

65-83 Raglan Avenue – Zoning By-law Amendment Application – Request for Direction Report

Date: October 14, 2020

To: Toronto and East York Community Council

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

Ward: 12 - Toronto St. Paul's

Planning Application Number: 19 137322 STE 12 OZ

SUMMARY

On July 16, 2019, City Council refused the application to amend the Zoning By-law at 65-83 Raglan Avenue to permit a 33-storey residential building, and directed staff to appear before the Local Planning Appeal Tribunal (LPAT) in support of City Council's decision to refuse the application, in the event the application is appealed to the Local Planning Appeal Tribunal. The applicant subsequently appealed the decision to the LPAT.

A 9-day hearing is scheduled to commence on February 8, 2020.

Staff and the application were scheduled to participate in an LPAT led mediation. However, due to the COVID-19 pandemic that was not possible at the time. Despite Staff's inability to participate in an LPAT led mediation, staff and the applicant had discussions to resolve the issues which led to the Refusal Report. As a result of those discussions the applicant revised their proposal.

On October 7, 2020, a revised 28-storey residential building proposal was submitted ("Revised Proposal"), which includes a newly proposed off-site parkland dedication at 1528 and 1530 Bathurst Street, reduced height and massing and increased tower separation through a Limiting Distance Agreement at 85 Raglan Avenue.

This report recommends that Council direct the City Solicitor, together with appropriate City staff, to support the Revised Proposal at the LPAT. The Revised Proposal is consistent with the Provincial Policy Statement (2020) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020), the City's Official Plan and adequately addresses the City's Tall Building Design Guidelines, or the intent of those guidelines.

An application for Rental Housing Demolition under Chapter 667 of the Toronto Municipal Code has not been submitted and is required to permit the demolition of 4 existing rental units at 65-83 Raglan Avenue.

Should the LPAT approve the Zoning By-law Amendment appeal in whole or in part, the Chief Planner would have the delegated authority under Chapter 667 of the Toronto Municipal Code to approve the Rental Housing Demolition permit application and impose conditions.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council authorize and direct the City Solicitor and appropriate staff to attend the Local Planning Appeal Tribunal in support of the Revised Proposal (October 7, 2020) for the requested Zoning By-law Amendment for the lands municipally known as 65-83 Raglan Avenue, as described in this report.

2. City Council authorize and direct the Chief Planner and Executive Director, City Planning and the City Solicitor to prepare the form of Zoning By-law Amendments to Zoning By-law 1-83, as amended, and Zoning By-law 569-2013 that reflect and implement the Revised Proposal (October 7, 2020) and the requirements set out in City Council's decision, including the matters to be secured in the Section 37 Agreement with such modification as may be required to implement the revised proposal as described in this report.

3. City Council require the owner to enter into an agreement pursuant to Section 37 of the Planning Act as follows:

a) That prior to the issuance of the first above grade building permit for the lands, the owner shall pay to the City a cash contribution of \$1,200,000.00 to be allocated as follows:

i. \$800,000 cash contribution towards capital improvements for new or existing cultural and/or community space within the vicinity of the application site, local area park improvement, and/or streetscape improvements to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor;

ii. \$400,000 for public art, to be selected as per the City's Percent for Public Art Program, and that the proposed Public Art Plan is presented to representatives from the community for their review and satisfaction, in a process led by the Ward Councillor.

b) The payment amounts identified in Recommendation 3 a) above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for the Toronto Census Metropolitan area, reported quarterly by Statistics Canada in Building Construction Price Indexes Table: 18 10-0135-01, or its successor, calculated from the date of the execution of the Section 37 agreement to the date of payment; and

c) In the event the cash contribution referred to in Recommendation 3 a) above has not been used for the determined purpose within three years of the amending Zoning By-law coming into full force and effect, the cash contribution may be redirected for another

purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided the purpose is identified in Official Plan Policy 5.1.1 and will benefit the community in the vicinity of the lands.

4. City Council also direct that the following be secured in the Section 37 Agreement as a legal convenience as matters required to support development, in consultation with the Ward Councillor:

a) Prepare all documents and convey to the City, at nominal cost, a 0.98 metre wide strip of land to the full extent of the site abutting the east limit of the north-south public lane, to a minimum depth of 1.2 metres from finished grade, together with right of support, such lands to be free and clear of all physical and title encumbrances, and subject to a right-of-way for access and construction purposes in favour of the Grantor until such time as the said lands have been laid out and dedicated for public lane widening purposes, all to the satisfaction of the Chief Engineer and Executive Director, Engineering & Construction Services and the City Solicitor;

b) The owner will include in the future Site Plan application, implement and maintain, all of the recommended wind mitigation measures, as detailed in the Pedestrian Level Wind Study, by Theakson Environmental, dated August 26, 2020, to the satisfaction of the Chief Planner and Executive Director, City Planning and prior to the issuance of Site Plan Approval;

c) The owner shall provide a Construction Management Plan and Neighbourhood Communication Strategy, prior to the issuance of Site Plan Approval, to the satisfaction of the Chief Planner and Executive Director, City Planning Division in consultation with the General Manager of Transportation Services and the Ward Councillor;

d) The owner shall provide the privately-owned publicly accessible space (POPS) of not be less than 215.9 square metres along the southern lot line, 5.5 metres in width, and 5.5 metres in height as generally shown on the architectural plans by IBI Group dated September 30, 2020 to the satisfaction of the Chief Planner and Executive Director, City Planning. Prior to the issuance of Site Plan Approval, the owner shall convey to the City, at its own expense, a stratified easement(s) along the surface of the lands, to the satisfaction of the City Solicitor, which will be provided and shall constitute the POPS and any required public access easements to connect the POPS to adjacent POPS and/or public rights-of-way, where necessary. The owner shall own, operate, maintain and repair the POPS and install and maintain a sign, at its own expense, stating that members of the public shall be entitled to use the POPS at all times of the day and night, 365 days of the year; and the specific location, configuration and design of the POPS shall be determined in the context of a site plan approval pursuant to Section 114 of the City of Toronto Act, 2006, and secured in a Site Plan Agreement with the City;

e) The owner shall provide a brick or masonry finish to the podium to the satisfaction of the Chief Planner and Executive Director, City Planning;

f) The owner shall locate the outdoor amenity space on the ground floor adjacent to the proposed privately-owned publically-accessible open space (POPS) as per the Site

Plan and Ground Floor Plan dated September 30, 2020 to the satisfaction of the Chief Planner and Executive Director, City Planning;

g) The owner shall provide a 4.0-metre front yard setback area of predominately soft landscaping to the satisfaction of the Chief Planner and Executive Director, City Planning;

h) City Council approve a development charge against the Parks and Recreation component of the Development Charges for the design and construction by the owner of the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry & Recreation (PFR). The development charge credit shall be in an amount that is the lesser of the costs to the owner of design and constructing the Above Base Park Improvements, as approved by the General Manager, PFR, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time; and

i) City Council require that prior to the issuance of the first above-grade building permit on the 65-83 Raglan site, the entirety of the properties municipally known as 1528 and 1530 Bathurst Street of approximately 479 square metres in size will be conveyed to the City of Toronto for Parks purposes, free of encumbrances (other than municipal and Hydro encumbrances), to the satisfaction of the General Manager, Parks, Forestry and Recreation. At the time of conveyance, any buildings currently located on the Future Park Lands shall have been demolished and the land shall be in a graded and in standard base park condition.

5. City Council instruct the City Solicitor to request that the LPAT withhold issuance of its final Order regarding the Zoning By-law Amendment appeal until such time as the LPAT has been advised by the City Solicitor that:

a) The proposed Zoning By-law Amendments are in a form satisfactory to the City, including appropriate Section 37 provisions in Recommendations 3 and 4, satisfactory to the Chief Planner and Executive Director, City Planning and the City Solicitor;

b) A Section 37 Agreement satisfactory to the Chief Planner and Executive Director, City Planning and the City Solicitor, has been executed and registered on title to the Site to the satisfaction of the City Solicitor, securing the benefits and matters of required to support the development outlined in the Recommendations;

c) The owner has, at its sole expense:

i. Submitted a revised Functional Servicing Report, including confirmation of water and hydrant flow, sanitary and storm water capacity, Stormwater Management Report and Hydrogeological Report (the "Engineering Reports") to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, in consultation with the General Manager, Toronto Water;

ii. Secured the design and the provision of financial securities for any upgrades or required improvements to the existing municipal infrastructure and/or new municipal

infrastructure identified in the accepted Engineering Reports to support the development, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, should it be determined that improvements or upgrades and/or new infrastructure are required to support the development;

iii. Submitted a revised Pedestrian Wind Level Study acceptable and satisfactory to the Chief Planner and Executive Director, City Planning; and,

iv. Submitted revised studies and/or drawings to the satisfaction of the General Manager of Transportation Services.

d) The owner has, registered on title, a Limiting Distance Agreement with the City, to the satisfaction of the City Solicitor, to ensure that ensures that the proposed residential building at 65-83 Raglan Avenue is set back at least 12.5 metres from the north property line of 85 Raglan Avenue, to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor;

e) The Chief Planner, under delegated authority, has approved the required Rental Housing Demolition application under Chapter 667 of the Toronto Municipal code to demolish 4 existing rental dwelling units at 65-83 Raglan Avenue; and,

f) City Council authorize the City Solicitor and other City staff to take any necessary steps to implement the foregoing.

