

3100 - 3200 Bloor Street West and 4 - 8 Montgomery Road – Official Plan Amendment, Zoning By-Law Amendment and Site Plan Control Applications – Request for Directions Report

Date: June 4, 2021

To: Etobicoke York Community Council

From: Acting Director, Community Planning, Etobicoke York District

Ward: 03 - Etobicoke-Lakeshore

Planning Application Number: 20 151103 WET 03 OZ

SUMMARY

On June 8, 2020, Official Plan and Zoning By-law Amendment applications were submitted and on April 6, 2021 a Site Plan Control application was submitted to permit a 13-storey residential building comprised of 319 dwelling units and 443 square metres of commercial space at grade and to naturalize and convey lands to the Toronto and Region Conservation Authority (TRCA) that are below the top-of-bank including a 10 metre buffer above the top-of-bank. The application proposes to change the designation on lands designated *Neighbourhoods* to *Mixed Use Areas* in the Official Plan, introduce these *Neighbourhoods* lands into the Etobicoke Secondary Plan with a *Mixed Use Area B* designation and rezone these same lands from Residential Detached to Etobicoke Centre 1.

On January 19, 2021 and May 11, 2021, the applicant appealed the Official Plan Amendment, the Zoning By-Law Amendment and the Site Plan Control applications to the Ontario Land Tribunal (OLT) (formerly Local Planning Appeal Tribunal), citing City Council's failure to make a decision on the applications within the prescribed timelines of the *Planning Act*. A Case Management Conference (CMC) was held on May 28, 2021 for the Official Plan Amendment and the Zoning By-law Amendment applications.

This report recommends that City Council direct the City Solicitor, together with appropriate City staff, to oppose the current proposal at the OLT and continue discussions with the Applicant to resolve outstanding issues.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor and appropriate City staff to attend the Ontario Land Tribunal (formerly Local Planning Appeal Tribunal) in opposition to the current Application regarding the Official Plan Amendment, Zoning By-law Amendment and Site Plan Control application appeals for the lands at 3100-3200 Bloor Street West and 4-8 Montgomery Road and to continue discussions with the Applicant in an attempt to resolve outstanding issues and report back on outcomes.
2. In the event that the Ontario Land Tribunal (formerly Local Planning Appeal Tribunal) allows the appeals in whole or in part, City Council authorize the City Solicitor to request that the issuance of any final Orders be withheld until such time as the City Solicitor advises that:
 - a. the final form and content of the Official Plan, Zoning By-law Amendments and final Site Plan and Conditions of Site Plan Approval are satisfactory to the Chief Planner and Executive Director, City Planning and the City Solicitor;
 - b. The owner has submitted all identified revisions required to submission materials related to site servicing and a revised Functional Servicing Report to determine the stormwater run-off, sanitary flow and water supply demand resulting from the development and whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposed development and/or any upgrades that may be required, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
 - c. The owner has provided a revised Urban Transportation Considerations Report including a revised Transportation Demand Management Plan, satisfactory to the General Manager, Transportation Services and the Chief Planner and Executive Director, City Planning;
 - d. The owner has made satisfactory arrangements with the City and has entered into the appropriate agreements for the design and construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support the development, according to the accepted Functional Servicing Report and Traffic Impact Study/Urban Transportation Consideration Report accepted by the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Transportation Services;
 - e. The owner has provided space within the development for installation of maintenance access holes and sampling ports on the private side, as close to the property line as possible, for both the storm and sanitary service connections, in accordance with the Sewers By-law Chapter 68-10, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;

- f. The owner has provided a revised Pedestrian Level Windy Study, including wind tunnel test, to the satisfaction of the Chief Planner and Executive Director, City Planning.
 - g. The owner has addressed all outstanding issues raised by Urban Forestry, Tree Protection and Plan Review as they relate to the Official Plan and Zoning By-law Amendment applications, to the satisfaction of the Supervisor, Tree Protection and Plan Review;
 - h. The owner has submitted a revised Landscape Plan and/or Tree Inventory and Preservation Plan Report and that Tree Preservation matters are resolved to the satisfaction of the General Manager, Parks, Forestry and Recreation;
 - i. The submitted Noise and Vibration Feasibility Study, has been peer reviewed by a third-party Noise and Vibration Consultant retained by the City of Toronto at the owner's expense, to the satisfaction of the Chief Planner and Executive Director, City Planning;
 - j. The owner has submitted requested information and makes required revisions including adjusting the minimum distance between the building, including all below and above grade structures, to all TTC infrastructure, to the satisfaction of the Manager of Technical Review, Toronto Transit Commission;
 - k. The owner has satisfied the requirements of the Toronto Region and Conservation Authority regarding requested revisions to reports; and,
 - l. Community benefits and other matters in support of the development have been secured in a Section 37 Agreement executed by the owner and registered on title to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.
- 3 In the event the Ontario Land Tribunal (formerly Local Planning Appeal Tribunal) allows the appeal in whole or in part, City Council authorize the City Solicitor to enter into an agreement pursuant to Section 37 of the *Planning Act* securing the following as matters required to support the development:
- a. The owner shall enter into an agreement to convey all lands below the proposed top of bank and a 10 metre buffer adjoining the top of bank to the Toronto and Region Conservation Authority;
 - b. The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of Item PG32.3 of the Planning and Growth Management Committee, and as updated by Toronto City Council at its meeting held on December 5, 6 and 7, 2017 through the adoption of Item PG23.9 of the Planning and Growth

Management Committee, and as may be further amended by City Council from time to time; and

- c. The owner shall satisfy the requirements of the Toronto District School Board and the Toronto Catholic District School Board regarding warning clauses and signage with respect to school accommodation issues and the provision of a construction management plan to address student safety.
4. City Council authorize the City Solicitor and other City staff to take any necessary steps to implement the foregoing.

FINANCIAL IMPACT

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

DECISION HISTORY

A Preliminary Report on the application dated September 18, 2020, was considered by Etobicoke Community Council on October 8, 2020 authorizing staff to conduct a community consultation meeting with an expanded notification area. Community consultation is summarized in the Comments section of this Report. The Preliminary Report can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.EY18.1>

SITE AND SURROUNDING AREA

The site is located on the east side of the Mimico Creek partially within the floodplain with frontage along Bloor Street West and Montgomery Road with a total site area of approximately 1.66 hectares (gross). The site is generally flat and rectangular in shape with the TTC, Line 2 (Bloor) subway bisecting the site above grade in an east west direction.

The 3200 Bloor Street West portion of the site is occupied by a one-and-a-half-storey car dealership, 3100 Bloor Street West is occupied by a one-storey car rental establishment, and both are surrounded by paved parking. The area north of the TTC Line 2 subway is also paved with parking for automobiles. Soft landscaping is limited to the perimeter along property lines to the north, east and west.

The lands at 4-8 Montgomery Road are occupied by three detached two-storey residential dwellings, and are surrounded by soft landscaping including several mature trees.

The site is within 800 metres of the Islington subway station and within 500 metres of the Royal York subway station. The residential area northeast of the site is characterized by one and two-storey detached dwellings while the mixed-use area immediately east along Bloor Street West is characterized by two-storey commercial buildings.

Surrounding uses include:

North: North of the proposed 13-storey building and bisecting the site is the TTC's Line 2 subway; Our Lady of Sorrows Catholic School is to the northwest; one-and two-storey detached residential buildings are located to the northeast.

South: On the south side of Bloor Street West are 2 to 4-storey commercial buildings; and a 7-storey mid-rise residential building at the southwest corner of Bloor Street West and Thompson Avenue.

East: On the east side of Montgomery Road are 1 and 2-storey detached residential buildings; Birchview Boulevard Parkette is at the northeast corner of Montgomery Road and Birchview Boulevard; Kingsway Baptist Church, a neo-gothic style church is at the southeast corner of Montgomery Road and Birchview Boulevard; and a 2-storey commercial building is located at the corner of Montgomery Road and Bloor Street West.

West: Tom Riley Park including Mimico Creek; further west, is a concentration of tall buildings centred around the Islington subway station.

THE APPLICATION

Description

This application proposes a 13-storey mixed use building with 443 square metres of retail gross floor area at the northwest corner of Bloor Street West and Montgomery Road incorporating the lands located at 3100 - 3200 Bloor Street West and 4 - 8 Montgomery Road. The proposed height of the building would be 49 metres including the mechanical penthouse. The proposal also includes the conveyance and naturalization of 48.88 metres from the Mimico Creek property line to a proposed top-of-bank as well as conveyance and landscaping of a 10 metre buffer from the proposed top-of-bank. The proposal also includes the naturalization of lands currently used as a parking area, north of the subway line belonging to this site. The application includes an Official Plan Amendment that seeks to change the designation on lands designated *Neighbourhoods* to *Mixed Use Areas*, introduce these *Neighbourhoods* lands into the Etobicoke Centre Secondary Plan with a *Mixed Use Area B* designation, and rezone these same *Neighbourhoods* lands from Residential Detached to Etobicoke Centre 1.

The proposal would have a total gross floor area of approximately 43,740 square metres in accordance with the definition in the former City of Etobicoke Zoning Code and approximately 41,339 square metres in accordance with the definition in the City-

wide Zoning By-law including approximately 443 square metres of commercial space at grade. The resulting Floor Space Index (FSI) is approximately 5.7 times the net area of the lands under the former City of Etobicoke Zoning Code. Under the City-wide Zoning By-law, the proposal would represent a FSI of approximately 5.4 times the net area of the lands.

The proposed building would be in a 'U'-shape with the taller portions of the 13-storey building fronting onto Mimico Creek and Bloor Street. The height along Montgomery Road would range from 4-storeys at the north end of the site to 12-storeys at the corner of Montgomery Road and Bloor Street West. The proposed retail component would be on a portion of the ground floor of the building and would be fronting onto Bloor Street West.

The proposed building face at the ground floor along Bloor Street West would have a setback ranging from 6.07 metres to 9.28 metres from the curb (3 metres to 4.5 metres from the property line). The proposed building face at the ground floor along Montgomery Road would be setback approximately 9.08 metres from the curb (3 metres from the property line). The building's corners would be rounded and set back approximately 17.16 metres from the curb at the intersection of Bloor Street West and Montgomery Road.

The building at the north end on Montgomery Road would have a streetwall height of 4-storeys (14.31 metres) to the proposed access driveway. A continuous streetwall height of 6-storeys (20.21 metres) would be maintained from the access driveway on Montgomery Road to the intersection of Bloor Street West and Montgomery Road. The streetwall height steps from 6 storeys, to 1 storey and to 4 storeys along the Bloor Street frontage from east to west.

The building above the streetwall along Bloor Street West would be stepped back ranging from 1.5 metres to 5.5 metres. The building above the streetwall along Montgomery Road would be stepped back between 3 metres and 5 metres. Then, the overall building would continue to stepback at varying intervals up to the 13th storey and mechanical penthouse. Along the Montgomery Road frontage, the 12th storey of the building (13th storey does not have frontage on Montgomery Road) would be setback approximately 20 metres from the property line, while the 13th storey would be setback: 21.5 metres from the property line along Bloor Street West; approximately 66 metres from the west property line; and 27.27 metres from property line with the TTC.

A total of 319 residential units are proposed which would include 89 one-bedroom units (28%); 214 two-bedroom units (67%); and 16 three-bedroom units (5%). Two-bedroom units range would range in size from 67.7 to 153.5 square metres and the three-bedroom units would range in the size from 148.7 to 246.5 square metres.

A total of approximately 638 square metres of indoor amenity space would be provided including approximately 598 square metres on the ground floor and approximately 40 square metres on the 5th floor. A total of approximately 644 square metres of outdoor amenity space would be provided which includes approximately 375 square metres on the ground level, and approximately 113 square metres on a 4th floor rooftop accessed

by the 5th level. The outdoor amenity area includes 155 square metres of proposed green roof.

