

## **241 Redpath Avenue - Zoning By-law Amendment and Rental Housing Demolition Applications – Request for Direction Report**

Date: February 3, 2021

To: North York Community Council

From: Acting Director, Community Planning, North York District

Ward: Don Valley West

**Planning Application Number:** 20 151705 NNY 15 OZ

**Related Applications:** 20 151708 NNY 15 RH

### **SUMMARY**

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On June 3, 2020, applications for Zoning By-law Amendment and Rental Housing Demolition were submitted for 241 Redpath Avenue which propose to amend City of Toronto Zoning By-law Nos. 438-86 and 569-2013 to permit a 35-storey (122.5 metre) high residential building atop a 7 and 11 storey base building measuring between 26.35 metres and 40.2 metres in height. The proposed density (floor space index) of the building is 15.77 times the area of the lot. The associated application for Rental Housing Demolition seeks approval to demolish the existing 46 rental dwelling units, which would be replaced within the proposed development.

On November 6, 2020, the applicant (MOD Developments (Redpath) Limited Partnership) appealed the Zoning By-law Amendment application to the Local Planning Appeal Tribunal (LPAT). The appeal was made without revisions to the original proposal and citing Council's failure to make a decision on the application within the timeframe prescribed by the *Planning Act*.

As part of the approval of Midtown in Focus and the Yonge-Eglinton Secondary Plan (the "Secondary Plan") in July 2018, City Planning was directed by Council to initiate a zoning review for Midtown's 22 Character Areas to implement the directions of the Secondary Plan (the "Midtown Zoning Review"). The intent of the zoning review is to establish specific heights in the Zoning By-law as set out in Policy 5.4.3 of the Secondary Plan. It will also provide clarity on the location, scale and form of appropriate development within each Character Area and implement other policy directions within the approved Secondary Plan. Phase 1 of the Zoning Review is underway and it is anticipated that there will be a community consultation meeting held in early 2021.

As part of City Council's adoption of the Preliminary Report for this application, City Planning Staff were directed to evaluate this application as part of the Council-directed

Midtown Zoning Review which will result in an area-specific Zoning By-law for the block formed by: Mount Pleasant Road to the east, Broadway Avenue to the south, Redpath Avenue to the west and Erskine Avenue to the north or for the Character Area as a whole.

This report reviews and recommends that the City Solicitor together with City Planning staff and other appropriate staff be directed to oppose the Zoning By-law Amendment application, in its current form, at the LPAT. The proposed development does not achieve appropriate tower setbacks nor stepbacks; does not maintain adequate access to sunlight on the existing and proposed expansion of Redpath Avenue Parkette; lacks sufficient open space and landscaping on site; and proposes a 7 and 11-storey base building height that does not conform to Policy 5.3.34(a) of the Yonge-Eglinton Secondary Plan. The proposed tower is not, and cannot, meet the intent of the City's Tall Building Design Guidelines. In addition, the application does not have a satisfactory Functional Servicing Report to address servicing issues.

This report also recommends that despite the applicant's appeal of the Zoning By-law Amendment application to the LPAT, City Planning staff continue to work with the applicant's team on revisions to the application to bring forward a proposal, within the context of the ongoing Midtown Zoning Review that represents a supportable development of the site.

In its current form, the proposed development is not consistent with the Provincial Policy Statement (2020) and does not conform with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). Additionally, it does not conform to the Yonge-Eglinton Secondary Plan.

## **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. City Council direct the City Solicitor and appropriate City Staff to attend the Local Planning Appeal Tribunal (LPAT) to oppose the Zoning By-law Amendment application for 241 Redpath Avenue in its current form for reasons set out in the report (February 3, 2021) from the Acting Director, Community Planning, North York District.
2. City Council authorize the City Solicitor and appropriate staff to continue discussions with the applicant in an attempt to resolve issues outlined in the report (February 3, 2021) and within the context of the ongoing Midtown Zoning Review, consistent with Official Plan Amendment No. 405, from the Acting Director, Community Planning, North York District, to the satisfaction of the Chief Planner and Executive Director, City Planning;
3. City Council defer making a decision at this time on the Rental Housing Demolition Application (Application File No. 20 151708 NNY 15 RH) under Chapter 667 of the Toronto Municipal Code pursuant to Section 111 of *the City of Toronto Act, 2006* which allows for the demolition of the forty-six (46) existing rental dwelling units at 241 Redpath Avenue, and instruct staff, if necessary, to report on the Rental Housing

Demolition Application to City Council at such time as an LPAT decision has been issued regarding the Zoning By-law Amendment application appeal for the lands at 241 Redpath Avenue.

4. In the event that the Local Planning Appeal Tribunal allows the appeals in whole or in part, City Council direct the City Solicitor to request that the Tribunal withhold its Order until such time as the Tribunal has been advised by the City Solicitor that:

a. The proposed Zoning By-law Amendments are in a form satisfactory to the Acting Director, Community Planning, North York District and City Solicitor, including securing the replacement rental dwelling units and rents, the tenant relocation and assistance plan and any other rental related matters as required to conform with Section 3.2.1.6 of the Official Plan;

b. City Council has approved the Rental Housing Demolition Application No. 20 151708 NNY 15 RH in accordance with Chapter 667 of the Toronto Municipal Code and pursuant to Section 111 of the *City of Toronto Act, 2006* which allows for the demolition of the forty-six (46) existing rental dwelling units at 241 Redpath Avenue;

c. The owner has addressed the comments in the Engineering and Construction Services memo dated August 4, 2020, as applicable, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;

d. The owner has entered into an Agreement pursuant to Section 37 of the *Planning Act* to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning for the purpose of securing appropriate community benefits that have been identified as being priorities through the Yonge-Eglinton Secondary Plan, to be based on the value of additional height and/or density beyond what is permitted by the current Zoning By-law, to be registered on title to the lands at 241 Redpath Avenue, including, but not limited to the following:

i. the rental housing-related matters identified in Recommendation 4a of the report (February 3, 2021), from the Acting Director, Community Planning, North York District;

ii. appropriate community benefits that have been identified as priorities through the Yonge-Eglinton Secondary Plan; and

iii. a contribution to the expansion of the City's bike share system in the area, as well as a dedicated, publicly accessible car share vehicle space and services on site.

