site to permit residential uses and commercial/office uses. It should be noted that the proposal also included the southern one-third of the site remaining designated *Employment Areas*.

At its meeting on March 31, 2015, City Council deferred consideration of Item EY4.3 until the May 5 and 6, 2015 City Council meeting.

At its meeting on May 5, City Council considered a Supplementary Report dated May 5, 2015 from the Director, Community Planning, Etobicoke York District (Item EY4.3), which outlined new rail safety and air quality information related to the subject application and recommended that City Council request that the application be revised to conform with Site and Area Specific Policy 447 as approved by City Council at its meeting of December 18, 2013 with respect to building heights and setbacks. City Council adopted this recommendation.

A copy of the Final Report and the Supplementary Report as well as the decision history may be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.EY4.3>

On March 29, 2018, the solicitor representing the previous owner of the lands appealed the Official Plan Amendment application to the Ontario Municipal Board (now the Local Planning Appeal Tribunal (the "LPAT")), citing City Council's failure to make a decision on the application within the statutory timeframe of the *Planning Act*.

St. Clair Avenue West Transportation Master Plan Study

In 2012, the City of Toronto undertook a Functional Planning Study (FPS) to investigate short-term and long-term solutions to improve traffic congestion concerns on St. Clair Avenue West, from Keele Street to Old Weston Road. The City initiated a Transportation Master Plan (TMP) Study following the Municipal Class Environmental Assessment (EA) process in September, 2015, to identify area-wide infrastructure improvements that address traffic congestion on St. Clair Avenue West.

This study, completed in August, 2019, recommended improvements to St. Clair Avenue West to accommodate multiple modes of transportation, including pedestrians and cyclists. Based on the evaluation completed, the widening of St. Clair Avenue West was one of the recommended improvements. The TMP report and additional information may be found at the following link:

<https://www.toronto.ca/community-people/get-involved/public-consultations/infrastructure-projects/stclairwesttmp/>

The TMP Project Team is working closely with City Planning and Metrolinx to coordinate SmartTrack station planning and the Regional Express Rail (RER) initiative proposing connections and access for the potential new St. Clair SmartTrack station, in addition to potential improvements to the St. Clair Avenue West bridge, new rail crossings and potential road extensions. The potential widening of St. Clair Avenue West may result in land conveyances impacting some of the sites fronting the Avenue, particularly on the south side of St. Clair Avenue West. In this case, the subject site would be required to convey land to achieve the TMP results for this section of St. Clair Avenue West.

ISSUE BACKGROUND

Application Description

This application proposes to amend the former City of Toronto Zoning By-law No. 438-86 and City-wide Zoning By-law No. 569-2013 for the property at 159 & 161-181 Mulock Avenue and 6 Lloyd Avenue to permit a mixed-use development that would include a north residential building (8-storey podium stepping up to 12 and 15-storeys), a south residential building (18-storeys), one office building (4-storeys) and a new public park (1,003 m²). The proposal includes a total gross floor area of 54,425 m², of which 2,976 m² would be office space and 1,613 m² would be commercial space. The total Floor Space Index would be 5.1 times the area of the lot. The development would contain a total of 529 residential units, of which 492 would be condominium units and 37 would be affordable rental units. A total of 301 vehicular parking spaces are proposed within a 4 level above grade parking garage proposed to be located along the rail corridor. Parking would be accessed by a private driveway from Lloyd Avenue.

The north building would front on St. Clair Avenue West and Mulock Avenue with a streetwall height of 8-storeys and have stepbacks from the 9th to 12th levels as well as a further stepback up to 15-storeys. The ground floor would be occupied with retail uses. The south building would be located centrally on the site and the office building would front Lloyd Avenue and Mulock Avenue. In addition, the new public park would have frontage on Lloyd Avenue as well as Mulock Avenue.

The proposal includes a total of 529 residential units, of which: 57 (11%) would be bachelor units; 218 (41%) would be one-bedroom units; 209 (40%) would be two-bedroom units; and 45 (8%) would be three-bedroom units. The proposed average unit sizes for the affordable rental units would be approximately 39 m² (bachelor); 47 m² (one-bedroom); 71 m² (two-bedroom); and 96 m² (three-bedroom). The proposed average unit size for the condominium units would be approximately 106 m² (one-bedroom); 99 m² (two-bedroom); and 143 m² (three-bedroom). The separation distances would be 15 to 18 m for the mid-rise components and 25 m for the tall building components. Floor plates would range in size from approximately 600 m² to 900 m².

The proposal would contain 991 m² (1.87 m² per unit) of indoor amenity space on the fifth level and 973 m² (1.83 m² per unit) of outdoor amenity space on the roof of the 4-storey parking garage that would be located along the rail corridor. This outdoor amenity space would have direct access from the indoor amenity space.

The office building would contain a total gross floor area of 2,976 m² as well as a grade related restaurant (150 m²) that would have direct views to the new public park. This building would also contain a public daycare facility (761 m²) that would be located on both the ground and second floor. The ground floor portion of the daycare would be contiguous with a 257 m² outdoor amenity space that would be adjacent to the new public park. It should be noted that employees would have access to 359 m² of outdoor amenity space that would also be located on the roof of the 4-storey parking garage. In addition, the ground floor of the building would include the main lobby entrance, access to the parking garage, a garbage room and a loading space which is proposed to be accessed via a 6 m wide private driveway from Lloyd Avenue. The loading area for the north and south buildings would be accessed from a private driveway (a dimension has not been provided) on Mulock Avenue.

The application proposes 274 resident parking spaces, 22 visitor/commercial parking spaces and 5 car-share parking spaces (which represents a supply of 20 parking spaces using the car-share formula).

Also proposed is a total of 388 bicycle parking spaces (348 long term spaces and 40 short term spaces) for the residential buildings. A total of 183 bicycle parking spaces (170 long term spaces and 13 short term spaces) would be provided for the office building.

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

See Attachments 1 and 2 of this report, for a three dimensional representation of the project in context.

Site and Surrounding Area

The site is located on the northeast corner of Lloyd Avenue and Mulock Avenue, southeast of the St. Clair Avenue West and Keele Street intersection. The property directly abuts the CNR/CPR railway corridor to the east, St. Clair Avenue West to the north, Lloyd Avenue to the south and Mulock Avenue to the west.

The 1.06 ha (2.62 acre) site is currently vacant and triangular in shape with a lot area of approximately 10,602 m² (including frontages of 55 m on St. Clair Avenue West, 118 m on the CNR/CPR corridor, 129 m on Mulock Avenue, and 80 m on Lloyd Avenue). The site was previously occupied by a 3-storey building (Benjamin Moore paint facility) as well as residential dwellings that had frontage on Mulock Avenue. The site has an existing retaining wall along the northern boundary of the site abutting St. Clair Avenue West which slopes down under the adjacent rail overpass. Access to the site from St. Clair Avenue West is currently provided via a pedestrian staircase located at the north end of Mulock Avenue.