Vehicular ingress and egress access would be provided by a 9.61 metre private driveway off of Montgomery Road leading into the site around an internal circular driveway providing access to the underground parking garage ramp, the loading space and an area for drop-off and pick-up. Loading and garbage collection facilities for residential and retail uses would be consolidated into a single shared Type 'G' loading space located on the ground floor and accessed from the internal circular driveway.

A total of 449 parking spaces would be proposed within 3 levels of underground parking. These would include 48 visitor spaces, 4 retail spaces and 397 residential parking spaces (133 spaces located on the P1 level and 157 on the P2 level and 159 located on P3). No parking spaces would be provided at grade. The proposed levels of underground parking would extend under most of the proposed building including the circular internal driveway except the lands to be conveyed and naturalized and some lands on the northeast corner of the site fronting onto Montgomery Road.

A total of 251 bicycle parking spaces would be provided which would include 33 spaces at grade (24 residential and 9 retail spaces) and 218 spaces within a bicycle locker rooms on the P1 and Mezzanine and the P2 level for residents.

Detailed project information is found on the City's Application Information Centre at: <https://aic.to/3100BloorStW>

See Attachment 1 of this report, for the project data information.

Reasons for Application

An amendment to the Official Plan is being sought to redesignate three properties (4-8 Montgomery Road) from *Neighbourhoods* to *Mixed Use Areas* and to bring them into the Etobicoke Secondary Plan to consolidate the policy permissions for the site. The Official Plan Amendment would also need to redesignate the area proposed as naturalized and conveyed to TRCA (including the 10 metre buffer top of bank) from *Mixed Use Areas* to *Natural Areas* designation in both the Official Plan and the Etobicoke Centre Secondary Plan.

An amendment to the former City of Etobicoke Zoning By-law No. 1088-2002 is required to increase the permitted height and density and to revise other development regulations as necessary to accommodate the proposal including rezoning of the lands proposed to be naturalized and the accompanying 10 metre buffer to the OS zone. An amendment to the City-wide By-law is required to rezone the lands at 4-8 Montgomery Road and to revise the regulations as necessary to accommodate the proposal on these properties.

Site Plan Control

The application is subject to Site Plan Control. A Site Plan application was submitted on April 6, 2021 and notification was provided on May 5, 2021 that the application was deemed complete under the *Planning Act*. On May 11, 2021, the Site Plan application was appealed to the OLT citing City Council's failure to make a decision on the application within the prescribed timelines of the *Planning Act*.

POLICY CONSIDERATIONS

The site is located on the easternmost boundary of Etobicoke Centre along Bloor Street West. The site is surrounded by *Neighbourhoods* outside of the Etobicoke Centre to the north, the Mimico Creek and Tom Riley Park within the Etobicoke Centre to the west, the Bloor-Kingsway Area outside of the Etobicoke Centre to the east and similar Bloor Street West properties within Etobicoke Centre to the south.

There are three Official Plan land use designations that currently apply to different parts of the site: *Mixed Use Areas*, *Neighbourhoods* and *Natural Areas*. The lands at 3100 Bloor Street West and the southern part of 3200 Bloor Street West are designated *Mixed Use Areas* within the Official Plan and are designated *Mixed Use Area B* within the Etobicoke Centre Secondary Plan; 4-8 Montgomery Road are designated *Neighbourhoods* within the Official Plan and are not within the Etobicoke Centre Secondary Plan; and the northern portion of 3200 Bloor Street West is designated *Natural Areas* both within the Official Plan and the Etobicoke Centre Secondary Plan. The proposal is requesting a redesignation of 4-8 Montgomery Road to *Mixed Use Areas* in the Official Plan and *Mixed Use Area B* within the Etobicoke Centre Secondary Plan.

Policies of the Etobicoke Centre Secondary Plan were implemented on this site by Zoning By-law No. 1088-2002 and zoned Etobicoke Centre 1 (EC1) and Open Space (OS); The Montgomery Road properties are zoned RD within the City-wide By-law No. 569-2013.

The Etobicoke Centre Urban Design Guidelines are applied to the lands within Etobicoke Centre and in addition, the Bloor Kingsway Urban Design Guidelines include all the lands within the application. The lands within Etobicoke Centre are also subject to the Etobicoke Centre Public Space and Streetscape Plan.

Other Guidelines that are relevant in the consideration of the proposal include: Growing Up: Planning for Children in New Vertical Communities; Retail Design Manual; Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings; Best Practices for Bird-Friendly Glass; and Best Practices for Effective Lighting.

Information on applicable policy documents can be found in Attachment 5.

COMMUNITY CONSULTATION

A Virtual Community Consultation Meeting was hosted by City staff on November 2, 2020. Approximately 136 people participated, 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:

- location, orientation of the proposed building and site orientation including: driveway access onto Bloor Street West; main entrance into the building; delivery and drop-off areas; dog relief areas; access to retail parking;
- flood risk concerns including risk to underground parking levels;
- public access to proposed greenspace and uses for the naturalized area;
- increased traffic and traffic infiltration and impacts of the proposal onto: Montgomery Road, Bloor Street, Birchview, Dundas Street; TTC subway line 2; nearby schools; drop offs and pick up areas for schools; vehicular access to schools;
- traffic study methodology concerns;
- driveway access: including impacts on traffic infiltration and pedestrian safety on Montgomery, potential to move access onto Bloor Street West, functionality of driveway access and vehicular movements in and out of driveway; consideration to change Birchview into a 2-way street;
- sidewalk concerns including: sidewalk safety during construction; sidewalk widths on Montgomery Road are insufficient; sidewalk improvements to Bloor Street West and Montgomery Road desired;
- appropriateness of proposed height;
- impacts from proposed height on bird migration;
- shadow impacts on the church;
- conformity with policies including zoning by-law and Bloor-Kingsway Urban Design Guidelines;
- the role of the Bloor Kingsway Urban Design Guidelines;
- compatibility with adjacent buildings, neighbourhood and Bloor-Kingsway;
- reflection of sunlight and light reflection from proposed building on neighbouring homes and buildings;
- potential for bike lanes on Bloor Street West;
- existing sewage and stormwater capacity;
- heritage value or impact considerations for nearby buildings;
- signage requirements for proposed driveway;
- providing vehicular access on Bloor Street West instead of Montgomery Road;
- appropriateness of amount of retail proposed on Bloor Street West and continuity of the Bloor Kingsway commercial strip;
- use Section 37 to alleviate pressures of the local school; and
- questions were also raised regarding the planning process including: the length of time to process an application, school board consultation, whether local school attendance is taken into consideration; how community comments and concerns are taken into account; public access to submission materials.

In addition to the Community Consultation Virtual Meeting, Planning staff received many emails from community members. A summary of comments received, which differ from those listed above are contained in Attachment 6 to this report.

COMMENTS

The proposal has been reviewed against the *Planning Act*, PPS, Growth Plan, Official Plan, Secondary Plan policies and design guidelines as outlined in the Policy Considerations section and Attachment 6 of this report.

Planning Act

Planning Staff have reviewed the application having regard for the relevant matters of provincial interest set out under Section 2 of the *Planning Act*. The application does not have sufficient regard to Section 2(j), which speaks to the adequate provision of a full range of housing, including affordable housing, Section 2(p) which speaks to the appropriate location of growth and development, and 2(r) which speaks to the promotion of a built form that is well designed, encourages a sense of place and provides places that are of high quality, safe, accessible, attractive and vibrant.

Provincial Policy Statement (2020) (PPS)

The PPS directs that long-term economic prosperity should be supported by encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce. The proposal in its current form does not provide for an appropriate range of housing options as it does not provide a sufficient number of three-bedroom units.

The PPS also directs that long-term economic prosperity should be supported by maintaining and, where possible, enhancing the vitality and viability of mainstreets; and that long-term economic prosperity should be supported by encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes. The proposal in its current form does not extend the Bloor Street West mainstreet with an appropriate amount of commercial space and does not encourage a sense of place promoting a well-designed built form consistent with its existing and planned context.

In staff's opinion, the proposal in its current form is not consistent with the PPS's long-term economic prosperity policies.

A decision by City Council to oppose the current proposal given the inconsistency with long term economic prosperity policies and non-conformity with Official Plan policies, as described below, will be consistent with the PPS.

The Growth Plan (2020)

The Growth Plan (2020) states that applying the policies of the plan will support the achievement of complete communities that: feature a diverse mix of land uses, including residential and employment uses; provide a diverse range and mix of housing options to accommodate people at all stages of life, and to accommodate the needs of all

household sizes and incomes; and provide for a more compact built form and a vibrant public realm. It is staff's opinion that the proposal in its current form does not conform to the policy direction for growth envisioned for this site.

Growth Plan guiding principles include the principle to support a range and mix of housing options, including additional residential units and affordable housing, to serve all sizes, incomes, and ages of households.

The proposal in its current form does not conform to the policy direction for growth envisioned for this site and does not provide an appropriate range and mix of unit sizes, as it is deficient in the provision of three bedroom units.

In staff's opinion, the proposal in its current form does not conform with the Growth Plan with matters that support the achievement of a complete community and a range and mix of housing options.

A decision by City Council to oppose the current proposal given the non-conformity with matters that support the achievement of a complete community and a range and mix of housing options and non-conformity with Official Plan policies, as described below, will conform with the Growth Plan.

Land Use

This application has been reviewed against the Official Plan policies, Etobicoke Centre Secondary Plan policies and design guidelines described in the Policy Consideration section of this report and Attachment 6. Given the existing and planned context for the subject property and the surrounding area, the proposed density, height and massing proposed in its current form cannot be supported by staff.

4-8 Montgomery Road Land Use Designation

Currently, the Official Plan designates the Montgomery Road properties (4-8 Montgomery Road) as *Neighbourhoods*. These lands are not within Etobicoke Centre and are outside the Etobicoke Centre Secondary Plan. Etobicoke Centre is recognized as a Growth Centre on Map 2, Urban Structure Plan of the Official Plan. The proposal seeks to consolidate these Montgomery Road properties with the Bloor Street West properties as part of the development and redesignate the Montgomery Road properties with an Etobicoke Centre designation (*Mixed Use Area B*). The planned function and what would be acceptable intensification within a *Neighbourhoods* designation is very different from the planned function and what would be acceptable intensification within a Growth Centre designation.

Official Plan and the Secondary Plan policies provide direction on how to manage boundary situations. Official Plan Policy 2.2.2.2(I) provides that the Secondary Plan for a growth centre is to support the potential for growth within the Centre and protect adjacent *Neighbourhoods* from encroachment of larger scale development by: (i). establishing firm boundaries for the development area; (ii). ensuring an appropriate transition in scale and intensity of activity from within the *Centre* to surrounding *Neighbourhoods*; and (iii). connecting the *Centre* with the surrounding City fabric

through parks, trails, bikeways, roads and transit routes. The planned function for the *Neighbourhoods* designation (Montgomery Road lands) is to provide for a stable low rise and low density residential areas that are considered to be physically stable and whose development is to be consistent with this objective and will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas. The Official Plan provides a height limit of four storeys for *Neighbourhoods*. The proposal would have the height along Montgomery Road stepping from 4 storeys up to 12 storeys. By including these Montgomery Road lands as part of the *Mixed Use Areas* designation, the requirement for transition measures, such as fitting within an angular plane, would be measured further into the existing neighbourhood, having an effect of encroaching larger scale development into the Montgomery Road *Neighbourhood*.

Staff are of the opinion that the Montgomery Road properties should not be included in Etobicoke Centre Secondary Plan consistent with the Official Plan policy direction that the Secondary Plan boundary is a firm boundary.