5. Should the Local Planning Appeal Tribunal allow the appeal in whole or in part, City Council request that the following matters also be secured in a Section 37 Agreement for the development as a legal convenience:

- a. the owner shall provide a 2.1 metre sidewalk along the frontage abutting the site, subject to preservation of existing mature trees where feasible, to be secured through the Site Plan Control review process;
- b. access to new indoor and outdoor amenities for all on-site residents;
- c. a construction mitigation strategy and a communication plan to reduce impacts on remaining tenants;
- d. an updated wind study that includes a wind tunnel analysis and any associated wind mitigation measures;
- e. an on-site dog relief area with proper disposal facilities for existing and new residents or a dog relief station within the building;
- f. a detailed landscaping plan showing soil volumes and species for the proposed trees to be planted on the City owned right of way;
- g. the provision by the Owner at its expense of a revised Noise Impact Study providing additional analysis of the potential impact from noise emitted by the proposed development on itself and on the surrounding area, to the satisfaction of the Chief Planner and Executive Director, City Planning prior to the issuance of the final Local Planning Appeal Tribunal Order;
- h. revisions to the Noise Study as may be required through the peer review process, such peer review process to be paid for by the owner, that identify all mitigation measures to be undertaken for this development to be incorporated into the recommendations in the site design;
- i. a financially secured Development Agreement for the construction of any improvements to the existing municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support this development; and
- j. the construction and maintenance of the development in accordance with the Tier 1 performance measures of the Toronto Green Standard, as adopted by 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.

6. City Council require an off-site parkland dedication in satisfaction of the Applicant's required parkland contribution pursuant to Section 42 of the Planning Act, with the location and configuration of the off-site parkland to be to the satisfaction of the General Manager, Parks, Forestry and Recreation, in consultation with the Ward Councillor; the off-site parkland to be transferred to the City shall be free and clear, above and below grade, of all easements, encumbrances, and encroachments and is to be conveyed to

the City prior to the issuance of the first above-grade building permit to the satisfaction of the General Manager, Parks, Forestry, and Recreation and the City Solicitor.

7. City Council approve a development charge credit against the Parks and Recreation component of the development charges for the design and construction by the Owner of above base park improvements to the satisfaction of the General Manager, Parks, Forestry and Recreation; the development charge credit shall be in an amount that is the lesser of the cost to the Owner of designing and constructing the above base park improvements, as approved by the General Manager, Parks, Forestry, and Recreation, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time.

8. City Council authorize the City Solicitor and necessary City staff to take such necessary steps, as required, to implement the foregoing.

## **FINANCIAL IMPACT**

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

## **DECISION HISTORY**

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Midtown in Focus was an inter-divisional response to the rapid intensification and change underway in parts of the Yonge-Eglinton area. Building on the 2014 Midtown in Focus: Parks, Open Space and Streetscape Plan, City Council adopted Official Plan Amendment 405 and a series of infrastructure strategies and plans in July 2018. OPA 405 included a new Secondary Plan for the area. As part of City Council's adoption of OPA 405, City Council also directed staff to complete a zoning review for the Yonge-Eglinton Secondary Plan Area. Work is currently underway and, when complete, will set out area specific requirements for height, setbacks, stepbacks, and landscaped open space to implement the objectives and policies of the new Secondary Plan.

City Planning staff's Final Report and City Council's decision to approve Midtown in Focus and OPA 405 can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.PG31.7>

OPA 405, as adopted, was submitted to the Province for approval in August 2018. It was approved with modifications by the Minister of Municipal Affairs and Housing on June 5, 2019. The approved Secondary Plan sets out a long-term vision for Midtown that emphasizes the importance of complete communities and the diversity of Midtown's character areas. It envisions Midtown as a green, resilient, connected and prosperous place, and where growth is directed near transit. The approved Secondary Plan provides guidance on the appropriate scale and location of future growth and links growth with the provision of infrastructure.

The in-force Secondary Plan, as modified and approved by the Minister of Municipal Affairs and Housing, can be found here:

[https://www.toronto.ca/wp-content/uploads/2019/07/96a5-CityPlanning\\_OPA405.pdf](https://www.toronto.ca/wp-content/uploads/2019/07/96a5-CityPlanning_OPA405.pdf)

With respect to the subject site, the current application at 241 Redpath Avenue was submitted and deemed complete as of June 15, 2020. A Preliminary Report on the application was adopted by North York Community Council on September 10, 2020, authorizing staff to conduct a community consultation meeting.

In assessing the applications, Planning staff considered the proposal to represent significant intensification. In accordance with the Healthy Neighbourhoods policies of the Official Plan, City Planning Staff were directed to evaluate this application as part of the Council-directed Midtown Zoning Review.

North York Community Council's decision and the Preliminary Report is available at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.NY17.5>

## ISSUE BACKGROUND

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### Proposal

This application proposes to amend City of Toronto Zoning By-law Nos. 438-86 and 569-2013 for the lands at 241 Redpath Avenue to permit a 35-storey (122.5 metre) high residential building with a 7- and 11-storey base building that would measure between 26.35 metres and 40.2 metres in height. The proposed density (floor space index) of the building is 15.77 times the area of the lot. An associated application for Rental Housing Demolition seeks approval to demolish the existing 46 rental dwelling units, which would be replaced within the proposed development.

Details of the application are outlined in the chart below and in Attachment 13 – Application Data Sheet.

Category	June 3, 2020 Submission	
Site Area	1,537 square metres	
7-Storey Residential Base Building Setbacks from Property Line	North	0 metre
	South	1.14 metre at the ground floor, with the remaining base building storeys above at a 0 metre setback.
	East	NA
	West (Redpath Avenue)	2 metres at the ground floor with the remaining base building storeys above at a 0 metre

		setback.
11-Storey Residential Base Building Setbacks from Property Line	North	0 metre
	South	1.15 metre
	East	5.5 metres
	West	NA
Proposed Tower Setbacks - Subject Site	North	10 metres
	South	11.5 metres
	East	5.5 metres
	West (Redpath Avenue)	2 metres
Proposed Tower Setbacks - Surrounding Buildings	North (133 Erskine Avenue)	23 metres
	South (100 Broadway Avenue)	23 metres
	East (110 Broadway Avenue)	18 metres
	West (220 Redpath Avenue)	27.5 metres (to the 9-storey portion)
Total Residential Gross Floor Area (GFA)	24,238 square metres	
Floor Space Index (FSI)	15.77 times the lot area	
Base Building Height	26.35 metres (7-storey portion) 40.2 metres (11-storey portion)	
Tower Height	118.75 metres to the top of the 35th storey 122.5 metres (including MPH)	
Tower Floor Plate	604 square metres	
Proposed Residential Units		
Studio	48 (12.4%)	
1 Bedroom	210 (54.3%)	
2 Bedroom	94 (24.3%)	
3 Bedroom	35 (9%)	
Total	387	
Amenity Area		
Indoor	774 square metres	
Outdoor	511 square metres	
Total	1,285 square metres	
Proposed Vehicular Parking (residential: visitor)	97 spaces (81:16)	
Loading Spaces	1 Type 'G'	
Bicycle Parking (long-term residential:visitor)	402 spaces (362:40)	
Proposed Parkland Dedication	None	

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

See Attachments 1-8 of this report for three-dimensional representations of the application in context, a location map, context plan, site plan and building elevations.

