

968 O'Connor Drive – Zoning Amendment Application – Final Report

Date: September 21, 2020

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Ward: 19 - Beaches-East York

Planning Application Number: 18 271310 STE 19 OZ

SUMMARY

This application proposes to amend Zoning By-law 6752 of the former Borough of East York and City-Wide Zoning By-law 569-2013 to permit a 10-storey mixed-use building at 968 O'Connor Drive. The subject property is located at the north-west corner of O'Connor Drive and Curity Avenue, and is currently a vacant lot.

The proposed development would have 126 residential units (including four two-storey townhouses integrated into the ground and mezzanine levels of the building along Curity Avenue), 383 square metres of at-grade retail fronting onto O'Connor Drive, 131 bicycle parking spaces, and indoor and outdoor residential amenity space. 103 below-grade vehicular parking spaces would be provided in a three-level underground parking garage. The residential component is proposed to have condominium tenure.

The proposal is consistent with the Provincial Policy Statement (2020) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). It is consistent with the *Mixed Use Areas* and *Avenues* policies of the City of Toronto Official Plan, generally complies with the City's Avenues and Midrise Building Guidelines, and appropriately accounts for its proximity to nearby industrial uses. A site-specific Class 4 designation is recommended at this property pursuant to applicable MOECC Guideline NPC-300, as described later in the report.

The proposal is also consistent with Site and Area Specific Policy 400, which provides an area-specific development framework for the O'Connor Drive Avenue Study Area, where the subject property forms part of a "Main Streets Area". It represents an appropriate and desirable redevelopment of a vacant lot that is compatible with its surrounding context, meets the intent of the Official Plan, and will contribute to the vision of O'Connor Drive becoming a vibrant urban corridor that provides opportunities for people to live, work and shop.

This report reviews and recommends approval of the application to amend the applicable zoning by-laws, subject to conditions that should be satisfied prior to introducing the necessary bills to City Council for enactment.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 6752 for the lands at 968 O'Connor Drive, substantially in accordance with the draft zoning by-law amendment attached as Attachment No. 5 to the report dated September 21, 2020, from the Director, Community Planning, Toronto and East York District.
2. City Council amend Zoning By-law 569-2013 for the lands at 968 O'Connor Drive, substantially in accordance with the draft zoning by-law amendment attached as Attachment No. 6 to the report dated September 21, 2020, from the Director, Community Planning, Toronto and East York District.
3. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft zoning by-law amendments as may be required.
4. Before introducing the necessary bills to City Council for enactment, require the owner to address all matters set out in Part I (Zoning By-law Amendment Application) of the memorandum to Community Planning, prepared by Engineering and Construction Services and dated September 3, 2020, to the satisfaction of the Chief Engineer and Executive Director of Engineering & Construction Services.
5. City Council classify the lands at 968 O'Connor Drive as a Class 4 Noise Area pursuant the Ministry of Environment (now Ministry of the Environment and Climate Change) Environmental Noise Guideline - Stationary and Transportation Sources - Approval and Planning Publication NPC-300, August 2013.
6. Prior to issuance of any below-grade permit, the owner shall submit a construction management plan to the satisfaction of the General Manager, Transportation Services and the Director, Community Planning, Toronto and East York District, in consultation with the Ward Councillor, and thereafter shall implement the plan during the course of construction. The construction management plan will include, without limitation, the size and location of construction staging areas, location and function of gates, information on concrete pouring, lighting details to ensure that safety lighting does not negatively impact adjacent residences, construction vehicle parking and queuing locations, refuse storage, site security, site supervisor contact information, a communication strategy with the surrounding community, and any other matters requested by the General Manager, Transportation Services and the Director, Community Planning, Toronto and East York District, in consultation with the Ward Councillor.

FINANCIAL IMPACT

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

DECISION HISTORY

Previous 2008 rezoning application

A zoning by-law amendment application was previously submitted in 2008 to amend Zoning By-law No. 6752 to permit the construction of an 8-storey mixed-use building with a total gross floor area of 8,100 square metres, of which 939 square metres would have been dedicated to ground floor commercial/retail. The application was circulated to the appropriate departments and agencies, and a community consultation meeting was held on March 25, 2009. The application was withdrawn by the applicant shortly following the community consultation meeting. No decision was rendered on the application.

A copy of the preliminary report for the 2008 application can be found at:
<https://www.toronto.ca/legdocs/mmis/2009/te/bgrd/backgroundfile-17837.pdf>.

Current application

A preliminary report on the application was adopted by Toronto-East York Community Council on February 14, 2019, authorizing staff to conduct a community consultation meeting with an expanded notification area of 240 metres of the subject property. Key issues identified at the time were:

- Land use compatibility between the proposal and neighbouring employment uses
- Built form and massing, including transition to the adjacent residential apartment building at 970 O'Connor Drive
- Potential shadow impacts on Taylor Creek Ravine and nearby *Neighbourhoods*
- Public realm contributions and relationship to the street
- Unit mix

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

PROPOSAL

This application proposes to amend Zoning By-law 6752 of the former Borough of East York and City-Wide Zoning By-law 569-2013 to permit a 10-storey (31.05-metre, exclusive of mechanical penthouse) mixed-use building at 968 O'Connor Drive.

The proposed development would have a total gross floor area of 9,481 square metres (amounting to a density 5.17 times the area of the lot), of which 383 square metres would be dedicated to at-grade retail fronting onto O'Connor Drive, and the remaining 9,098 square metres would comprise residential uses. In total, 126 units are proposed, with a unit mix of 6 bachelor suites (5%), 58 one-bedroom units (46%), 50 two-bedroom units (39%), and 12 three-bedroom units (10%). The unit mix includes four two-storey townhouses integrated into the ground and mezzanine level of the building along Curity Avenue. The proposal currently features two retail entrances off O'Connor Drive and one retail waste room; further discussions around retail configuration and preserving future flexibility for the retail units will take place through the site plan approval process.

103 vehicular parking spaces serving residents, residential visitors and retail users would be provided in a three-level below-grade parking garage accessed by a private lane off Curity Avenue. The proposal also provides 131 bicycle parking spaces to serve residents, retail users and visitors, located at grade and in the parking garage. One Type-G loading space is provided at the rear of the building, adjacent to the parking garage entrance. As the elevation declines toward the rear of the site (and particularly toward the northwest corner), the parking garage entrance and loading space are located lower relative to the front of the building at O'Connor Drive.

The building's residential amenity space is situated entirely on the ground floor. The indoor amenity space is comprised of a 254-square metre space accessed through the residential lobby. The indoor amenity space connects to a 192-square metre outdoor amenity space in the form of a landscaped courtyard on the north side of the building, which is situated on top of the tunnel access to the underground parking garage.

Table 1 - Key performance standards

	Original submission (December 2018)	Resubmission #1 (August 2019)	Resubmission #2 (May 2020 - current)
Storeys	10	10	10
Height (m)¹	34	31	31
Residential GFA (sq.m.)	9,495	9,332	9,098

¹ Without mechanical penthouse.
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	Original submission (December 2018)	Resubmission #1 (August 2019)	Resubmission #2 (May 2020 - current)
Non-residential GFA (sq.m.)	368	368	383
Total floor space index	5.37	5.29	5.17
# of Units	135	117	126
# of Vehicle parking spaces	66	101	103
# of Bicycle parking spaces	140	121	131
Indoor amenity (sq.m.)	275	272	254
Outdoor amenity (sq.m.)	210	192	192

Table 1 illustrates revisions made to key performance standards as the application progressed. Changes were made in response to concerns raised in public consultation, described below in "Community Consultation Meeting", including increasing the amount of parking provided, increasing the number of larger units (see also the "Housing Issues" section below), and reducing the height and gross floor area of the building to allow for more setbacks and transition areas to adjacent properties (see also the "Density, Height, Massing" section below).

The residential component of the building is proposed to have condominium tenure. A plan of condominium application has not yet been submitted.

For additional project data, see Attachment 1 (Application Data Sheet). For a site plan and elevations, see Attachments 7 (Site Plan) and 8 (Elevations).

Site and Surrounding Area

The subject property is located at the northwest corner of O'Connor Drive and Curity Avenue. The property features a slight grade change, with the elevation decreasing from west (i.e. the front of the property at O'Connor Drive) to east (i.e. the rear of the property), and particularly toward the northwest corner of the property. The property has frontages of approximately 27.5 metres along O'Connor Drive and 55 metres along Curity Avenue, and an overall area of approximately 1,835 square metres.

The surrounding context is varied and features a range of uses and built forms. To the immediate north of the property is 970 O'Connor Drive, a six-storey residential apartment building on a similarly sized lot. Continuing north until Dohme Avenue, the west side of O'Connor Drive is predominantly lined by 3-storey residential apartment buildings. The east side of O'Connor Drive also features low-rise residential apartment buildings, as well as two- to five-storey mixed-use buildings with retail/commercial uses at grade and residential uses above. Further east beyond the O'Connor Drive corridor is a low-rise residential neighbourhood consisting primarily of single detached dwellings. Topham Park, a 20,495-square metre park containing baseball diamonds, tennis courts, wading pool, playground, community centre and horticultural displays is located within the residential neighbourhood, and is located approximately 450 metres northeast of the subject property.