Bloor Street West

The properties at 3100 and the southern half of 3200 Bloor Street West are designated *Mixed Use Areas* in the Official Plan and *Mixed Use Area B* in the Etobicoke Centre Secondary Plan. The planned function for the *Mixed Use Area B* is to continue as the pedestrian focus of Etobicoke Centre and is to be developed with pedestrian scaled buildings having retail and service uses at-grade to enhance and expand the main street shopping area. The Zoning By-law implemented this policy direction by permitting a variety of commercial uses at grade and restricting residential uses to above the ground floor only. The Etobicoke Centre Urban Design Guidelines provides that commercial main streets will be strengthened to create active retail frontage with buildings that support the use and scale. The proposal in its current form only provides commercial uses fronting onto Bloor Street West for a portion of the building's frontage; with the majority of the Bloor Street West frontage being used for residential uses including units facing the main street.

Given the existing and planned context for the subject properties and the surrounding area, and the amount of proposed commercial space along the Bloor Street West mainstreet frontage, staff are of the opinion that the proposed Official Plan Amendment, in its current form does not conform to the policy directions of the Official Plan and the *Mixed Use Area B* designation policies of the Etobicoke Centre Secondary Plan.

Proposed Naturalized Area Land Use designation

The proposed Official Plan Amendment and Zoning by-laws in their current form do not redesignate and rezone the lands proposed to be naturalized below the proposed top of bank including the 10 meter buffer. The Official Plan Amendment would need to be revised to include these naturalized lands within the *Natural Areas* designation of the Official Plan and Etobicoke Centre Secondary Plan. The Etobicoke Centre Zoning By-law would also need to rezone the naturalized area to Open Space (OS).

Built Form

This application has been reviewed against the Official Plan policies, Etobicoke Centre, Secondary Plan policies and design guidelines described in the Policy Consideration Section of this report. The proposed height, massing and density differs significantly from the character of the surrounding area. Given the existing and planned context for the subject property and the surrounding area, the proposed built form in its current form does not conform to the policies and does not meet the intent of the guidelines and, as such, cannot be supported by staff.

Height

The Etobicoke Centre Secondary Plan directs that the westerly extension of the Bloor Street West mainstreet shopping area consist of lower scale mixed use buildings that add to the level of pedestrian activity. The *Mixed Use Area B* designation further directs that the buildings in this designation be developed at a pedestrian scaled height. The Secondary Plan also recognizes that buildings at gateway locations should be of a scale and design that signifies a sense of arrival. The Etobicoke Centre Urban Design Guidelines provide that sites at entry points into Etobicoke Centre will be developed as landmarks and that these landmarks can occur through the design of the building as well as the provision of public realm elements and monuments.

The Etobicoke Centre Zoning By-law implemented the Etobicoke Centre Secondary Plan with a 15 metre height limit which is supported by the direction in the Etobicoke Centre Urban Design Guidelines which anticipate Main Street buildings to be up to 5 storeys in height.

The subject site was also included in the Bloor-Kingsway Urban Design Guidelines which provide that the area intensify with mid-rise buildings at heights up to a maximum of 6 storeys.

The Official Plan directs the maximum height on lands designated *Neighbourhoods* (4-8 Montgomery Road) be 4 storeys.

The proposal is requesting a height of 43 metres (13 storeys) along Bloor Street West . While a degree of emphasis in building scale could be considered appropriate to signify arrival at this eastern entryway into the Centre, the proposed heights reflect those of tall buildings, which are not in keeping with the low-rise and mid-rise pedestrian scaled heights of the existing and planned context for the site.

Massing

The current design of the 13-storey development results in a large continuous building mass along Bloor Street West and Montgomery Road. In addition to the inappropriate building heights, the lack of sufficient architectural articulation to break up the large volumes of the building results in a monolithic massing that is not pedestrian scaled and does not relate appropriately to the surrounding 2, 4 and 6 storey existing and planned context.

Density

The resulting Floor Space Index for the proposal in its current form would be approximately 5.7 times the net area of the lands under the Etobicoke Centre Zoning By-law which exceeds the maximum typical Floor Space Index of 3.5 for lands zoned EC1 with the same planned context of the subject site in the Etobicoke Centre By-law.

Sun, Shadow, Wind

This application has been reviewed against the Official Plan policies, Etobicoke Centre Secondary Plan policies and design guidelines described in the Policy Consideration Section of this report. Given the existing and the planned context for the subject property and the surrounding area, the built form impacts, including the sun, shadow and wind impacts cannot be supported by staff.

The proposed height would create adverse shadow impacts during the morning and afternoon hours during the March and September equinoxes, limiting access to the sunlight on the sidewalk along Montgomery Road and properties in the *Neighbourhoods* to the north and west. Due to the north-south orientation of the building, and the relatively small courtyard that is proposed to the north of the building, access to sunlight within the courtyard space would also be severely limited.

The qualitative pedestrian level wind assessment indicates that adverse wind impacts would be experienced at the south-east corner at the main entry point to the building. Wind mitigation measures were recommended, however, mitigation through recessed main entrances and avoidance of the use of wind screens that might obstruct views to and from the public realm is a more appropriate solution.

The assessment also identified negative impacts of northern winds to the outdoor amenity space at grade to the north. It is staff's opinion that the outdoor amenity space should be relocated to an area that is less exposed to the strong winds. Wind impacts on the walkway along the western edge of the building also need to be further tested.

A revised wind assessment and shadow impact study would be required should the design of the building be altered from the proposal in its current form.

Amenity

The Official Plan states that every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the new development.

The application in its current form does not provide outdoor amenity space that is visually and physically connected to the indoor amenity space on the ground floor. The larger indoor amenity space at grade as proposed does not have any opportunities for activities to spill into outside spaces. Outdoor amenity spaces should be located in comfortable and safe spaces on the site and protected from the adverse impacts of wind and shadow, they should provide play areas for future residents including children and they should connect with a walkway network. Indoor and outdoor pet amenity areas are also to be provided in keeping with Pet Friendly Guidelines.

In staff's opinion, the proposal in its current form does not provide appropriate indoor and outdoor amenity space.

Housing

The proposal in its current form does not support the City's unit mix objectives and housing policies, and the Growth Plan's growth management and housing policies to accommodate within new development a broad range of households, including families with children. The proportion of proposed three-bedroom units does not adequately support the unit size objectives of the Growing Up guidelines to accommodate within new development a broad range of households, including families with children.

The Growth Plan recognizes the importance of planning for a range and mix of uses on lands near existing and planned frequent transit, including second units and affordable housing to support existing and planned transit service levels. No affordable housing units are being proposed.

Cultural Heritage

Heritage Planning staff do not consider any of the existing buildings to have sufficient heritage value to warrant conservation under the provisions of the *Ontario Heritage Act*.

Transportation and Parking

Transportation Planning staff have identified required revisions to the Urban Transportation Considerations Report. The applicant has also provided a Transportation Demand Management (TDM) Strategy to justify a resident minimum parking rate based on the Parking Area 4 (PA4) rate of 0.88 spaces per unit. Transportation Planning staff agree that there is enough substantiated parking utilization information to satisfy the application of the PA4 parking rates for this proposed development.

However, it should be noted that the applicant's parking statistics for the development propose a parking rate of 1.24 spaces per unit, which is higher than the PA4 rate justified by the applicant's TDM Strategy. This results in a 30 percent oversupply of vehicular parking above the PA4 standard. Transportation Planning staff recommend the applicant consider a reduction to the proposed parking rate by bringing the rate closer to the PA4 standard of 0.88 spaces per unit as justified by the applicant's TDM Strategy.

Road Widening

In order to satisfy the Official Plan requirement of a 27 metre right-of-way for this segment of Bloor Street West, a 0.4 metre road widening dedication along the Bloor Street West of the subject site is required and is proposed to be conveyed to the City with this application.

Streetscape

The Etobicoke Centre Secondary Plan identifies that buildings located at gateway locations should be of a scale and design that signifies a sense of arrival. The Etobicoke Centre Urban Design Guidelines provides that sites at entry points into Etobicoke Centre will be developed as landmarks. Landmarks can occur through the design of the building as well as the provision of public realm elements and monuments. The Etobicoke Centre Public Space and Streetscape Plan provides guidance on the future streetscape for Etobicoke Centre area including the subject site. Staff do not consider the proposal in its current form to be meeting this policy direction by providing an appropriate landmark streetscape design for the site.

Servicing

City staff have identified a number of revisions required to the General Conceptual Servicing Plan, Sanitary, Water, Storm, Groundwater and Solid Waste and Recycling submission materials submitted. All revisions must be made to the satisfaction of the Executive Director of Engineering and Construction Services.

In the event that the OLT allows the Zoning By-law Amendment appeal in whole or in part, the final Order should be withheld pending the confirmation the storm water runoff, sanitary flow and water supply demand resulting from this development and whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposal, and confirmation that all revisions required to submission materials related to site servicing have been made to the satisfaction of the Executive Director of Engineering and Construction Services. Should it be determined that any improvements are required to the municipal infrastructure as determined by an accepted Functional Servicing Report and Traffic Impact Study, the applicant must make satisfactory arrangements with Engineering and Construction Services and enter into the appropriate agreement with the City for the design and construction of any improvements. There also needs to be space provided within the development for installation of maintenance access holes and sampling ports for both storm and sanitary service connections to the satisfaction of Engineering and Construction Services.

Toronto Transit Commission

The Toronto Transit Commission requires the owner to revise the Site Plan and Building Sections to show the distance between the development and TTC's infrastructure, including, but not limited to, subway tunnels, stations, bus loops and vent shafts, as applicable. The plans must clearly show the dimensioned distance between the outermost wall of the development to the closest point of TTC infrastructure (at grade and below).

Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Should the application be approved, Parks staff are recommending that the parkland dedication requirement be satisfied through cash-in-lieu of an on-site parkland dedication.

Ravine and Natural Heritage Protection

The subject lands include lands that are shown within the Natural Heritage System on Map 9 of the Official Plan, include some lands that are below the top-of-bank, and below top-of-toe of the Mimico Creek, and are adjacent to the Tom Riley Park. The subject property is also subject to provisions of the City of Toronto Municipal Code Chapter 658 – Ravine & Natural Feature Protection and the Toronto and Region Conservation Authority's (TRCA's) review and permitting processes. The development proposal is showing a proposed 10 meter buffer from a proposed top-of-bank. The applicant's Planning Rationale report identifies that all lands that are below top-of-bank and the lands within the 10 metre buffer would be naturalized and conveyed to the TRCA.

Urban Forestry Ravine & Natural Feature Protection does not object to the Official Plan and Zoning By-law amendments, subject to specific comments noted in a memo dated July 3, 2020. These comments relate to requested revisions to the arborist report, tree protection plan, landscape and planning plans, sediment control plan, site servicing and utilities plan, RNFP By-law Note, RNFP limit and Toronto Green Standards Checklist.

TRCA staff have no objection to the proposal in principal, but recommend the approval of the Official Plan Amendment and Zoning By-law Amendment Applications be deferred until items identified in their letter dated October 2, 2020 have been addressed. These items include requested revisions to the Detailed Hydraulic Assessment and HEC-RAS Model, Stormwater Management, Geotechnical Review, and the Hydrogeological Review. Additional comments for the detailed design stage are also provided.

Further, the TRCA recommends that lands within the natural system located 10 metres inland from the new top of bank including the lands north of the TTC Line 2 should be conveyed to public ownership and secured through an appropriate development agreement prior to registration of condominium. The TRCA also requires that the natural system be placed in Open Space - Natural Areas zoning and that a 3 metre setback for above grade and below grade structures apply to the limit of the future open space area.

Tree Preservation

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

A Tree Inventory and Assessment Report submitted in support of this application identifies a total 80 trees on and within 12 metres of the subject property and recommends the removal of 51 trees that are in conflict with the proposed development.