The lands are located in an area characterized by a mix of low rise industrial, commercial and residential uses. The surrounding land uses include:

- North: Directly across St. Clair Avenue West is a 3-storey townhouse development.
- South: Directly across Lloyd Avenue is a mix of low rise residential dwellings, office and industrial uses (i.e., National Rubber Technologies, People's Pint Brewing Company, and various auto body shops, woodworking shops, etc.).
- East: Adjacent to the lands is the CNR/CPR railway corridor servicing the Kitchener GO Rail line. Further east of this railway corridor is a mix of low rise industrial, commercial and residential uses.
- West: Directly across Mulock Avenue are semi-detached dwellings, auto body repair uses and a parkette.

On the north and south side of St. Clair Avenue West, west of Keele Street, are several fast food restaurants and big box retail uses such as Canadian Tire, Home Depot, Future Shop, Rona and the Trinity Group retail commercial development. Further west along St. Clair Avenue West are a mix of low rise residential uses, food processing uses and other commercial uses.

Provincial Policy Statement and Provincial Plans

Any decision of City Council related to this application is required to be consistent with the Provincial Policy Statement (2014) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: 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 Growth Plan (2019) contains policies pertaining to population and employment densities that should be planned for in major transit station areas (MTSAs) along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan requires that, at the time of the next municipal comprehensive review (MCR), the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs achieve appropriate densities. Planning and Housing Committee will be considering a report on the Growth Plan Conformity work program in the near future.

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 Official Plan ((OPA) 231) designates the site as *Mixed Use Areas* (northern portion) as well as *General Employment Areas* (southern portion) on Map 17 - Land Use Plan. *Mixed Use Areas* achieve a multitude of planning objectives by combining a broad array of residential uses, offices, retail and services, institutions, entertainment, recreation and cultural activities, and parks and open spaces. *Employment Areas* are places of business and economic activities vital to Toronto's economy and future economic prospects.

The northern portion of the site is also within an *Avenues* corridor as identified on Map 2 - Urban Structure of the Official Plan. Avenues are important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities. Reurbanization of the *Avenues* is to be achieved through the preparation of an Avenue Study that sets out contextually appropriate as-of-right zoning and other regulations to achieve high quality development.

In October 2009, City Council approved the Avenue Study that was conducted for the segment of St. Clair Avenue West between Bathurst Street and Keele Street. The study set out specific policies and regulations to guide development for properties fronting St. Clair Avenue West designated *Mixed Use Areas* in the Official Plan.

Official Plan Amendment No. 84 (By-law No. 1103-2019) implemented the findings of the St. Clair Avenue Study between Old Weston Road and Blackthorn Avenue/Spring Grove Avenue. OPA No. 84 was appealed to the Ontario Municipal Board (OMB) by National Rubber Technologies (NRT) in order to address potential impacts of NRT's air emissions on residential buildings with heights greater than 16 m. On December 23, 2016, NRT withdrew its appeal of OPA No. 84. Subsequently, on March 8, 2017 the OMB provided a letter to the City acknowledging the withdrawal of the appeal and stated that there are no further appeals to OPA No. 84. OPA No. 84, as adopted, is now in full force and effect for the area between Old Weston Road and Blackthorn Avenue/Spring Grove Avenue.

It should be noted that Official Plan Amendment No. 144 (By-law No. 1168-2011) implemented the findings of the St. Clair West Avenue Study for the segment west of Keele Street/Weston Road to Scarlett Road. OPA No. 144, enacted by City Council at its meeting of September 22, 2011, was subsequently appealed to the Ontario Municipal Board by multiple appellants. An OMB decision dated August 16, 2016 ordered that OPA No. 144 come into effect for all lands to the west of Runnymede Road. The remaining lands east of Runnymede Road to Weston Road/Keele Street remain under appeal. A copy of OPA No. 144 (By-law No. 1168-2011) can be found at the following link: <http://www.toronto.ca/legdocs/bylaws/2011/law1168.pdf>

Official Plan Amendment No. 231 (OPA No. 231) contains new economic policies and new policies and designations for *Employment Areas* as part of the Official Plan and Municipal Comprehensive Reviews. OPA No. 231 removes the *Avenues* overlay from the St. Clair Avenue West frontage. In addition, OPA No. 231 also adds a new Site and Area Specific Policy No. 447 (SASP 447) that specifically includes policies for the subject site, as outlined in Attachment 7 to this report. OPA No. 231 converts the northern two-thirds of the subject lands from *Employment Areas* by redesignating them to *Mixed Use Areas* (labelled Area "A" in SASP 447) and retains the southern one-third of the existing employment lands by designating them *General Employment Areas* (labelled Area "B" in SASP 447).

While OPA No. 231 and SASP 447 provide a new vision and policy direction for the site, they are not the current in force policies. OPA No. 231 is before the Local Planning Appeal Tribunal (the "LPAT").

It should be noted that the site is adjacent to the CNR/CPR corridor which is designated as *Utility Corridors* on Map 17 - Land Use Map in the Official Plan. *Utility Corridors* play a vital role in the City as corridors for the transmission of energy, communication and the movement of people and goods which mainly consist of rail and hydro rights-of-way. These linear corridors are a defining element of the landscape fabric of the City and many of these corridors also serve important local functions as parkland, sport fields,

pedestrian and cycling trails and transit facilities. These corridors should be protected for future public transit routes and linear parks and trails.

Zoning By-laws

The site is zoned Industrial District I4 D7 under the former City of Toronto Zoning By-law No. 438-86. Permitted uses include: a public park, parking garage, city yard, generating station, public incinerator, pumping station, sewage disposal plant, recycling yard, laboratory, public transit, railway station, railway yard, animal by-products plant, chemical products factory, concrete batching and mixing yard, distillation plant and rubber products factory. Permitted uses are allowed at a density of up to seven times the area of the lot and have no height limit. Residential uses are not permitted in the Industrial District I4 D7 zoning.

The site is zoned Employment Heavy Industrial Zone (EH7.0) under City-wide Zoning By-law No. 569-2013. This zoning permits only non-residential uses to a density of 7.0 times the area of the lot such as a bindery, contractor establishment, manufacturing, laboratory, public utility and works yard, recovery facility, service shop, shipping terminal, vehicle repair shop, warehouse and waste transfer station.

City-wide Zoning By-law No. 569-2013 may be found here:

<https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

Design Guidelines

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

- *Avenues and Mid-Rise Buildings Performance Standards;*
- *City-wide Tall Buildings Design Guidelines;*
- Growing Up: Planning for Children in New Vertical Communities;
- Bird Friendly Development Guidelines; and
- Toronto Green Standard.