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

On July 16, 2019, City Council refused the subject application. The recommendations of the staff report, dated June 7, 2019, indicated the proposal was: not consistent with provincial policies; did not conform to the intent of the Official Plan; did not provide appropriate transition to adjacent areas; and did not provided sufficient tall building separation distances. The decision document can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.TE7.22>

The applicant subsequently appealed the decision to the LPAT. A case management conference took place on January 22, 2020, where a 9-day hearing was scheduled to commence on February 8, 2021.

On February 12, 2020 a Request for Mediation was made by the applicant to the LPAT. The City agreed to attend a one-day mediation on April 13, 2020. However, due to COVID-19 provincial regulations, the mediation session was not held.

SITE AND SURROUNDING AREA

The rectangular shaped property has a frontage of approximately 55 metres along Raglan Avenue and a depth of 39 metres. The rear property line abuts a public lane that operates in a north/south direction from the rear of the lots fronting onto the north side of St. Clair Avenue West at the south, and dead ends approximately 50 metres north of the subject site. Raglan Avenue is a one-way street, with vehicular traffic permitted in a northbound direction.

The subject site is comprised of 10 lots containing 8 semi-detached two-storey buildings and 2 single detached homes, and 11 residential dwellings units, of which 5 are rental.

Surrounding land uses include:

North: single and semi-detached dwellings between 85 and 101 Raglan Avenue, a 6-storey residential apartment building at 105 Raglan Avenue, a 24-storey residential apartment building at 111 Raglan Avenue built in the 1960s, a 9-storey residential apartment building at 120 Raglan Avenue and a 3-storey apartment building north of 120 Raglan Avenue. Further north is a stable low-rise residential neighbourhood.

East: adjacent to the east of the subject site is a public lane that runs north/south from the rear of the existing development at 500 St. Clair West and dead-ends approximately 50 metres north of the subject site. On the opposite side of the lane are properties along the west side of Bathurst Street. Most of these properties along Bathurst Street are 4-storey walk-up buildings. Buildings with greater heights are closer to St. Clair Avenue West, including a 6-storey apartment building at 1516 Bathurst Street, 12-storey apartment building at 1500 Bathurst Street, an 18-storey building under construction at 1486 Bathurst Street, and a 23-storey building at the intersection of St. Clair Avenue West and Bathurst Street. Further to the northeast on the east side of Bathurst Street is a stable low-rise residential neighbourhood.

South: immediately south at 39 Raglan is a 9-storey residential apartment building, a 4-storey walk-up apartment building and a number of single, semi-detached and low-rise walk-up apartment buildings up to St. Clair Avenue West. On the west side of Raglan Avenue are two 4-storey walk-up apartment buildings and a 7-storey apartment building at 40 Raglan Avenue. Further south are a number of semi-detached dwellings up to St. Clair Avenue West. A 19-storey building is at the east corner of Raglan Avenue and St. Clair Avenue West.

West: adjacent to the subject site is Raglan Avenue. Opposite the subject site on the west side of Raglan Avenue is a 13-storey residential apartment building at 100 Raglan Avenue. Further west is a north-south laneway; a mix of 2-storey detached and semi-detached dwellings on the east side of Vaughan Road; apartment buildings ranging from 2-8 storeys on the west side of Vaughan Road; another north-south laneway; and a stable low-rise residential neighbourhood.

THE APPLICATION

Complete Application Submission Date: April 8, 2019

Description

The Revised Proposal is for a 28-storey residential building (94.0 metres including mechanical penthouse and elevator overrun) containing 320 dwelling units with 176 parking spaces within a 3 level underground garage and 328 bicycle parking spaces. Also proposed is a residential gross floor area of 23,490 square metres and a Floor Space Index of 10.9 times the area of the lot.

A new 479 square metre public park is proposed at 1528 and 1530 Bathurst Street, located off-site but adjacent to the southeast corner of the site. The new public park will have a dimension of approximately 13-metres (Bathurst Street frontage) by 38-metres (depth).

A 215.9 square metres privately owned publically-accessible space (POPS) is proposed along the southern property line creating a mid-block pedestrian connection from Raglan Avenue, across the north-south public laneway, to Bathurst Street through the new public park.

At the ground level, the base building is set back 4.0 metres from the front property line and approximately 10.0 metres from the curb on Raglan Avenue.

The overall height of the tower is 28-storeys (87 metres) with a 5.0 metre mechanical penthouse and 7.0 metre elevator overrun. The tower height steps down to 25-storeys or 77 metres to the north. The proposed maximum tower floor plate size is 795 square metres.

The applicant has proposed ,and is required, to enter into a Limiting Distance Agreement with the owner at 85 Raglan Avenue and the City to achieve a 12.5 metre tower setback between the north property line of 85 Raglan Avenue and the proposed tower.

Along the south property line, there is a side yard setback of 5.5 metres at the ground floor that widens to 10.0 metres to the rear, 3.5 metres setback at the second floor to the eighth floor, and a 12.5-metre setback to the tower.

All service vehicles and resident vehicles will access the site from Raglan Avenue. A total of 179 vehicular parking spaces (157 residents and 19 visitors) are proposed in a 3-level underground parking garage. A total of 296 residential and 32 visitor bicycle parking spaces are proposed. A Type-G loading space is also proposed.

A total of 1,281 square metres of amenity space is proposed, with 640 square metres of interior amenity space, and 641 square metres of outdoor amenity space.

See Attachment No. 2-6 of this report or Site Plan and Elevations.

The Revised Proposal incorporates numerous revisions from the original application as summarized below:

- A new 479 square metre public park
- reduced tower height from 33 storeys (103.8 metres) to 28 stepping down to 25 storeys (87 stepping down to 77 metres);
- reduced north base building height 27.2 to 18.5 metres
- reduced density from 11.66 to 10.9 times the lot area
- reduced total units from 347 to 320

Reasons for the Application

The proposal requires amendments to Zoning By-laws 1-83 and 569-2013 to vary performance standards, including: the increase in overall height and density; reduction in building setbacks; angular plane application; and reduction in vehicular parking standards; among others.

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.

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

The provincial policy-led planning system recognizes and addresses the complex interrelationships among environmental, economic and social factors in land use

planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the Planning Act and all decisions of 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. 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 be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with Provincial Plans.

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

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan (2020)") came into effect on August 28, 2020. This new plan amends and replaces the previous Growth Plan for the Greater Golden Horseshoe (2019). The Growth Plan (2020) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan (2020) establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the Planning Act.

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

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space, and better connected transit to where people live and work;

- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan (2020) builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan (2020) take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. In accordance with Section 3 of the Planning Act all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2020).

Planning for Major Transit Station Areas

The Growth Plan (2020) 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 (2020) 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 are planned for the prescribed densities.

Official Plan

The 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. Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application. Official Plan policies may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The subject site is located on lands shown as *Apartment Neighbourhoods* on Map 17 of the Official Plan.

See Attachment No. 3: Official Plan Land Use Map.

Chapter 7 - Site and Area Specific Policies

Site and Area Specific Policy 38 applies to lands along Raglan Avenue, south of Claxton Boulevard and north of St. Clair Avenue West. This policy states that land assembly will be required to allow for the development of more intensive buildings.

Zoning By-laws

The property is zoned RA (x777) in the City of Toronto Zoning By-law 569-2013 and RM2 in the former City of York Zoning By-law 1-83. The zoning allows for detached and semi-detached dwellings, along with duplex, triplex and townhouses with dwelling units that front directly on a street, and apartment buildings. For apartment buildings, the maximum permitted height is 8-storeys or 24 metres, the maximum floor space index is 2.5, the minimum lot frontage is 20 metres, the minimum side yard setback is 4.5 metres and the minimum rear yard setback is 7.5 metres. For all buildings the maximum height of the building shall not be greater than a 45 degree angular plane measured from the street line across the street.

St. Clair Avenue West and Bathurst Street Planning Framework

City Council adopted the St. Clair Avenue West and Bathurst Street Planning Framework on July 16, 2019 (the "Planning Framework"). The Planning Framework applies to an area that extends out from the St. Clair Avenue West and Bathurst Street intersection generally between Vaughan Road and Walmer Road. To the south this generally includes the triangle bounded by Bathurst Street and Vaughan Road and to the north the study area extends to Tichester Road with a portion extending further northwest of Bathurst Street. The Planning Framework is founded on a vision, goals and principles for the pedestrian environment and future redevelopment in the defined character areas.

The Planning Framework envisions the public realm in the St. Clair Avenue West and Bathurst Street area as a well-connected network that expands with new developments and improves access to parks, ravines, POPS and other open spaces. It includes a Public Realm Network Plan that will ensure that the green, landscaped character of the entire area is maintained and enhanced, and that a high-quality public realm and streetscape is created to improve the vitality and quality of life in the area.

The site is within the Raglan Transition Zone and the Public Realm Plan identifies special public realm features that apply to this site.

Tall Building Design Guidelines

City Council has adopted city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts.

Oakwood-Vaughan Urban Design Guidelines

The Oakwood-Vaughan Urban Design Guidelines apply to specific areas within the area bounded by St. Clair Avenue West, Oakwood Avenue, Eglinton Avenue and Bathurst Street.

The objective of the Oakwood-Vaughan Urban Design Guidelines in sub-area 4, along Raglan Avenue where the development is proposed, is to create an attractive, higher density residential street that is designed to respect the established pattern of adjacent higher density uses on Bathurst Street and Vaughan Road.

