

185 Balliol Street & 8 Pailton Crescent – Zoning By-law Amendment Application – Preliminary Report

Date: October 19, 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: 20 193619 STE 12 OZ

Current Uses on Site: A private recreational facility at 185 Balliol Street, with a one-storey building fronting on Balliol Street and five outdoor tennis courts. A 2-storey mixed commercial-residential building at 8 Pailton Crescent, with at-grade retail.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding a proposed 35-storey mixed use tower development with 1,394 square metres of public open space along Pailton Crescent, of which 477 square metres is to be dedicated parkland at 185 Balliol Street and 8 Pailton Crescent.

The application has been circulated to all appropriate agencies and City divisions for comment. City Planning staff will proceed to scheduling a community consultation meeting for the application with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Planning staff schedule a community consultation meeting for the development application for 185 Balliol Street and 8 Pailton Crescent together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

FINANCIAL IMPACT

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

THE APPLICATION

Complete Application Submission Date: September 15, 2020

Description

This application proposes a 35-storey mixed use tower development, with an 8-storey podium. A total of 449 rental dwelling units are proposed within the development. A total of 117.7 square metres of at-grade retail is proposed fronting Pailton Crescent. A total of 90 residential and 23 visitor vehicular parking spaces are proposed within a 2-level underground parking garage.

A 1,394 square metre public open space, of which 477 square metres is to be dedicated parkland and the remaining 917 square metres is to be privately owned publicly-accessible space ("POPS") is proposed along Pailton Crescent.

Detailed project information including all plans and reports submitted as part of the application can be found on the City's Application Information Centre at:

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

See Attachments 1, 3 and 6 of this report, for a three dimensional representation of the project in context, a site plan of the proposal, and the Application Data Sheet, respectively. The Application Data Sheet contains additional details on the proposal including: site area and dimensions; floor area; unit breakdowns; and parking counts.

Reasons for the Application

The Zoning By-law Application is required to vary performance standards including: building height; floor space index; and parking requirements. Additional amendments to the Zoning By-law may be identified as part of the application review.

POLICY CONSIDERATIONS/PLANNING FRAMEWORK

Provincial Policy Statement and Provincial Plans

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

Planning for Major Transit Station Areas

The Growth Plan as amended contains policies pertaining to population and employment densities that should be planned for in major transit station areas ("MTSAs") along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan requires that, at the time of the next municipal comprehensive review ("MCR"), the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs are planned for the prescribed densities.

Official Plan Policies and Planning Studies

The City of Toronto 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.

The Official Plan contains policies related to building complete communities, heritage preservation, community services, transportation, and environmental stewardship.

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

The site is located on land designated *Apartment Neighbourhoods* and *Mixed Use Areas* on Land Use Map 17. Most of the site is designated *Apartment Neighbourhoods*, with the exception of 8 Pailton Crescent, which is designated *Mixed Use Areas*.

See Attachment 4 of this report for the Official Plan Land Use Map.

Yonge-Eglinton Official Plan Amendment (OPA 405)

The site is located within the Yonge-Eglinton Secondary Plan area. On July 23, 2018, City Council adopted Official Plan Amendment ("OPA 405") to replace in its entirety the former Yonge-Eglinton Secondary Plan. The Minister of Municipal Affairs and Housing modified and approved OPA 405 on June 5, 2019.

The Secondary Plan designates the site as *Apartment Neighbourhoods* and *Mixed Use Areas "B"*. Most of the site is designated *Apartment Neighbourhoods*, with the exception of 8 Pailton Crescent, which is designated *Mixed Use Areas "B"*.

The site is also mostly located in the Davisville Apartment Neighbourhoods Character Area, with the exception of 8 Pailton Crescent, which is located in the Merton Street Character Area.

The Yonge-Eglinton Secondary Plan identifies the site to be within the Secondary Zone of Davisville Station, and identifies a portion of the site for a new public park.

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

The Yonge-Eglinton Secondary Plan (OPA 405) can be found here: https://www.toronto.ca/wp-content/uploads/2019/07/96a5-CityPlanning_OPA405.pdf

Heritage

The site is adjacent to a property, 170 Merton Street, on the Heritage Register. The former Visiting Homemakers Association building, designed by Leslie Rebanks, and constructed in 1969, is located at 170 Merton Street.