The application may be subject to further design guidelines as the review of the application progresses.

The City's Design Guidelines may be found here:

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

Site Plan Control

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

COMMENTS

Reasons for the Application

An amendment to the former City of Toronto Zoning By-law No. 438-86 and City-wide Zoning By-law No. 569-2013 is required to permit the proposed residential use and to revise other development standards as necessary to reflect the development proposal.

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

The application will be evaluated against the *Planning Act* and applicable Provincial Plans to establish the application's consistency with the PPS and conformity with the Growth Plan (2019), especially with regard to ensuring that the development recognizes the local context in terms of appropriate intensification, the promotion of well-designed built form, housing options and whether the proposal complies with the municipal direction for growth.

The Provincial Policy Statement contains policies related to managing and directing development. It requires that sufficient lands be made available for intensification and redevelopment, and that planning authorities identify and promote opportunities for intensification and redevelopment, where this can be accommodated taking into account, among other things, the existing building stock and surrounding area.

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

The PPS also contains a number of policies related to employment areas which include but are not limited to the following: providing for an appropriate mix and range of employment uses to meet long term needs; providing opportunities for a diversified economic base; and planning for, protecting and preserving employment areas for current and future uses. The PPS also provides that new development proposed on lands adjacent to transportation corridors should be designed to be compatible with the corridor and avoid, mitigate or minimize negative impacts on and from the transportation corridor.

The Provincial Policy Statement 2014 (PPS) uses the term *public service facilities* to describe land buildings and structures for the provision of programs and services provided or subsidized by a government, and identifies that such facilities will be

coordinated and integrated with land use planning so that they are financially viable and available to meet current and projected needs. The PPS supports the optimization and adaptive re-use of existing facilities.

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

It should be noted that at its meeting of October 15, 2019, Planning and Housing Committee considered a report dated September 30, 2019 from the Chief Planner and Executive Director, City Planning (Item PH9.2), which highlights the policy areas contained within the Growth Plan (2019) that will be addressed through a Municipal Comprehensive Review (MCR). Staff will report to the Planning and Housing Committee in the first quarter of 2020 on a detailed work program, resources and the associated timing for completion of the next MCR.

As part of three Motions, the Committee directed the Chief Planner and Executive Director, City Planning to "prioritize the study of the Keele-St. Clair area including lands around McCormack Street where lands are designated as Employment Areas and are not identified as a Provincially Significant Employment Zone as part of the upcoming review in order to enable the potential unlocking of the lands in the vicinity of the Smart Track/GO Kitchener line and planned station located in the area of these lands".

A copy of the report and decision history may be found at:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.PH9.2>

Official Plan Conformity

Chapter 2 - Shaping the City contains principles for steering growth and change to some parts of the City, while protecting neighbourhoods and green spaces from development pressures. It sets out the City's "big picture" or "vision" for growth management. In addition, it 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.

St. Clair Avenue West is identified on Map 2 - Urban Structure of the Official Plan as *Avenues*. *Avenues* are identified as areas of growth and reurbanization in the Official Plan. Each *Avenue* is different in terms of the level of anticipated growth with respect to lot sizes and configuration, street width, existing uses, neighbouring uses, transit service and streetscape potential. In addition, St. Clair Avenue West is identified on Map 3 - Right-of-Way Widths Associated with Existing Major Streets as planned for a 30 m wide right-of-way width. Further, St. Clair Avenue West is also identified on Map 4 - Higher Order Transit Corridors and on Map 5 - Surface Transit Priority Network as a "Transit Corridor" and "Transit Priority Segment".

Chapter 3 - Building a Successful City contains principles to guide growth by integrating social, economic and environmental perspectives in decision making to create complete communities. The Official Plan contains policies which promote quality architecture, landscape and urban design and construction that ensure that new development enhances the quality of the public realm. The Official Plan states that architects and developers have a civic responsibility to create buildings that not only meet the needs of their clients, tenants and customers, but also the needs of the people who live and work in the area. The Official Plan states that current and future residents must be able to access and maintain adequate, affordable and appropriate housing as well as have adequate and equitable access to community services and local institutions and encourages the inclusion of community service facilities as part of private development. Further, Toronto's system of parks and open spaces will continue to be a necessary element of city-building as the City grows and changes.

Staff are currently discussing the Site and Area Specific Policy 447 appeal, which would redesignate the site to *Mixed Use Areas* (northern two-thirds of the property) and *Employment Areas* (southern one-third of the property).

Official Plan Amendment 231 and SASP 447, adopted by City Council on December 18, 2013, permits residential uses on the northern two-thirds of the subject site to a maximum building height of 16.5 m, subject to a Holding ("H") symbol. The height limit was imposed due to concerns that the smoke stack plume from NRT could impact buildings on the site greater than 16.5 m in height. Currently, NRT is planning to relocate the business to a property that would no longer be within the context of this subject site. Further review is required (as part of the resolution of the SASP 447 appeal) to determine appropriate building heights and densities for this site.

It should be noted that Planning staff will review the proposal in the context of the evolving context for this area (including new transit infrastructure and the NRT site).

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 submitted an Arborist Report prepared by The MBTW Group and dated September 25, 2018 which is under review by City staff. This Arborist Report indicates that the development proposes to remove 13 City-owned street trees and 3 protected private trees. Urban Forestry staff require an *Application to Injure or Destroy Trees* and the required application fees for permission to remove the 16 trees in question. The Arborist Report indicates that the new development would include 13 new boulevard trees on the City's right-of-way as well as 9 new trees on private property. These new trees would consist primarily of deciduous native species such as Sugar Maple and Northern Hackberry. Staff have reviewed the submitted materials and request further information (particularly a Soil Volume Plan indicating the soil area, soil depth, soil volume and soil volume per tree). In addition, staff are of the opinion that there are opportunities to expand planting areas within and around the site. Staff will

work with the applicant to address the provision of trees and the requirement to add to the City's tree canopy.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the City of Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.8 to 1.56 hectares of local parkland per 1,000 people. The site is in the middle 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.

This proposal is subject to a cap of 10% parkland dedication of the development site applied to the residential use while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement is 919 m². The applicant is required to satisfy this parkland dedication requirement through an on-site dedication. The proposal includes an on-site parkland dedication (new public park) of 1,003 m² to be located at the northeast corner of Lloyd Avenue and Mulock Avenue. Parks staff have determined that the size, shape and location of the proposed park is acceptable, however further discussion is required regarding the programming of the new park (above base park improvements).

Community Services and Facilities

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

The applicant submitted a Community Services & Facility (CS&F) Study prepared by Hunter Urban Planning and Development and dated October, 2019. The proposal includes a new public daycare facility (761 m²) that would be within the office building and would occupy the ground and second floor. The ground floor portion of this daycare facility is proposed to be contiguous with the 257 m² outdoor space that would be adjacent to the new public park.