Urban Forestry recommends the following to be incorporated into the proposal:

- Buildings and underground structures should be designed and built with sufficient setbacks from the property lines to allow for satisfactory tree planting of large growing shade trees on city land as per the City of Toronto specifications; and,

- The development of land should be designed and built from the earliest stages with sufficient soft landscape area in order to achieve or exceed the city's public street planting requirements as defined under the Toronto Green Standard - Version 3, Tier 1 of the Ecological section.

Further, the applicant would be required to address Urban Forestry requirements for tree removal and protection and tree planting outlined in the memorandum from Urban Forestry dated July 30, 2020.

Energy Strategy

The applicant is encouraged to coordinate with the Energy Efficiency Division staff as they progress through design development with any further analysis, including:

- Compliance with the Toronto Green Standard Version 3, especially if targeting Tier 2 or higher levels of performance;
- District energy-ready design;
- Integration of low-carbon energy solutions; and
- Back-up power for resilience during grid disruptions.

Toronto Green Standard

City Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner.

School Boards

The Toronto District School Board (TDSB) advised that projected accommodation levels at local schools warrant the use of warning clauses such as signs at points of egress and ingress of the development site and warning clauses in all offers of purchase and sale/lease/rental/tenancy agreements. The TDSB requested the warning clauses be placed into site plan agreement as a condition of pre-approval.

The Toronto Catholic District School Board (TCDSB) requested to be consulted with respect to a future construction management plan to address safety. Further, due to concerns associated with school accommodation, the TCDSB also requests clauses be included in the City's conditions of approval and subsequently within any agreements of purchase and sale for the proposed units of this plan.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the *Planning Act*. The proposal in its current form would be subject to Section 37 contributions under the *Planning Act*. Planning staff has not met with the Applicant regarding Section 37 contributions because the application in its current form is not acceptable.

Should the OLT approve the application, Section 37 contributions would need to be secured. City planning staff, recommends staff be authorized to negotiate an appropriate agreement for Section 37 benefits with the applicant, in consultation with the Ward Councillor.

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 establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

Should the OLT approve the application, the following potential CS&F contributions should be considered as part of any Section 37 Agreement:

- Additional non-profit child care that is affordable
- Contribution towards the new Etobicoke Civic Centre for Library and Community Recreation benefits
- Contribution towards the Wedgewood Outdoor Pool
- Contribute a community agency space in the development of no less than 5,000 square feet meeting the criteria of the Community Space Tenancy policy

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020) and the Toronto Official Plan, Etobicoke Centre Secondary Plan, Etobicoke Centre Urban Design Guidelines, Bloor Kingsway Urban Design Guidelines, and other city-wide guidelines. The current proposal is not consistent with the PPS (2020), does not conform with the Growth Plan (2020) and does not conform with the Toronto Official Plan, particularly as it relates to Land Use, Healthy Neighbourhoods, Public Realm, Built Form, Land Use and the policy direction of the Etobicoke Centre Secondary Plan. In

addition, the proposal in its current form also is not consistent with the direction provided by implementing area specific and city wide guidelines.

This report recommends that the City Solicitor, with appropriate staff, attend the OLT in opposition to the Application in its current form and to continue discussions with the Applicant in an attempt to resolve outstanding issues. This recommendation is consistent with the PPS and conforms with the Growth Plan.

City Planning continues to receive additional information regarding this application as the result of ongoing review by City commenting divisions of materials submitted in support of the proposal and through deputation made by members of the public to Community Council. In addition, Planning staff may be required to evaluate supplementary or revised plans and supporting materials submitted by the applicant after the date of this report. As a result, in addition to the issues specifically addressed above, Planning staff may continue to identify further issues or supplement the reasons provided in this report. Where substantive changes to the proposal are made by the applicant, Planning staff may report back to City Council as necessary.

CONTACT

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SIGNATURE

Angela Stea, MCIP, RPP
Acting Director of Community Planning,
Etobicoke York District

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 By-law Map
- Attachment 5: Policy Considerations
- Attachment 6: Community Consultation Comments Summary

Applicant Submitted Drawings

- Attachment 7: Site Plan
- Attachment 8: Elevations

Attachment 1: Application Data Sheet

APPLICATION DATA SHEET

Municipal Address: 3100 BLOOR ST W Date Received: June 1, 2020

Application Number: 20 151103 WET 03 OZ

Application Type: OPA / Rezoning, OPA & Rezoning

Project Description: The proposal is for a 13-storey mixed-use building comprised of residential and commercial uses at grade, and residential uses above. The building would provide a total of 319 residential units and 443 square metres of commercial uses along Bloor Street. The gross area for the subject site includes lands both to the south of the TTC railway tracks (to include the proposed building), as well as lands to the north which would remain undeveloped. The net area of the site excludes lands below top of bank and the 10 metre buffer as these lands are to be conveyed to the TRCA and do not form part of the development.

Applicant	Agent	Architect	Owner
TRIDEL			2457938 ONTARIO LIMITED

EXISTING PLANNING CONTROLS

Official Plan Designations:	Mixed Use Areas, Neighbourhoods, Natural Areas	Site Specific Provision:
Zoning:	EC1, OS	Heritage Designation:
Height Limit (m):		Site Plan Control Area:

PROJECT INFORMATION

Site Area (sq m):	16,648 (gross); Approx. 7,713 (net)	Frontage (m): 183	Depth (m): 142
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Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	3,024		4,254	4,254
Residential GFA (sq m):	834		40,896	40,896
Non-Residential GFA (sq m):	5,047		443	443
Total GFA (sq m):	5,881		41,339	41,339

Height - Storeys:	2	13	13
Height - Metres:	8	43	43

Lot Coverage Ratio (%)	Approx.55.15 (net)	Floor Space Index:	Approx.5.36 (net)
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Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	40,895	
Retail GFA:	443	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			319	319
Other:				
Total Units:			319	319

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			89	214	16
Total Units:			89	214	16

Parking and Loading

Parking Spaces:	446	Bicycle Parking Spaces:	251	Loading Docks:	1
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CONTACT:

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(416) 394-6006
Elisabeth.SilvaStewart@toronto.ca

Attachment 2: Location Map









Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #15

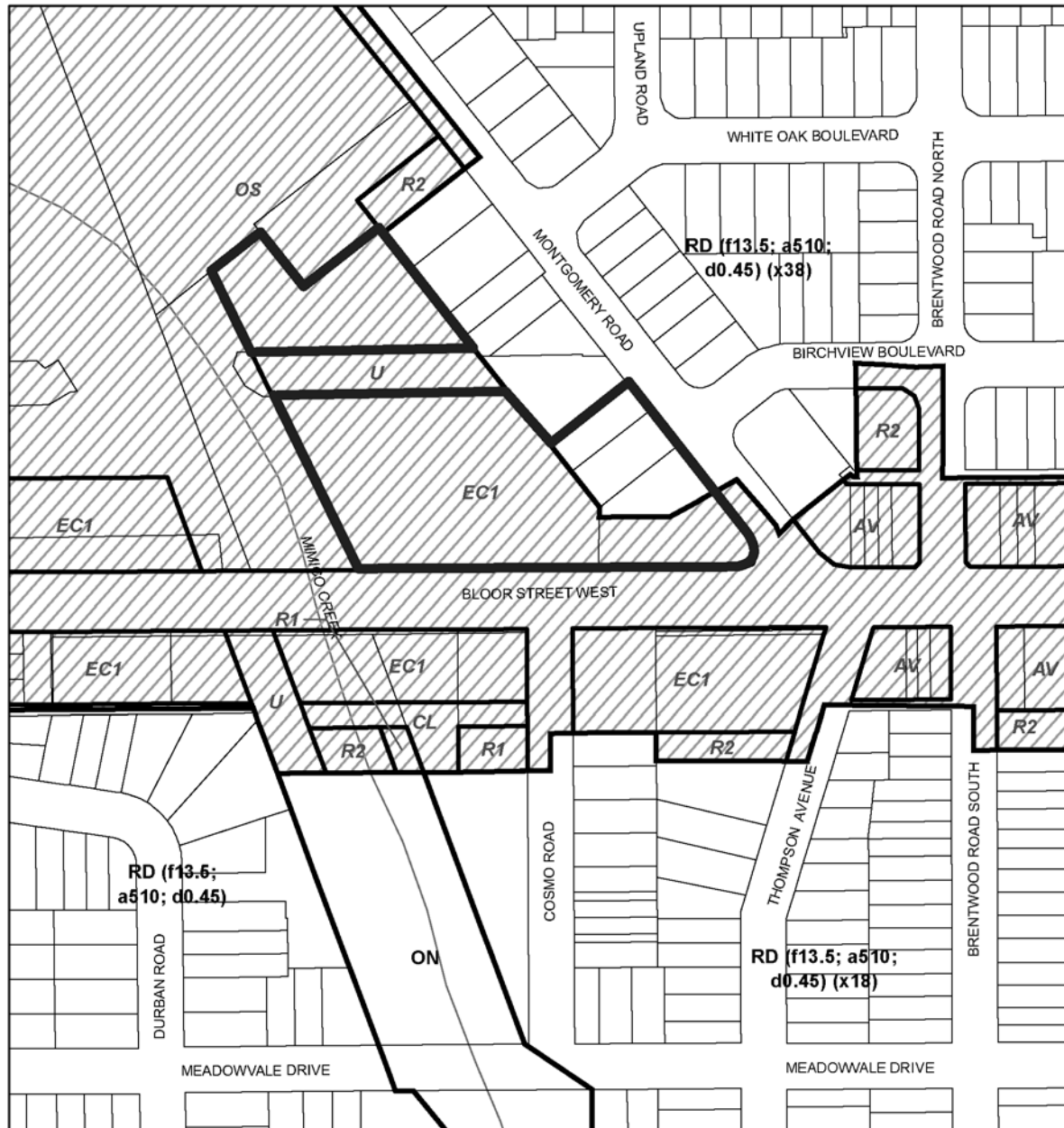
3100-23200 Bloor Street West
and 4-8 Montgomery Road

File # 20 151103 WET 03 02

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

↑
Not to Scale
07/22/2020

Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

**3100-3200 Bloor Street West
and 4-8 Montgomery Road**
File # 20 151103 WET 03 0Z



Location of Application

RD Residential Detached ON Open Space Natural



See Former City of Etobicoke By-law No. 11,737

R1 First Density Residential Zone
R2 Second Density Residential Zone
OS Public Open Space Zone
AV Limited Commercial-Avenues Zone
CL Limited Commercial Zone

EC1 Etobicoke Centre 1
U Utilities Zone



Not to Scale
Extracted: 07/23/2020

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 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 provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the *Planning Act* and all decisions of City 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 City 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 4.7 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. City 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 City 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 City 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) came into effect on August 28, 2020. This was an amendment to the 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 City 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 City Council shall also conform with the Growth Plan (2020).

The Etobicoke Centre is identified as an Urban Growth Centre in the Growth Plan. Policy 2.2.3.2 directs that Urban Growth Centres will be planned to achieve, by 2031, a minimum density target of 400 residents and jobs combined per hectare. The Etobicoke

Centre Secondary Plan conforms to the Growth Plan through its growth management approach to achieving complete communities by focusing the highest densities around the Kipling and Islington subway stations.

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 MTSA's are planned to achieve appropriate densities. On June 29, 2020, City Council approved a work plan (Item PH14.4) for the Growth Plan Conformity and MCR of the Toronto Official Plan and established August 4, 2020 as the commencement of the City's MCR. Regarding MTSA's, the MCR work plan includes a three-phased implementation approach to delineate and set density targets for the 180+ MTSA's in Toronto. The Islington Subway Station area is included in Phase 1 of the MTSA's implementation. As such, there are no established MTSA's in the City of Toronto, therefore the MTSA policies of the Growth Plan should not be used to justify greater building heights and densities. Not all properties within a 500 to 800 metres of a transit station will necessarily be delineated within an MTSA boundary, so it is premature to rely on those policies as a basis to support additional height and densities. The site is suitable for appropriate redevelopment and intensification as identified by the Etobicoke Centre Secondary Plan, but any support for additional height and density should be based on good planning given the local context and the in-force policies.