The Toronto Heritage Register can be found at: <https://www.toronto.ca/city-government/planning-development/heritage-preservation/heritage-register/>

Zoning By-laws

Under Zoning By-law 569-2013, the northern portion of the site, 185 Balliol Street, is zoned Residential (R (d0.6) (x913)), with a height limit of 38.0 metres, and the southern portion of the site, 8 Pailton Crescent, is zoned Commercial Residential (CR 2.0 (c2.0, r2.0) SS2 (x2495), with a height limit of 21.0 metres.

Under Zoning By-law 438-86, the northern portion of the site, 185 Balliol Street, is zoned Residential (R2 Z0.6), with a height limit of 38.0 metres, and the southern portion of the site, 8 Pailton Crescent, is zoned Commercial Residential (CR T2.0 C2.0 R2.0), with a height limit of 21.0 metres .

See Attachment 5 of this report for the existing Zoning By-law Map.

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

Midtown Zoning Review

As part of the approval of The Yonge-Eglinton Secondary Plan (OPA 405), City Planning staff was directed by Council to initiate a zoning review for the 22 defined Character Areas to implement the directions of the Secondary Plan. The intent of the zoning review is to establish specific heights in the Zoning By-law as set out in Policy 5.4.3 of the Secondary Plan. It will also provide clarity on the location, scale and form of appropriate development within each Character Area and implement other policy directions within the approved Secondary Plan.

Such a review, as provided for in Policy 2.3.1.4 of the Official Plan, will be used to create an area specific zoning by-law. It is to be determined whether the area specific zoning by-law will apply to this block or a broader geography.

Urban Forestry/Environment

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law).

Design Guidelines

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

- Tall Building Design Guidelines;
- Growing Up Guidelines Planning for Children in New Vertical Communities; and
- Pet Friendly Design Guidelines.

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

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. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

Applications must use the documentation required for the version of the TGS in effect at the time of the initial application. TGS Version 1.0 is no longer in effect. Older applications must be upgraded. TGS Version 2.0 applies to new applications received between January 1, 2010 and April 30, 2018. TGS Version 3.0 applies new applications submitted on or after May 1, 2018.

The TGS can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/toronto-green-standard/tier-1-planning-application-requirements/>

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application was submitted concurrent to the Zoning By-law Application and is under review by City staff.

COMMENTS

ISSUES TO BE RESOLVED

City Planning staff have identified a number of preliminary issues with the proposed development and will work with the applicant to address these concerns and achieve a proposal which is more compatible with its surrounding context.

Consistency/Conformity with the Official Plan, and Provincial Policies and Plans

Revisions may be required to ensure that the proposed development conforms with the Official Plan, conforms with the Growth Plan, and is consistent with the PPS.

Land Use

This mixed use development provides 117.7 square metres of retail space at-grade fronting on the proposed open space. While the majority of the site is zoned for residential uses, the south portion of the site is zoned for a mix of use including commercial. City Planning staff will assess the need for and provision of commercial/retail space on this site, especially in consideration of the current convenience store on the site which serves the community. While the land use permissions are currently split, staff will assess whether the commercial uses should be blended across the site.

Height and Built Form

The proposed tower height of 35-storeys requires further assessment with respect to the area's existing and planned built form context. OPA 405 policy provides an anticipated height range of 25 to 40 storeys, with heights generally decreasing with increasing distance from the Davisville subway station.

Staff will also assess the height, massing and extent of the proposed base building, as it related to the area context, wind impacts and open space on the site.

The siting and orientation of the tower will be reviewed in terms of its location on Balliol Street, and its relationship to neighbouring properties. Careful consideration will also be placed in the towers relationship and impact on the proposed open space.

Parks and Open Space

In response to the planning framework in the area, the applicant has included a 1,394 square metre open space (public park and POPS) along Pailton Crescent. Staff recognize and appreciate that this open space is included in the current application. Staff will continue to assess the extent, configuration and utility of the public park and POPS open spaces.

Further review will include an open space assessment of the four corners of the Balliol Street and Pailton Crescent intersection and the proposed open space on the subject site.

Wind/Shadow

Given the size of the tower and base building, staff will assess whether any modifications are needed to sufficiently minimize shadow and wind impacts on an expanded public realm.

Toronto Green Standard

City staff will review the TGS Checklist submitted by the applicant for compliance with the Tier 1 performance measures. Staff will encourage the applicant to pursue Tier 2, 3 or 4.

ADDITIONAL ISSUES

The application has been circulated to City divisions and public agencies for comment. Additional issues may be identified through the review of the application, agency comments and the community consultation process.

NEXT STEPS

City Planning staff will host a Community Consultation Meeting.