Staff have reviewed the study in conjunction with City data and have requested further information that should be included in the CS&F addendum study. In addition, staff will

have further discussions with the applicant regarding the proposed public daycare facility.

Infrastructure/Servicing Capacity

The applicant submitted a Functional Servicing and Stage 1 Stormwater Management Report prepared by R.V. Anderson Associates Limited and dated September 13, 2019. In addition, the applicant submitted a Preliminary Geotechnical Report (dated November, 2017) and a Geohydrology Assessment (dated September, 2019) both prepared by McClymont & Rak Engineers, Inc.

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

The applicant submitted a Phase I Environmental Site Assessment (Phase I ESA) prepared by Premier Environmental Services Inc. and dated June 4, 2012 in order to identify and assess areas of potential site contamination. Staff are reviewing this submitted report.

The applicant submitted a Transportation Impact Study prepared by LEA Consulting Ltd. and dated September, 2019 in order to evaluate the effects of the proposal on the transportation system and recommend any transportation improvements that are necessary to accommodate the travel demands and impacts generated by the proposed development. Transportation Services staff have reviewed the submitted report and plans and have requested further information and analysis.

Rail Safety

Official Plan Amendment No. 231 and Site and Area Specific Policy 447 (SASP 447), adopted by City Council on December 18, 2013, require that residential buildings on the subject site be setback a minimum of 30 m from the adjacent rail corridor to minimize adverse impacts. Although these amendments are not yet in force, they are consistent with the Railway Association of Canada/Federation of Canadian Municipalities *Guidelines for New Development in Proximity to Railway Operations*.

The applicant submitted a Rail Safety Assessment prepared by Stantec Consulting Ltd. and dated August 15, 2019. This Assessment identifies that if the proposed development does not achieve the recommended 30 m horizontal setback from the property line of the rail corridor to the face of the residential building or a combined 30 m setback that incorporates vertical and horizontal separation distances from the face of the residential building to the property line of the rail corridor, the provision of a crash protection wall (to counter the impact of a potential train derailment) should be implemented.

In this case, the proposed development would achieve a horizontal setback of 30 m for most of the site between the location of the residential components and the property line of the rail corridor, except for the proposed residential units located in the northeastern limit of the development concept, which would achieve a combined horizontal plus vertical setback of approximately 19.2 m (first level), 23.7 m (second level), 26.7 m (third level) and 29.6 m (fourth level). The Assessment recommends that a crash protection wall measuring approximately 69 m in total length and 2.14 m in height be required along the north and east property limits of the proposed development.

A peer review of this study will be commissioned by the City, at the cost of the applicant.

Noise and Vibration

The applicant submitted an Environmental Noise & Vibration Feasibility Study prepared by RWDI and dated August 27, 2019. This study includes the applicable criteria used for the assessment (transportation and stationary noise sources, as well as vibration), the details of the traffic volume data (road and rail), the points of noise reception considered within the development, the prediction results and the recommendations (building façade components, noise barriers and warning clauses).

A peer review of this study will be commissioned by the City, at the cost of the applicant.

Air Quality and Odour

The applicant submitted an Air Quality Assessment prepared by RWDI and dated October 15, 2019. This study assesses the impact of adjacent and nearby properties that may be a source of pollutants, dust and/or odour on the proposed development.

A peer review of this study will be commissioned by the City, at the cost of the applicant.

Toronto Green Standard

City Council has adopted the four-tier Toronto Green Standard (TGS). Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant has submitted the TGS Checklist indicating they are pursuing Tier 1 performance measures. Planning staff will encourage the applicant to pursue higher tiers of performance measures through the application review process.

Section 37 Community Benefits

The Official Plan provides for the use of Section 37 of the *Planning Act* to pass by-laws for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision by the applicant of community benefits in the form of capital facilities.

The proposal exceeds the Official Plan minimum size threshold of 10,000 m² for consideration of Section 37 benefits. Section 37 contributions could be secured towards specific benefits for the surrounding local community in the event the application is recommended for approval. The proposal currently includes a new public daycare facility as well as a total of 37 affordable rental housing units, providing an opportunity to secure purpose-built rental housing at mid-range or affordable rent level categories. Other facilities and/or service needs may be identified during the review of the application and in consultation with the Ward Councillor.

Other Matters

Staff have identified the additional following issues:

- A Compatibility/Mitigation Study provides a written description of the land use compatibility of sensitive land uses, including residential uses, where permitted or proposed outside of and adjacent to or near to *Employment Areas* or within the influence area of major facilities.

The applicant has assessed the issue of land use and environmental compatibility through the submitted studies and reports related to noise and vibration, odour, air quality, rail safety and environmental site assessment. Further review and consideration of this information is required.

- A conveyance of 4.94 m is required along the St. Clair Avenue West frontage of the site to satisfy the Official Plan requirement of a 30 m right-of-way width for this section of St. Clair Avenue West.

The proposal includes a conveyance of 9.35 m along the St. Clair Avenue West frontage of the site. Also included is a conveyance of 14.3 m and a 5.02 m easement, both to be located at the northeast corner of the site, along St. Clair Avenue West, and a conveyance along the Mulock Avenue frontage of the site for the purpose of implementing a cul-de-sac to be located at the north end of Mulock Avenue. The current site plan does not provide dimensions of this proposed cul-de-sac.

Overall, the applicant is required to confirm that the proposed conveyances and easement are consistent with the planned St. Clair Avenue West road widening and transit improvements outlined in the St. Clair Avenue West Transportation Master Plan. Further, the proposed cul-de-sac design must be revised to be

consistent with the City's DIPS Standard Drawing DIPS-5 (minimum radius of 12.5 m). It should be noted that the proposed cul-de-sac and adjacent 2.1 m wide sidewalk cannot encroach on the properties along the west side of Mulock Avenue (with the exception of 192 Mulock Avenue that is proposed to be demolished as part of the St. Clair Avenue West Transportation Master Plan).