With regard to built form, the guidelines state that land assembly of properties for redevelopment is appropriate and that buildings will be aligned to front Raglan Avenue with the primary access from that street.

With respect to height, setbacks and angular plane, the guidelines state that the maximum heights of all buildings will be ten storeys or 30 metres, all buildings will be set back a minimum of five metres from the front lot line, all buildings will be set back within a 45 degree angular plane measured from the street line opposite and parallel to the front lot line and the minimum rear yard setback will be a minimum of eight metres.

The link to the Oakwood-Vaughan Urban Design Guidelines is here:

<https://www.toronto.ca/wp-content/uploads/2017/08/8fe0-Toronto-Urban-Design-Guidelines-Oakwood-Vaughan.pdf>

Rental Housing Demolition

The applicant's proposal to demolish 4 existing rental dwelling units at 65-83 Raglan Avenue requires a permit under Chapter 667 of the Toronto Municipal Code. Should the Zoning By-law Amendment application be approved by the LPAT in whole or in part, the Chief Planner would have the delegated authority to issue the preliminary approval for the rental housing demolition permit and the authority to impose conditions.

Official Plan policy 3.2.1 6 (rental housing demolition and replacement) does not apply to the proposed development and replacement of the 5 demolished rental dwelling units is not required as a condition of approval because fewer than 6 rental dwelling units are proposed to be demolished.

Growing Up Urban Design Guidelines

The objective of the "Growing Up Guidelines" is for developments to increase liveability for larger households, including families with children, at the neighbourhood, building and unit scale. While the Final Growing Up Urban Design Guidelines 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.

Pet Friendly Design Guidelines

The objective of the Pet Friendly Design Guidelines is to guide new developments in a direction that is more supportive of a growing pet population, considering opportunities

to reduce the current burden on the public realm, and provide needed pet amenities for high density residential communities. The Guidelines support all residents, pet-owners and non pet-owners alike, by encouraging design in new development that demonstrates a consideration for pets, as well as the impacts that they have on our parks, open spaces and the environment.

Site Plan Control

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

COMMUNITY CONSULTATION

City staff hosted a Community Consultation Meeting on May 29, 2019. Approximately 85 members of the public were in attendance as well as the Ward Councillor. Following a presentation by City staff and the applicant, the following issues for the proposed development were raised by community members:

- Traffic impacts on Raglan Avenue and nearby streets;
- Tenure of the units;
- Affordability of the units;
- Transportation modal split of future residents;
- Height and massing;
- Wind Impacts;
- Precedence of a building similar to the proposed development on other sites along Raglan Avenue;
- More family sized units/bedroom mix;
- Impact of the development on transit capacity;
- Impact on community infrastructure including daycares, schools and community centres;
- Community benefits;
- Impact of development on water infrastructure and overland flooding;
- Impact of development on migratory birds given the proximity to the natural heritage areas east of Bathurst;
- Driveway entrance/exit and impacts on the rear lane; and,
- Construction impacts.

A second community consultation meeting regarding the revised proposal (submitted October 7, 2020) was held virtually by the Ward Councillor on October 7, 2020, and approximately 46 members of the community participated.

Specific comments related to the proposed development included:

- Traffic impacts on Raglan Avenue and nearby streets, including Claxton Boulevard;
- Affordability of the units;
- Transportation modal split of future residents;
- Height and massing;

- Wind and Shadow Impacts;
- Family sized units/bedroom design;
- Impact of the development on transit capacity; and,
- Construction impacts.

COMMENTS

Provincial Policies and Plans Consistency/Conformity

The proposal has been reviewed and evaluated against the PPS (2020) and the Growth Plan (2020). Staff have determined that the proposal is consistent with the PPS (2020) and conforms with the Growth Plan (2020).

Provincial Policy Statement, 2020

The proposal is consistent with the PPS (2020). The proposed intensification and redevelopment can be accommodated, subject to the recommendations in this report in securing the appropriate upgrades/improvements, as necessary, to public infrastructure and securing appropriate community benefits to accommodate the increased density on the site (Policy 1.1.3.3). The intensification will meet appropriate development standards (Policy 1.1.3.4) discussed further in this report.

The PPS requires provisions to be made for an appropriate range of housing types and densities to meet projected requirements of current and future residents. The revised proposal provides a mix of residential dwelling units which will contribute to the long-term housing needs in the area.

This proposal conforms with the Growth Plan (2020). The proposal provides healthy, livable and safe communities that make a substantial contribution to the parks and open space system of the area.

Growth Plan for the Greater Golden Horseshoe, 2020

Section 1.2.1 of the Growth Plan states that a guiding principle of the plan is to support the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime. The Growth Plan expands upon this guiding principle under chapter 2 "Where and How to Grow" by stating that complete communities support quality of life by providing high quality public open space and adequate parkland.

Policy 1.5.1 (b) of the PPS indicates that healthy, active communities should be promoted by "planning and providing for a full range of equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas...".

The proposal provides an off-site parkland dedication which connects to and expands an existing and planned network of parks and open spaces, which is encouraged through the St. Clair Avenue West and Bathurst Street Planning Framework. In regard

to efficient use of infrastructure and transportation systems, the proposal is located in close proximity to St. Clair Avenue West subway station primary and secondary entrances. It promotes a land use pattern through the inclusion of a new POPS and connecting off-site public park that provides for increased pedestrian connectivity supporting the use of transit and active transportation as stated in Policy 1.6.7.4.

Growth Plan Policy 2.2.1(4) states that applying the policies of the Growth Plan will support the achievement of complete communities through, among other matters, providing a diverse mix of land uses, providing a more compact built form and a vibrant public realm, including public open spaces. The proposed development provides a compact built form with new public open spaces supporting the achievement of complete communities.

Policy 2.2.4(10) of the Growth Plan (2020) states that lands adjacent to or near frequent transit should be planned to be transit-supportive and supportive of active transportation. The Growth Plan (2020) requires that transit-supportive development will be consistent with Ontario's Transit Supportive Guidelines. The guidelines state that new development should contribute to a pedestrian-friendly public realm by scaling buildings to match their specific context, and ensuring mid-block connections that are direct, well-lit and fronted by or visible from adjacent uses to enhance pedestrian safety and comfort.

The revised proposal provides a mid-block connection, comprised of the POPS along the south property line from Raglan Avenue to the rear north-south laneway and the new public park at 1528-1530 Bathurst Street, creating a pedestrian connection from Raglan Avenue to Bathurst Street. The pedestrian connection expands convenient access to the north entrance of the St. Clair West Subway station and supports active transportation and transit use.

Policy 2.2.2.(3)(b) states that municipalities will identify the appropriate type and scale of development in strategic growth areas and transition of built form to adjacent areas.

The revised proposal shows a base building height of 8-storeys (28.0 metres) that transitions down to 5-storeys (18.5 metres) to the north. The tower height has been reduced from 33-storeys to 28-storeys (103.8 metres and 87.0 metres respectively, not including mechanical penthouses) and steps down to 25-storeys (77.0 metres) to the north. Also proposed is a tapered tower floorplate starting at the 25th storey.

The proposal is consistent with the overall policy outcomes of the PPS.

Land Use

This application has been reviewed against the Official Plan policies, planning studies and design guidelines described in the Policy Consideration Section of this report, as well as the policies of the Toronto Official Plan as a whole.

The site is designated *Apartment Neighbourhoods* which are made up of apartment building, parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of area residents. The underlying

Zoning By-laws also allow for residential uses. As such, staff have no concern with the proposed residential use.

Height, Massing and Density

The Revised Proposal has reduced the overall tower and base building heights which lessens skyview, and shadow impacts on neighbouring streets, parks, open spaces and properties.

The proposed tower height has been reduced from 33-storeys to 28-storeys. The tower height transitions down further to a height of 25-storeys. Also the proposed base building height is 8-storeys to the south and transitions down to 5-storeys to the north. The density has been reduced from 11.66 to 10.9 FSI and the number of dwellings has been reduced from 347 to 320 units.

The overall scale of the proposal has been reduced from the previous proposal resulting in an improved built form. The reduced heights that transition down to the south are within the intent of the planned framework and conform to the Official Plan policies.

The tower setback from the north lot line is 7.0 metres. However, the Revised Proposal achieves a 12.5 metres tower setback to the north property line of 85 Raglan Avenue because the applicant will be required to enter into a Limiting Distance Agreement with the owner of 85 Raglan Avenue and the City. The proposed tower setback to the south property line is 12.5 metres and 10.5 metres from the centre line of the rear laneway to the east.

The reduced height and improved massing, including the revised tower setbacks, proposed mitigates the shadow and sky view impacts for the adjacent and surrounding buildings and satisfy intent of the Tall Building Guidelines.

The Official Plan states that base buildings shall be massed to support the appropriate scale of adjacent streets, parks and open spaces, and to minimize the impacts of parking and servicing uses. The Built Form policies require that new development will be massed to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion. The revised base building height of 8-storeys at the south end of the site that steps down to 5-storeys at the north end appropriately fits within the existing context of neighbouring building heights at the street and respects the scale and proportion of the street.

The revised proposal provide a front yard setback of 4.0 metres from the front lot line. The increased setback will better align with the existing context on Raglan Avenue and provide a generous public boulevard that can contain high-quality soft and hard landscaped treatments similar to other properties on the street.

A reduction in the north podium height to 5-storeys and an increase in front yard setback results in a base building that fits and responds to the context along Raglan Avenue.