The Taylor Creek ravine system, designated *Mixed Use Areas* in Map 20 (Land Use) of the Official Plan and regulated by the Toronto Regional Conservation Authority ("TRCA") and the City of Toronto Ravine and Natural Feature Protection ("RNFP") by-law (as discussed below), is located on the south side of Curity Avenue. A private driveway owned by the City at 4 Curity Avenue abuts the subject property to the west, and will not be affected by or incorporated into the proposed development. Beyond the private driveway is the O'Connor/Bermondsey Business Area, a large employment area spanning southwest, west and northwest of the property. This area is characterized by a range of large one- to three-storey industrial buildings containing a variety of light industrial uses, including manufacturing, wholesaling, warehousing, office and retail.

The property itself is currently a vacant lot. Prior to being a vacant lot, it was occupied by a one-storey commercial building that was demolished in 2009. A paved driveway at the rear of the property connects Curity Avenue to the surface parking lot serving the apartment buildings at 970 and 978-988 O'Connor Drive, and is subject to an easement in favour of those properties for purposes of vehicular and pedestrian access. This point of access, and corresponding easement, will also be retained.

A portion of the property lies within 250 metres of a closed municipal landfill. As discussed later in this report, the applicant was required to undertake a subsurface investigation for the possible presence of methane gas and its potential impact on the proposed development, and will be required to provide a Record of Site Condition to Toronto Building.

Reasons for Application

An application for a zoning by-law amendment is required to permit residential uses on the subject property and to facilitate the proposed built form, height and density. The proposed zoning by-law amendments additionally prescribe building setback, parking supply and amenity space requirements, among other matters.

APPLICATION BACKGROUND

Application Submission

The application was submitted on December 31, 2018 and deemed complete on January 24, 2019. Revised materials were submitted by the applicant on August 26, 2019 and April 24, 2020.

The following reports/studies were submitted in support of the application:

- Architectural plans
- Landscape and lighting plans
- Survey plans
- Planning rationale
- Toronto Green Standard development standards checklist and statistics
- Transportation impact assessment
- Sun/shadow study
- Geotechnical study
- Hydrogeological investigation report
- Stormwater management and servicing report
- Noise impact study
- Contaminated site assessment report
- Methane gas study
- Tree inventory and preservation plan
- Arborist report
- Public consultation strategy report

The application materials referenced above can be accessed from the City's Application Information Centre using the following link:

<http://app.toronto.ca/AIC/index.do?folderRsn=zzMp4CUPppS9O9JBBHd7YQ%3D%3D>.

Agency Circulation Outcomes

The application, together with the materials noted above, were circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate zoning by-law standards and future conditions of site plan approval.

Statutory Public Meeting Comments

In making their decision with regard to this application, Council members have been given had an opportunity to view the oral submissions made at the statutory public meeting held by the Toronto and East York Community Council for this application, as these submissions are broadcast live over the internet and recorded for review.

POLICY CONSIDERATIONS

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

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

Provincial Policy Statement (2020)

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, including affordable housing;
- ensuring opportunities for job creation;
- ensuring the 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 PPS also speaks to land use compatibility. Policy 1.2.6.1 provides that major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate, any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures. Where avoidance is not possible, Policy 1.2.6.2 sets out that planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:

- a) there is an identified need for the proposed use;
- b) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;
- c) adverse effects to the proposed sensitive land use are minimized and mitigated; and
- d) potential impacts to industrial, manufacturing or other uses are minimized and mitigated.

The policies in Section 1.3.2 (Employment Areas) provide additional direction around the protection and preservation of employment areas.

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, which provides that 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 recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. In particular, 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."

Provincial Plans

Provincial plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the plans represent minimum standards. 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 conform with provincial plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with provincial plans.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

"A Place to Grow: Growth Plan for the Greater Golden Horseshoe" came into effect on May 16, 2019, and was recently further amended on August 28, 2020 (as amended, the "Growth Plan").

The Growth Plan provides a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan 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, including the establishment of minimum density targets for and the delineation of strategic growth areas, the conversion of employment areas, and others.

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

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

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

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

Staff have reviewed the proposed development for consistency with the PPS and for conformity with the Growth Plan. The outcome of staff analysis and review are summarized in the "Comments" section of this report.

Toronto Official Plan

The property is designated *Mixed Use Areas*, as shown in Map 20 (Land Use) of the Official Plan, and is located along an *Avenue*, as shown in Map 2 (Urban Structure). It is also located within the SASP 400 boundary area, as defined and described in greater detail below. O'Connor Drive has a planned right-of-way width of 27 metres, as shown in Map 3 (Right-of-Way Widths Associated with Existing Major Streets).

This application has been reviewed against the following policies of the City of Toronto Official Plan.

The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

Chapter 2 - Shaping the City

Chapter 2 of the Official Plan recognizes the importance of population growth and high-quality redevelopment in supporting economic growth and social development within the City, while acknowledging the need to also protect our neighbourhoods and green spaces from development pressures. Policy 2.2.2 indicates that growth is directed to *Avenues* (as well as *Centres*, *Employment Areas* and the *Downtown*) in order to:

- a) use municipal land, infrastructure and services efficiently;
- b) concentrate jobs and people in areas well served by surface transit and rapid transit stations;
- c) create assessment growth and contribute to the City's fiscal health;
- d) promote mixed use development to increase opportunities for living close to work and to encourage walking and cycling for local trips;
- e) offer opportunities for people of all means to be affordably housed;
- f) facilitate social interaction, public safety and cultural and economic activity;
- g) improve air quality, energy efficiency and reduce greenhouse gas emissions;
- h) improve surface and groundwater quality and restore the hydrological function and habitat of streams, rivers and wetlands; and
- i) protect neighbourhoods, green spaces and natural heritage features and functions from the effects of nearby development.

Policy 2.2.3 sets out the City's authority to require land conveyances and make necessary extensions and alterations to achieve designated right-of-way widths.

Section 2.2.3 and the policies within provide direction on development along *Avenues*. *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. However, not all lands that fall within *Avenues* are designated for growth, and there is no "one size fits all" program for reurbanizing *Avenues*; local *Avenue* studies are designed to provide tailored frameworks suited to the local context. In this case, the O'Connor Drive Avenue Study, through SASP 400, provides the applicable framework.

Section 2.2.4 describes the strategic importance of *Employment Areas*, which are places of business and economic activities vital to Toronto's economy and future economic prospects. Policy 2.2.4.5 contemplates the potential for development proposing sensitive land uses, including residential uses, outside of and adjacent to or near to *Employment Areas* or within the influence area of "major facilities". It provides direction that such development should be planned to ensure it is appropriately designed, buffered and/or separated as appropriate from *Employment Areas* and/or major facilities as necessary. Policy 2.2.4.6 requires a comprehensive compatibility/mitigation study as part of a complete application, which is to be peer reviewed by the City at the applicant's expense.

Policy 2.2.4.10 provides that when considering applications to introduce, develop or intensify sensitive land uses, including residential uses, in a location identified in Policy 2.2.4.5, Council may consider:

- a) the extent to which the applicant and the major facilities or other employment use[s] have exchanged relevant information subject to appropriate measures to protect confidentiality;
- b) any regulatory obligations of the major facility or other employment use; and
- c) the reasonableness of implementing any recommended mitigation measures.

Section 2.4 addresses transportation objectives for the City. It promotes active transportation, ensuring safe pedestrian movement, and contributing to reductions in car dependency, as well as providing travel demand management and curbside management strategies.

Chapter 3 - Building a Successful City

Chapter 3 of the Official Plan contains policies that guide growth by integrating social, economic and environmental perspectives in decisionmaking to create an attractive Toronto with a strong economy and complete communities. The policies focus on the built, human and natural environment, economic health and new neighbourhoods. All applications for development are to be evaluated against the policies and criteria in this chapter to ensure the best possible development choices are made.

The public realm policies in Section 3.1.1 speak to the design and function of Toronto's streets, parks, sidewalks, and other open spaces that residents and visitors use to get around the city and connect with each other. They highlight, among other matters, the significance of city streets as public open spaces connecting people and places and supporting the development of sustainable, economically vibrant and complete communities. Policy 3.1.1.6 provides direction that sidewalks and boulevards should be designed to provide safe, attractive, interesting and comfortable spaces for pedestrians by:

- a) providing well designed and co-ordinated tree planting and landscaping, pedestrian-scale lighting, and quality street furnishings and decorative paving as part of street improvements; and
- b) locating and designing utilities within streets, within buildings or underground, in a manner that will minimize negative impacts on the natural pedestrian and visual environment and enable the planting and growth of trees to maturity.

Chapter Three also identifies that most of the City's future development will be infill and redevelopment and, as such, will need to fit in, respect and improve the character of the surrounding area. Section 3.1.2 (Built Form) provides 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 built form policies provide that new development in Toronto will be located and organized to fit with its existing and/or planned context. It will do this by generally locating buildings parallel to the street with a consistent front yard setback, acknowledging the prominence of corner sites, locating entrances so they are clearly visible, and providing ground floor uses that have views into and access from the streets.

New development will also locate and organize vehicle parking and vehicular access to minimize their impacts on the public realm. Furthermore, new development will create appropriate transitions in scale to neighbouring existing and/or planned buildings, limit shadowing on streets, properties and open spaces, and minimize any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility.

In addition to the policies identified above, new development will also be massed to define the edge of streets and ensure adequate access to sky views for the proposed and future uses. New development will provide public amenity and enhance the public realm through improvements to adjacent boulevards and sidewalks through tree plantings.

Policy 3.1.2.6 states that every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the new development. Each resident of such development will have access to outdoor amenity spaces such as balconies, terraces, courtyards, rooftop gardens and other types of outdoor spaces.