### **Site and Surrounding Area**

The site is located on the east side of Redpath Avenue, south of Erskine Avenue. Redpath Avenue has a right of way of 20 metres. The site is generally rectangular in shape, with a frontage of 43 metres along Redpath Avenue, a depth of approximately 36 metres and a site area of 1,537 square metres. The site is generally flat, with a slight downward slope from the west side of the site to the east.

The site is currently occupied by an occupied 12-storey, 46 unit residential rental building, comprising 34 one-bedroom units and 12 two-bedroom units, with a surface parking lot. The existing units are made up of 29 affordable, 16 mid-range and 1 superintendent-occupied rental dwelling units.

The surrounding development and land uses are as follows:

North: Immediately north of the site is an 11-storey residential apartment building at 133 Erskine Avenue. To the north and east of the site is a 13-storey, heritage listed apartment building at 141 Erskine Avenue. Further north on the north side of Redpath Avenue is Redpath Park and three apartment towers measuring between 23 and 29 storeys in height.

South: To the immediate south and east of the site are 2-3-storey duplex dwelling units which are to be demolished to accommodate the recent development approval for the sites at 100 Broadway Avenue and 223-233 Redpath Avenue (Application No. 15 228723 NNY 25 OZ) and 110, 114 and 120 Broadway Avenue (Application No. 17 218847 NNY 25 OZ). These applications cumulatively propose the development of 3 towers. A 36-storey purpose-built residential rental building containing 412 units with 100 square metres of retail space at-grade is proposed on the 100 Broadway Avenue portion. Two residential towers at 33- and 21-storeys in height, connected by a 4 to 8-storey base building containing 741 residential units and 606 square metres of office space is proposed on the 110-120 Broadway Avenue portion. The overall development will include a 746 square metre public park at the northeast corner of Broadway Avenue and Redpath Avenue.

Further south along Redpath Avenue are residential apartment buildings measuring between 8 and 38 storeys in height.

East: See above for the details on 141 Erskine Avenue and 100-120 Broadway Avenue sites. Further east are residential apartment buildings in an *Apartment Neighbourhoods* designation.

West: On the west side of Redpath Avenue are 3-4 storey townhouses and a residential building at the northwest corner of Broadway Avenue and Redpath Avenue measuring 8 storeys fronting Redpath Avenue and 20 storeys fronting Broadway Avenue in height. Further west, the block bounded by Redpath Avenue to the east, Broadway Avenue to



the south, Yonge Street to the west and Erskine Avenue to the north is subject to the ongoing Broadway-Erskine Block Study.

### **Reasons for Applications**

A Zoning By-law amendment is required as the application proposes to exceed the maximum building height and density permitted by the existing Zoning By-laws, as amended, and to establish new development standards related to, amongst other things: parking, loading and building setbacks.

A Rental Housing Demolition Permit is required because the application seeks approval to demolish 46 existing rental dwelling units. Chapter 667 of the Toronto Municipal Code, the Rental Housing Demolition and Conversion By-law, prohibits the demolition of all or part of a building that contains six or more dwelling units, of which at least one is a rental unit, without obtaining a permit from the City.

## **APPLICATION BACKGROUND**

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### **Application Submission**

The following reports, studies and plans were submitted in support of the application:

- Arborist Report
- Architectural Plans
- Civil and Utilities Plans
- Coloured Concept Plan
- Community Services and Facilities Study
- Cover Letter
- Draft Zoning Bylaw Amendments for Zoning By-law Nos. 438-86 and 569-2013
- Energy Strategy
- Environmental Site Assessment
- Geotechnical Study
- Groundwater Review Form
- Heritage Impact Statement
- Housing Issues Report
- Hydrogeological Report
- Hydrogeological Review Summary
- Landscape and Lighting Plans
- Noise and Vibration Study
- Pedestrian Level Wind Study
- Planning Rationale
- Project Data Sheet
- Public Consultation Strategy Report
- Rental Housing Demolition Application and Screening Report
- Servicing Report
- Sun/Shadow Study

- Survey Plans
- Toronto Green Standards Checklist
- Transportation Impact Study
- Tree Preservation Plan
- Urban Design Brief

The Zoning By-law Amendment Application was deemed complete as of June 15, 2020. Supporting documentation can be viewed at the City's Application Information Centre: <http://app.toronto.ca/AIC/index.do>

### **Agency Circulation Outcomes**

The application, together with the applicable reports noted above, have been circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application.

## **POLICY CONSIDERATIONS**

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### **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 "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 Council in respect of the exercise of any authority that affects a planning matter shall be consistent

with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The PPS is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.6 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

### **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 May 16, 2019. This new plan replaced the previous Growth Plan for the Greater Golden Horseshoe, 2017. On August 28, 2020, the Province brought into force Amendment 1 (2020) to the A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan (2020)"). 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* that comprehensively applies the policies and schedules of the Growth Plan (2020), including the establishment of minimum density targets for and the delineation of strategic growth areas, the conversion of employment areas, and others.

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

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space 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 take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

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

The Growth Plan (2020) contains policies pertaining to population and employment densities that should be planned for in major transit station areas (MTSAs) along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10 minute walk. The Growth Plan (2020) requires that, at the time of the next municipal comprehensive review (MCR), the City will update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs will achieve appropriate densities and built form at that time, and this approval does not impact this matter that will require a MCR.

Delineated Protected Major Transit Station Areas (PMTSAs) will be a subset of all 180+ MTSAs that the City can delineate before the MCR is concluded. In order to delineate PMTSAs before the MCR is concluded, the City must put in place a detailed planning framework that includes the authorized permitted uses of land and minimum densities with respect to buildings and structures within the delineated area. The PMTSA requirement for minimum densities for buildings and structures requires a level of specificity that is akin to provisions contained within an area zoning by-law.

Key considerations for the determination of PMTSA candidacy are: enabling Transit Oriented Development (TOD); facilitating large scale revitalization; implementing inclusionary zoning; and building upon recently completed planning studies where significant work was conducted to put in a place the required level of specificity described above.

Staff has reviewed the proposed development for consistency with the PPS (2020) and for conformity with the Growth Plan (2020). The outcome of staff analysis and review are summarized in the Comments section of the Report.

## **City of Toronto Official Plan**

City Planning staff have reviewed the application against the policies of the Official Plan, a number of which are noted below. The subject site is designated *Apartment Neighbourhoods* per Map 17 (Land Use Plan) of the Official Plan.