Parkland Dedication

The Official Plan requires that development will provide amenity for adjacent streets to make these areas attractive, interesting, comfortable and functional for pedestrians by providing improvements to adjacent boulevards and sidewalks.

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

At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 4,627 square metres or 215% of the site area. However, for sites that are less than 1 hectare in size, a cap of 10% of the development site is applied to the residential use. In total, the parkland dedication requirement is 215 square metres.

The Revised Proposal satisfies the parkland dedication requirement through an off-site dedication and provides an additional 264 square metres of parkland, creating a 479 square metre park. The park is to be located at 1528 and 1530 Bathurst Street, to the southeast of the development site.

This size and configuration of parkland is acceptable to Parks, Forestry and Recreation and achieves the public realm plan as envisioned in the St. Clair Avenue West and Bathurst Street Planning Framework.

Streetscape and Trees

The Planning Framework places this site within the Raglan Transition Zone. The built form objectives of the Raglan Transition Zone including new development that respects and reinforces the area's prevailing physical character including building spacing, landscaped setbacks and distinguishing green qualities of the street.

The Special Features and General Features maps of Public Realm Plan identifies a mid-block connection from Raglan to Bathurst Street at Tichester Road as a key public realm feature and significant component of the planning framework.

The Revised Proposal includes an increased front yard setback which allows for generous landscaping reinforcing the prevailing physical character. It also provides a POPS and new public park, which together form a mid-block connection from Raglan Avenue to Bathurst Street at Tichester Road, reducing the walking distance to the St. Clair West subway station secondary entrance.

Sun and Shadow

Planning staff have assessed the proposed revised development in terms of the incremental shadow impact and are satisfied that it adequately limits shadow on *Neighbourhoods*, parks, and publicly-accessible open spaces.

Section 4.2, Policy 2 b) and c) of the Official Plan states that Development in *Apartment Neighbourhoods* will contribute to the quality of life by locating and massing new buildings so as to adequately limit shadow impacts on properties in adjacent lower-scale *Neighbourhoods*, particularly during the spring and fall equinoxes; and locating and massing new buildings to frame the edge of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces.

The applicant submitted a revised sun/shadow study which indicates shadowing on a portion of the rear yards of properties designated as *Neighbourhoods* on Kenwood Avenue at 9:18 am during the fall and spring equinoxes. The shadow moves off of those properties by 10:18 am. In the afternoon, shadows move over portions of the front yards and rear yards of *Neighbourhoods* designated properties on Bathurst Street and Tichester Road between 3:18 pm and 6:18 pm. A small portion of Tichester Park near the sidewalk is shadowed at 6:18 pm during the fall equinox.

Pedestrian Wind Impact

The applicant submitted a revised Pedestrian Level Wind Study, including wind tunnel analysis report, which identifies wind mitigation measures for the pedestrian realm, new public park, and the outdoor areas of the base buildings and outdoor amenity areas to mitigate wind impacts year-round. The owner will be required to implement and maintain all recommended mitigation measures to the satisfaction of the Chief Planner and Executive Director, City Planning.

Road and Lane Widening

No road widening is required along Raglan Avenue as it is not a road identified in the Official Plan as a road to be widened.

To satisfy the Official Plan requirement of a 5.0 metre right-of-way for a public lane servicing residential lands, a 0.98 metre lane widening is required along the rear of the property. The public lane has an approximate current width of 3.05 metres.

The Revised Proposal indicates a 0.98 metre lane widening at-grade abutting the east limit of the public lane (the western limit of the site). However the required depth of the conveyance of 1.2 metres from finished grade has not been provided or shown on the submitted section plans. The applicant must provide and illustrate the required 1.2 metres of depth from the finished grade.

Vehicle Parking

The Revised Proposal provides a total of 176 vehicular parking spaces, including 156 residential tenant parking spaces, 19 visitor spaces, and one car-share space. It is

noted that 18 of these spaces are deemed "small car" spaces due to their sub-standard proposed dimensions.

The applicant submitted a revised parking study, dated October 2, 2020. The study provides rationale for the proposed parking rates and concludes that the proposed parking will meet the resident and visitor demand for the site.

The parking rates (standard and small spaces) fall within an acceptable range given the above-noted justification and site context. Similarly, the proposed visitor rate of 0.06 spaces per unit is also acceptable given the provided information and the site context.

Accessible Parking

As per City of Toronto amended Zoning By-law 569-2013 (Section 200.15), if the number of required parking spaces is more than 100, a minimum of 5 parking spaces plus 1 parking space for every 50 parking spaces or part thereof in excess of 100 parking spaces, must comply with all regulations for an accessible parking space.

A total of five accessible parking spaces are proposed for the site which does not satisfies the by-law requirement. Given the proposed parking supply, a total of six accessible parking spaces must be provided to comply with the By-law requirement.

Vehicular Access

The vehicular access is satisfactory. Vehicular access is proposed to be provided by a consolidated driveway off Raglan Avenue. Given the one-way northbound nature of Raglan Avenue, this driveway will operate as a right-in/right-out access. The proposed driveway provides a connection to the site's pick-up/drop-off area, parking and loading facilities.

Loading

A minimum of one Type-G is required and has been proposed for the subject site. Vehicle manoeuvring diagrams have been provided and are acceptable.

Bicycle Parking

The Revised Proposal provides 328 bicycle parking spaces (296 long-term, and 32 short-term). This meets the requirement in the Zoning By-law.

Infrastructure/Servicing Capacity

A Functional Servicing and Stormwater Management Report has been submitted for this site. A number of deficiencies have been identified and the report must be revised and resubmitted to the satisfaction of the Executive Director of Engineering and Construction Services.

In the event that the LPAT allows the Zoning By-law Amendment appeal in whole or in part, the final Order should be withheld pending the confirmation of water, sanitary and stormwater capacity from the Chief Engineer and Executive Director, Engineering and

Construction Services, or the determination of whether holding provisions are required in the Zoning By-law amendment.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives intended to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. A minimum of Tier 1 performance measures will be secured through a Site Plan Agreement. Staff will work with the applicant to achieve Tier 2 or higher through the more detailed design of the project.

Section 37

Section 37 of the Planning Act allows the City to enter into an agreement with an applicant to grant an increase in height and/or density (over and above that permitted by the Zoning By-law) in return for community benefits to be provided by the applicant.

The following community benefits are recommended to be secured in the Section 37 Agreement:

- \$800,000 cash contribution towards capital improvements for new or existing cultural and/or community space within the vicinity of the application site, local area park improvement, and/or streetscape improvements to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor;
- \$400,000 for public art, to be selected as per the City's Percent for Public Art Program, and that the proposed Public Art Plan is presented to representatives from the community for their review and satisfaction, in a process led by the Ward Councillor.

The following matters of convenience are also recommended to be secured in the Section 37 Agreement:

- The conveyance to the City of a 0.98 metre wide strip of land to the full extent of the site abutting the east limit of the north-south public lane, to a minimum depth of 1.2 metres from finished grade, together with right of support, such lands to be free and clear of all physical and title encumbrances, and subject to a right-of-way for access and construction purposes in favour of the Grantor until such time as the said lands have been laid out and dedicated for public lane widening purposes,
- The Implementation and maintenance of all of the recommended wind mitigation measures, as detailed in the Pedestrian Level Wind Study, by Theakson Environmental, dated August 26, 2020, to the satisfaction of the Chief Planner and Executive Director, City Planning and prior to the issuance of Site Plan Approval;

- A Construction Management Plan and Neighbourhood Communication Strategy;
- A privately-owned publicly accessible space (POPS), a minimum of 215.9 square metres along the southern lot line, and 5.5 metres in width, and 5.5 metres in height;
- Brick or masonry finish to the base building;
- The location of the outdoor amenity space on the ground floor adjacent to the proposed privately-owned publically-accessible open space (POPS);
- A minimum 4.0 metre front yard setback area of predominately soft landscaping;
- City Council approve a development charge against the Parks and Recreation component of the Development Charges for the design and construction by the owner of the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry & Recreation (PFR). The development charge credit shall be in an amount that is the lesser of the costs to the owner of design and constructing the Above Base Park Improvements, as approved by the General Manager, PFR, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time; and
- The conveyance of the entirety of the properties municipally known as 1528 and 1530 Bathurst Street of approximately 479 square metres in size to the City of Toronto for Parks purposes, free of encumbrances (other than municipal and Hydro encumbrances).

Conclusion

The applicant has worked with Staff to resolve the issues raised in the Refusal Report. The Revised Proposal introduces a new off-site public park, reduced height and massing and provides appropriate tower separation distances through a Limiting Distance Agreement.

Staff are of the opinion that the proposal is consistent with the PPS (2020) and conforms with the Growth Plan (2020). Furthermore, the proposal conforms with the applicable policies of the Official Plan and is consistent with the objectives outlines in the St. Clair Avenue West and Bathurst Street Area Planning Framework. Staff find that the Revised Proposal fits in with the existing and planned context and that the proposal is appropriate.