City staff will work to resolve the issues raised in this report and additional issues that may be identified by other City staff and the public. City Planning staff will report back at the appropriate time in the review of the application. If a Final Report is prepared, then the report will proceed to the Toronto and East York Community Council meeting which will serve as the Statutory Public Meeting as required by the *Planning Act*.

CONTACT

Alex Teixeira, Acting Manager, Community Planning
Tel. No. (416) 392-0459
E-mail: Alex.Teixeira@toronto.ca

SIGNATURE

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

ATTACHMENTS

City of Toronto Drawings

Attachment 1: 3D Model of Proposal in Context

Attachment 2: Location Map

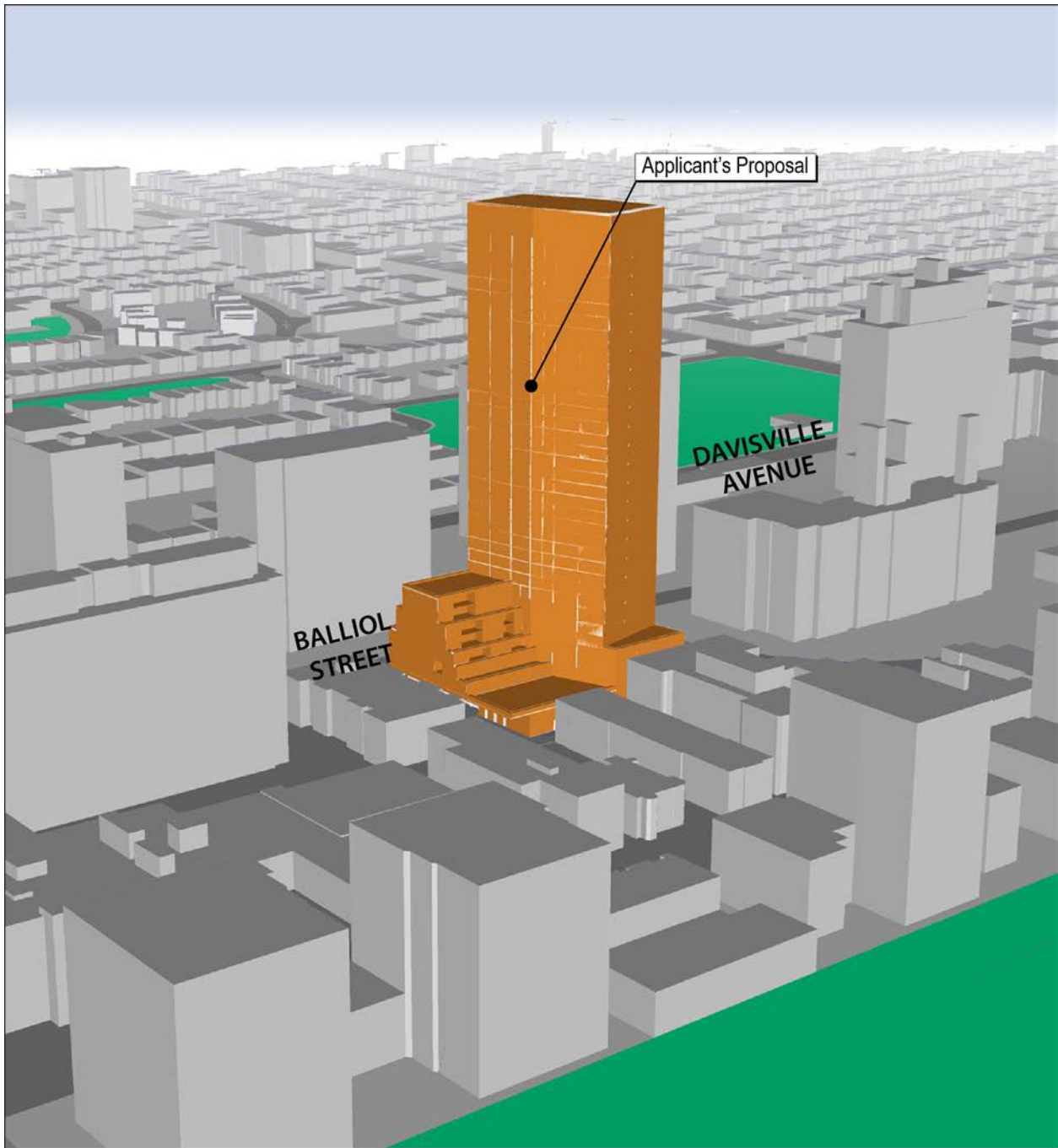
Attachment 3: Site Plan

Attachment 4: Official Plan Map

Attachment 5: Zoning By-law Map

Attachment 6: Application Data Sheet

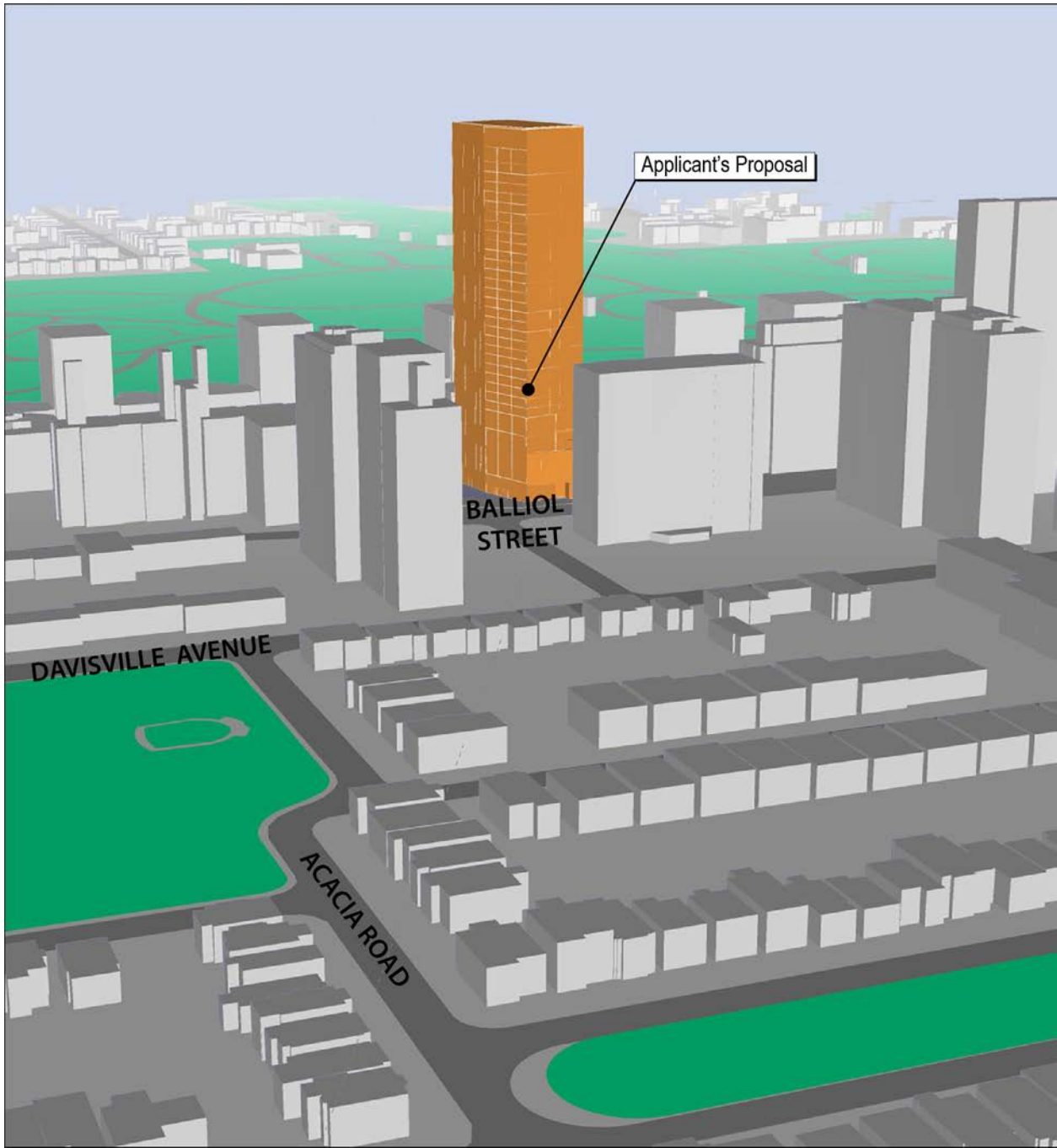
Attachment 1: 3D Model of Proposal in Context