Section 3.2.1 addresses the importance of housing security, and of providing adequate and affordable housing in the City. Policy 3.2.1.1 provides that a full range of housing, in terms of form, tenure and affordability, across the City and within neighbourhoods, will be provided and maintained to meet the current and future needs of residents.

Section 3.4 speaks to the important role of the natural environment in building strong communities and a competitive economy. Its policies address the importance of environmentally friendly public and private city-building activities and changes to the built environment.

Policy 3.4.23 provides specific direction for development occurring on sites on or within 500 metres (or within a previously determined area of influence) of a known or suspected former waste disposal site. In such circumstances, potential adverse impacts will be identified and assessed through a study, and any measures needed to remediate or mitigate the contamination will be identified and implemented.

Finally, Section 3.5.3 provides policies on retail in the City. Among other matters, they support providing local opportunities for small businesses and maintaining the safety, comfort and amenity of shopping areas, by drawing on strategies such as limiting individual unit sizes in ground floor commercial spaces, subject to certain criteria (Policy 3.5.3.5).

Chapter 4 - Land Use Designations

As noted above and as illustrated in Attachment 3, the subject property is designated *Mixed Use Areas*. *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 (Policy 4.5.1). They are intended to absorb the majority of anticipated increases in retail, office, service employment, and residential development.

Policy 4.5.2 provides extensive development criteria for *Mixed Use Areas*. Development in these areas is to:

- a) create a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;
- b) provide for new jobs and homes for Toronto's growing population on underutilized lands in the *Downtown and Central Waterfront, Centres, Avenues* and other lands designated *Mixed Use Areas*, creating and sustaining well-paid, stable, safe and fulfilling employment opportunities for all Torontonians;
- c) locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Plan, through means such as providing appropriate setbacks and/or a stepping down of heights, particularly towards lower-scale *Neighbourhoods*;
- d) locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes;
- e) locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- f) provide an attractive, comfortable and safe pedestrian environment;
- g) have access to schools, parks, community centres, libraries and childcare;
- h) take advantage of nearby transit services;
- i) provide good site access and circulation and an adequate supply of parking for residents and visitors;
- j) locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences;
- k) provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development;
- l) provide opportunities for energy conservation, peak demand reduction, resilience to power disruptions and small local integrated energy solutions that incorporate renewables, district energy, combined heat and power or energy storage; and
- m) provide opportunities for green infrastructure including tree planting, stormwater management systems and green roofs.

Chapter 5 - Implementation

Chapter 5 sets out the mechanisms available to the City for implementing the policies of the Official Plan. It also provides guidance on how to interpret the Official Plan. Policy 5.6.1 directs that the Plan be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority-setting and decision-making. When

more than one policy is relevant, all appropriate policies are to be considered in each situation. The goal of the Official Plan is to appropriately balance and reconcile a range of diverse objectives affecting land use planning in the City.

Site and Area Specific Policy 400 (O'Connor Drive Avenue Study Area)

The subject property is also subject to Site and Area Specific Policy 400 ("SASP 400"), which applies to the properties that front onto O'Connor Drive between Victoria Park Avenue in the north, and St. Clair Avenue East and Sandra Road in the south (the "O'Connor Avenue Study Area", or the "Study Area"). City Council adopted SASP 400 as Official Plan Amendment No. 207 at its meeting on November 29, 2012. SASP 400 sets out objectives and urban design guidelines (the "O'Connor UDGs") that provide a development framework for the Study Area, as contemplated by the policies under Section 2.2.3 of the Official Plan.

The objectives of SASP 400 are to:

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

The property is located within the "Main Streets Area - O'Connor Drive South" portion of the Study Area. Future development in this Main Streets Area is to contribute to the revitalization of the area and be sensitive to its context.

In particular, the O'Connor UDGs contemplate new buildings on the west side of this part of O'Connor Drive as creating a "street wall" close to the property line, including at-grade uses, and to be massed in a manner complementary to the prevailing character and scale of the street and neighbourhood. The O'Connor UDGs also recommend incorporating publicly accessible open space along O'Connor Drive where feasible, locating parking and servicing at the rear of properties, and other strategies for improving the public realm and at-grade animation.

Council's decision respecting SASP 400 and the O'Connor UDGs can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.PG19.2>.

The outcome of staff analysis and review of relevant Official Plan policies and designations and SASP 400 are summarized in the "Comments" section of this report.

Zoning

The property is subject to two zoning by-laws, as illustrated in Attachment 4. It is zoned Automotive Service Commercial (ASC) in the former Borough of East York Zoning By-law 6752, as amended. The ASC zoning category permits commercial, automotive service station and automotive service centre uses. Residential uses are not permitted. No density maximum is provided, but the By-law prescribes other performance standards, such as setbacks and a 6-metre height limit, that have the effect of limiting density.

The former Borough of East York Zoning By-law No. 6752 is not available online, but may be requested through the City of Toronto Archives department at archives@toronto.ca or 416-397-0778.

Under City-wide Zoning By-law 569-2013, the subject property is zoned CR 0.8 (c0.8; r0.0) SS3 (x312) (Commercial Residential), with a maximum permitted height of 6 metres and a maximum total and commercial density of 0.8 times the lot area. Residential density is similarly not permitted under Zoning By-law 569-2013.

The City's Zoning By-law 569-2013 may be accessed at <https://www.toronto.ca/citygovernment/planning-development/zoning-by-law-preliminary-zoning-reviews/zoningby-law-569-2013-2/>.

Design Guidelines

O'Connor Drive Urban Design Guidelines

As noted above, SASP 400 requires new applications to respond to the O'Connor UDGs. The O'Connor UDGs define a vision for O'Connor Drive as a vibrant urban corridor that provides opportunities for people to live, work and shop.

The O'Connor UDGs have been considered during the review of the proposal. They are available at:

<https://www.toronto.ca/legdocs/mmis/2012/cc/bgrd/backgroundfile-52464.pdf>.

Avenues and Mid-rise Building Guidelines

At its meeting on July 6, 2010, City Council adopted the Avenues and Mid-rise Building Study and accompanying Mid-Rise Building Performance Standards (the "Mid-Rise Performance Standards"). The Mid-Rise Performance Standards identify best practices and establish a set of development standards to be used in evaluating mid-rise proposals on *Avenues* and in the implementation of future avenue studies. Key issues addressed include maximum allowable building heights, setbacks and step backs, sunlight and skyviews, pedestrian realm conditions, transition to *Neighbourhoods* and *Parks and Open Space Areas*, and treatment of corner sites. Council's decision is here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.PG39.9>. The link to the Mid-Rise Performance Standards is here: <https://www.toronto.ca/city->

government/planning-development/official-plan-guidelines/design-guidelines/mid-rise-buildings/.

In 2016, City Council adopted an addendum for staff to use together with the Mid-Rise Performance Standards (collectively forming the "Avenues and Midrise Building Guidelines") in the preparation of area studies or during the evaluation of development applications where mid-rise buildings are proposed and the Mid-Rise Performance Standards are applicable, until such time as City Council adopts updated guidelines. Council's decision is here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7> and <http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>.

The Avenues and Midrise Building Guidelines were referred to to inform and complement directions around built form and massing in the O'Connor Drive Avenue Study.

Growing Up Urban Design Guidelines

In July 2017, Toronto City Council adopted the "Growing Up Draft Urban Design Guidelines". These guidelines directed how new development can better function for larger households at a unit, building and neighbourhood scale.

Following a two-year implementation and monitoring period, City Council recently adopted updated and final "Growing Up: Planning for Children in New Vertical Communities" urban design guidelines at its meeting on July 28, 2020 (the "Final Growing Up UDGs"). The Final Growing Up UDGs are to be applied City-wide to all new multi-residential mid-rise and tall building development applications that include 20 units or more. While the Final Growing Up UDGs are intended to address the needs of households with children are met, they can also benefit a diversity of other large household types, including multi-generational families and roommate arrangements.

The Final Growing Up UDGs are available at:

<http://www.toronto.ca/legdocs/mmis/2020/ph/bgrd/backgroundfile-148362.pdf>.

Site Plan Control

The proposal is subject to site plan control. A site plan application was submitted on May 27, 2020, has been circulated to the appropriate commenting partners, and is under review.

COMMUNITY CONSULTATION

Community Consultation Meeting

A community consultation meeting was held on April 1, 2019 at Toronto City Church, located at 36 Curity Avenue. The meeting was attended by staff from the ward councillor's office, City Planning staff, the applicant, and approximately 30 members of the public.

Issues raised by area residents, which have been considered in the review of the application, were generally related to the following matters:

- Consideration of the O'Connor Avenue Study, which several attendees had participated in
- Noise, light, fume and shadow impacts of the proposed development, particularly on the adjacent existing apartment building at 970 O'Connor Drive
- Construction activity and whether there would be a management plan
- Parking and traffic impact on O'Connor and the private driveway off Curity Avenue
- Residential unit size, mix and tenure
- Number of retail units provided in the retail space at grade
- Impact on nearby bus stops, including whether they would be relocated
- Whether community benefits would be provided

Community input has informed City Planning's review of this application, and the final recommendations in this report. In particular, the applicant reduced the height, incorporated more pronounced stepbacks, increased the parking supply, added more larger units, and retained access to the rear of 970 O'Connor Drive in response to feedback from the community consultation meeting.

COMMENTS

The proposal has been reviewed and evaluated against the Planning Act, PPS, Growth Plan, City of Toronto Official Plan, and applicable design guidelines. Policy documents such as the PPS, Growth Plan and the Official Plan must be read in their entirety, and relevant policies must be applied to each situation.