CONTACT

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SIGNATURE

Lynda H. Macdonald, MCIP, RPP, OALA, FCSLA
Director, Community Planning
Toronto and East York District

ATTACHMENTS

City of Toronto Data/Drawings

Attachment 1: Application Data Sheet
Attachment 2: Context Map
Attachment 3: Official Plan Land Use Map
Attachment 4: Existing Zoning By-law Map

Applicant Submitted Drawings

Attachment 5: Site Plan
Attachment 6: 3D Proposal Model in Context - Southeast View
Attachment 7: 3D Proposal Model in Context - Northwest View
Attachment 8: West Elevation
Attachment 9: East Elevation
Attachment 10: South Elevation
Attachment 11: North Elevation

Attachment 1: Application Data Sheet

Municipal Address: 65 Raglan Avenue **Date Received:** April 8, 2019

Application Number: 19 137322 STE 12 OZ

Application Type: Rezoning

Project Description: A 28-storey residential building

Applicant

Raglan Building
Group

Architect

IBI Group
Architects
(Canada) Inc.

Owner

2664218 ONTARIO
INC

EXISTING PLANNING CONTROLS

Official Plan Designation: Apartment Neighbourhood Site Specific Provision: SASP 38

Zoning: RA (x777) Heritage Designation:

Height Limit (m): 11 Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 2,153 Frontage (m): 20 Depth (m): 39

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	534		874	874
Residential GFA (sq m):	1,060		23,490	23,490
Non-Residential GFA (sq m):				
Total GFA (sq m):	1,060		23,490	23,490
Height - Storeys:	2		28	28
Height - Metres:			87	87

Lot Coverage Ratio (%) 40.6 Floor Space Index: 10.91

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

Residential GFA: 23,490

Retail GFA:

Office GFA:

Industrial GFA:

Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	4			
Freehold:	6			
Condominium:			320	320
Other:				
Total Units:	10		320	320

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			184	97	39
Total Units:			184	97	39

Parking and Loading

Parking Spaces: 176 Bicycle Parking Spaces: 328 Loading Docks: 1

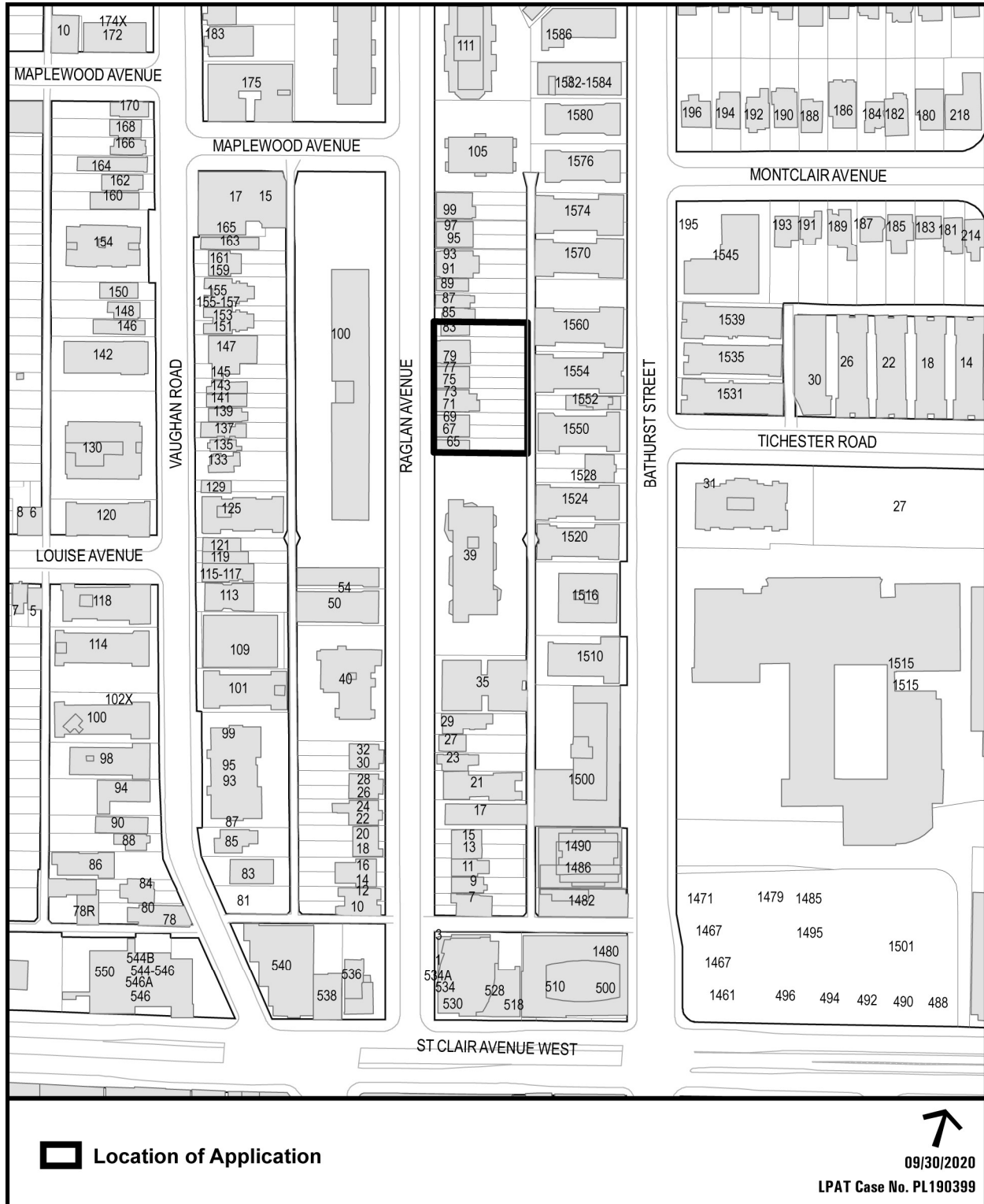
CONTACT:

Sipo Maphangoh, Senior Planner

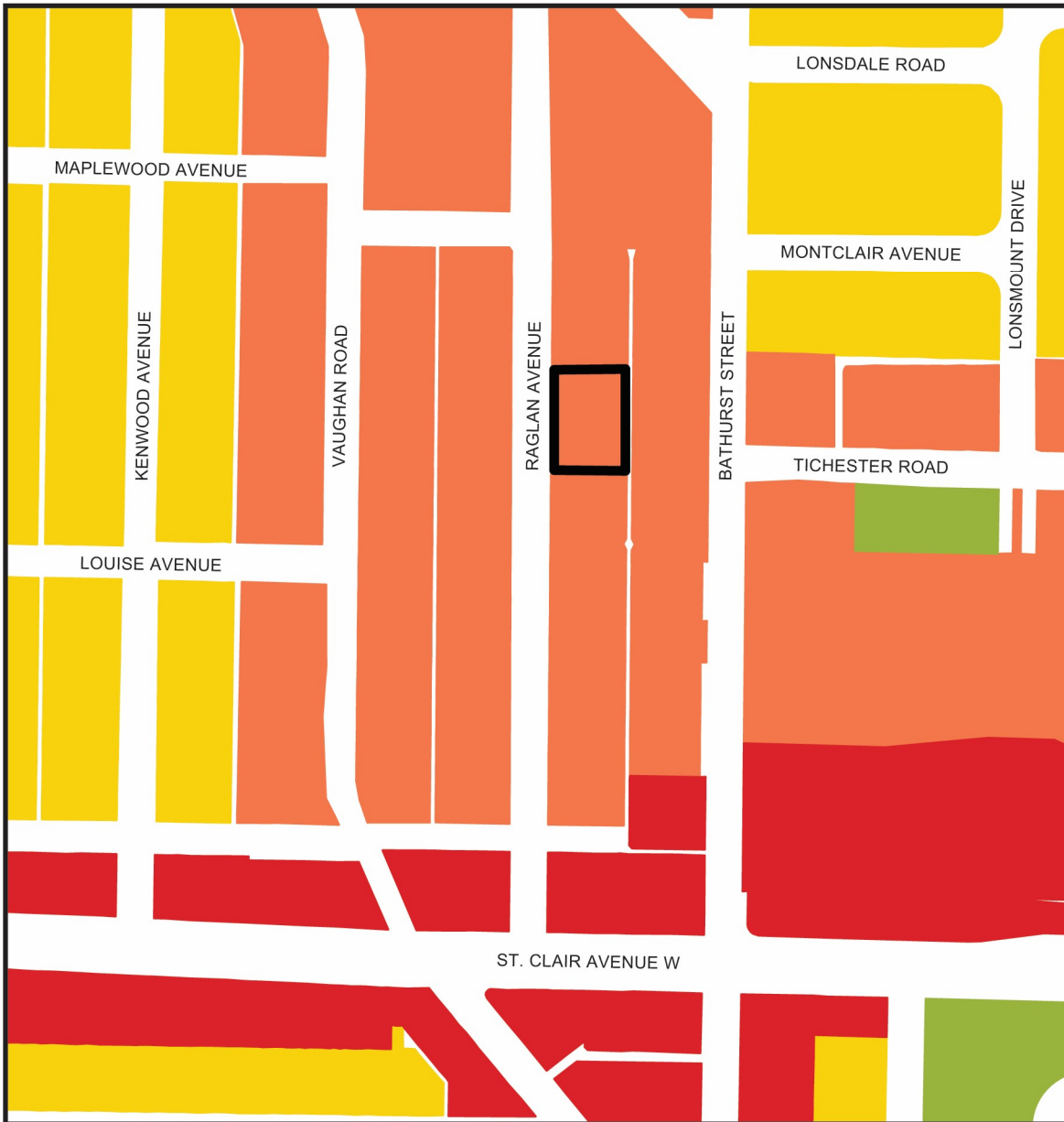
416-338-2478

Sipo.Maphangoh@toronto.ca

Attachment 2: Context Map



Attachment 3: Official Plan Land Use Map

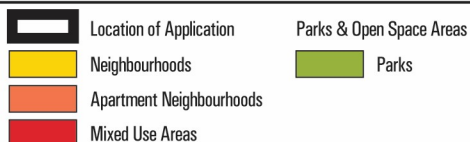


Official Plan Land Use Map #17

65-83 Raglan Avenue

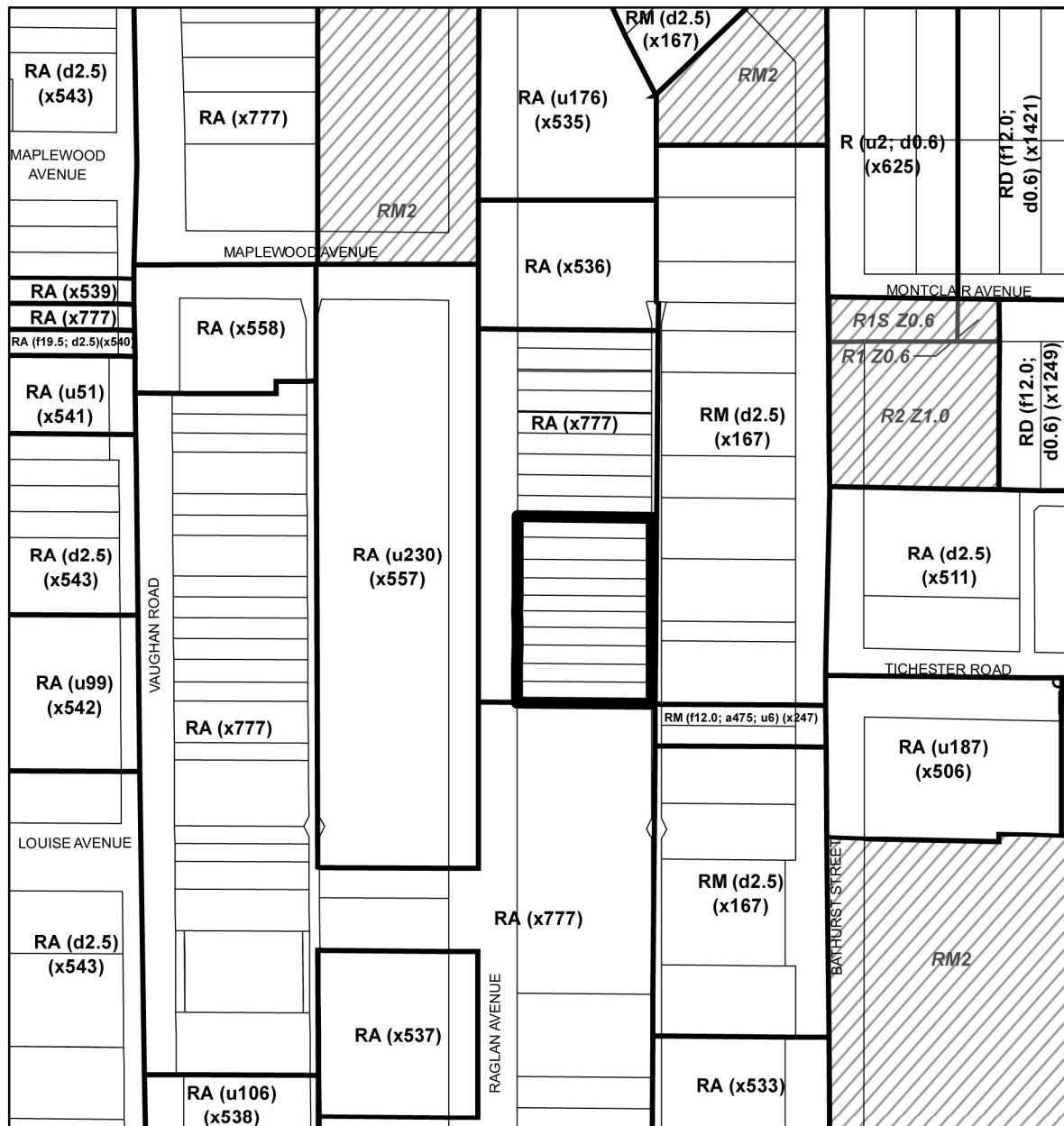
File # 19 137322 STE 12 02

LPAT Case No. PL190399



↑
Not to Scale
09/30/2020

Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

65-83 Raglan Avenue

File # 19 137322 STE 12 02

LPAT Case No. PL190399



Location of Application

R
RD

Residential
Residential Detached

RM
RA
O