View of Applicant's Proposal Looking Northwest



10/15/2020

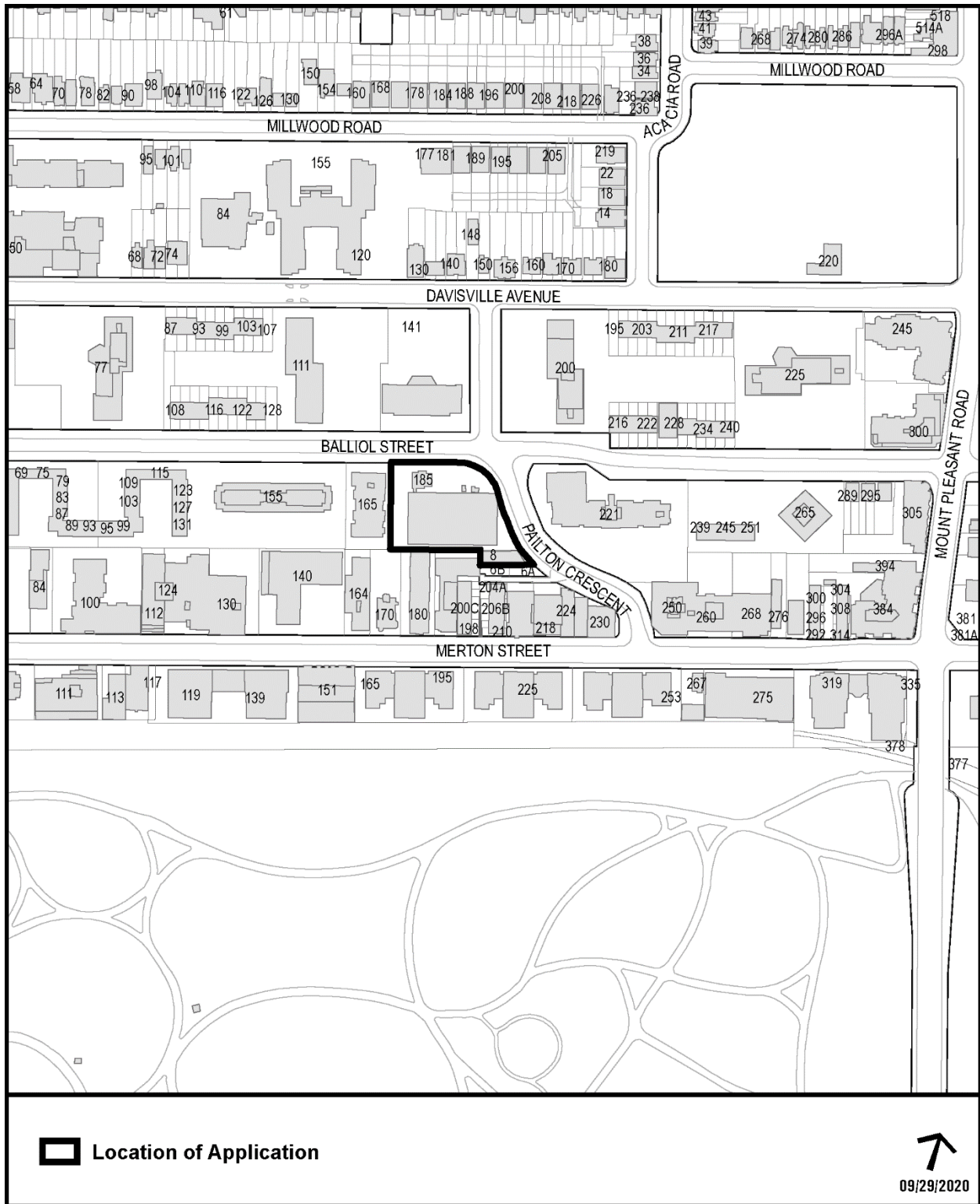