Staff have determined that the proposal has regard for matters of provincial interest set out in Section 2 of the Planning Act, is consistent with the PPS and conforms to the Growth Plan, as described in the following sections.

Planning Act

It is staff's opinion that the proposed development has regard for the relevant matters of provincial interest set out under Section 2 of the Planning Act, including the orderly development of safe and healthy communities, the adequate provision of a full range of housing, the adequate provision of employment opportunities, the appropriate location of growth and development, the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems, and the promotion of a built form that is well designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

Matters of provincial interests are further articulated through the PPS and the Growth Plan, and will continue to be considered through the site plan approval process.

Provincial Policy Statement (2020)

Staff are satisfied that the proposal is consistent with the PPS. It facilitates intensification, redevelopment and compact form in a settlement area while avoiding or mitigating risks to public health and safety (Policy 1.1.3.4), by evaluating the property's proximity to a former municipal landfill, and by appropriately addressing the relationship between nearby major facilities and sensitive land uses (Policies 1.2.6.1, 1.2.6.2 and 1.3.2.2). The methane gas report and peer-reviewed noise mitigation studies include recommendations for avoiding and/or mitigating potential adverse effects of these features at the proposed development. They will be implemented through the rezoning and site plan approval processes, as appropriate. A Record of Site Condition must additionally be provided to Toronto Building prior to the issuance of building permits to enable the residential uses (see "Proximity to Former Landfill" section below).

In providing 383 square metres of retail space at grade, the proposal contributes to the economic development objectives under the PPS. The proposal reflects compact, mixed-used development that incorporates compatible employment uses to support liveable and resilient communities (Policy 1.2.1(d)) and contributes to a mix and range of diversified employment uses in the O'Connor Study Area (Policies 1.3.1(a) and (b)).

Consistent with Policies 1.1.3.6 and 1.4.3, the proposal facilitates intensification in a compact, 10-storey built form containing a mix of uses that efficiently use land, resources, infrastructure and public service facilities. It supports the use of active transportation and transit, and will contribute to safe, energy-efficient and efficient use of movement, by providing a reduced parking rate, 131 bicycle parking spaces, and by its adjacency to two bus stops serving the 70 and 91 TTC bus routes. It also features a range and mix of unit types, including 12 three-bedroom units making up 10% of the overall mix, of which four are provided in townhouses along Curity Avenue.

As noted above, Policy 4.6 of the PPS provides that the Official Plan is the most important vehicle for implementation of the PPS, and that official plans shall identify provincial interests and set out appropriate land use designations and policies. As

described in the sections that follow, the proposed development is consistent with Official Plan policies, providing a well-designed redevelopment that provides intensification in an appropriate location with a built form that has respect for its local context.

Growth Plan for the Greater Golden Horseshoe (2020)

Staff are satisfied that the proposal conforms with the Growth Plan, which provides a framework for managing growth and development in the Greater Golden Horseshoe region. The Growth Plan's policy directions are consistent with those of the PPS.

The proposal contributes to the achievement of complete communities, as contemplated by Policy 2.2.1.4, by providing a mixed-use development in a compact built form that will enable convenient access to local stores, services and public service facilities on and near O'Connor Drive, and providing a diverse range and mix of housing options within the development. Policy 2.2.6.2(d) provides further direction for municipalities to diversify their housing stock.

The proposal also contributes to economic development and competitiveness objectives in Section 2.2.5 of the Growth Plan. It adequately avoids or minimizes adverse impacts of the proposed development on nearby industrial uses (and similarly, mitigates the impacts of the industrial uses on the residential sensitive uses) (Policy 2.2.5.8). It creates active transportation infrastructure and is close to existing transit, both of which are draws for retail and office uses under Policy 2.2.5.3. The proposed at-grade retail space is consistent with direction under Policy 2.2.5.15 to support the retail sector by promoting compact built form and intensification of retail and service uses and areas, and by integrating those uses with other land uses (in this case, with a residential use and nearby employment uses) to support the achievement of complete communities.

Ways of further achieving the objectives of the Growth Plan, such as contributing to environmental sustainability and ensuring a high-quality, vibrant public realm, will continue to be explored through the site plan approval process.

Land Use

This application has been reviewed against the Official Plan policies in the "Policy Considerations" section of this report, SASP 400 and the Official Plan as a whole. Given the existing and the planned context for the subject property and the surrounding area, and the strategies proposed for avoiding and/or mitigating the potential impacts of siting residential uses near industrial uses and a former municipal landfill, Planning staff are of the opinion that the proposed mix of residential and retail uses are appropriate.

As noted above, the subject property is located on an *Avenue*, as shown in Map 2 (Urban Structure) of the Official Plan, and so is an area identified for growth. It is also designated *Mixed Use Areas* in Map 20 (Land Use) of the Official Plan. *Mixed Use Areas* are intended to absorb the majority of anticipated increases in retail, office, service employment, and residential development. As a mixed-use building on an

Avenue that has been developed to respond to the *Mixed Use Area* development criteria in Policy 4.5.2, Planning staff's opinion that the proposal is consistent with the intent of the Official Plan.

The proposal is also consistent with SASP 400 and the O'Connor UDGs, which reinforce that development at the subject property should contribute to the vision of a "main street" area, and support the range of permitted uses while contributing to the vitality of the area, as set out at Policy (a) in SASP 400 and in the District Structure Plan at Section 4.0 of the O'Connor UDGs.

Density, Height, Massing

The proposed 10-storey building features a curved façade, a 5-storey streetwall, and stepbacks at the 5th, 7th, 8th and 9th storeys. It complies with the setback requirements established through Zoning By-law 569-2013, including a 7.5-metre rear yard setback and a 5.5-metre setback for portions of the building with openings (no setback is required for portions of the building that do not have openings).

To provide additional transition to 970 O'Connor Drive, the north side of the proposed building that would directly face the existing apartment building has been stepped in, as illustrated in the site plan and west elevation drawings at Attachments 7 and 8. In particular, the portion of the building that is located against the shared north lot line is limited to approximately one storey in height to a depth of 7.5 metres, at which point the height increases to 10 storeys. As a result, a separation distance of approximately 12.5 metres is provided between the upper storeys of the proposed development and the existing building at 970 O'Connor Drive.

The building's height, massing and resulting density are consistent with the built form policies of the Official Plan, SASP 400 and the Avenues and Midrise Building Guidelines. Its curved façade and massing give prominence to a corner site, and its main building entrances are located to be visible and accessible from the public sidewalk. It responds to the street wall condition envisioned by the O'Connor UDGs and includes retail uses that will contribute to at-grade animation along O'Connor Drive. By incorporating a five-storey streetwall and numerous stepbacks at the upper storeys, the building's height and massing are respectful of the adjacent 6-storey apartment building at 970 O'Connor Drive.

The proposed building is contained almost entirely within a 45-degree angular plane from a height reflecting 80% of the width of O'Connor Avenue, consistent with the Avenues and Midrise Building Guidelines. Along Curity Avenue, small portions of the 8th, 9th and 10th storeys protrude into the angular plane in order to accommodate the proposed floor plan and elevator configuration of the building. Planning staff have accepted these protrusions in light of their minor nature and impact on adjacent properties, and the proposal's general compliance with angular plane and setback requirements.

Attachment 8 illustrates elevations for the proposed development.

Sun, Shadow, Wind

Policy 3.1.2.3 provides that new development will be massed to fit harmoniously into its surroundings, will respect and improve the local scale and character, and will minimize the impact on neighbouring buildings and open space by, among other methods, minimizing shadows and uncomfortable wind conditions on neighbouring properties and open spaces. Policy 3.1.2.4 additionally provides that new development should be massed to define the edges of streets, parks and open spaces at good proportion and locate taller buildings to ensure adequate access to sky view, sunlight and appropriate pedestrian level wind conditions for the proposed and future use of those spaces.

The sun/shadow study submitted in support of the application illustrates the shadow impacts of the proposal at the spring and fall equinoxes (March 21 and September 21). The development would have no shadow impact on Taylor Creek Ravine to its south or Topham Park to the north-east, and nominal shadow impact on the *Neighbourhoods* east of O'Connor Drive, with a small portion affected at 6:18PM on March 21. Shadowing on 970 O'Connor Drive to the north, which is *Mixed Use Areas*-designated, would occur from approximately 11:18AM to 6:18PM during both the spring and fall equinox. The reduced massing on the north side of the proposed building, facilitated through stepbacks and setbacks, is designed to reduce impacts related to shadow (as well as sky view, transition and overlook) on 970 O'Connor Drive.

A pedestrian level wind study will be requested through the site plan approval process to ensure that wind conditions created by the proposed development are appropriate. It will also address the wind condition on the proposed private terraces.

Traffic Impact, Access, Parking

The applicant submitted a traffic operations assessment study dated December 20, 2018 and an addendum dated April 17, 2020 (collectively, the "Traffic Impact Study") in support of the application. Transportation Services staff have reviewed the Traffic Impact Study and concurred with its results, subject to addressing design and technical details through the site plan approval process.

The Traffic Impact Study estimates that the proposed development will generate approximately 26 and 39 two-way trips during the AM and PM peak hours, respectively, and that this projected site traffic will have minimal impacts on area intersections and can be acceptably accommodated on the adjacent road network.