Residential Multiple
Residential Apartment
Open Space



See Former City of Toronto By-law No. 438-86

R1

Residential District

R1S

Residential District

R2

Residential District

See Former City of York By-law No. 1-83

RM2

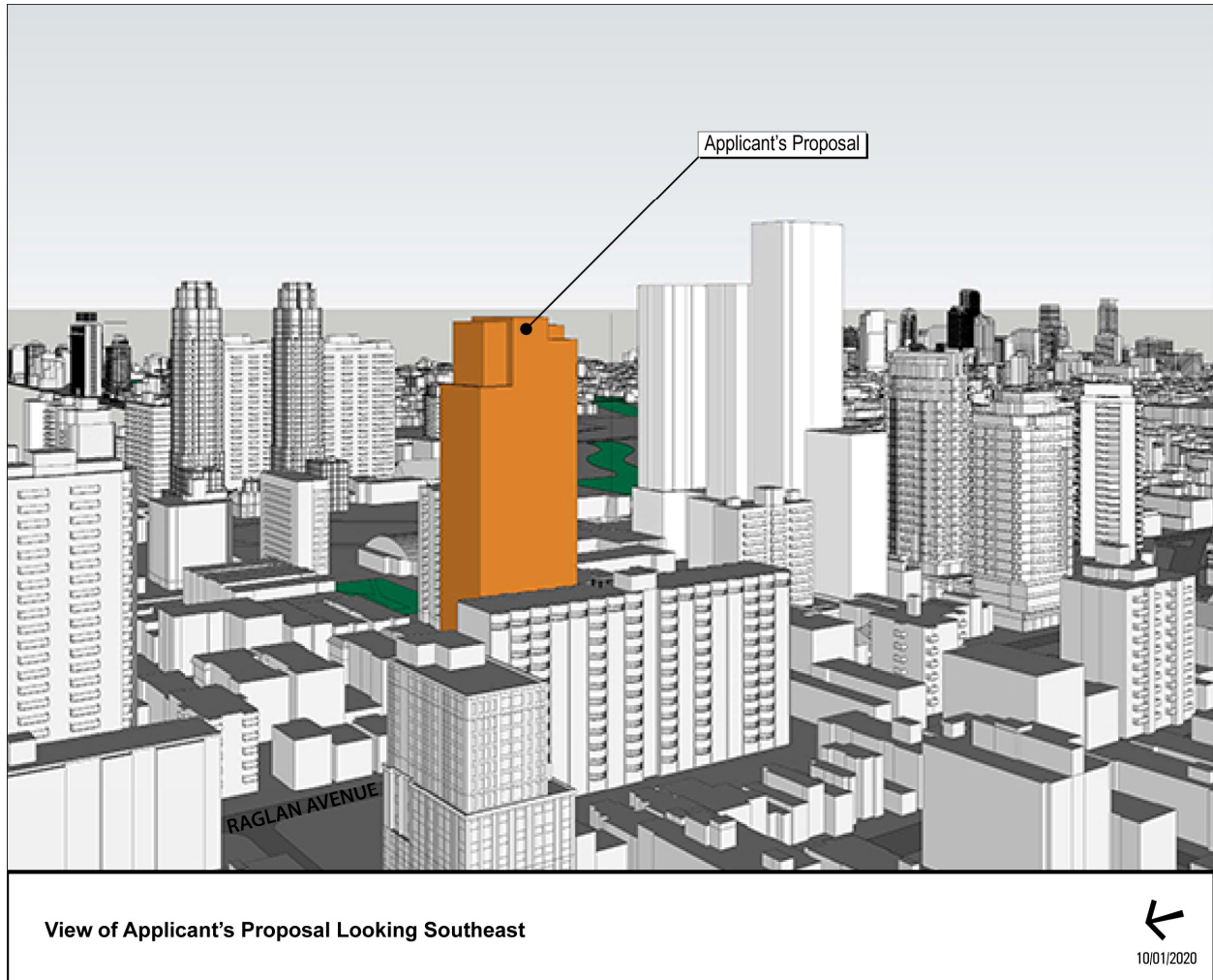
Residential Multiple Zone



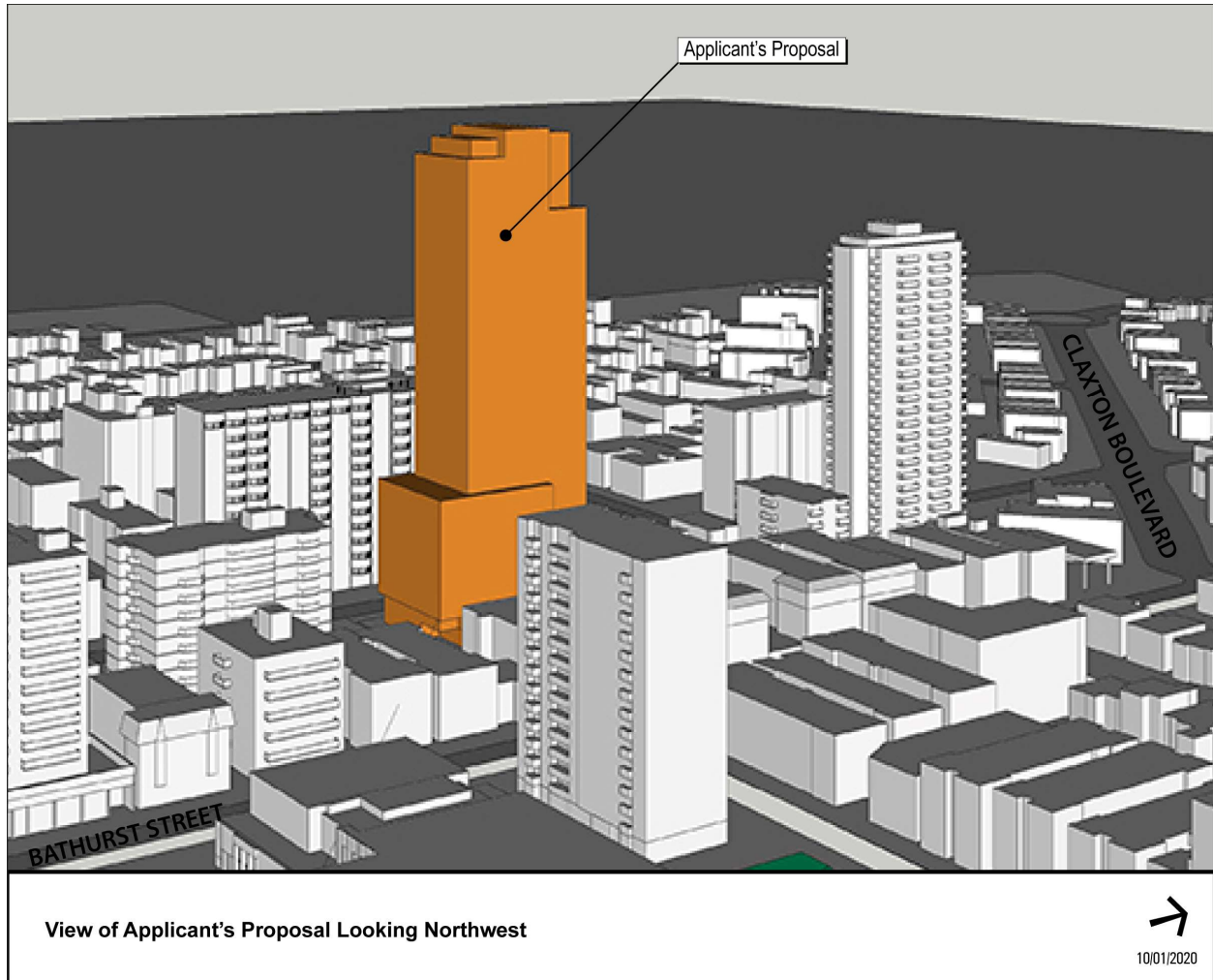
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Extracted: 09/29/2020



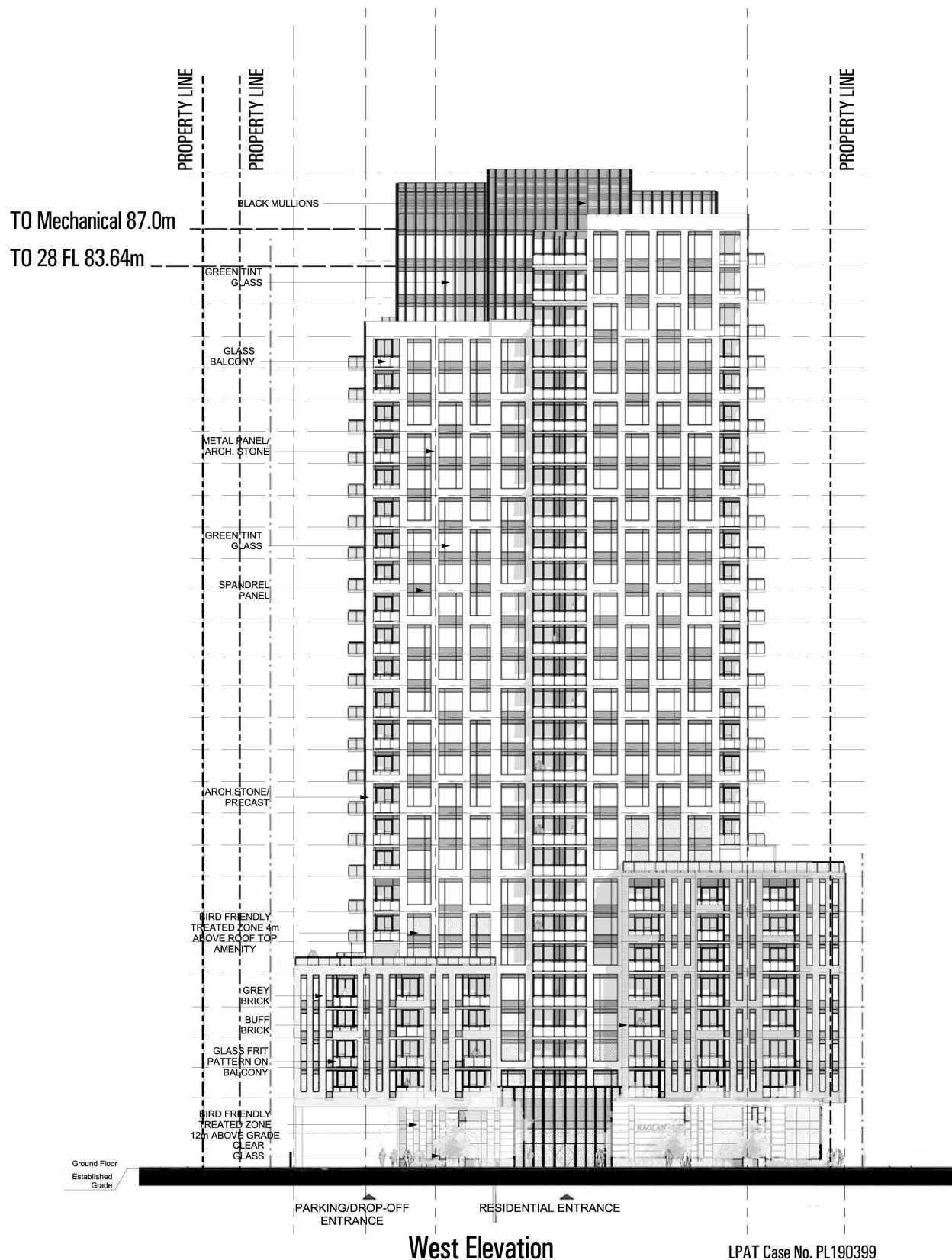
Attachment 6: 3D Proposal Model in Context - Southeast View



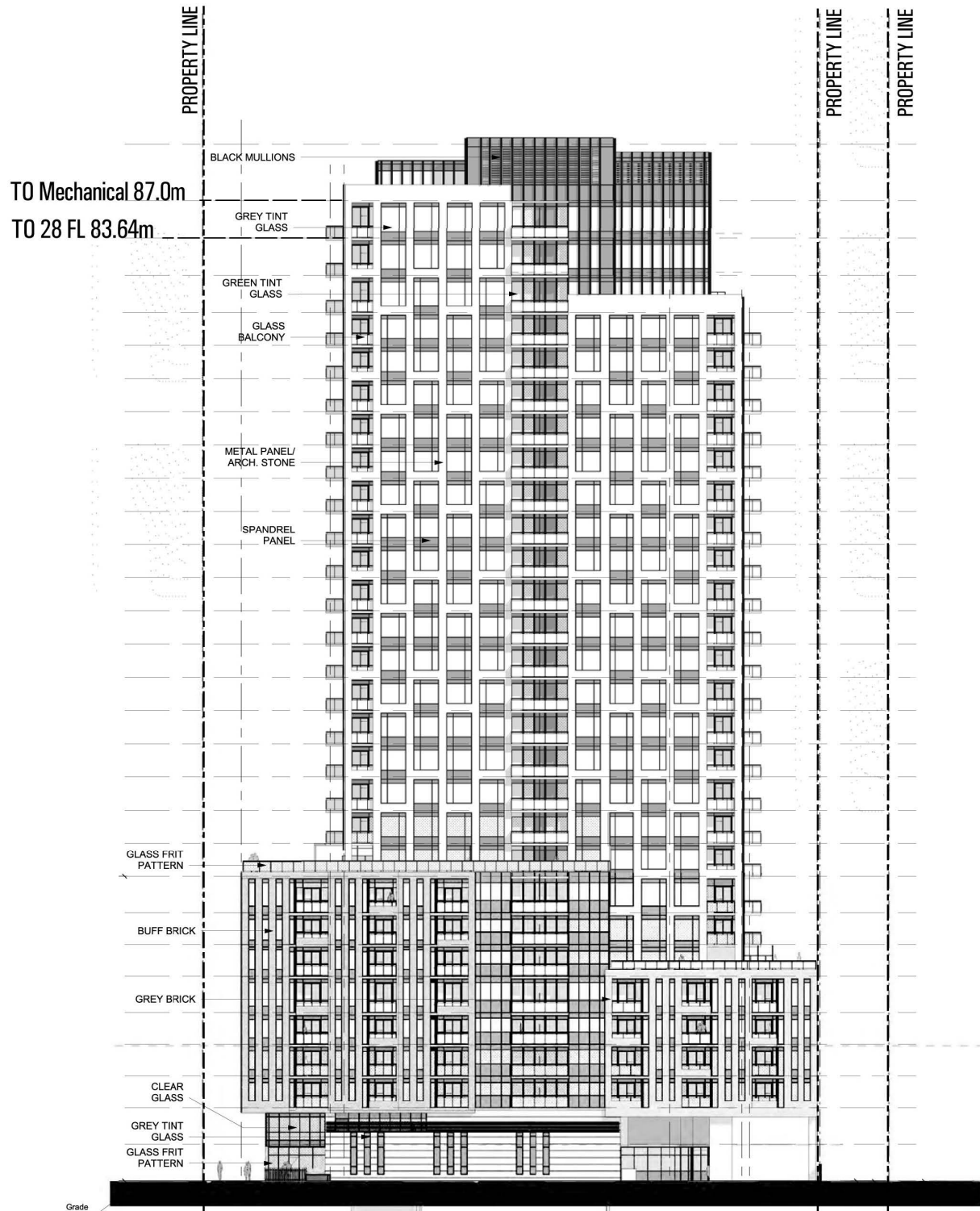
Attachment 7: 3D Proposal Model in Context - Northwest View