## **Chapter 2 - Shaping the City**

### *Section 2.2.2 Centres: Vital Mixed Use Communities*

The Official Plan recognizes the strategic mid-town location of the Yonge-Eglinton Centre and its continuing role as both an office centre and a desirable living area. The Plan promotes new development within the Yonge-Eglinton Centre and identifies where and how this should occur including through infill development and redevelopment. The subject site, located on the east side of Mount Pleasant Road, is within the Centre per Map 2 (Urban Structure).

*Centres* are focal points for surface transit routes drawing people from across the City and from outlying suburbs to either jobs within the *Centres* or to a rapid transit connection. Building a high quality public realm featuring public squares and parks, community gardens, public art, and a comfortable environment for pedestrians and cyclists, is essential to attract businesses, workers, residents and shoppers. Each *Centre* is different in terms of its local character, its demographics, its potential to grow and its scale. The *Yonge-Eglinton Centre* has potential for new development through sensitive infill development within the *Apartment Neighbourhoods* designation. Through the development process, improvements will be made to the quality of the pedestrian realm, and new parks and open spaces will be created.

The policies of Section 2.2.2 of the Official Plan provide that each Centre will have a Secondary Plan that sets out the local goals and a development framework consistent with the Plan, and among other things, the location, mix and intensity of land uses within the Centre. The Yonge-Eglinton Secondary Plan provides a development framework for the Centre, as well as the larger area.

#### *Section 2.3.1: Healthy Neighbourhoods*

This section of the Official Plan contains policies that specifically address the relationship between *Neighbourhoods* and areas with other Official Plan designations in order to ensure development is sensitive to the physically stable areas within the *Neighbourhoods* designation.

*Apartment Neighbourhoods* are considered to be physically stable areas. Development within *Apartment Neighbourhoods* will be consistent with this objective and will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas.

Policies in this section require development in *Mixed Use Areas*, *Regeneration Areas* and *Apartment Neighbourhoods* that are adjacent or close to *Neighbourhoods* to be: compatible with those *Neighbourhoods*; provide a gradual transition of scale and density, as necessary to achieve the objective of the Official Plan through the stepping down of buildings towards and setbacks from those *Neighbourhoods*; and, maintain adequate light and privacy for residents in those *Neighbourhoods*.

Policy 2.3.1.4 states that intensification of land adjacent to neighbourhoods will be carefully controlled so that neighbourhoods are protected from negative impact. Where significant intensification of land adjacent to a *Neighbourhood* or *Apartment Neighbourhood* is proposed, Council will determine, at the earliest point in the process, whether or not a Secondary Plan, area specific zoning by-law or area specific policy will

be created in consultation with the local community following an Avenue Study, or area based study.

### **Chapter 3 – Building a Successful City**

Section 3 of the Official Plan contains policies that guide growth by integrating social, economic and environmental perspectives in decision making to create an attractive Toronto with a strong economy and complete communities. The policies focus on the built environment, the human environment, the natural environment, economic health and new neighbourhoods.

#### *Section 3.1.1: The Public Realm*

Section 3.1.1 of the Official Plan includes policies on the public realm. The policies encourage development that improves the public realm (streets, sidewalks and open spaces) for pedestrians. This section speaks to the importance of views from the public realm to prominent buildings, structures, landscapes and natural features. Parks and open spaces will be located and designed to connect and extend, wherever possible, to existing parks, natural areas and other open spaces.

New development lots within city blocks will be designed to have an appropriate size and configuration for the proposed land use, scale of development and intended form of buildings and open space, and will promote street-oriented development with buildings fronting onto street and park edges.

#### *Section 3.1.2: Built Form*

Section 3.1.2 of the Official Plan speaks to built form. The policies stress that infill and redevelopment sites will need to "fit in", respecting and improving the character of the surrounding area. Developments must be conceived not only in terms of the individual building site and program, but also in terms of how that site, building and its facades fit within the existing and/or planned context of the neighbourhood and the City.

The policies of Section 3.1.2 provide guidance pertaining to the massing of new buildings to frame adjacent streets in a way that respects the existing and/or planned street proportion, incorporating exterior design elements, form, scale, proportion, pattern and materials, and sustainable design. This is done in order to influence the character, scale and appearance of the development, creating appropriate transitions in scale to neighbouring existing and/or planned buildings for the purpose of achieving the objectives of the Official Plan.

Further, Section 3.1.2 requires new development to be massed to define the edges of streets at good proportion and provide amenity for adjacent streets to make these areas attractive, interesting, comfortable and functional for pedestrians. This can be achieved by, amongst other things, the provision of adequate amenity and landscaped open space, coordinated landscape improvements in setbacks to create attractive transitions from the private to public realms and landscaped open space within the development itself. The intention is to enable new developments to "fit" within its existing context, while also improving the character of the surrounding area.

### *Section 3.1.3: Built Form – Tall Buildings*

Section 3.1.3 provides policy direction for tall buildings. Policy 2 requires tall building proposals to address key urban design considerations that includes: demonstrating how the proposal will contribute to and reinforce the overall City structure; demonstrating how the proposed building and site design relate to the existing and/or planned context; taking into account the relationship of the site to topography and other tall buildings; and providing high quality, comfortable and usable publicly accessible open space areas.

### *Section 3.1.5: Heritage Conservation*

Section 3.1.5 provides policy direction on the conservation of heritage properties in the City's Heritage Register and on development adjacent to heritage properties. Section 3.1.5.5 requires proposed alterations or development on or adjacent to a property on the Heritage Register to ensure that the integrity of the heritage property's cultural heritage value and attributes will be retained.

Section 3.1.5.26 requires new construction on, or adjacent to a property on the Heritage Register be designed to conserve the cultural heritage values, attributes and character of the property, and to mitigate the visual and physical impact on it, including consideration such as scale, massing, materials, height, building orientation and location relative to the heritage property.

### *Section 3.2.1: Housing*

Section 3.2.1.6 states that new development that would result in the loss of six or more rental housing units will not be approved unless all of rental housing units have rents that exceed mid-range rents at the time of application, or in cases where planning approvals other than site plan are sought, the following will be secured:

- at least the same number, size and type of rental housing units are replaced and maintained with similar rents to those in effect at the time the redevelopment application was made;
- for a period of at least 10 years, rents for replacement units will be the rent at first occupancy, increased annually by not more than the Provincial Rent Increase Guideline or a similar guideline as Council may approve from time to time; and
- an acceptable tenant relocation and assistance plan addressing the right to return to occupy one of the replacement rental units at similar rent, the provision of alternative accommodation at similar rents and other assistance to lessen the hardship of relocation.