In terms of vehicular parking spaces serving the development, a total of 103 parking spaces are proposed, consisting of 87 parking spaces for residents, 14 parking spaces for residential visitors and retail users, and two car-share spaces, all located in a three-level underground parking garage. While this amount of spaces reflects a shortfall relative to the amount required under Zoning By-law 569-2013 (which requires 120 parking spaces, consisting of 107 resident spaces, 18 visitor spaces, and three retail spaces) the Traffic Impact Study reviewed several comparable developments and concluded that together with the proposed car-share spaces, which reduce the resident

parking by-law requirement by 6 spaces, the proposed development would be adequately served. 20 percent of the parking spaces will be installed with electric vehicle supply equipment and the remaining parking spaces will be provided with roughed-in conduits.

The development proposes 131 bicycle spaces, comprised of 114 long-term spaces serving residents (of which 22 spaces would be located in a stacker in a bicycle storage room on the ground floor, 54 spaces would be located in a stacker in a bicycle storage room on P1, and 38 spaces would be located in a stacker in a bicycle storage room on P2). Outside, 13 at-grade residential visitor spaces are provided at the rear of the building, and 4 at-grade retail visitor spaces are provided at the northeast corner of the building.

Consistent with Official Plan Policy 3.1.2.2 and the O'Connor UDGs, the Type-G loading space and the underground parking garage are located at the rear of the property, and are proposed to be accessed by a private lane off Curity Avenue to improve the safety and attractiveness of the public realm along O'Connor Drive and Curity Avenue. While Transportation Services staff are also satisfied with this configuration, details related to the proposed lane width and amount of pavement will need to be addressed during the site plan approval process.

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 property is required and proposed to be conveyed to the City with this application. The conveyance will be secured through the site plan approval process.

There are no additional lands required for Curity Avenue.

Streetscape and Public Realm

The *Mixed Use Areas* development criteria provide that new development in such areas should provide an attractive, comfortable and safe pedestrian environment (Policy 4.5.2(f)), and locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences (Policy 4.5.2(j)).

As noted above, access to the parking garage and loading space has been located at the rear of the proposed development. Additionally, all service areas and garbage storage have been located in the interior of the building.

The streetscape must accommodate Toronto Transit Commission ("TTC") requests related to two existing bus stops along O'Connor Drive (southbound) and Curity Avenue (westbound). TTC staff have requested that the proposal retain the two bus stops, and to ensure both stops include level concrete platforms measuring at least 16 metres in length and 2.4 metres in width from the curb to TTC specification. The O'Connor Drive

stop is to also retain a full bus shelter (rather than a reverse canopy shelter previously proposed by the applicant, which would occupied less space in the public realm). This addresses questions raised at the public consultation around the impact of the proposal on the existing bus stops.

The proposal features a 4.8-metre sidewalk width measured from the curb to the building face, as recommended by the Avenues and Mid-rise Building Guidelines, which includes a 2.1-metre pedestrian clearway along the majority of O'Connor Drive and Curity Avenue. A small portion of the clearway is interrupted by the TTC bus shelter fronting onto O'Connor Drive, where the clearway is shifted and reduced to 1.959 metres. This matter, as well as more detailed streetscape design, will continue to be addressed through the site plan approval process.

Servicing

The applicant submitted functional servicing reports dated December 21, 2018 (updated August 8, 2019) and April 9, 2020 (collectively, the "Functional Servicing Reports") in support of the proposal. The Functional Servicing Reports have been reviewed by Engineering and Construction Services ("ECS") staff, who are generally satisfied that there is adequate existing municipal infrastructure to service the proposed development. However, ECS require additional information to be provided by the applicant prior to bills being enacted in respect of the proposed zoning by-law amendments, as reflected in Recommendation #4 in this report.

Proximity to Former Municipal Landfill

The property is located within 250 metres of a former municipal landfill site, as described in a series of historical documents provided by the applicant. The landfill covered a large portion of the lands generally bounded by Dohme Avenue to the north, O'Connor Drive to the east, Curity Avenue to the south, and Cranfield Road to the west, and operated for 3-4 years in the early 1960s.

The applicant prepared methane gas reports dated December 2019 and March 27, 2020 addressing, among other matters, the results of a subsurface methane gas monitoring investigation that was conducted at the request of Solid Waste Management (the "Methane Gas Reports"). The Methane Gas Reports have been reviewed by Solid Waste Management and have been confirmed to show an acceptable range of methane and carbon dioxide levels. As one location at the northeast corner of property was found to have relatively higher methane levels in air, the Methane Gas Reports include a precautionary recommendation that former sanitary/storm lateral connections attributed to this increased level be investigated during development and excavation of the property to confirm proper capping and decommissioning of the pipes in that area. This recommendation will be secured through the site plan approval process.

Toronto Building additionally requires a "Record of Site Condition", or "RSC", to be submitted in order to facilitate the change of use at the property, in accordance with applicable MOECC standards.

Amenity Space

Zoning By-law 569-2013 requires a minimum of 2 square metres of indoor and outdoor amenity space per unit provided, which in this case, amounts to a required 252 square metres of each of outdoor and indoor amenity space.

The building's residential amenity space is provided on the ground floor, situated above the tunnel access to the underground parking garage. The indoor amenity space is comprised of a 254-square metre space accessed through the lobby. The indoor amenity space connects to a 192-square metre outdoor amenity space in the form of a landscaped courtyard on the north side of the building. Although the outdoor amenity space is deficient under Zoning By-law, staff are satisfied with the amount of indoor amenity space provided (which will serve residents year-round), the private terraces or balconies that serve almost every unit in the development, and that quality programming can be achieved in the outdoor space as proposed.

Both spaces are currently unprogrammed in the plans provided. More detail around the nature of these spaces will be sought through the site plan approval process, with reference to the Final Growing Up UDGs.

Housing Issues

The application proposes 126 residential units, comprised of 6 bachelor units (5%), 58 one-bedroom units (46%), 50 two-bedroom units (39%) and 12 three-bedroom units (10%). This reflects staff and public feedback regarding unit mix in response to the original submission, where the applicant initially proposed 135 dwelling units, comprised of 59 one-bedroom units (44%), 75 two-bedroom units (56%) and only one three-bedroom unit (1%).

The current unit mix is consistent with the Final Growing Up UDGs, which recommend at Guideline 2.1(a) that a building provide a minimum of 25% large units, i.e. 10% three-bedroom units and 15% two-bedroom units. As recommended by Guidelines 2.1(b), (c) and (d), the four three-bedroom townhouse units along Curity Avenue are grouped together, located at grade, and provide direct access into the residential lobby, which in turn provides direct access to the indoor and outdoor amenity spaces.

Guideline 3.0(a) of the Final Growing Up UDGs contemplates an ideal unit size of 90 square metres (969 square feet) for two-bedroom units, and 106 square metres (1,140 square feet) for three-bedroom units. Currently, the average unit size is as set out in Table 2 on the following page.

As detailed design progresses, the applicant will be requested to provide additional information on unit configuration and the amount of storage serving each unit, as well as to increase the average unit size of the two- and three-bedroom units, in further consideration of the Final Growing Up UDGs..

Table 2 - Average recommended and proposed unit sizes

Unit type	Final Growing Up UDGs recommended average unit area (sq.m.)	Proposed average unit area (sq.m.)
Bachelor	-	43
One-bedroom	-	55
Two-bedroom	90	65
Three-bedroom	106	99

Open Space/Parkland

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 Official Plan shows local parkland provisions across the city. The subject property is in an area with 3.00+ hectares of local parkland per 1,000 people. The property is in the highest quintile of current provision of parkland and 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 non-residential component of this proposal is subject to a 2% parkland dedication while the residential component is subject to a cap of 10% 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 grade building permit and is valid for six months. Payment will be required prior to the issuance of the first above-grade permit.

Ravine Protection and Natural Heritage Protection

The Taylor Creek ravine system is situated adjacent to the subject property on the south side of Curity Avenue. As noted in "Site and Surrounding Area", the Taylor Creek ravine is a regulated by the TRCA and by the RNFP by-law. While the Taylor Creek ravine system is part of the Natural Heritage System, as identified on Map 9 of the Official Plan, and is generally designated *Natural Areas*, the portion that is adjacent to the subject property is designated *Mixed Use Areas*. Staff note that at this time, there is no designated point of entry into the ravine at this location. Moreover, the subject property is not TRCA-regulated nor subject to the RNFP by-law.

Both the TRCA and the City of Toronto Urban Forestry division confirmed that their review would not be required and that neither TRCA nor RNFP permits would be required prior to any development taking place at the subject property. A Natural Heritage Impact Statement was also not required.

Tree Preservation

The applicant submitted an arborist letter dated September 19, 2018, an arborist report dated August 27, 2020, and a tree preservation plan dated August 26, 2020, among other tree preservation-related materials, in support of this application. These materials confirm that no regulated trees will be removed or injured as part of the proposed development, and that one regulated private tree and a soft surface area located west of the private laneway will require protection during project construction.

Urban Forestry staff requested the planting of 6 new street trees in the Curity Avenue road allowance. The applicant has advised that the maximum of three large growing shade trees may be planted in the Curity Avenue allowance, given existing utilities as well as the TTC bus stop that must also be accommodated in the road allowance. These details, as well as other landscaping matters, will be addressed through the site plan approval process.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard ("TGS"). The TGS is a set of performance measures for green development. Applications for zoning by-law amendments, draft plans of subdivision and site plan control are required to meet and demonstrate compliance with Tier 1 of the 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, as applicable.

The applicant is required to meet Tier 1 of the TGS. The site-specific amending zoning by-laws will secure certain measures addressed by the Tier 1 standard. Other applicable TGS performance measures will be secured through the site plan approval process. The applicant will also be encouraged to pursue higher tiers of the TGS.