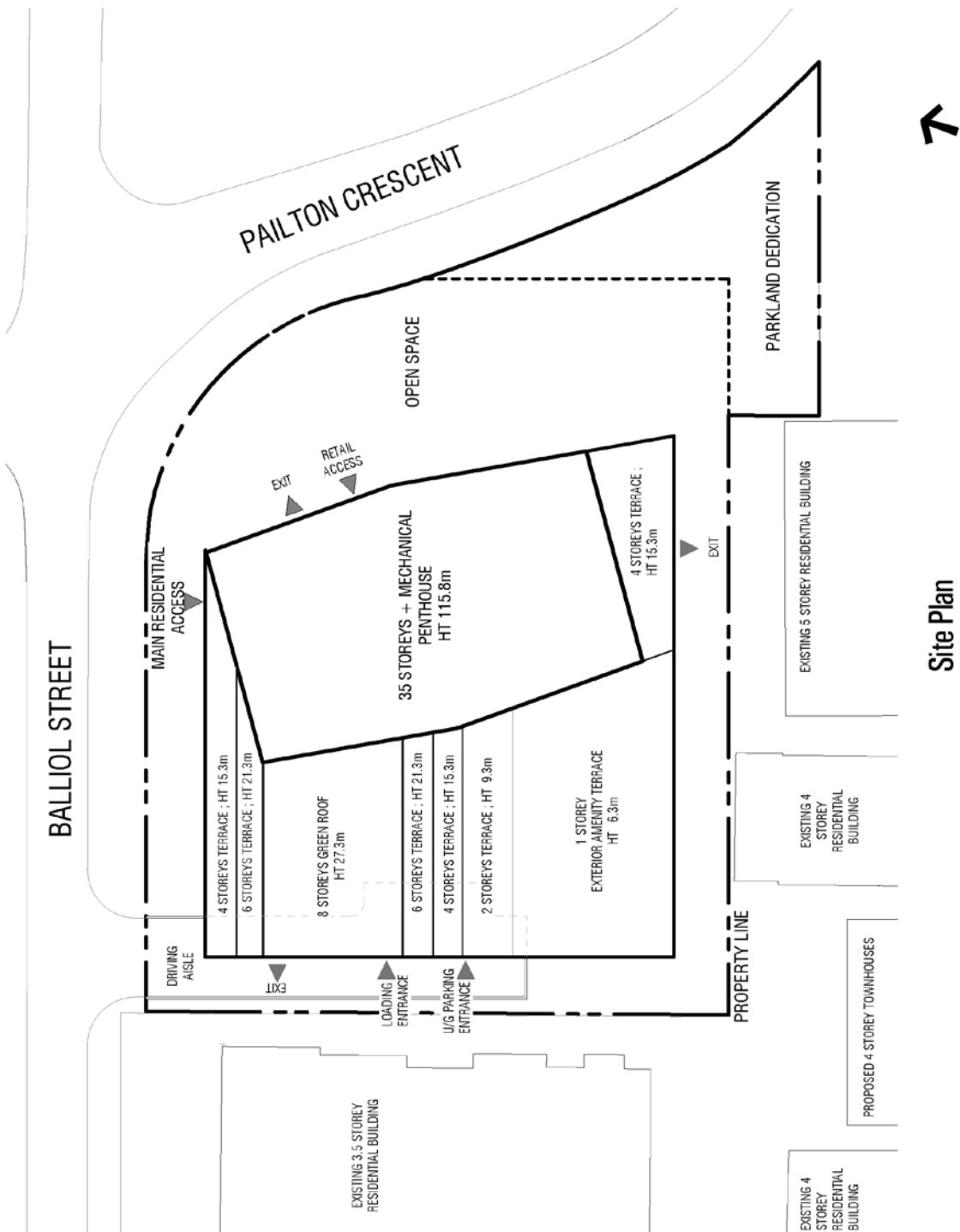
View of Applicant's Proposal Looking Southeast