## **Chapter 4 – Land Use Designations**

### *Section 4.2: Apartment Neighbourhoods*

The subject lands are designated *Apartment Neighbourhoods* on Map 17 of the Official Plan (see Attachment 9). *Apartment Neighbourhoods* are distinguished from low-rise *Neighbourhoods* because a greater scale of buildings is permitted and different scale-

related criteria are needed to guide development. Built up *Apartment Neighbourhoods* are stable areas of the City where significant growth is generally not anticipated.

*Apartment Neighbourhoods* are made up of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of area residents. All land uses provided for in the *Neighbourhoods* designation are also permitted in *Apartment Neighbourhoods*.

Development in *Apartment Neighbourhoods* should contribute to the quality of life by:

- locating and massing new buildings to provide a transition between areas of different development intensity and scale, through means such as providing setbacks from, and/or stepping down of heights towards lower scale *Neighbourhoods*;
- locating and massing new buildings so as to adequately limit shadow impacts on properties in adjacent lower-scale *Neighbourhoods*; and
- locating and massing new buildings to front onto and provide pedestrian entrances on an adjacent public street, to frame the edge of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces; and providing ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces.

New development is also to include sufficient off-street vehicle and bicycle parking for both residents and visitors; locate and screen service areas, ramps and garbage storage to minimize impact on adjacent streets and residences; and provide indoor and outdoor recreation space for residents.

## **Chapter 5 – Implementation**

### *Section 5.1.1: Height and/or Density Incentives*

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 proposed density for this development meets the Official Plan's threshold for Section 37 considerations.

### *Section 5.2.1 - Secondary Plans*

The site is within the Yonge-Eglinton Secondary Plan area. Policy 5.2.1.2 states that Secondary Plans may be prepared for a number of reasons. Of particular note for the Yonge-Eglinton area, the Official Plan directs that Secondary Plans will be prepared for areas where development is occurring, or proposed, at a scale, intensity or character which necessitates reconsideration or reconfiguration of local streets, block plans, public works, open space or other public services or facilities.

### *Section 5.6: Interpretation*



Section 5.6.6 of the City's Official Plan states that the policies of the Official Plan apply to areas subject to Secondary Plans, except in the case of a conflict, the Secondary Plan policy will prevail.

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

### **Official Plan Amendments 479 and 480 - Public Realm and Built Form**

On September 21, 2020, Official Plan Amendments 479 (Public Realm) and 480 (Built Form) were approved with modifications by the Minister of Municipal Affairs and Housing. While this application was not reviewed against OPA 479 and 480, they are informative to the review of this application as it establishes the emerging policy direction for the public realm and built form in the City of Toronto.

### **Yonge-Eglinton Secondary Plan**

The site is within the Yonge-Eglinton Secondary Plan Area (see Attachment 10). The Yonge-Eglinton Secondary Plan sets out a long-term vision for Midtown that emphasizes the importance of complete communities and the diversity of Midtown's character areas. It envisions Midtown as a green, resilient, connected and prosperous place, and where growth is directed near transit. The Secondary Plan provides guidance on the appropriate scale and location of future growth and links growth with the provision of infrastructure.

This application was submitted and deemed complete on June 15, 2020, after final approval of the Secondary Plan on June 5, 2019 and the Secondary Plan is applicable to this application. City Planning staff have reviewed the application against the policies of the Secondary Plan, a number of which are noted below. The Secondary Plan is intended to be read and interpreted as a comprehensive whole.

### **Section 1 - Vision, Goals and Character Area Designations**

Section 1.1 of the Yonge-Eglinton Secondary Plan provides a vision statement about the Yonge-Eglinton Area. This vision builds on the qualities that define Midtown's identity and its liveability, including the importance of a complete community and the complementary relationship between mixed-use nodes, historic main streets, low-rise and high-rise communities, parks and open spaces. New buildings are to be compatible with the character and varied scale of Midtown's different character areas, conserve heritage attributes and contribute to a high-quality public realm.

As Midtown continues to grow and evolve, the elements of a liveable and complete community will be provided in parallel with growth. Residents and workers will be served by new, improved and expanded community service facilities and resilient physical and green infrastructure. An enhanced, safe and connected public realm will be created that complements Midtown's green, landscaped setting.

Section 1.2 of the Plan sets out five goals that will guide public works and development in the Secondary Plan, which include: complete community, green and resilient,

connected, prosperous and transit optimization. Midtown will be defined by its green, landscaped setting, expanded network of parks and well-designed communities that support energy and water conservation, which together will reduce vulnerability to a changing climate.

Section 1.3 of the Plan sets out the development objectives for the various Character Areas based on land use and the desired long-term vision for each Character Area. The site is in a Midtown Apartment Neighbourhood and is within the Redpath Park Street Loop Character Area. The Midtown Apartment Neighbourhoods are defined by a variety of building types including mid-century apartment towers, walk-up apartment buildings and townhouses, all set in a generously-scaled landscaped setting.

Policy 1.3.3(b) provides that the Redpath Park Street Loop Character Area is a dense yet distinctly green and residential area that consists of towers and a variety of housing types with new development complementing the scale of existing low-rise apartment buildings and providing adequate sunlight and sky view. The heights of new buildings will generally decrease in all directions from the Yonge-Eglinton Crossroads and Mount Pleasant Station Character Areas.

The Park Street Loop will be a lush, green multipurpose promenade connecting significant parks, open spaces and civic buildings. New and existing buildings, together with the Loop and the Midtown Greenways, will support a public realm that is inviting and green.

## **Section 2 - Area Structure**

Section 2 of the Plan defines Midtown's urban structure and includes policy directions to direct and shape growth in Midtown over the long-term. Not all areas in Midtown will experience the same levels of intensification and development and infrastructure will be planned in tandem. Infrastructure refers to physical infrastructure, community service facilities and green infrastructure including public parks. It ensures that Midtown is a complete community with transit-supportive development in a compact urban form, recognizing that transit-supportive development does not require or mean tall buildings on every site.

Section 2.5 of the Plan also speaks to land uses in Midtown. The subject site is designated *Apartment Neighbourhoods* per Map 21-4 of the Plan. *Apartment Neighbourhoods* consist of predominantly residential communities oriented along major streets or areas with clusters of rental and condominium apartment buildings. Residential uses and local institutional and cultural uses are permitted. Small-scale retail and service uses that primarily serve area residents are permitted on the first floor of buildings, and will be encouraged to be provided in areas identified as Secondary Retail Streets.

## **Section 3 - Parks and Public Realm**

The public realm in Midtown is to support a vibrant mixed-use community with a green landscaped character. Primary public realm objectives of the Secondary Plan are to maintain and enhance the green, landscaped character of the area, improve and

expand the network of parks, open spaces and create a high-quality public realm and streetscapes to ensure the continued vitality and quality of life in the area. Development will reduce the impact of vehicular, loading and servicing activities on the public realm.