Community Services Assessment

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

The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The

City's Official Plan states that the City's ability to grow wisely depends on responding in a timely way to the demand for new or additional services and facilities generated as the population grows. To ensure this kind of timely response, a standard component of local community planning must be a strategy setting out the facilities required to expand the capacity of local service providers (Section 3.2.2).

Given the scale of the proposed development, a CS&F study was not required in this application.

Noise Mitigation

Given the property's proximity to active employment uses and lands designated *Employment Areas*, the applicant submitted a noise impact study prepared by LEA Consulting Ltd. dated December 18, 2018 as part of its initial submission, as well as an updated study dated April 2020 (collectively, the "Noise Impact Study"). The purpose of the Noise Impact Study was to assess future noise impacts on the proposed development resulting from transportation and stationary noise sources near the subject property (i.e. vehicular traffic along O'Connor Drive and noise from the industrial uses to the west), and to determine any noise control measures necessary to mitigate excess noise which may impact the future development.

The City retained GHD Limited ("GHD") at the cost of the applicant to peer review the Noise Impact Study on behalf of the City, and to provide an opinion on the sufficiency and accuracy of the submitted material and concurrence with the opinions of the Noise Impact Study and associated documentation. GHD has signed off on the Noise Impact Study and the recommendations within.

The Noise Impact Study references Ministry of the Environment and Climate Change ("MOECC") Guideline NPC-300 ("NPC-300"). NPC-300 is a provincial guideline published in 2013 that provides guidance for the appropriate control of sources of noise emissions to the environment. It is not determinative planning policy for land use planning decisions. The purpose of NPC-300 is as follows:

- To provide sound level limits that are applied by the MOECC to stationary sources, such as industrial and commercial establishments and auxiliary transportation facilities;
- To provide advice, sound level limits and guidance that may be used when land use planning decisions are made under the Planning Act;
- To provide sound level limits that may be incorporated into noise control by-laws, which may be developed by municipalities; and
- To provide sound level limits that may be applied under the provisions of the Aggregate Resources Act.

NPC-300 classifies noise sensitive receptors by area. Depending on the receptor area classification, different guideline sound limits apply. The four classes are as follows:

- Class 1 – Urban Areas
- Class 2 – Suburban/Semi-Rural Areas
- Class 3 – Rural Areas
- Class 4 – Infill areas

Class 1 areas are defined as areas "with an acoustical environment typical of a major population centre, where the background sound level is dominated by the activities of people, usually road traffic, often referred to as 'urban hum'". According to the Noise Impact Study, the subject property and surrounding area are considered to be located in a Class 1 area.

Class 4 is intended to allow for infill and redevelopment in proximity to existing stationary sources of noise, such as industry, while still protecting residences from undue noise. Class 4 allows for higher noise levels at residential receptors than would be permitted within a Class 1 area. Class 4 makes it is easier for noise-generating industry to remain in compliance with MOECC requirements while also allowing municipalities to achieve sensitive land use redevelopment goals in accordance with land use policies and in proximity to industrial uses.

It should be noted that a Class 4 area is defined as an area or specific site that would otherwise be defined as Class 1 or 2, and which:

- Is an area intended for development with new noise sensitive land use(s) that are not yet built;
- Is in proximity to existing lawfully established stationary sources; and
- Has formal confirmation from the land use planning authority with the Class 4 area classification which is determined during the land use planning process (i.e., City Council recommendation is required to effect a Class 4 designation).

The Noise Impact Study provides several recommendations for mitigating stationary and transportation noise at the proposed development, including:

- Installing a 2-metre high acoustic barrier along portions of the development;
- Assigning the subject property a site-specific Class 4 designation under NPC-300;
- Installing central air conditioning to serve residents of the building;
- Including a "Type F" warning clause in future agreements of purchase and sale, leases and relevant development agreements, including condominium declarations; and
- Certain technical design features with respect to window installation at the building.

The Noise Impact Study also advised that the above recommendations should be verified upon the final detailed review of the architectural design of the proposed development. Accordingly, staff will request verification of these recommendations during the site plan approval process.

Construction Management Plan

Planning staff will work with the applicant to develop an appropriate construction management plan in order to minimize the impact of the redevelopment on the adjacent apartment building at 970 O'Connor Drive, which was a concern expressed during public consultation. Issues to be addressed include, but are not limited to, noise, dust, vibration, construction hours, access, parking, and security/safety. The construction management plan will be developed to the satisfaction of the General Manager, Transportation Services and the Director, Community Planning, Toronto and East York District, in consultation with the Ward Councillor.

Conclusion

The proposal has been reviewed against the policies of the PPS, Growth Plan, Official Plan, and applicable design guidelines. Staff are of the opinion that the proposal is consistent with the PPS and conforms with the Growth Plan. Furthermore, the proposal is in keeping with the intent of the Official Plan, particularly as it relates to built form, provision of housing, animating streetscapes, and the development of sensitive uses in proximity to industrial areas. Staff worked with the applicant to address concerns around potential impacts of the proposed development on the adjacent residential building at 970 O'Connor Drive, as well as on the neighbouring O'Connor/Bermondsey employment area, and will continue to refine the development as it advances through the site plan approval process.

The proposal reflects a thoughtfully designed compact built form, provides a diverse unit mix and at-grade retail uses, and will contribute to the evolution of O'Connor Drive as a vibrant urban corridor that provides more opportunities for people to live, work and shop. Staff recommend that Council support approval of the application.

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SIGNATURE

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ATTACHMENTS

City of Toronto Data/Drawings

Attachment 1:	Application Data Sheet
Attachment 2:	Location Map
Attachment 3:	Official Plan Land Use Map
Attachment 4:	Existing Zoning Maps
Attachment 5:	Draft Zoning By-law Amendment (Zoning By-law 6752)
Attachment 6:	Draft Zoning By-law Amendment (Zoning By-law 569-2013)

Applicant Submitted Drawings

Attachment 7:	Site Plan
Attachment 8:	Elevations

Attachment 1: Application Data Sheet

Municipal Address: 968 O'CONNOR DR Date Received: December 21, 2018

Application Number: 18 271310 STE 19 OZ

Application Type: Rezoning

Project Description: Zoning By-Law Amendment to support the development of the site, with a 10-storey (31.05 metres, excluding mechanical penthouse) residential mixed-use building consisting of a 5-storey streetwall with retail at grade. The proposed building will contain a total of 9,481 square metres of gross floor area including 126 residential units.

Applicant	Agent	Architect	Owner
BOUSFIELDS INC.			2608033 ONTARIO INC.

EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision:

Zoning: CR 0.8 (C0.8;
r0.0) SS3 (x312) Heritage Designation:

Height Limit (m): Site Plan Control Area:

PROJECT INFORMATION

Site Area (sq m): 1,835 Frontage (m): 28 Depth (m): 55

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			1,110	1,110
Residential GFA (sq m):			9,098	9,098
Non-Residential GFA (sq m):			383	383
Total GFA (sq m):			9,481	9,481
Height - Storeys:			10	10
Height - Metres:			31	31

Lot Coverage Ratio (%) 60.49 Floor Space Index: 5.17

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	9,098	
Retail GFA:	383	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			126	126
Other:				
Total Units:			126	126

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		6	58	50	12
Total Units:		6	58	50	12