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan and the Etobicoke Centre Secondary Plan.

Key policies include:

Chapter 2 - Shaping the City

3100 and 3200 Bloor Street West portions of the subject site are located within one of the four City Centres (and are subject to the policies of the Etobicoke Centre Secondary Plan) while 4-6 Montgomery Road properties are located within an Avenue as shown on Map 2 - Urban Structure of the Official Plan.

Map 3 - Right-of-Way Widths Associated with Existing Major Streets of the Official Plan identifies the portion of Bloor Street fronting the site as an existing major street having a 27 metre right-of-way width.

Map 4 - Higher Order Transit Corridors of the Official Plan identifies the existing TTC subway line traversing the site and the location of subway stops at Royal York and Islington.

Centres

The City's four Centres are key components in the Official Plan's growth management strategy. The Official Plan provides for growth to be directed to *Centres* in order to use municipal land, infrastructure and services more efficiently and concentrate jobs and people in areas well served by surface transit and rapid transit stations. Each *Centre* is

different in terms of its local character, its demographics, its potential for growth and its scale. Etobicoke Centre is focused on two subway stations and as an interregional transit connection point can contribute to growth management objectives of the broader region. Etobicoke Centre takes in a range of urban conditions and has significant development potential, particularly around its subway stations and the City's own Westwood Theatre lands. Policy 2.2.2.2 requires that a Secondary Plan be created for each centre and provide criteria for those secondary plans. Criteria 2.2.2.2l) states that the secondary plan for the Centre will support the potential for growth within the *Centre* and protect adjacent *Neighbourhoods* from encroachment of larger scale development by: establishing firm boundaries for the development area; ensuring an appropriate transition in scale and intensity of activity from within the *Centre* to surrounding *Neighbourhoods*; and connecting the *Centre* with the surrounding City fabric through parks, trails, bikeways, roads and transit routes;

Avenues

Section 2.2.3, Avenues: Reurbanizing Arterial Roads, states that *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. A framework for change is to be tailored to the situation of each *Avenue* through a local *Avenue* Study that includes community consultation to establish a vision and implementation plan for: how the streetscape and pedestrian environment can be improved; where public open space can be created and existing parks improved; where trees should be planted; and how use of the road allowance can be optimized and transit service enhanced. Policies 2.2.3.1 and 2.2.3.2 require reurbanization of *Avenues* to be achieved through the preparation of Avenue Studies, and that these studies must engage the local community.

Chapter 3 - Building a Successful City

Official Plan Amendments ("OPA") 479 (Public Realm) and 480 (Built Form) were adopted as part of the Five-Year Official Plan Review. On September 21, 2020 the Minister of Municipal Affairs and Housing issued Notices of Decision approving OPA 479 and OPA 480. The OPAs replace Sections 3.1.1, 3.1.2, and 3.1.3 of the Official Plan with new and revised policies for the public realm, built form, and built form types. While not in force at the time the application was submitted, understanding this continuing evolution of urban design principles is relevant to the review of the application.

The Public Realm

Section 3.1.1, The Public Realm, states that the public realm is the fundamental organizing element of the city and its neighbourhoods and plays an important role in supporting population and employment growth, health, liveability, social equity and overall quality of life. Policy 3.1.1.1 identifies that the public realm is comprised of all public and private spaces to which the public has access including streets and lanes, parks and open spaces, and the parts of private and public buildings that the public is invited into. 3.1.1.2 requires the public realm to provide the organizing framework and setting for development; foster complete, well-connected walkable communities and employment areas that meet the daily needs of people and support a mix of activities;

support active transportation and public transit use; provide a comfortable, attractive and vibrant, safe and accessible setting for civic life and daily social interaction; contribute to the identity and physical character of the City and its neighbourhoods; provide opportunities for passive and active recreation; be functional and fit within a larger network; and contribute to the City's climate resilience. Policy 3.1.1.3 provides that the City, together with its partners, will seek opportunities to expand and enhance the public realm.

Policy 3.1.1.13 requires sidewalks to be designed to provide safe, attractive, interesting and comfortable spaces for users of all ages and abilities. Further, Policy 3.1.1.14 requires that design measures which promote pedestrian safety and security will be applied to streetscapes, lanes, parks, other public and private open spaces, and all new and renovated buildings.

Policy 3.1.1.16 states the preservation, long-term growth and increase in the amount of healthy trees will be a priority for all development. Development proposals will demonstrate how the protection, provision and maintenance of trees and their growing spaces above and below ground will be achieved. Policy 3.1.1.17 requires access and enjoyment of the natural features of the City, such as ravines and valley lands, will be enhanced and protected by: improving physical and visual access from adjacent public streets, parks and open spaces and designing these into a comprehensive public realm network; ensuring that adjacent development, including new streets, parks and open spaces, building location, height, massing and organization, will preserve and enhance access, views and vistas between these natural features and the public realm; providing for public access along, into and through these natural open spaces, where appropriate; and minimizing shadows on natural features to preserve their utility and ecological health.

Policy 3.1.1.18 requires new open spaces to be located and designed to: connect and extend, wherever possible, to existing parks, natural areas, and other open spaces such as school yards; consider opportunities for future expansion of the park or open space onto adjacent sites with redevelopment potential; provide a comfortable setting with wind and sunlight conditions that promote use and enjoyment of the space for community events and by users of all ages and abilities; provide appropriate spaces for a variety of active and passive recreation, as well as productive recreation such as community gardening; and emphasize and improve unique aspects of the community's identity and character, including natural and human-made heritage.

Built Form

Section 3.1.2, Built Form, is based on principles on key relationships of the location and organization of development, its massing and appropriate amenity within the existing and planned context to inform the built form and ensure each new building will promote and achieve the overall objectives of the Official Plan.

Policy 3.1.2.1 requires development be located and organized to fit with its existing and planned context. Development is to frame and support adjacent streets, lanes, parks and open spaces to promote civic life and the use of the public realm, and to improve the safety, pedestrian comfort, interest and experience, and casual views to these

spaces from the development. Policy 3.1.2.2 prioritizes the provision of accessible open space in locations that have access to direct sunlight and daylight and Policy 3.1.2.3 requires development to protect privacy within adjacent buildings by providing setbacks and separation distances from neighbouring properties and adjacent building walls containing windows.

Policy 3.1.2.4 requires that development locate and organize vehicle parking and vehicular access, servicing, storage areas and utilities to minimize their impact and improve the safety and attractiveness of the public realm, the site and surrounding properties.

Policy 3.1.2.5 requires development to be located and massed to fit within the existing and planned context, define and frame the edges of the public realm with good street proportion, fit with the character, and ensure access to direct sunlight and daylight on the public realm by providing streetwall heights and setbacks that fit harmoniously with the existing and/or planned context; and stepping back building mass and reducing building foot prints above the streetwall height.

Policy 3.1.2.6 requires development to provide good transition in scale between areas of different building heights and/or intensity of use in consideration of both the existing and planned contexts of neighbouring properties and the public realm. Policies 3.1.2.7 and 3.1.2.8 require transition in scale to be provided within the development site and be measured from shared and adjacent properties lines and where development includes, or is adjacent to, a park or open space, the buildings should be designed to provide good transition in scale to the parks or open spaces to provide access to direct sunlight or daylight.

Policies 3.1.2.9 and 3.1.2.10 require the design of new building facades visible from the public realm to consider the scale, proportion, materiality and rhythm of the façade and development to promote civic life and provide amenity for pedestrians in the public realm to make areas adjacent to streets, parks and open spaces attractive, interesting, comfortable and functional.

Policies 3.1.2.11, 3.1.2.12 and 3.1.2.13 encourage new indoor and outdoor amenity spaces be provided in multi-unit residential development, and that it be high quality, well designed and consider the needs of all ages and abilities over time and throughout the year. Outdoor amenity spaces should be located above grade, have access to daylight, direct access to sunlight, provide comfortable wind, shadow and noise conditions, be located away from and physically separated from loading and servicing areas, have generous well designed landscaped areas to offer privacy and an interface with the public realm, accommodate mature trees and promote use in all seasons.

Section 3.1.3, Built Form - Building Types, states that there are three scales of building types. The built form relationships and design of these building types is informed by citywide urban design guidelines that help to ensure the appropriate form and fit with the existing and planned context. Mid-rise buildings are a transit supportive of development that provides a level of intensification at a scale between low-rise and tall building forms. Mid Mid-rise building heights are contextual and are informed by the width of the right-

of-way onto which they front. In Toronto, where streets vary in width from 16.5 metres to over 40 metres, mid-rise buildings may vary in height between four and 11 storeys for residential uses, or fewer for office uses, dependent on the adjacent right-of-way width. Mid-rise buildings help establish and reinforce an urban environment through a development form that is repeatable, moderate in scale, has good, predictable street proportion, allows for access to midday sunlight in the spring and autumn, has open views to the sky from the street, and that can support high-quality, accessible open spaces in the block. Mid-rise buildings provide good transition in scale that has predictable impacts on adjacent low-scale uses.

Policy 3.1.3.4 requires mid-rise buildings to be designed to have heights generally no greater than the width of the right-of-way that it fronts onto; maintain street proportion and open views of the sky from the public realm by stepping back building massing generally at a height equivalent to 80% of the adjacent right-of-way width; and allow for daylight and privacy on occupied ground floor units by providing appropriate facing distances, building heights, angular planes and step-backs. Further policy 3.1.3.5 states that mid-rise buildings on corner sites with different right-of-way widths will have building heights along each street edge that relate to their corresponding right-of-way width, and policy 3.1.3.6 states that mid-rise buildings on deep sites should be designed to provide and frame accessible and well-proportioned open spaces that have access to sunlight and daylight.

The Natural Environment

Map 9 - Natural Heritage System illustrates the entire site as being located within the Natural Heritage System. Map 10 - Special Policy Areas Key Map illustrates a portion of the site as being within Special Policy Area No. 5 - Queensway-Dundas: Mimico Creek.

Policy 3.4.1 states that in order to support strong communities, a competitive economy and a high quality of life, public and private city-building activities and changes to the built environment will be environmentally friendly.

Policy 3.4.5 [Decision by L.P.A.T. not yet determined] prohibits development within the floodplain, except for buildings and structures in Special Policy Areas shown on Maps 10 and 11, which must be protected from flooding to at least the 350-year flood level.] The lands within the westerly portion of 3200 Bloor Street West area are within an area identified as within Special Policy Area No. 5 - Queensway-Dundas : Mimico Creek on Maps 10 and 11 (1 of 2) of the Official Plan. The SPA related policies and mapping of the Official Plan were not approved by the Minister of Municipal Affairs and Housing when the Toronto Official Plan was approved in part. The City has appealed the Minister's decision and it is not in force. The SPA policies and maps of the Official Plan represent City Council's policy direction.

Policy 3.4.6 requires that areas within the floodplain may only be used for activities that retain existing topography; protect, restore or improve existing natural features and functions; do not result in unacceptable risks to life or property; and minimize the need to mitigate and remediate floods, erosion and damage to the natural ecosystem.

Policy 3.4.8 requires development to be set back from the following locations by at least 10 metres, or more if warranted by the severity of existing or potential natural hazards: the top-of-bank of valleys, ravines and bluffs; toe-of-slope of valleys, ravines and bluffs; other locations where slope instability, erosion, flooding, or other physical conditions present a significant risk to life or property; and other locations near the shoreline which may be hazardous if developed because of flooding, erosion or dynamic beach processes.

Policy 3.4.9 provides that alteration of the existing slope of a valley, ravine or bluff or shoreline for the purpose of accommodating development will not be permitted.

Policy 3.4.10 states that land below the top-of-bank, or other hazard lands, may not be used to calculate permissible density in the zoning by-law or used to satisfy parkland dedication requirements.