- Existing site grading as well as grading fronting St. Clair Avenue West and the potential for a pedestrian scaled building which would enhance the new public realm along St. Clair Avenue West due to the widened road width.
- The subject site is located near the 512 St. Clair streetcar operations. The Toronto Transit Commission (TTC) has requested the applicant to apply attenuation measures so that the levels of noise, vibration, electro-magnetic interference (EMI), and stray current effecting the proposed development would be at the lowest levels technically feasible. The developer is advised to inform prospective purchasers and lessees of the above effects and that the TTC accepts no responsibility for any such effects.
- The applicant is encouraged to coordinate with Environment and Energy Division staff as they progress through design development with any further analysis of the measures identified in the Energy Strategy Report prepared by RWDI and dated August 27, 2019, including: compliance with the Toronto Green Standard Version 3; district energy-ready design; integration of low-carbon energy solutions; and back-up power for resilience during grid disruptions.
- The applicant will be required to provide unit mix, unit sizes and unit layouts that meets the objectives of the Growing Up Guidelines, the Official Plan housing policies, and the Growth Plan's growth management and housing policies in order to accommodate a broad range of households (including families with children) within this new development.
- At this time, sufficient space exists within the local Catholic elementary and secondary schools (particularly St. Paul VI Catholic School, St. Oscar Romero Catholic Secondary School and Bishop Marrocco/Thomas Merton Catholic Secondary School) to accommodate additional students from this development as proposed. However, the Toronto Catholic District School Board would

continue to monitor development growth in this area as it relates to cumulative impact on local schools. The Toronto District School Board has yet to provide comments on the application.

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

CONTACT

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Tony Lieu, Acting Planner, Tel. No. (416) 394-8878, E-mail: Tony.Lieu@toronto.ca

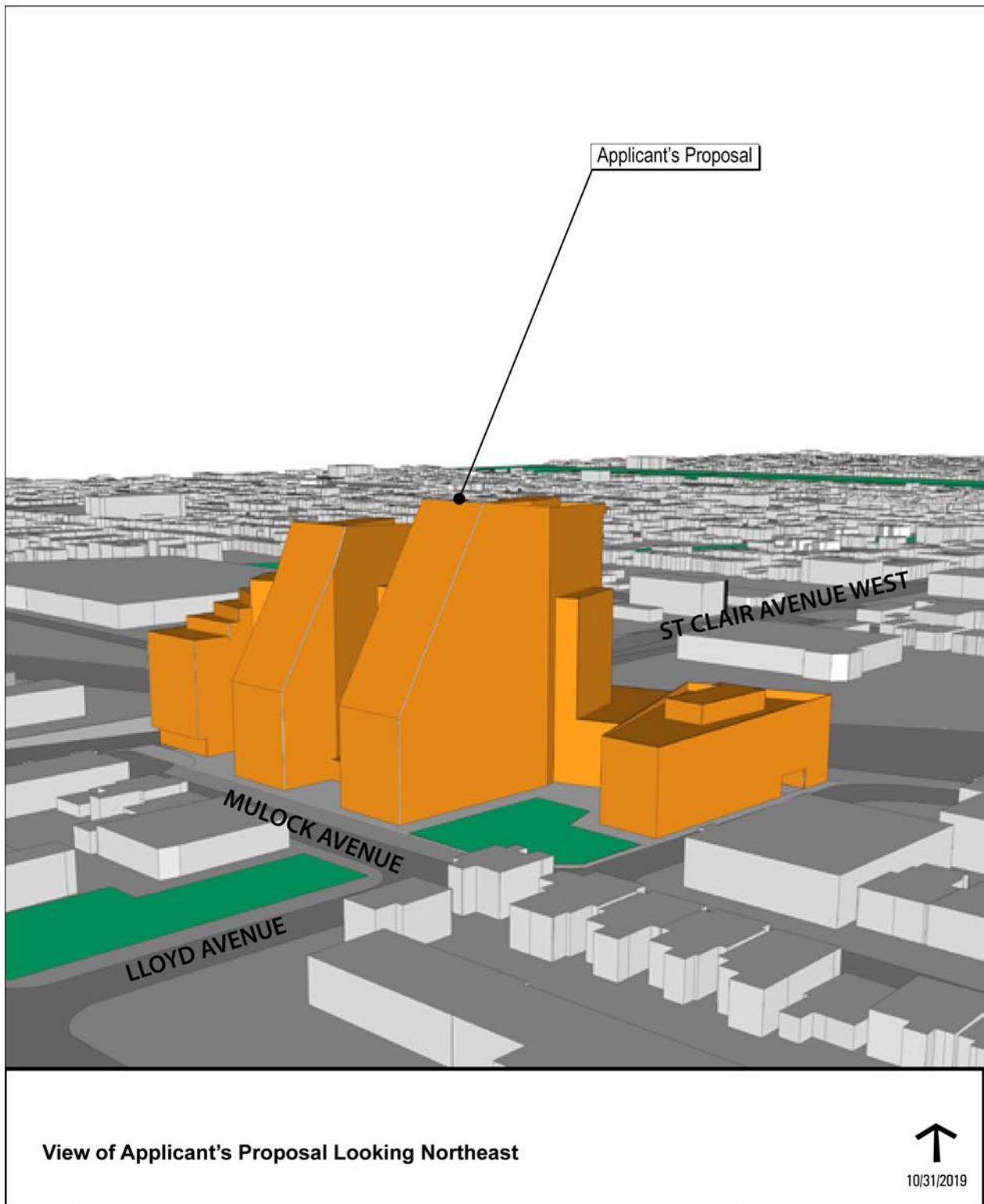
SIGNATURE

Gregg Lintern, MCIP, RPP
Chief Planner and Executive Director
City Planning Division