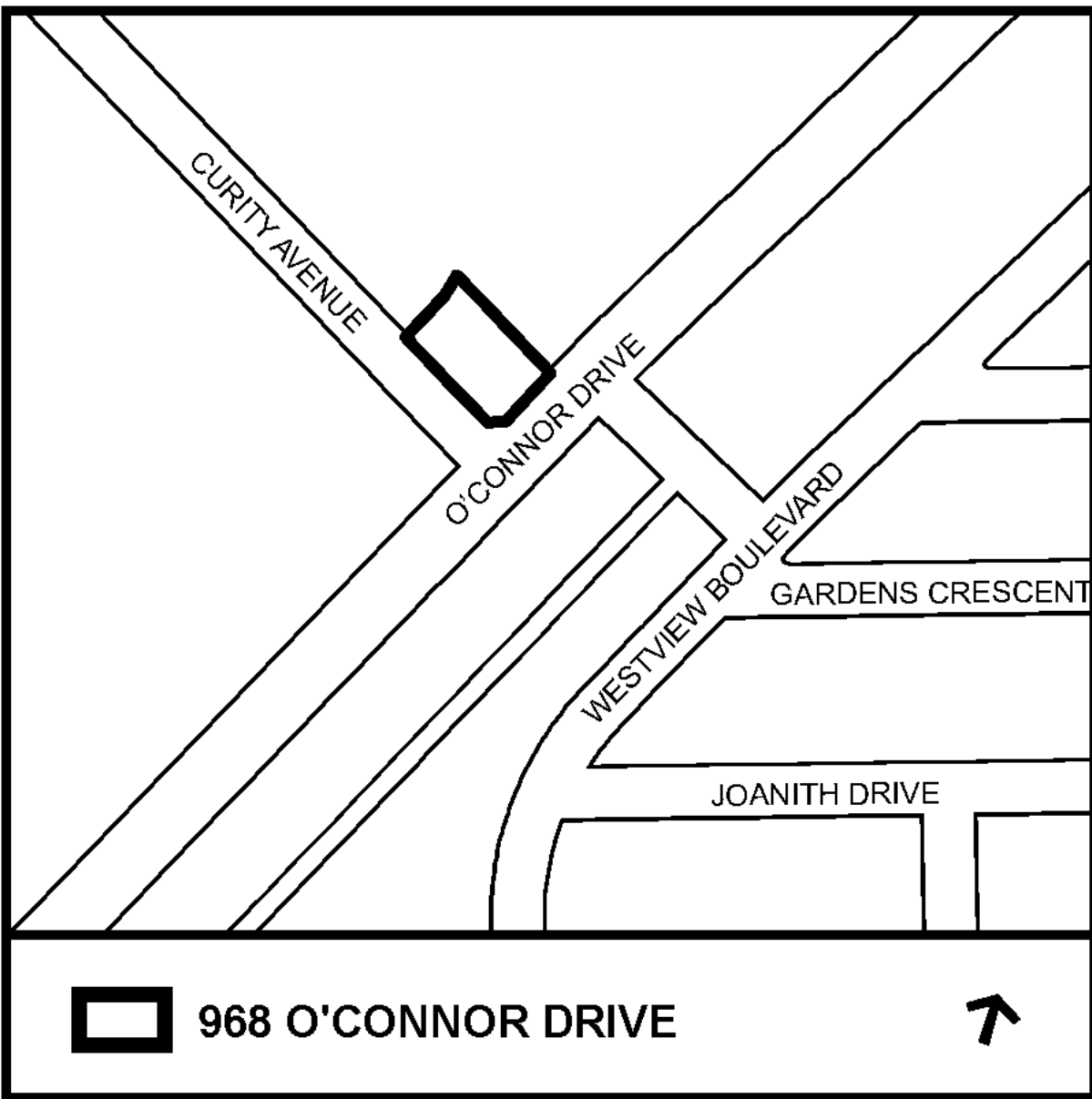
Parking and Loading

Parking Spaces:	103	Bicycle Parking Spaces:	131	Loading Docks:	1
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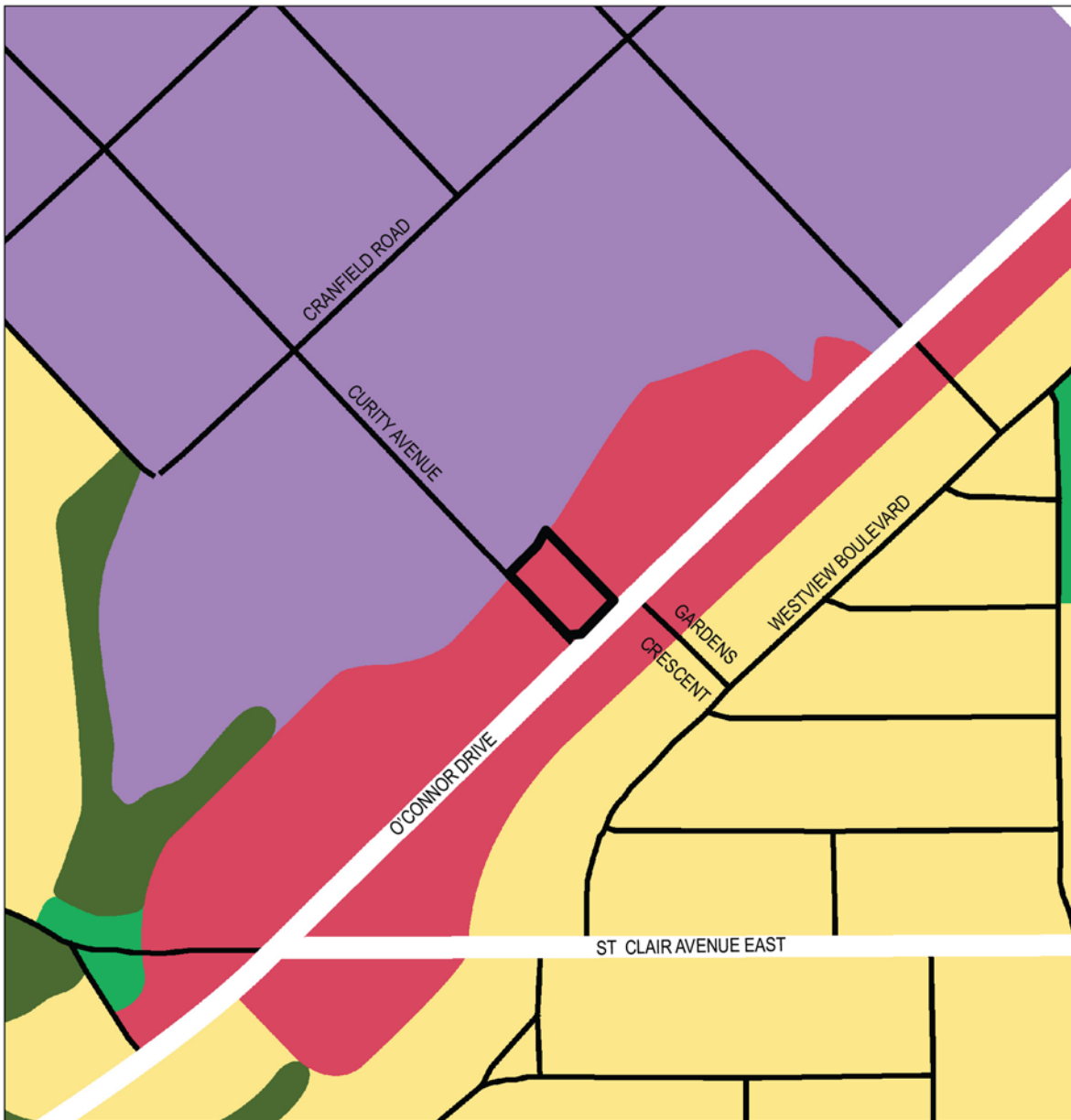
CONTACT:

Kasia Kmiec, Assistant Planner
(416) 392-0674
kasia.kmiec@toronto.ca

Attachment 2: Location Map



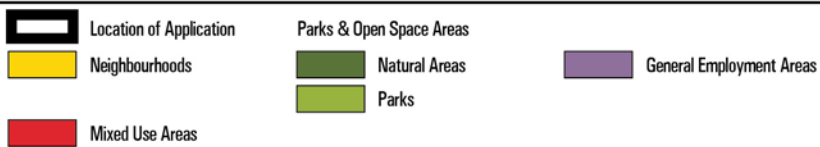
Attachment 3: Official Plan Land Use Map