Policy 3.4.11 states that development is generally not permitted in the natural heritage system illustrated on Map 9. Where the underlying land use designation provides for development in or near the natural heritage system, development will: recognize natural heritage values and potential impacts on the natural ecosystem as much as is reasonable in the context of other objectives for the area; and minimize adverse impacts and when possible, restore and enhance the natural heritage system. Policy 3.4.12 does not permit consents to sever land or approval of plans of subdivision for any parcel of land that is entirely within or part of the natural heritage system unless: the land is being conveyed to the Toronto and Region Conservation Authority or other public agencies; the land is within an approved Special Policy Area; or an assessment of the impacts to the natural heritage system has been satisfactorily completed.

Policy 3.4.13 provides that all proposed development in or near the natural heritage system will be evaluated to assess the development's impacts on the natural heritage system and identify measures to mitigate negative impact on and/or improve the natural heritage system, taking into account the consequences. Policy 3.4.14 identifies characteristics that are particularly sensitive and require additional protection to preserve their environmentally significant qualities in areas of land or water within the natural heritage system.

The natural heritage system is illustrated on Map 9. When development is proposed on or near lands shown as part of the natural heritage system, the proposed development's impact on the system is to be evaluated and an impact study may be required. As part of the evaluation, the natural heritage features on or near the property in question and their location will be more precisely defined. The City of Toronto and the Toronto and Region Conservation Authority have developed an Inventory, as part of a Natural Heritage Study, which identifies and contains data on the various components of the natural heritage system and provides strategic direction for improving the natural ecosystem and increasing biodiversity. This inventory information, and any other relevant information provided through impact studies, will be made public, subject to statutory constraints, and used to evaluate development proposals and identify priority locations where the system should be protected, restored and enhanced. The City has undertaken a program of further study and fieldwork to confirm and identify areas within

the natural heritage system that are particularly sensitive and require additional protection to preserve their environmentally significant qualities. These areas are shown on Map 12A. Most provincially significant wetlands and areas of natural and scientific interest that have been identified by the Province are shown on Map 12B. Where development is proposed adjacent to these areas, their boundaries will be more precisely determined and any negative impacts will be identified through an impact study as referred to in Policy 3.4.12. Further study and fieldwork will continue to update and refine the natural heritage system inventory and assist in identifying strategic directions for improving natural ecosystems, promoting biodiversity and increasing resiliency.

Development or site alteration, with the exception of trails, where appropriate, and conservation, flood and erosion control projects, is not permitted on lands within the natural heritage system that exhibit any of these characteristics. Activities will be limited to those that are compatible with the preservation of the natural features and ecological functions attributed to the areas. New or expanding infrastructure should be avoided unless there is no reasonable alternative, adverse impacts are minimized and natural features and ecological functions are restored or enhanced where feasible. An impact study, as referred to in Policy 3.4.12, will be required for any proposed undertaking in those areas not already the subject of an Environmental Assessment under the Environmental Assessment Act. Known areas exhibiting these environmentally significant characteristics are shown on Map 12A. Where these areas extend onto lands above the top of bank which have underlying zoning permissions, the lands may be used to calculate permissible density in the zoning bylaw. An impact study, as referred to in policy 12, will be required for any proposed development adjacent to these areas. Any proposed development will avoid these areas, minimize negative impacts and, when possible, restore and enhance the ecological functions attributed to these areas

Official Plan policy 3.4.21 states that major facilities such as transportation/rail infrastructure and sensitive land uses such as residential, will be appropriately designed, buffered and/or separated from each other.

Chapter 4 Land Use designations

The Official Plan designates the Bloor Street frontage properties at 3100 and 3200 Bloor Street West as *Mixed Use Areas*; the interior portion of 3200 Bloor Street West north of the Line 2 as *Natural Areas*; and the portion of the site located at 4-8 Montgomery Road as *Neighbourhoods*, as shown on Map 14 - Land Use of the Official Plan (see Attachment 3: official Plan Land Use Map).

Mixed Use Areas

Section 4.5 of the Plan indicates that the *Mixed Use Areas* designation provides for a range of residential, commercial and institutional uses, and provides criteria to direct the form and quality of development. The Official Plan states that "*Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service employment in Toronto in the coming decades, as well as much of the new housing." However, not all *Mixed Use Areas* will experience the same scale or intensity of development. The

policies of *Mixed Use Areas* require new development to provide a transition between areas of different development intensity and scale.

Policy 4.5.2 includes criterion that directs the form and quality of development in this land use designation. It is the intent that development in *Mixed Use Areas* will:

- create a balance of high quality commercial, residential, institutional and open space uses that reduce automobile dependency and meet the needs of the local community;
- locate and mass new buildings to provide a transition between areas of different development intensity and scale by providing appropriate setbacks and/or stepping down of heights, particularly towards lower scale *Neighbourhoods*;
- locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes;
- 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;
- provide an attractive, comfortable and safe pedestrian environment;
- take advantage of nearby transit services;
- provide good site access and circulation and an adequate supply of parking for residents and visitors;
- locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences;
- provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development; and
- provide opportunities for green infrastructure including tree planting, stormwater management systems and green roofs.

Further guidance for *Mixed Use Areas* that are adjacent or close to *Neighbourhoods* is found within the Healthy Neighbourhood policies) of the Official Plan. Policy 2.3.1.2 states that development within *Mixed Use Areas* that are adjacent to *Neighbourhoods* will:

- a) be compatible with those *Neighbourhoods*;
- b) provide a gradual transition of scale and density, as necessary to achieve the objectives of the Plan through the stepping down of buildings towards and setbacks from those *Neighbourhoods*;
- c) maintain adequate light and privacy for residents in those *Neighbourhoods*; and
- d) orient and screen lighting and amenity areas so as to minimize impacts on adjacent land in those *Neighbourhoods* ;
- e) locate and screen service areas, any surface parking and access to underground and structured parking so as to minimize impacts on adjacent land in those *Neighbourhoods*, and enclose service and access areas where distancing and screening do not sufficiently mitigate visual, noise and odour impacts upon adjacent land in those *Neighbourhoods*; and
- f) attenuate resulting traffic and parking impacts on adjacent neighbourhood streets so as not to significantly diminish the residential amenity of those *Neighbourhoods*.

The Healthy Neighbourhoods section of the Official Plan further states:

"At the boundary points between the neighbourhoods and the growth area, development in the mixed use area will have to demonstrate a transition in height, scale and intensity as necessary to ensure that the stability and general amenity of adjacent residential area are not adversely affected".

Neighbourhoods

The portion of the site located at 4-6 Montgomery Road is designated *Neighbourhoods* on Map 14- Land Use Plan. Section 4.1 in the Official Plan states that *Neighbourhoods* are considered physically stable areas, which include residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes, townhouses and walk-up apartments. Parks, local institutions, home occupations, cultural and recreational facilities and small scale retail service and office uses are also provided for in *Neighbourhoods*. Local institutions include uses such as seniors and nursing homes and long term care facilities. The Official Plan also states that no changes will be made through rezoning that are out of keeping with the physical character of the neighbourhood. In addition, physical changes to established *Neighbourhoods* must be sensitive and fit its existing context and physical character.

Policy 4.1.5 of the Official Plan requires development in established *Neighbourhoods* to respect and reinforce the existing physical character of the neighbourhood, including in particular:

- Size and configuration of lots;
- Heights, massing, scale and dwelling type of nearby residential properties;
- Prevailing building type(s);
- Setbacks of buildings from the street or streets;
- Continuation of special landscape or built-form features that contribute to the unique physical character of a neighbourhood; and
- Prevailing patterns of rear and side yard setbacks and landscaped open space.

Natural Areas

Map 9 - Natural Heritage System illustrates the entire site as being located within the Natural Heritage System. Policy 4.3.3 states that the areas shown as *Natural Areas* on Maps 13-23 will be maintained primarily in a natural state, while allowing for: a) compatible recreational, cultural and educational uses and facilities that minimize adverse impacts on natural features and functions; and b) conservation projects, public transit, public works and utilities for which no reasonable alternatives are available, that are designed to have only minimal adverse impacts on natural features and functions, and that restore and enhance existing vegetation and other natural heritage features.

Chapter 5 -Implementation: Making Things Happen

Policy 5.1.1 of the Official Plan allows for an increase in height and/or density in return for the provision of community benefits for a proposed development, in accordance with Section 37 of the *Planning Act*.

The Secondary Plans policies in Section 5.2.1 of the Official Plan indicate that Secondary Plans establish local development policies to guide growth and change in a

defined area of the City. Policy 5.2.1.1 indicates that "Secondary Plans will set the stage for reurbanization of a defined area to stimulate and guide development in keeping with the Plan's objectives". Policy 5.2.1.2 states that Secondary Plans will generally be prepared in consultation with the community for growth areas identified by the Official Plan such as Centres. Policy 5.2.1.3 provides that Secondary Plans promote a desired type of form of physical development resulting in highly functional and attractive communities and plan for an appropriate transition in scale and activity between neighbouring districts.

The Official Plan also includes policies for City-building that provide for more detailed oriented action plans, programs and strategies needed to implement the Plan and to adapt to changing circumstances and challenges over the life of the Plan. Policy 5.3.2.1 states that "Implementation plans, strategies and guidelines will be adopted to advance the vision, objectives and policies of this Plan." Though the policy goes on to acknowledge these plans, strategies and guidelines are not Official Plan policy unless added by amendment to the Plan, they do advance the vision, policies and objectives of the Plan. Urban design guidelines specifically are intended "to provide a more detailed framework for built form and public improvements in growth areas".

Etobicoke Centre Secondary Plan

The Etobicoke Centre Secondary Plan sets out an urban structure for the area that directs different levels of intensification to certain areas within its boundaries. This is reflected in more detail in the two *Mixed Use Areas* designations of the Plan that divide the scale and intensity of growth into either pedestrian scale buildings specific to the *Mixed Use Area B* designation or taller buildings in *Mixed Use Area A*. The Etobicoke Centre Secondary Plan designates 3100 Bloor Street West and the southern half of 3200 Bloor Street West as *Mixed Use Area B*, the northern half of 3200 Bloor Street is designated *Natural Areas* and 4-6 Montgomery Road are not located within the Etobicoke Centre Secondary Plan boundary.

The subject lands are next to the Bloor/Islington Focus Area of the Etobicoke Centre Secondary Plan. Within this area are both the Islington Subway Station and a "main street" shopping district that extends westward from the Kingsway commercial area. The Secondary Plan directs that the westerly extension of the "main street" shopping area consist of lower scale mixed use buildings that add to the level of pedestrian activity and requires protection from impacts of development on the low density residential neighbourhood beyond the Plan's southerly boundary.

The site adjoins the Tom Riley Park and Mimico Creek Area of the Secondary Plan. Part of the site also contains lands that are below top-of-bank and within a 10- metre buffer along the east side of the Mimico Creek. The Secondary Plan states that this area provides a major open space resource for area residents as well as organized recreation opportunities for a broader constituency. The Mimico Creek Area will continue as a major open space and institutional area to serve the Etobicoke Centre. The area will be a vibrant, activity-filled open space area with excellent visibility and access. The area will form an open space destination connected to a broader system of

pedestrian open space linkages throughout the Secondary Plan area as well as the *Neighbourhoods* to the north and south along Mimico Creek.

The subject site is at the boundary of Etobicoke Centre and the Etobicoke Centre Secondary Plan directs boundary locations to create a sense of place by being well defined through a series of common infrastructure items and gateway treatments to set the area aside from its environs. Greater physical definition is to be achieved through the development of gateway treatments and/or structures to physically create a sense of arrival. Buildings located at gateway locations should be of a scale and design that signifies a sense of arrival and these locations will be identified in urban design guidelines for Etobicoke Centre.