The site is part of the Redpath Revisited Public Realm Move and is located on a Secondary Retail Street. Redpath Avenue is an important north-south neighbourhood street that connects to Redpath Avenue Parkette to the north and the Church of the Transfiguration site to the south.

Policy 3.1.3 states that improvements to the public realm may be provided on public and private lands as part of development, in accordance with the applicable legislative framework for the provision of community benefits, and City-initiated projects. These improvements may include, but are not limited to: enhancements to streetscapes; provision of wider sidewalks and the establishment of multi-purpose promenades; and provision of mid-block pedestrian connections.

Policy 3.1.4 states that pedestrian and public realm improvements will be prioritized to support the Secondary Retail Streets identified on Map 21-5 and Public Realm Moves identified on Map 21-6, prioritizing the provision of additional street trees, understory plantings and street furniture within streets and adjacent setbacks; re-allocating space within public streets to prioritize pedestrians, cyclists and public transit; and the provision of public art. Policy 3.1.5 requires that public realm improvements improve pedestrian movement and safety.

Per Policy 3.1.7(a), development will reduce the impact of vehicular, loading and servicing activities on the public realm by reducing, consolidating and eliminating existing vehicular curb cuts, limiting the introduction of new curb cuts and designing adjacent buildings, structures and open spaces to promote visibility at driveways and laneway intersections.

Policy 3.1.8 states that building setbacks adjacent to public streets are intended to be landscaped spaces or, where appropriate, extensions of the public sidewalk that contribute to the character of a particular area. The setbacks will be predominantly publicly-accessible and include amenities for public and private users.

#### **Section 4 - Mobility**

The Midtown Mobility Network shown on Map 21-9 of the Secondary Plan is intended to be a well-connected and integrated network of streets, laneways, mid-block connections and multi-use trails that will provide a variety of safe and sustainable travel choices.

Redpath Avenue is a Primary Street as identified on Map 21-9. Per Policy 4.4 of the Secondary Plan, Primary Streets are intermediate streets that serve a local focus and provide connectivity and access to and between Midtown's employment nodes and other destinations, such as schools, major parks and open spaces, community service facilities and surface transit stops. These streets will: be designed as vibrant streets in association with the Public Realm Moves and other public realm objectives; provide integrated, legible and dedicated walking and cycling connections to Major Streets and other destinations; and contribute to recreational amenity.

Policy 4.13 relates to mid-block connections which may be secured as part of the development of sites and within larger city blocks in accordance with the applicable legislative framework for the provision of community benefits.

## **Section 5 - Built Form**

Growth and intensification will be accommodated in a variety of building types and scales suitable and appropriate to the existing and planned context of the character areas that comprise Midtown while enhancing the livability of a building's surroundings and the spaces within the building. To achieve this, all development within the Secondary Plan area will generally reflect the built form principles in Section 5.1 of the Secondary Plan.

Policy 5.1.1(d) requires development to contribute to Midtown's green, landscaped character, provide appropriate spacing and separation between tall buildings and that the base of tall buildings has a scale that is compatible with the existing and planned character of the area.

Policy 5.1.1(e) with respect to public realm, open space and walkability states that development is to promote active street life and "eyes on the street" by ensuring buildings frame and animate streets, parks and open spaces, with active uses at grade, windows to allow for a two-way visual exchange, ensuring clearly defined and visible entrances from the public realm, and encouraging the highest quality of architecture and landscape architecture.

Policies 5.1.1(h) and (i) speak to achieving liveable and comfortable spaces by locating, designing and massing buildings to mitigate the cumulative impact of multiple tall buildings, adequate access to sky view from the public realm, adequate sunlight and good wind conditions.

Policies 5.2.1 and 5.2.2 state that development will conserve heritage attributes of properties designated under the Ontario Heritage Act and that development may be required to provide additional setbacks, stepbacks and stepping down of building height over and above the minimum site and urban design standards identified in the Plan in order to complement the scale and character of a cultural heritage resource on the City's Heritage Register.

Policy 5.3.5 addresses a diversity of building types and forms. Development will harmonize with neighbouring development to create a compatible pattern and rhythm along a street and/or contribute to the open space setting and character of an area.

Policy 5.3.5(b), states that development located in the Midtown Apartment Neighbourhoods, Midtown Apartment High Streets and balance of the Midtown Special Places where existing buildings are, or will be, set in a landscaped setting will provide appropriate setbacks on all sides of a building, inclusive of side yard setbacks.

The policies in 5.3.31 state that the siting and placement of tall buildings will take into account other adjacent sites; provide adequate access to sunlight and sky view from the

public realm; and take into account the comfort of sidewalks, parks and open spaces and outdoor areas associated with community service facilities and schools.

Policy 5.3.33 states that base buildings of tall buildings will generally be designed to be compatible with the scale and proportion of adjacent streets; and fit harmoniously within the existing and planned context of neighbouring streetwall heights. Policy 5.3.34(a) states that base buildings of tall buildings in Apartment Neighbourhood Character Areas generally should not exceed 4-storeys.

Per Policy 5.3.45, in order to achieve good sky view and sunlight, as well as to contribute to the desired character of an area, the minimum tower separation distances between residential tall buildings will be specified in an implementing zoning by-law.

Policy 5.3.51 states that infill development in *Apartment Neighbourhoods* may consist of a range of building types including tall buildings but that certain types of infill development may not be suitable for specific sites if applicable site design standards cannot be satisfied.

Policy 5.4.3 sets out anticipated height ranges for Character Areas and states that specific heights will be determined through rezoning or a City initiated zoning by-law amendment. Policy 5.4.3(f) outlines an anticipated height range for the Redpath Park Street Loop Character Area of between 35 and 50 storeys with the tallest buildings along the south side of Roehampton Avenue and heights generally decreasing from south to north and west to east.

Policy 5.6.1 states that development will be located and designed to maintain adequate access to sunlight on the existing and proposed expansion of Redpath Avenue Parkette identified on Map 21-8. All development proposals will be encouraged to minimize net new shadows on these existing and proposed parks. Policy 5.6.6 states that buildings will be sited, massed and designed to adequately limit wind impacts on the public realm.

## **Section 6 - Community Services and Facilities**

Community service facilities provide a foundation for a diverse range of programs and services that build communities, contribute to quality of life and act as neighbourhood focal points where people gather, learn, socialize and access services. These facilities and the services they provide are an essential part of creating and sustaining vibrant, inclusive and complete communities. Community services facilities include non-profit child care, community and recreation centres, libraries, public schools and human service agencies.