968 O'Connor Drive

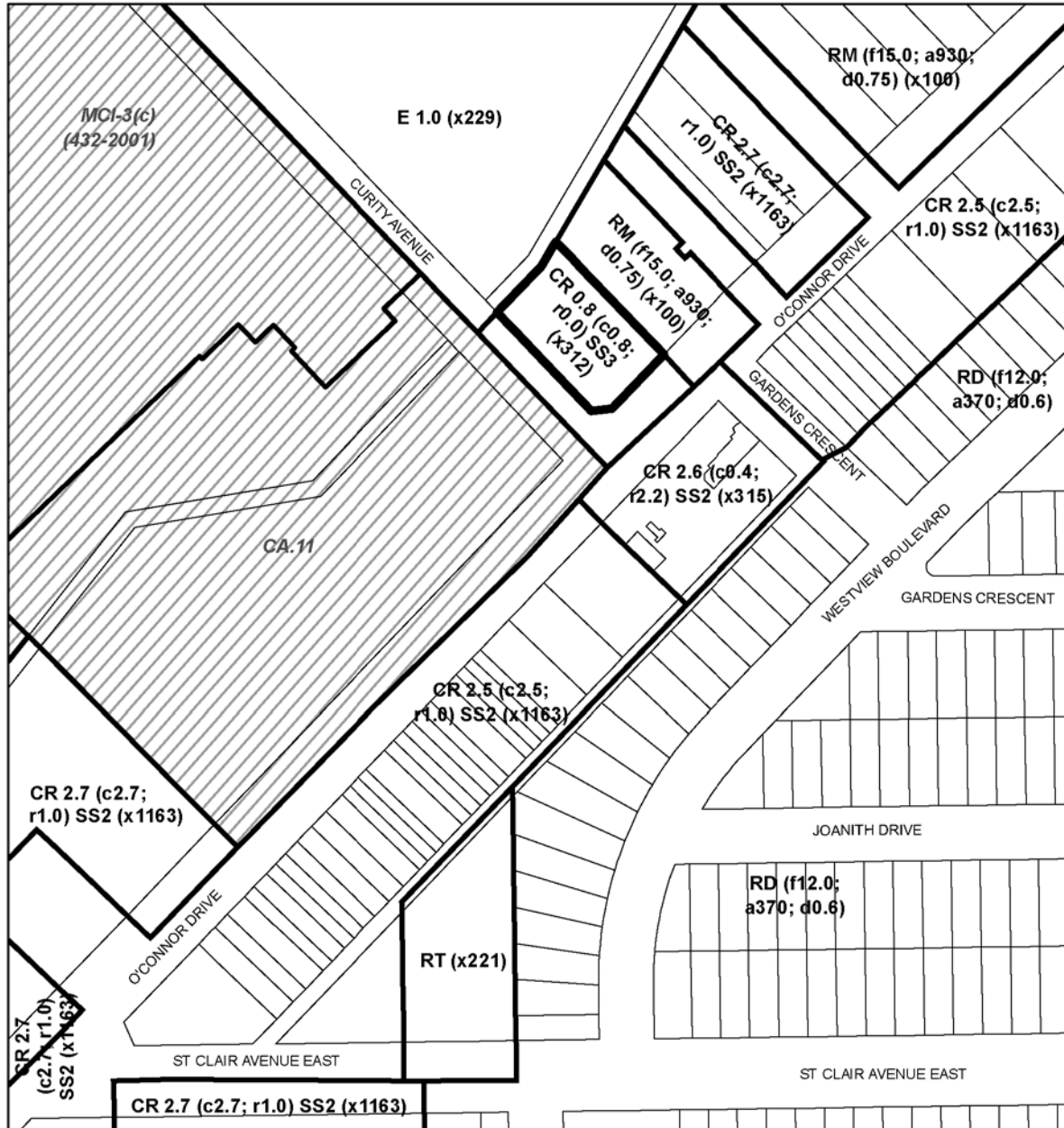
Official Plan Land Use Map #20

File # 18 271310 STE 19 OZ




 Not to Scale
 08/31/2020

Attachment 4: Existing Zoning Maps



Zoning By-law 569-2013

968 O'Connor Drive

File # 18 271310 STE 19 OZ



Location of Application

RD

Residential Detached
Residential Townhouse

RM

Residential Multiple
Commercial Residential
Employment Industrial

CR

E



See Former Borough of East York By-law No. 6752

CA

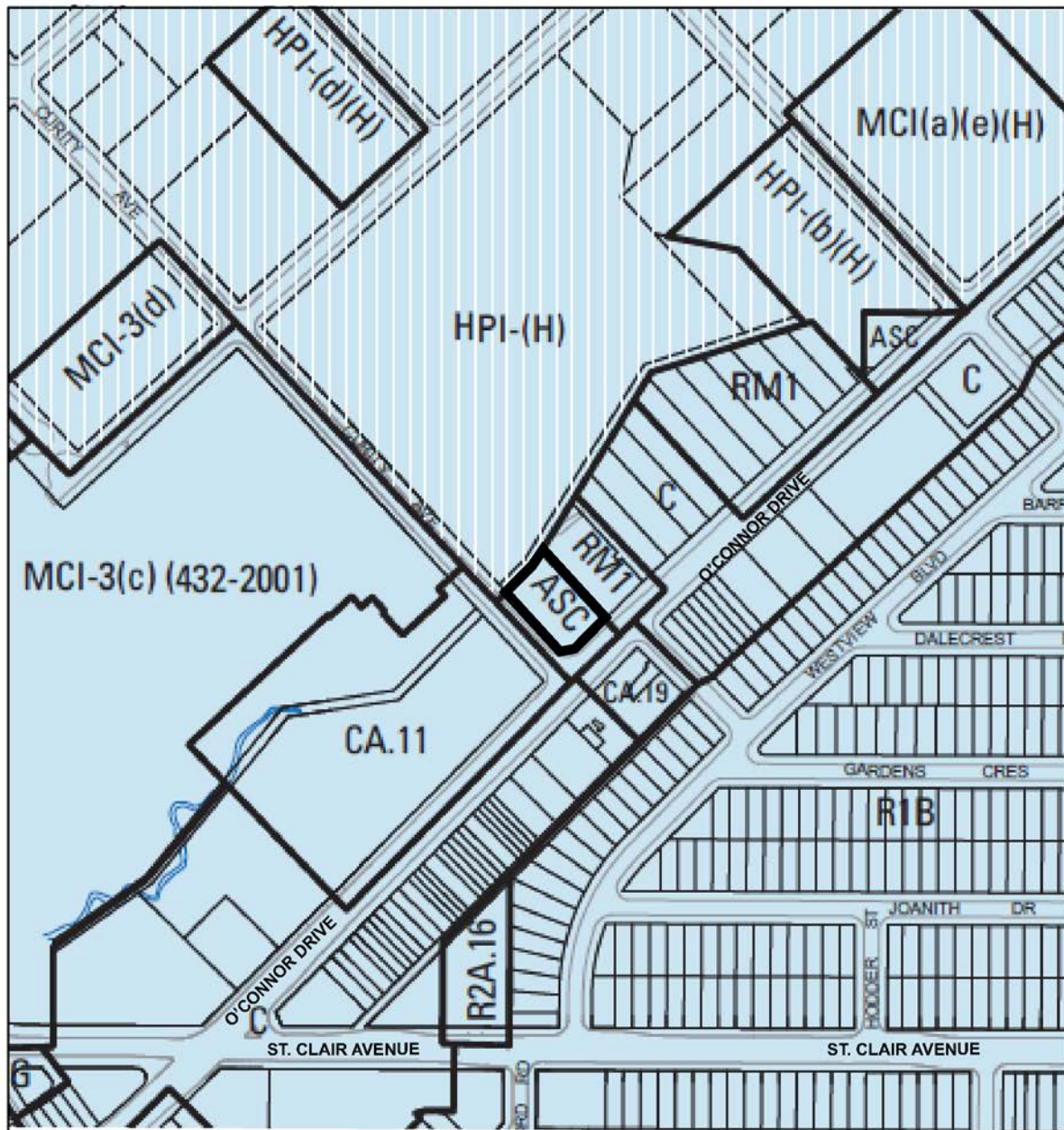
Commercial

MCI

Commercial Residential Employment



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Extracted: 09/01/2020



Former East York Zoning By-law 6752

968 O'Connor Drive

File # 18 271310 STE 19 OZ



Location of Application

R1A Low Density Residential
R1B Low Density Residential
RM1 Residential

C Commercial
CA Commercial Site Specific
ASC Automotive Services Commercial

MCI Mixed Commercial Industrial
H Holding



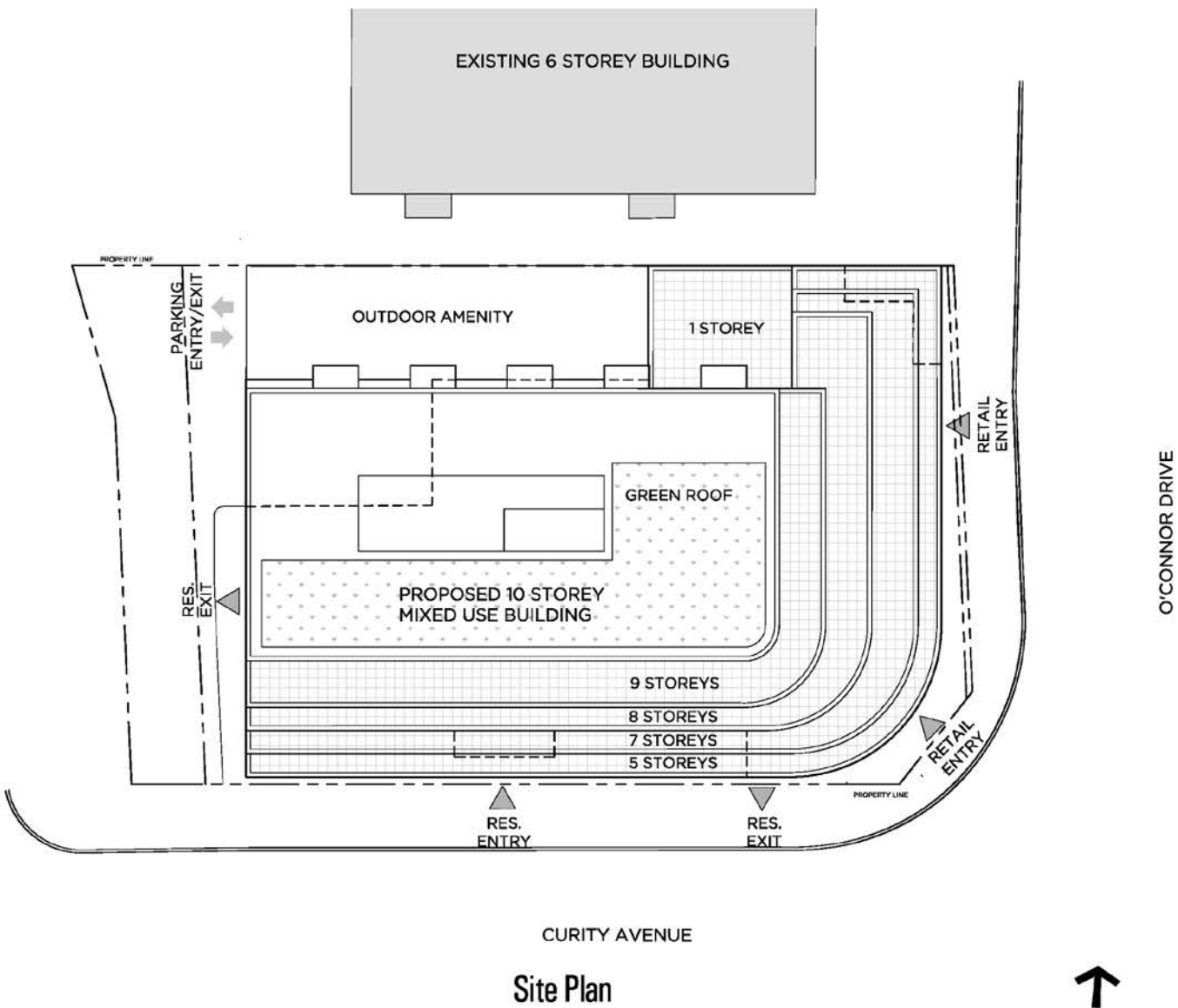
Not to Scale
Extracted: 09/09/2020

Attachment 5: Draft Zoning By-law Amendment (Zoning By-law 6752)

Draft by-law will be available at the October 15, 2020 Toronto and East York Community Council meeting.

Attachment 6: Draft Zoning By-law Amendment (Zoning By-law 569-2013)

Draft by-law will be available at the October 15, 2020 Toronto and East York Community Council meeting.



Attachment 8: Elevations