Policy 3.3.1.1. requires the new built form to consist of apartment dwellings; Policy 3.3.1.2 provides that the general scale of buildings will promote an urban character; and Policy 3.3.1.5 requires that the scale of buildings to be consistent with their location and surroundings.

Mixed Use Area B

The Etobicoke Centre Secondary Plan provides a mixed-use strategy that permits a wide variety of uses to encourage development and create synergy between uses. Specific direction is provided to the areas along Dundas and Bloor Streets to enhance and further the pedestrian oriented shopping and service area. Policy 3.13.3 states that *Mixed Use Area B* will continue as the pedestrian focus of Etobicoke Centre. Lands in this designation will be developed with pedestrian-scaled buildings having retail and services uses located at grade to enhance and expand the main street shopping area. Policy 3.13.3.1 requires that lands designated *Mixed Use Area B* consist of a broad range of commercial, residential and institutional uses in single or mixed use buildings; have buildings that are built to the street line with at-grade retail, office or service uses; have buildings that are developed at a pedestrian-scale height; and provide a continuous pedestrian-oriented retail shopping strip to serve surrounding residential and office and institutional uses.

Mimico Creek Special Policy Area

Part of the site is within the Mimico Creek Special Policy Area. Site and Area Specific Policy 4.6 to the Etobicoke Secondary Plan directs that development be permitted subject to the approval of the Toronto Region Conservation Authority.

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

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

Zoning

Zoning By-law No. 1088-2002 implements the vision of the Etobicoke Centre Secondary Plan. City-wide Zoning By-law No. 569-2013 does not apply to lands within the

Etobicoke Centre boundary as Zoning By-law No. 1088-2002 is in place for the Etobicoke Centre Secondary Plan Area.

3100 Bloor Street West and the southern part 3200 Bloor Street West are zoned Etobicoke Centre 1 (EC1) by the former City of Etobicoke Zoning Code as amended by Site Specific Zoning By-law No. 1088-2002 (see Attachment 4: Zoning By-law). The northern part of 3200 Bloor Street West is zoned Open Space (OS).

The EC1 Zone permits a wide range of commercial uses with residential dwelling units and senior citizen apartments located above the ground floor only, in combination with other permitted uses. The zoning regulation includes a maximum building height of 15 metres, however, notwithstanding this maximum height, no portion of a building or structure is permitted to be higher than the horizontal distance from any residential or open space zone to any portion of the building or structure.

The Zoning law requires a minimum density of 2.0 gross Floor Space Index for the EC1 zone and the maximum density illustrated on the density map identifies the property within the Open Space (OS) Zone with no maximum density identified. The maximum density noted on all other EC1 zoned lands to the south is 3.5.

The Build-To Area is required to be a minimum of sixty (60) percent of any lot frontage abutting a street, with the building having a minimum height of 6 metres and a maximum height of 12 meters on the street frontage. The By-law also prescribes a building stepback of 3 metres above a building height of 12 metres with minor projections being permitted to encroach into the required building setbacks. A minimum 7.5 metres rear yard setback is required to be provided from any Residential or Open Space Zone and the Zoning By-law also requires that there be an eleven (11) metre separation distance to a window of another dwelling unit (other than a window of a kitchen or bathroom) on the same lot or abutting lot.

There are also a number of parking and transportation-related regulations included in the By-law.

The OS Zone does not provide any provisions, but is used in the regulations as a starting place from which to measure setbacks and height for nearby structures in the EC1 Zone.

City-wide Zoning By-law 569-2013 applies only to the lands at 4-8 Montgomery Road. These lands are zoned RD and this zone only permits detached residential dwellings with a maximum height of 9.5 metres.

Etobicoke Centre Zoning By-law 1088-2002 may be found here:
<https://www.toronto.ca/legdocs/bylaws/2002/law1088.pdf>

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

Etobicoke Centre Urban Design Guidelines

The urban design policies of the Etobicoke Centre Secondary Plan are supported by the Etobicoke Centre Urban Design Guidelines (ECUDG). The Guidelines establish the urban design goals for the Etobicoke Centre as it relates to among other matters, building design, pedestrian comfort and streetscape improvements. The Guidelines draw upon Zoning By-law No. 1088-2002 to achieve the built form goals envisioned in the Etobicoke Centre Secondary Plan.

The vision for the ECUDG is for redevelopment opportunities to include a mix of uses in a variety of building forms, have a public road network which balances vehicular and pedestrian needs and ensure accessibility to community services and increase use and access to the Kipling and Islington subway stations. Structure and focus to the emerging character and identity is based on the existing street network. In particular, the subject site is located in the easterly edge of Bloor Street. The ECUDG states that Bloor Street has three distinct segments and states that the easterly end, is an extension of the Bloor-Kingsway "main street" area which extends into Etobicoke Centre along the south side providing pedestrian scale development.

The ECUDG states that massing of new buildings is intended to frame and support the streets and open spaces at a scale that balances building height and built form with street width, support the Etobicoke Centre Secondary Plan initiatives; and provide adequate transition to adjacent stable areas. There are four building typologies, of which the "main street buildings" is the typology which supports the built form goals of the Etobicoke Centre Secondary Plan designation and implementing zoning by-law 1088-2002 zone for this site.

The subject site is at an entry point into Etobicoke Centre and the ECUDG also provide that sites at entry points into the Etobicoke Centre will be developed as landmarks to identify the Etobicoke Centre. Landmark locations can occur through the design of buildings at these locations as well as the provision of public elements and monuments.

The ECUDG also provide guidelines on environmental impacts (sun and wind), as well as direction on the location and treatment of pedestrian entrances.

The link to the Guidelines is here: <https://www.toronto.ca/city-government/planningdevelopment/official-planguidelines/design-guidelines/etobicoke-york/>

Bloor-Kingsway Urban Design Guidelines

The subject site is also located and included within the Bloor Kingsway Urban Design Guidelines (BKUDG) boundary. These Guidelines are to be used when reviewing new development proposals along Bloor Street, extending from Mimico Creek, in the west, to Prince Edward Drive, in the east. The BKUDG were designed to ensure a high quality of urban design and building treatment that is sensitive to significant features within this commercial-residential strip and the existing adjoining neighbourhoods.

The BKUDG were premised on six main goals and objectives:

- to identify and reinforce the distinctive character of the area;
- to encourage the ongoing use of the mainstreet in providing local shops, services and amenities;
- to preserve and enhance the pedestrian urban experience;
- to encourage an appropriate building type and design to be achieved in new development; and
- to accommodate intensification and to identify appropriate parking and servicing requirements.

The intent of the guidelines was to ensure compatibility with the existing 2-storey “mainstreet” character and pedestrian experience.

The BKUDG allow for more intense development than what currently exists along this stretch of Bloor Street, while requiring development to respect the existing context and maintain and improve the pedestrian retail strip. In response to the existing 1 and 2 storey built form, the guidelines specify a 2 storey base building, with cornice line and/or stepback, and then a further stepback above a height of 14 metres. The BKUDG recommend a building height maximum of 6 storeys (18 metres). The BKUDG also require a 1.2 metre setback from Bloor Street West, to expand the public realm. The BKUDG indicate that in order to preserve sunlight on the north side of the street, additional stepbacks may be required for buildings on the south side of Bloor Street West.

The link to the Guidelines is here: <https://www.toronto.ca/wp-content/uploads/2017/08/94e2-Toronto-Urban-Design-Guidelines-Bloor-Kingsway.pdf>

Etobicoke Centre Public Space and Streetscape Plan

In 2011, City Council endorsed the Etobicoke Centre Public Space and Streetscape Plan (Streetscape Plan) to incrementally improve the quality and character of public spaces in the Etobicoke Centre. The Streetscape Plan is intended to unify the diverse parts of the Etobicoke Centre and encourages a friendly pedestrian environment while identifying new park space and public space improvements. In addition to general recommendations on the public realm, individual character areas were identified, including the Bloor Islington Area, where specific public realm improvements could be undertaken to further achieve the goals of the Streetscape Plan. The western portion of the site is identified as the place where to mark the eastern entryway into Etobicoke Centre.

The Streetscape Plan has identified the western part of the subject site as a potential location to create a Sense of Entry. Section 7.1.4 states that Etobicoke Centre must have a distinct feeling of entry. Public art, symbolic entry ways, special building and other landscape treatments will celebrate the importance of the Centre. Moments of transition will be marked by smaller gestures, such as strategic elements in paving or mosaic tiling. Section 7.1.5, Encourages Public Art, states that Etobicoke Centre must tell its stories. Beyond the sculptures along Islington Avenue and the murals in Islington Village, there is very little public art within the Centre. New art installations will contribute to the Centre's feeling as a distinct place with a unique identity. Public art will

be positioned to take advantage of important view corridors and vantage points. The west part of the subject site is also shown as a potential location for Public Art.

The link to Public Space and Streetscape Plan is here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/etobicoke-york/>

Avenues and Mid-rise Buildings Study and Performance Standards

City Council adopted the Avenues and Mid-rise Buildings Study and an addendum containing performance standards for mid-rise buildings. They identify a list of best practices and establish a set of performance standards for new mid-rise buildings. Key issues addressed include maximum allowable building heights, setbacks and step backs, sunlight and skyview, pedestrian realm conditions, transition to *Neighbourhoods* and Parks and Open Space Areas and corner sites. The link to the guidelines is here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/mid-rise-buildings/>.

City Council also adopted a revised Mid-Rise Building Performance Standards Addendum, for staff to use together with the 2010 approved Mid-Rise Building Performance Standards in the preparation of area studies or during the evaluation of development applications, where mid-rise buildings are proposed and Performance Standards are applicable, until such time as City Council adopts updated Mid-Rise Building Design Guidelines. City 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>.

Section 2.1 "Where the Recommendations Apply" of the guidelines set out in Map 1 where certain lands are excluded from the applicability of the Avenues and Mid-Rise Buildings Performance Standards. The stretch of Bloor Street West where the proposed development is located is one of the excluded segments. Reasons why certain segments have been excluded include: portions of Avenues where an Avenues Study is completed or underway, portions of an Avenue within a Secondary Plan Area and portions of an Avenue that have been subject to other City-led studies that have resulted in an Official Plan Amendment and/or New Zoning By-law. Where the guidelines do not apply, they continue to represent good principles of urban design and can be used to augment local guidelines, particularly to address aspects of new development that were not addressed in previously developed local guidelines.

The Avenues and Mid-rise Buildings Study and Performance Standards would not apply to the site because the Etobicoke Centre Secondary Plan and implementing Zoning By-law and urban design guidelines are in effect and prevail on lands within Etobicoke Centre.

Growing Up: Planning for Children in New Vertical Communities

In July 2020, Toronto City Council adopted updated Growing Up Urban Design Guidelines, and directed City Planning staff to apply the "Growing Up Guidelines" in the

evaluation of new and under review multi-unit residential development proposals greater than 20 residential units and future city-wide and area-based planning frameworks. The objective of the Growing Up Urban Design Guidelines is that developments deliver tangible outcomes to increase liveability for larger households, including families with children at the neighbourhood, building and unit scale. The Guidelines are available at: <https://www.toronto.ca/citygovernment/planningdevelopment/planningstudiesinitiatives/growing-up-planning-for-children-in-new-vertical-communities>.

Retail Design Manual

City Council adopted the Retail Design Manual on October 27, 2020. The Retail Design Manual is a collection of best practices and is intended to provide guidance on developing successful ground floor retail spaces. The intent is to provide aspirational retail design best practices to inform, guide, inspire and educate those involved in the design and development of retail uses. The best practices apply City-wide to all new development that includes retail uses, with a focus on retail uses that interface with the public realm. The link to the Manual is here:

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

Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings

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 the design of new development to demonstrate a consideration for pets, as well as the impacts that they have on our parks, open space and the environment. The Guidelines are available at: <https://www.toronto.ca/wp-content/uploads/2019/12/94d3-CityPlanning-PetFriendlyGuidelines.pdf>

The Etobicoke Centre Urban Design Guidelines, Bloor-Kingsway Urban Design Guidelines, Etobicoke Centre Public Space and Streetscape Plan, Avenues and Mid-rise Buildings Study and Performance Standards, Growing Up Guidelines, Retail Design Manual and Pet Friendly Design Guidelines and Best Practices for new Multi-Unit Buildings have been used to inform the review of this application.