## **Section 7 - Housing**

The Secondary Plan highlights the need for a full range of housing to meet the needs of all household sizes and income levels and contribute to diverse, inclusive and liveable communities. A range of unit types and sizes not only supports households with children but also a variety of households at different life stages. Midtown, including its vertical communities, should be designed for all people.

The outcome of staff analysis and review of the relevant Official Plan policies and designations and the Yonge-Eglinton Secondary Plan is summarized in the Comments section of the Report.

The Yonge-Eglinton Secondary Plan is available on the City's website at: [https://www.toronto.ca/wp-content/uploads/2019/07/96a5-CityPlanning\\_OPA405.pdf](https://www.toronto.ca/wp-content/uploads/2019/07/96a5-CityPlanning_OPA405.pdf)

## **Zoning**

The site is subject to both former City of Toronto Zoning By-law 438-86 and City-wide Zoning By-law 569-2013. Under Zoning By-law 438-86, as amended, the site is zoned Residential Districts R2 Z 2.0 (See Attachment 11). Under Zoning By-law 569-2013, as amended, the site is zoned Residential R (d2.0) (x912) (See Attachment 12).

Both the R2 and R zones permit residential uses, a maximum density of 2.0 times the lot area and a maximum height of 38 metres. It is of note that City of Toronto By-law No. 20904 is prevailing for this site and limits coverage to 1.0 times the lot area.

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

## **Midtown Zoning Review**

As part of the approval of Midtown in Focus in July 2018, City Planning was directed by Council to initiate a zoning review for Midtown's 22 Character Areas to implement the directions of the Secondary Plan.

The zoning review involves a comprehensive evaluation of current zoning regulations and identifies where further study or amendments are needed to ensure conformity with the policies of the Secondary Plan. This review will be informed by an updated built form study and infrastructure assessment which reflect the in force Secondary Plan. Based on findings from the built form study, the zoning review will recommend specific heights and generally be consistent with the height guidance set out in Policy 5.4.3 of the Secondary Plan. It will also provide direction on permitted uses, density, and other performance standards such as setbacks at grade, tower separation and lot coverage.

The built form study will also provide updated population and employment estimates which will be input into the infrastructure assessment. The zoning review will consider application of holding provisions where it has been demonstrated that additional infrastructure is needed to support anticipated growth. Such a review, as provided for in Policy 2.3.1.4 of the Official Plan, will inform a comprehensive, City-led zoning by-law amendment for Midtown's 22 Character Areas.

Areas that demonstrate high development pressure and inconsistency between current regulations and Secondary Plan policies will be prioritized for amendment. The site is located within a high-priority Character Area and will be assessed as part of Phase 1 of the Zoning Review.

A Community Consultation Meeting for the Midtown Zoning Review is being targeted for early 2021.

## **Design Guidelines**

Official Plan Policy 5.3.2.1 states that Guidelines will be adopted to advance the vision, objectives, and policies of the Plan. Urban design guidelines are intended to provide a more detailed framework for built form and public realm improvements. This application was reviewed using the City-Wide Tall Building Design Guidelines, Growing Up Guidelines: Planning for Children in New Vertical Communities (2020), the Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings.

## **City-Wide Tall Building Design Guidelines**

In May 2013, Toronto City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure that they fit within their context and minimize their local impacts.

Urban Design guidelines specifically are intended "to provide a more detailed framework for built form and public improvements in growth areas." The Tall Building Design Guidelines serve this policy intent, helping to implement Chapter 3.1, The Built Environment, and other policies within the Official Plan related to the design and development of tall buildings in Toronto.

The City-Wide Tall Building Design Guidelines are available at:

<https://www.toronto.ca/wp-content/uploads/2018/01/96ea-cityplanning-tall-buildings-may2013-final-AODA.pdf>

## **Growing Up: Planning for Children in New Vertical Communities**

In July 2020, Toronto City Council adopted the Growing Up: Planning for Children in New Vertical Communities 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 of 20 or more residential units. The objective of the Growing Up Guidelines is to consider the needs of children and youth in the design and planning of vertical neighbourhoods which in turn, will enhance the range and provision of housing for households across Toronto. Implementation of the Guidelines also presents the opportunity to address housing needs for other groups, including roommates forming non-family households, multi-generational households and seniors who wish to age-in-place. This will increase liveability for larger households, including families with children, at the neighbourhood, building and unit scale.

The Report from the Chief Planner on the Growing Up Guidelines can be found here:

<https://www.toronto.ca/legdocs/mmis/2020/ph/bgrd/backgroundfile-148361.pdf>

The Growing Up Guidelines (2020) are available at:

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

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

The City of Toronto has completed the Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings. The purpose of this document 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. These Guidelines are to be used by the development industry in the preparation of development applications, by architects to inform the size, location and layout of pet friendly facilities, and by city staff in the various stages of development application review to identify best practices and help inform decisions that will support pet friendly environments.

The Guidelines are to be used in conjunction with other policies and guidelines. They are not intended to be prescriptive, but rather are intended to provide an additional degree of information. All residents, both pet-owners and non-pet-owners, will benefit from the Guidelines as they encourage design that demonstrate considerations for pets and reduces the impact that they have on our parks, open spaces and the environment.

The Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings are available at: <https://www.toronto.ca/city-government/planning-development/planningstudies-initiatives/pet-friendly-design-guidelines-for-high-density-communities/>

### **Site Plan Control**

The subject site and application are subject to Site Plan Control. A Site Plan Control application has not been submitted to date.

### **Rental Housing Demolition and Conversion By-law**

Section 111 of the *City of Toronto Act, 2006* authorizes City Council to regulate the demolition and conversion of residential rental properties in the City. Chapter 667 of the City's Municipal Code, the Rental Housing Demolition By-law, implements Section 111. Chapter 667 prohibits the demolition and conversion of rental housing units in buildings containing six or more residential dwelling units, of which at least one is rental, without obtaining a permit from the City and requires a decision by either City Council or, where delegated, the Chief Planner.

City Council may refuse an application, or approve the demolition with conditions that must be satisfied before a demolition permit is issued. These conditions implement the City's Official Plan policies protecting rental housing. Council approval of demolition under Section 33 of the *Planning Act* may also be required where six or more residential units are proposed for demolition before the Chief Building Official can issue a permit for demolition under the *Building Code Act*.

Where an application for rezoning triggers an application under Chapter 667 for rental demolition or conversion, City Council typically considers both applications at the same time. Unlike *Planning Act* applications, decisions made by City Council under By-law 885-2007 are not appealable to the Local Planning Appeal Tribunal.