10/15/2020

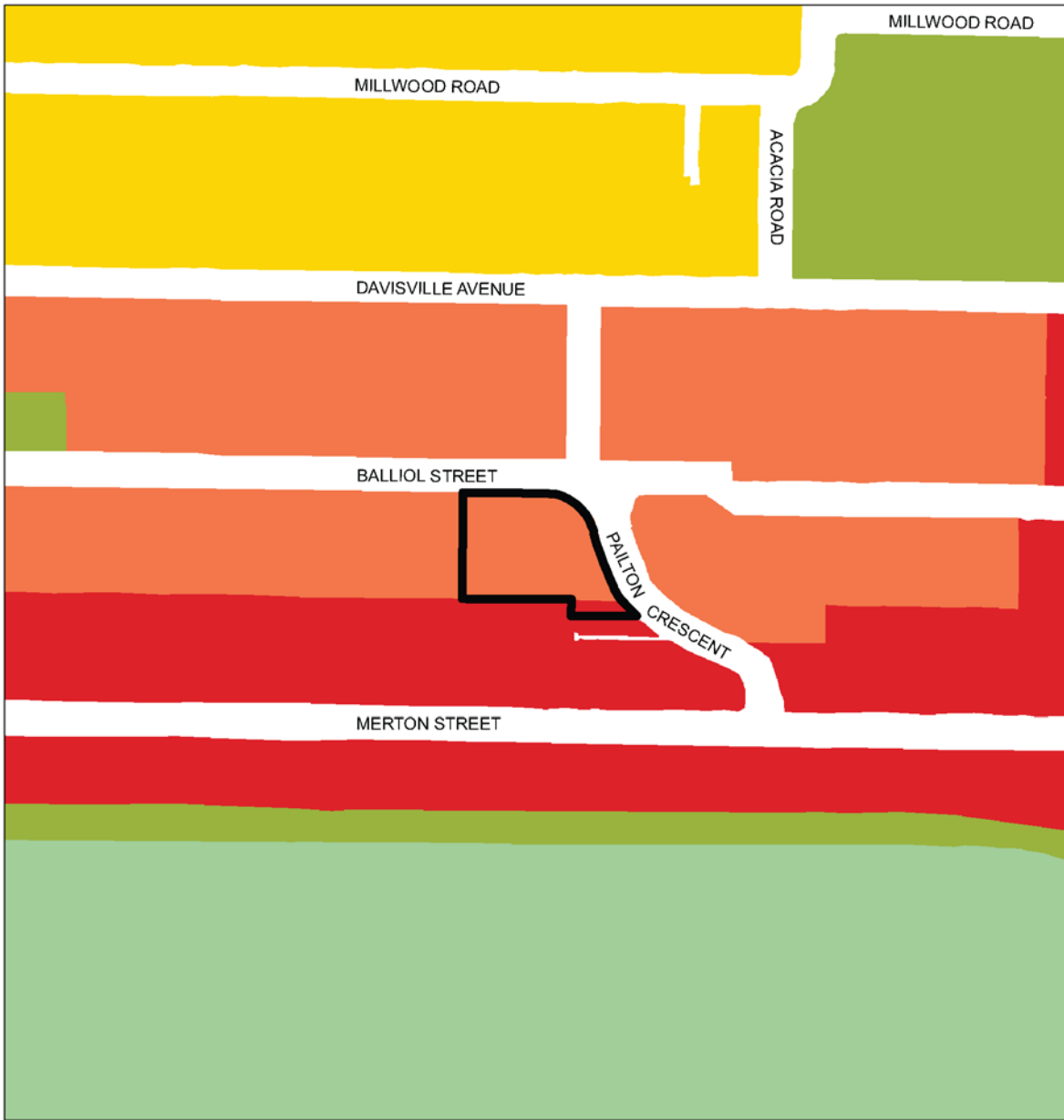
Attachment 2: Location Map













Site Plan

Attachment 4: Official Plan Map



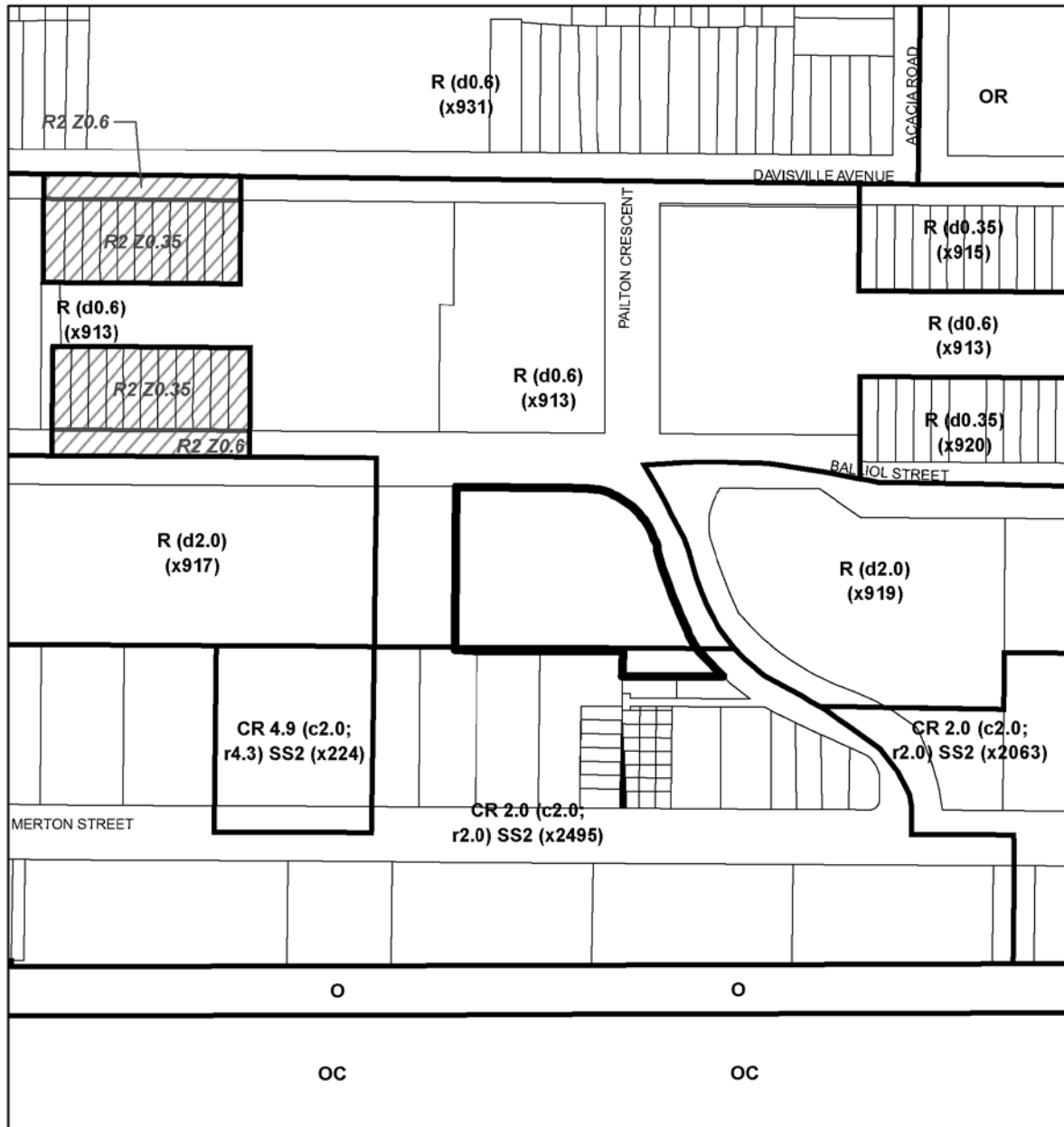
Official Plan Land Use Map #17

185 Balliol Street and
8 Pailton Crescent
File # 20 139619 STE 12 0Z

 Location of Application	 Parks & Open Space Areas
 Neighbourhoods	 Natural Areas
 Apartment Neighbourhoods	 Parks
 Mixed Use Areas	 Other Open Space Areas

↑
Not to Scale
09/30/2020

Attachment 5: Zoning By-law Map



Zoning By-law 569-2013

185 Balliol Street and
8 Pailton Crescent
File # 20 139619 STE 12 0Z

Location of Application

See Former City of Toronto By-law No. 438-86
R2 Residential District

- R Residential
- CR Commercial Residential
- O Open Space
- OR Open Space Recreation
- OC Open Space Cemetery



Not to Scale
Extracted: 09/29/2020

Attachment 6: Application Data Sheet

Municipal Address: 185 Balliol Street **Date Received:** September 15, 2020

Application Number: 20 193619 STE 12 OZ

Application Type: Rezoning

Project Description: A 35-storey mixed use building with a 2-level underground parking garage.

Applicant

William Woodfine

Architect

Diamond Schmitt

Owner

Abraham J Green Ltd.

EXISTING PLANNING CONTROLS

Official Plan Designation: *Apartment Neighbourhoods; Mixed Use Areas*

Zoning: R (d0.6) (x913); CR 2.0 (c2.0, r2.0) SS2 (x2495)

Height Limit (m): 111.0 Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 4,674 Frontage (m): 46 Depth (m): 79

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	605		1,317	1,317
Residential GFA (sq m):	215		32,300	32,300
Non-Residential GFA (sq m):	390		200	200
Total GFA (sq m):	605		32,500	32,500
Height - Storeys:	2		35	35
Height - Metres:	7		111	111

Lot Coverage Ratio (%): 695.3 **Floor Space Index:** 6.95

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

Residential GFA: 32,300

Retail GFA: 200
 Office GFA:
 Industrial GFA:
 Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	1		449	449
Freehold:				
Condominium:				
Other:				
Total Units:			449	449

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			185	219	45
Total Units:			185	219	45

Parking and Loading

Parking Spaces: 113 Bicycle Parking Spaces: 462 Loading Docks: 1

CONTACT:

Alex Teixeira, Acting Manager, Community Planning
 (416) 392-0459
 Alex.Teixeira@toronto.ca