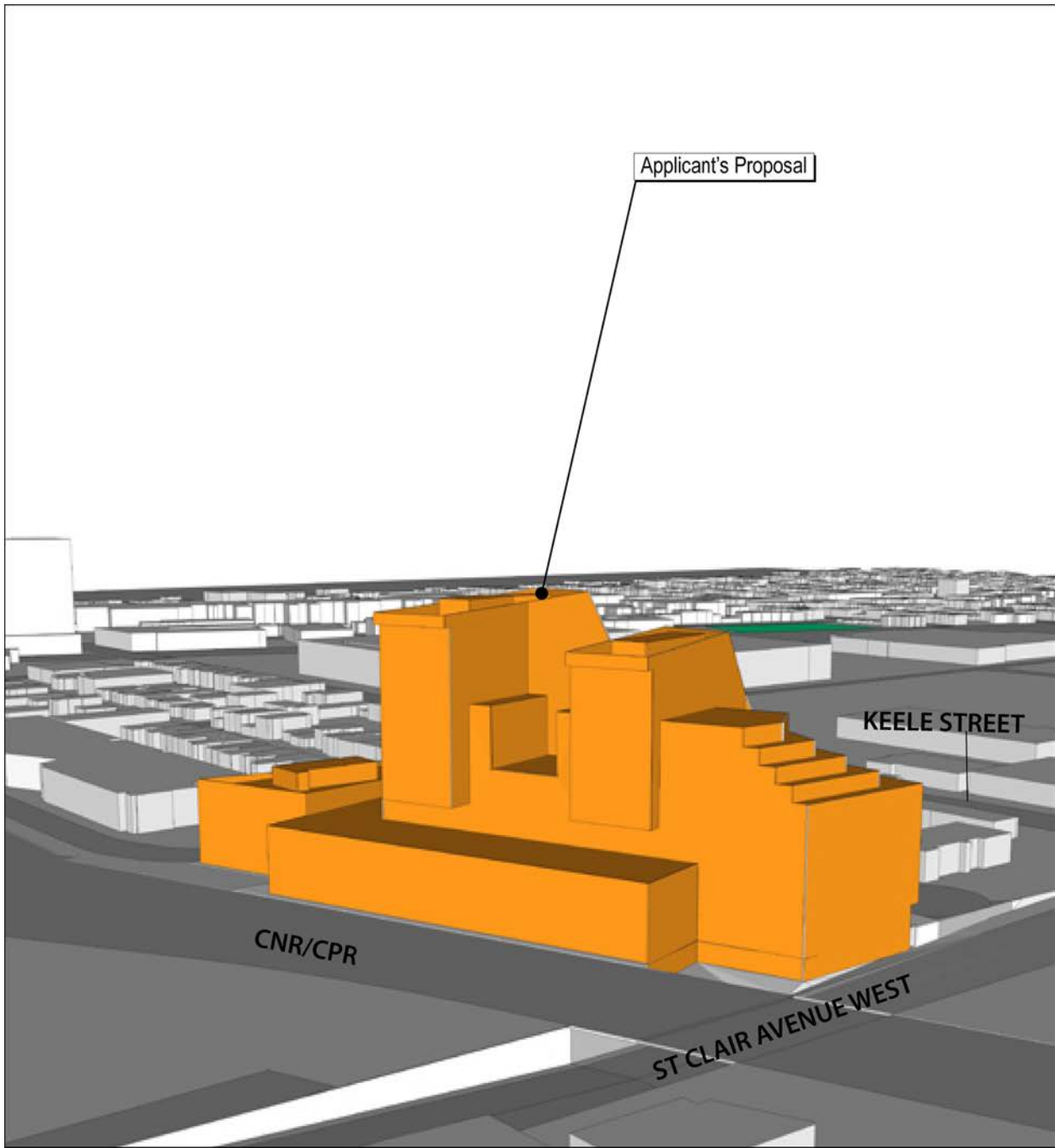
ATTACHMENTS

City of Toronto Drawings
Attachment 1: 3D Model of Proposal in Context (Northeast)
Attachment 2: 3D Model of Proposal in Context (Southwest)
Attachment 3: Location Map
Attachment 4: Site Plan
Attachment 5: Site Plan (Official Plan Amendment Application -
File Number 13 278533 WET 11 OZ)
Attachment 6: Official Plan Land Use Map
Attachment 7: Site and Area Specific Policy No. 447 (SASP 447)

Attachment 1: 3D Model of Proposal in Context (Northeast)



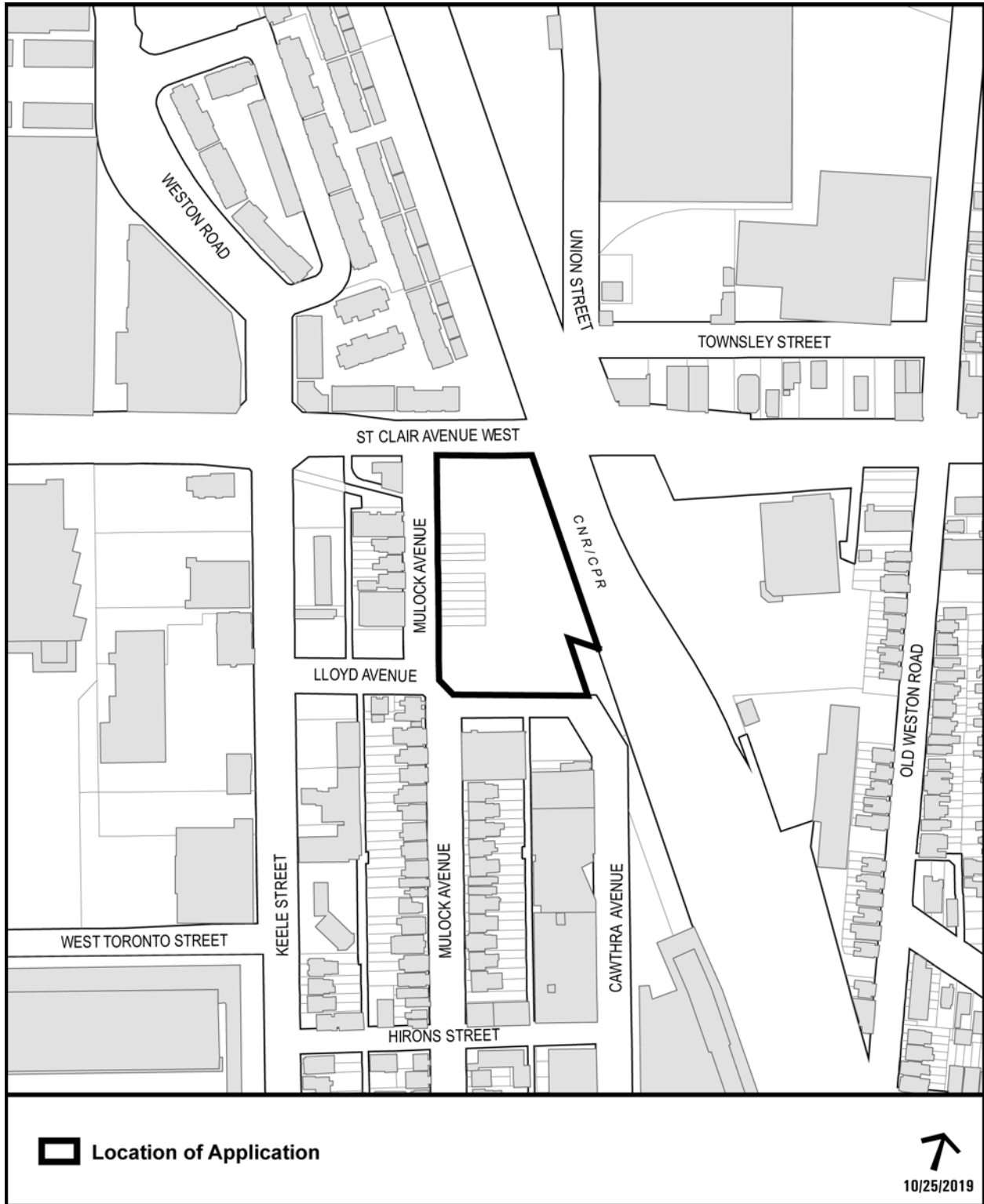
Attachment 2: 3D Model of Proposal in Context (Southeast)