Attachment 8: West Elevation



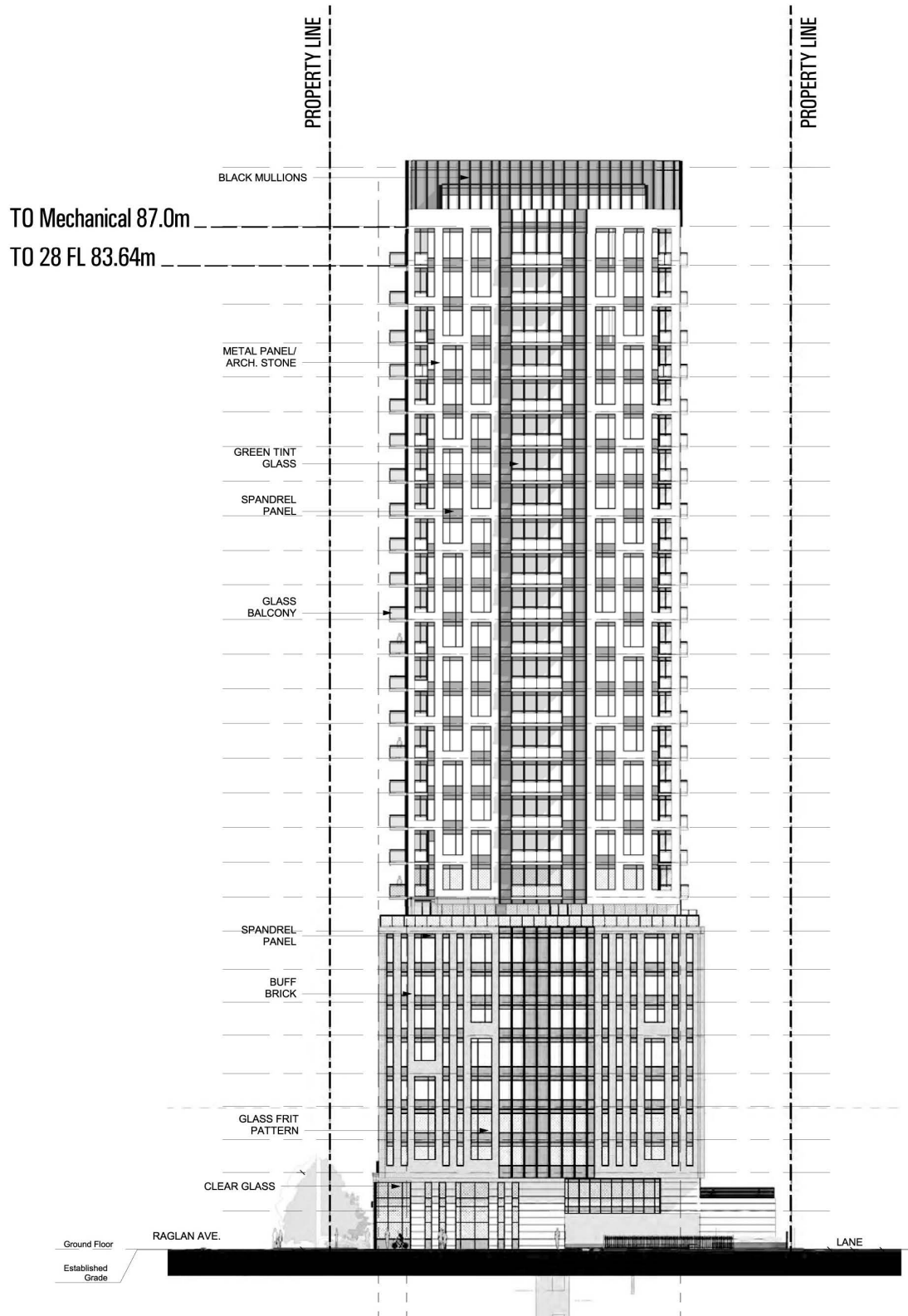
Attachment 9: East Elevation



East Elevation

LPAT Case No. PL190399

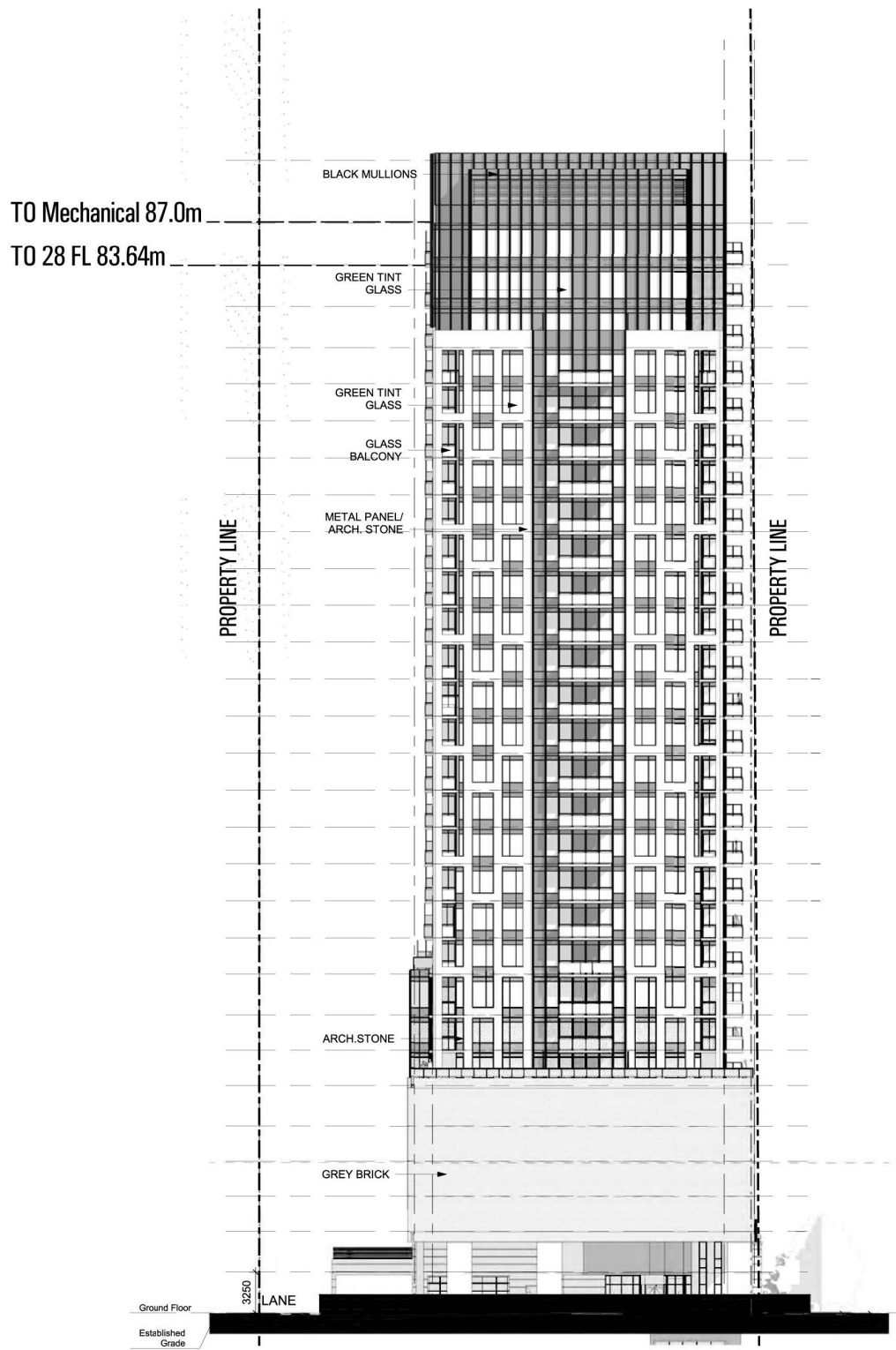
Attachment 10: South Elevation



South Elevation

LPAT Case No. PL190399

Attachment 11: North Elevation



North Elevation

LPAT Case No. PL190399