Best Practices for Bird-Friendly Glass and Best Practices for Effective Lighting

These performance measures are required as part of Tier 1 of the Toronto Green Standard for Bird Collision Deterrence and Light Pollution.

Attachment 6: Community Consultation Comments Summary

Trees, Open Space, Nature, Environment

- Request trees to be planted along Bloor Street West with automatic underground watering
- Concerns with payment in lieu of replacement planting of destroyed trees
- Concerns for migratory birds flying through the creek system and disappearance of nesting areas for Red-Tailed Hawks
- Concerns with the naturalization appearing minimal and the process may take many years to reconstitute and replace lost habitat
- Concerns with the removal and loss of mature trees, and loss of habitat and reduced air quality
- Support idea of giving some of the site back as parkland/increasing public green space (achieved through naturalization)
- Support for green spaces and the Mimico Creek buffer areas in the proposal
- Support for enhancing public access to the Mimico Creek
- Concerns with additional runoff into Mimico Creek (including road salt in the winter, leaks from cars, etc.)
- Concerns with developing so close to the creek
- Concerns creek and parkland will be adversely impacted by proposal
- Concerns with pathway in naturalized area is too close to residential area

Flooding Concerns

- Concerns about the effect of future flooding to creek banks and footbridge to the south of the Bloor Street West
- Environmental assessment should be undertaken

Built form, Height and Massing

- Concerns with street wall scale and its alignment with neighbouring buildings
- Step-back for upper floors needed, particularly for residential side street Montgomery as neighbouring single-family dwelling properties would be severely impacted
- Where is the 1:50 scale elevation detail model with neighbourhood included?
- Concerns building structure is not complimentary to area
- Too high
- Concerns with the addition of 4-8 Montgomery Road
- Height increase requested does not conform to the scale of the adjoining streetscape
- Request that City deny the zoning change for 4-8 Montgomery Road and consider retaining existing Zoning By-law height and density regulations for the rest of the site
- Missing the required 3 metre setback at the 12 metre level
- 13- storey building will take away from the church's historical look
- A high-rise building will totally destroy the character of the street
- Bulky design of the building with its extensive frontage on Bloor West compromises the aesthetics of this block's existing low-rise streetscape
- Will be a precedent for the area

- Building should be no more than 6 stories plus utilities exactly like the Montgomery condo which is located across the road
- Restrict this construction to eight stories
- Look forward to the new retail
- Livable quality of area would be disrupted by such a massive new building
- How about just making it single family homes or some town houses instead?
- Concerns there are inadequate number three-bedroom units proposed and that two-bedroom units are too small for families with children
- Should be more units for families with children
- Concerns design and height would impede the natural light into the Kingsway Baptist Church windows
- Support for increased density that respects and enhances existing communities to maintain neighbourhood character
- Concerns with architectural design not in keeping with area character
- Support for zero shadow impact to the adjacent area
- Support for the replacement of the car dealership but not proposal
- Massing will overwhelm the corner, surrounding commercial buildings and homes

Traffic

- What will be done to ensure the traffic is properly controlled and there will be safe crosswalks and sidewalks for children to walk on before, during and after school? For, example, will designated crosswalk people be assigned? Will there be attendants at the entrance/exit to driveway off Montgomery to ensure safe crossing?
- More traffic lights would not be a solution to traffic problems created by proposal

Views

- Concern city views will be impacted by the development

Public Realm, Sidewalks

- Concern that setback from Bloor street is inadequate and sidewalk on Bloor Street West needs to be wider
- Request traffic study comment on the sidewalk widths
- Request the design of the building be refined to enhance views of trees and landscape
- Request the addition of ground floor retail
- Request dedicated bike lanes on Bloor Street West
- Concerns with sidewalk during construction
- Concerns with sidewalk during winter freeze thaw and pedestrian safety

Impacts on nearby properties (Noise, shadow, access to light, privacy)

- Concerns that the proposed building would cause the train noise to echo and reverberate back toward the homes nearby. Request mitigation such as concrete sound barriers
- Concerns for right to light and privacy for nearby residential lots and the TTC gardens at 10 Montgomery Road

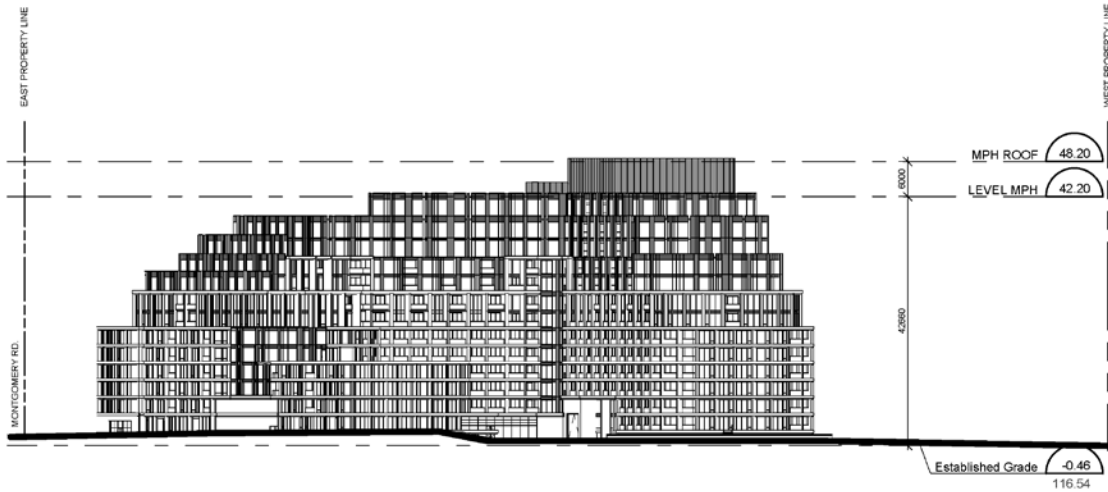
- Concerns shadow from the proposed building will impact the outdoor enjoyment on the nearby properties.

Planning, Planning Application, Planning Process

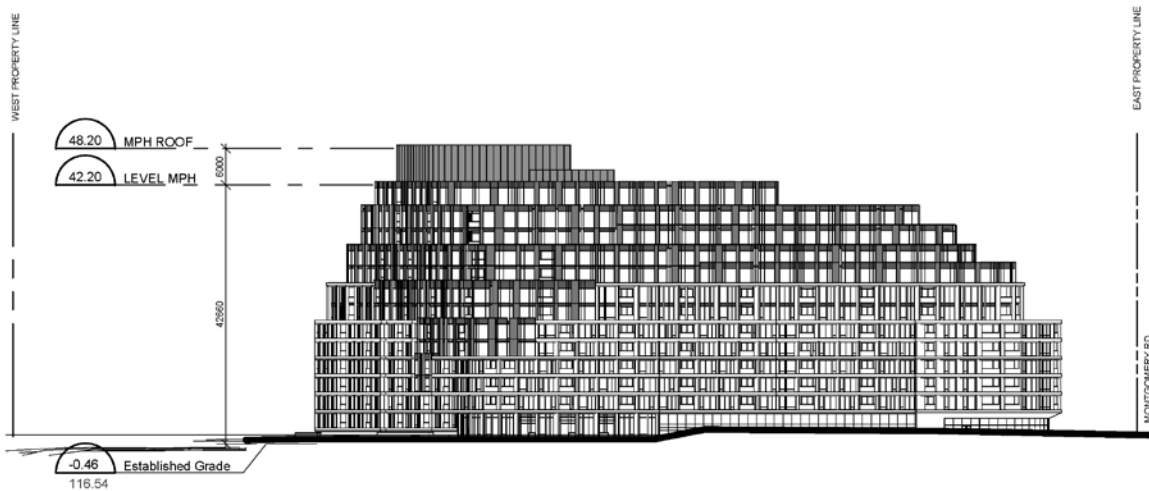
- Concerns City would entertain planning applications that require deviations from zoning
- Section 37 can never adequately compensate residents for the loss of space, trees and air quality, while gaining light and noise pollution from densification, and building shadows that limit sunlight and create wind tunnels
- Etobicoke Historical Society request \$6500.00 in funding from the Section 37 funds for historical plaque
- The future of a significant parcel of land north of the TTC has not been addressed
- Concern that the parcel north of the tracks is included in the proposal and rezoning to reduce the resulting FSI of the proposal
- No rationale for rezoning the property to the north
- Plans and perspectives do not match
- Scale and pedestrian environment proposed along Bloor Street West is not clear on plans
- Developers should not be dictating the scale of developments

[illegible]

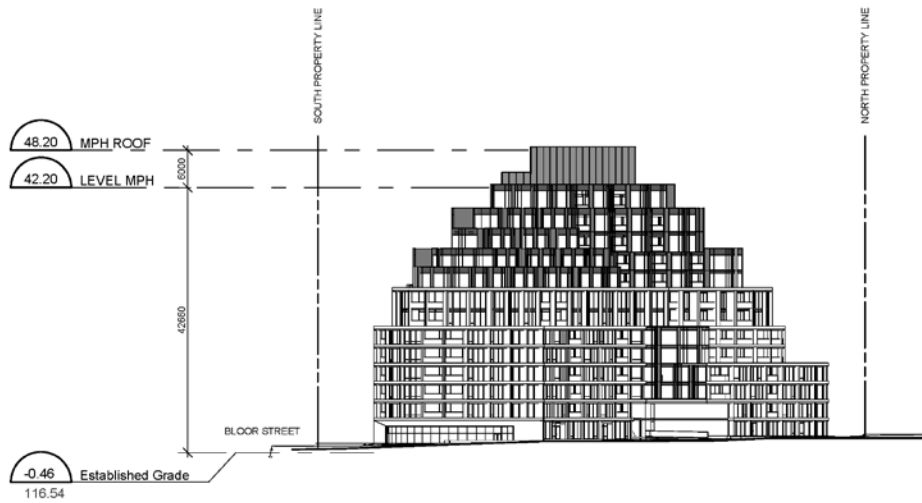
Attachment 8: Elevations



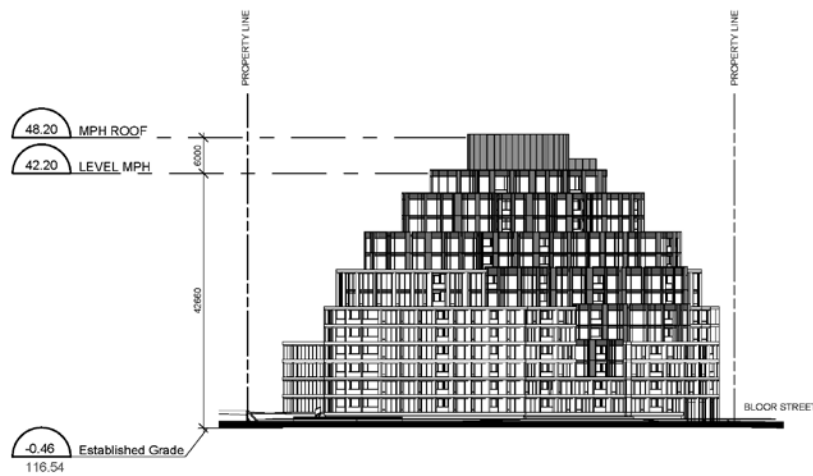
North Elevation



South Elevation



East Elevation



West Elevation