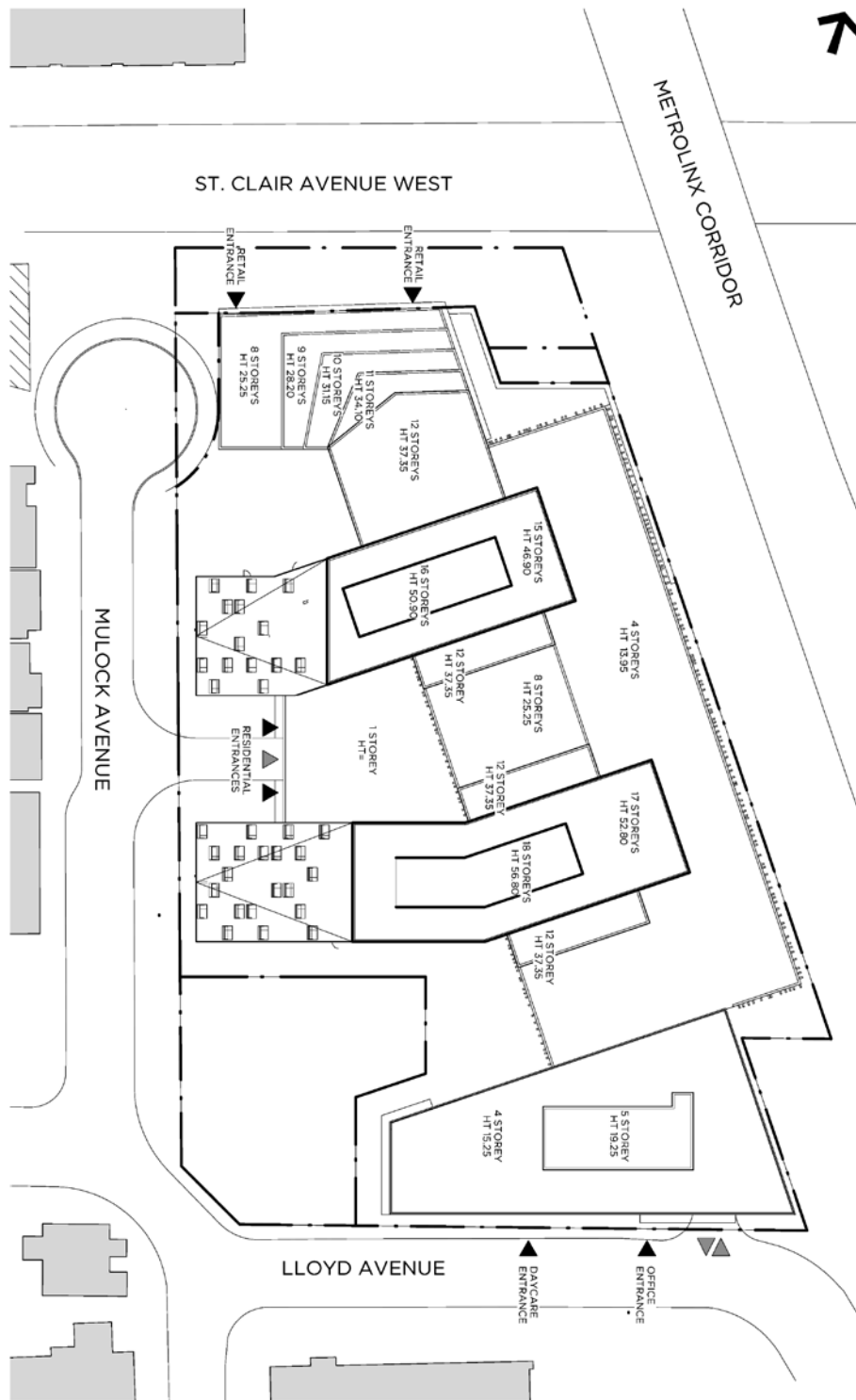
View of Applicant's Proposal Looking Southwest

↓
10/31/2019

Attachment 3: Location Map

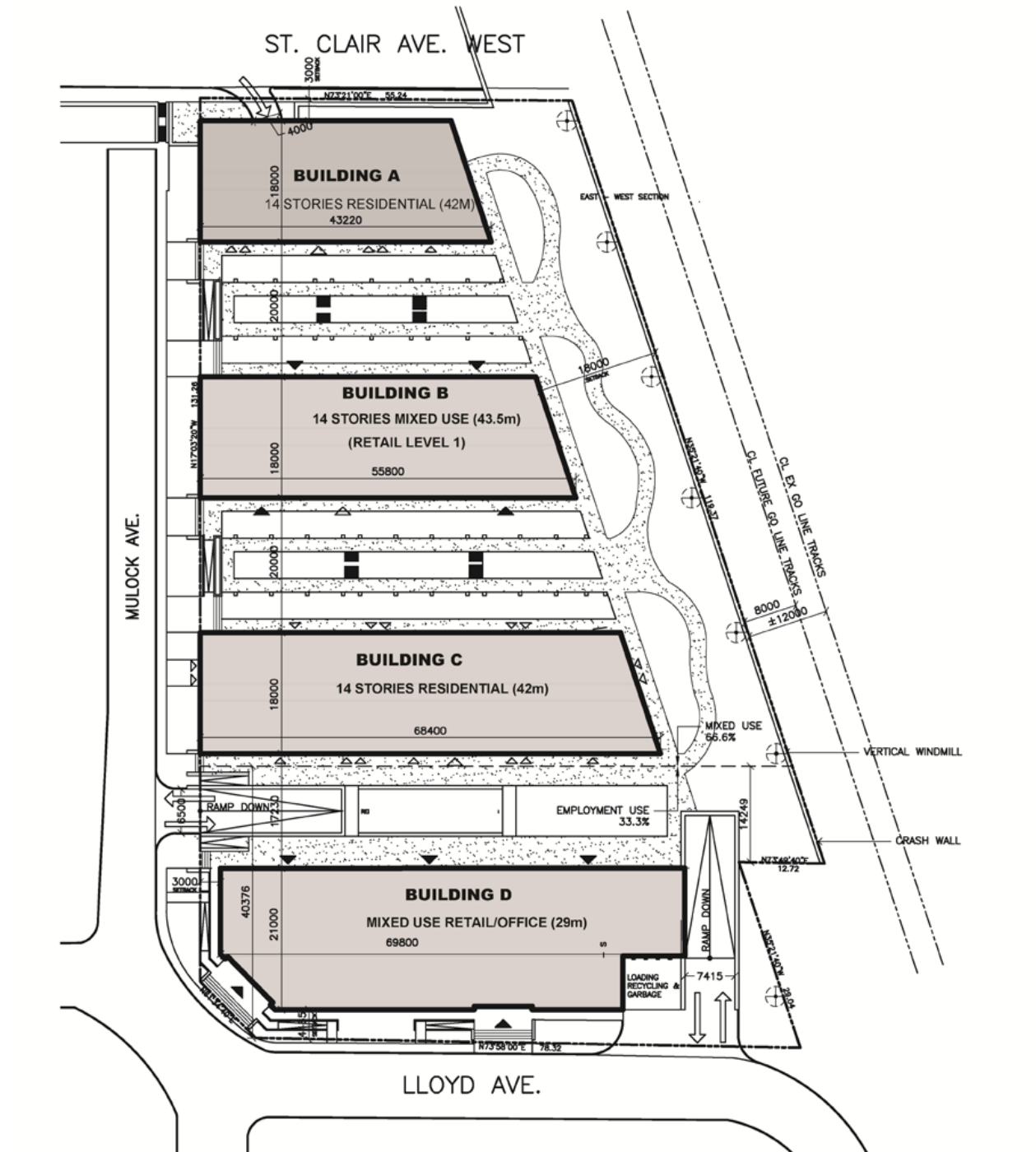


Attachment 4: Site Plan



Site Plan

Attachment 5: Site Plan (Official Plan Amendment Application - File Number 13 278533 WET 11 OZ)



Site Plan

6 Lloyd Avenue

Applicant's Submitted Drawing

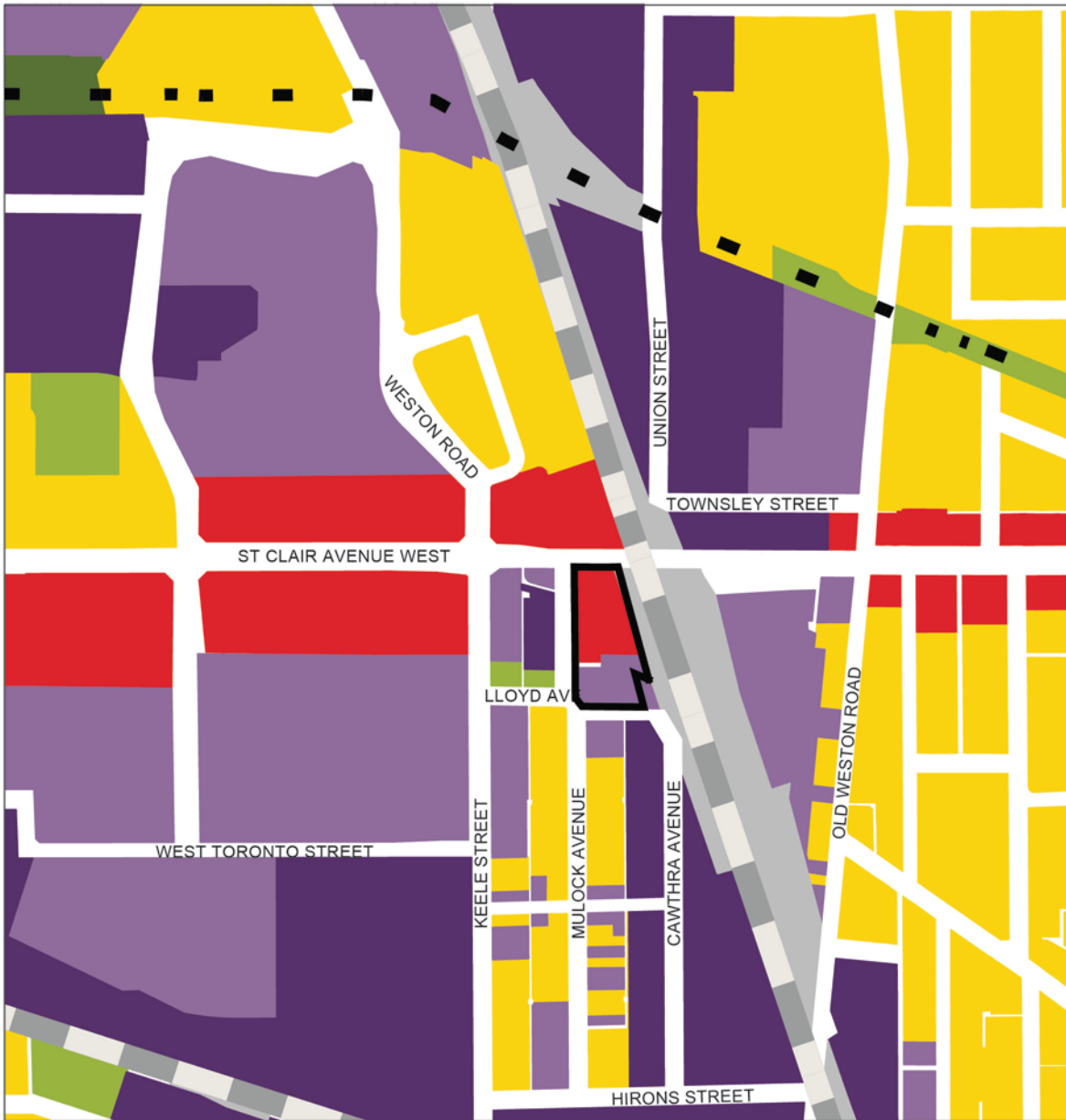
Not to Scale

12/11/2014



File # 13 278533 WET 11 OZ

Attachment 6: Official Plan Land Use Map



Official Plan Land Use Map #17

159 & 161-181 Mullock Avenue and
6 Lloyd Avenue

File # 19 239452 WET 05 02

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

↑
Not to Scale
10/25/2019

Attachment 7: Site and Area Specific Policy No. 447 (SASP 447)

Chapter 7, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy No. 447 for the lands that are known municipally in 2012 as 6 Lloyd Avenue, as follows:

'447. 6 Lloyd Avenue

- a) A minimum of 4,000 square metres of commercial and/or office space is to be constructed in Area 'B' and that this development occurs:
- prior to or concurrently with, any residential development on the remainder of the lands;
 - along at least 50 per cent of the Lloyd Avenue frontage; and
 - at a minimum height of 10 metres.
- b) permitted uses in Area 'B' include arts school, creative arts studio, art gallery, theatre, office, retail outlet, farmer's market, museum and restaurant/café.
- c) A minimum of 4,000 square metres of commercial and/or office space to be constructed in Area 'B' will be secured by way of a Section 37 Agreement and/or Plan of Subdivision, or any other means determined by the City.
- d) Residential uses to a maximum building of 16.5 metres and subject to a Holding ("H") symbol in Area 'A', provided any residential building is set back a minimum of 30 metres from the adjacent rail corridor. The Holding symbol shall apply only to Area 'A'.
- e) The conditions in the Zoning By-law that incorporates a Holding ("H") symbol defining and incorporating the conditions must be satisfied prior to the removal of the Holding ("H") symbol.'