On June 13, 2020, the applicant made an application for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code. A Housing Issues Report has been submitted with the required application and is currently under review for consistency with the Official Plan. As per Chapter 667-14, a tenant consultation meeting will be held to review the impact of the proposal on tenants of the residential rental property.

### **Community Consultation**

A virtual community consultation meeting was held by City Planning on November 5, 2020 which was attended by 38 members of the public, City Staff, the applicant and their team and the local Ward Councillor. E-mail correspondence from interested residents were also received by City Staff in advance and following the community meeting.

The following was raised at the community consultation meeting and in written correspondence to staff:

- Concerns that the height, density and location of the proposed building are inappropriate for the area;
- That the transition being provided from the proposed building to neighbouring buildings to the north, east and west of the site is inadequate;
- The location, use, design and resultant traffic concerns with respect to the proposed development;
- The amount of construction and resultant safety and noise issues;
- Discussion regarding making Broadway Avenue a one-way street;
- The need for protecting existing businesses and heritage-designated buildings in the area as this site proposes the demolition of existing businesses;
- The lack of affordable residential units being provided by the development and in the Yonge-Eglinton Area as a whole;
- Lack of parks and open space being provided on the site and in the immediate context;
- Shadow impacts on Redpath Park and neighbouring properties;
- The adequacy of the public realm and the need for wider sidewalks along Redpath Avenue and Broadway Avenue;
- The availability of space in local schools to serve the development; and
- Adequacy of the parking supply being proposed.

## **COMMENTS**

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### **Provincial Policy Statement and Provincial Plans**

Section 2 of the Planning Act establishes a list of provincial interests that approval authorities, including the City of Toronto, shall have regard for when carrying out their responsibilities under the Planning Act.

The proposal, in its current form does not have regard to Section 2 r) which speaks to the promotion of built form that, (i) is well-designed, (ii) encourages a sense of place, and (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

These provincial interests and others are further articulated through Provincial Policy Statements that are released from time to time and through other area-specific Provincial Plans, such as the Growth Plan.

The Provincial Policy Statement (2020) (the PPS), and the Growth Plan for the Greater Golden Horseshoe (2020) are high-level and broad reaching policy documents. The PPS and the Growth Plan (2020) encourage intensification and redevelopment in urban areas and direct planning authorities to identify appropriate locations for growth. Intensification and redevelopment is to be provided in areas that take into account the existing building stock or area, and availability of infrastructure and public service facilities that meet projected needs.

Within this framework, Policy 4.6 of the PPS recognizes that the Official Plan is the most important vehicle for the implementation of the PPS and assists in implementing the Growth Plan by setting out appropriate land use designations and policies. The City of Toronto Official Plan establishes areas for intensification and includes policies to encourage intensification, provided that this can occur in the context of other applicable policies.

The City's Official Plan contains clear, reasonable and attainable policies that protect provincial interests and direct development to suitable areas while taking into account the existing building stock and protects the character of the area consistent with the direction of the PPS. Although the site's location within the Yonge-Eglinton Centre contemplates growth, the proposal does not address other relevant matters of the Official Plan, as discussed in this report.

Staff have determined that the proposal in its current form is not consistent with the PPS (2020) and does not conform to the Growth Plan (2020) for reasons outlined below.

### **Provincial Policy Statement (2020)**

The PPS provides for a coordinated and integrated approach to planning matters within municipalities. Staff have determined that the proposal, in its current form, is not consistent with the PPS (2020).

Relevant PPS (2020) policies applicable to this development include:

- Policy 1.1.1 b) refers to healthy communities accommodating an appropriate affordable and market-based range and mix of residential types;
- Policy 1.1.3.3 which states planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment;

- Policy 1.1.3.4 which states that appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety;
- Policies 1.2.1 a) and g) which state that a coordinated, integrated and comprehensive approach should be used when dealing with planning matters, including: managing and/or promoting growth and development that is integrated with infrastructure planning;
- Policies 1.5.1 a) and b) which state that healthy, active communities should be promoted by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity; and planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, and open space areas;
- Policy 1.7.1 e) which speaks to 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; and
- Policy 4.6 which 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.

The proposal's inconsistency with the PPS relates to the scale, intensity and form of development being proposed and the inappropriate disregard of the Yonge-Eglinton Secondary Plan's direction with regard to these matters.

Policies 1.1.1 b), 1.1.3.4, 1.5.1 a) and b) and 1.7.1 e) of the PPS (2020) promote the formulation of appropriate development standards, while providing for safe, active streets and public spaces and an equitable distribution of publicly-accessible settings for recreation, including facilities, parklands, public spaces, and open space areas and well-designed built form.

Policy 4.6 of the PPS states that the Official Plan is the most important vehicle for implementation of the PPS. As a result, the City of Toronto has established a vision and policy framework for this area through Midtown in Focus and the subsequent Yonge-Eglinton Secondary Plan adopted through OPA 405 and approved by the Province.

The intent of this policy exercise was to provide policy direction to ensure Midtown develops as a complete community, maintain the diversity of Midtown's neighbourhoods and integrate land use and infrastructure planning while informing and guiding the provision of new and improved parks and community service facilities.

The proposed 35-storey tower would result in significant adverse impacts on the public realm, parkland in the area (Redpath Avenue Parkette in particular), does not provide

adequate on-site open space on site and does not promote a well-designed built form due to the massing and scale of the building relative to the area of the site. The analysis of the proposed built form in the context of the aforementioned Official Plan policies, as assessed later in this report, indicates that the proposed tower does not adhere to appropriate development standards for intensification, particularly those concerning appropriate form of tower development and transition.

It is the opinion of City Planning that, in its current form, the proposed development and Zoning By-law Amendment application is not consistent with the Provincial Policy Statement (2020). The proposal does not conform to the intensification direction and standards that are set out in the Official Plan and Guidelines, as directed through the PPS as being a responsibility of the City. As such, if the proposal does not conform to the City's Official Plan policies and guidelines, then by default, it is not consistent with the policy direction in the PPS.

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

The guiding principles of the Growth Plan (2020) support, amongst other matters, the achievement of complete communities that are designed to support healthy and active living and meet people's daily living throughout an entire lifetime and to provide intensification and higher densities in strategic growth areas.

Relevant Growth Plan (2020) policies applicable to this development include:

- Policy 1.2.1 which refers to the achievement of complete communities, the efficient use of land, a range and mix of housing options to serve all sizes, incomes and ages of households;
- Policy 2.2.1.4 d) and e) which state that applying the policies of this Plan will support the achievement of complete communities that, amongst other matters: expand convenient access to a range of transportation options, including options for the safe, comfortable and convenient use of active transportation; and an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and provides for a more compact built form and a vibrant public realm, including public open spaces;
- Policy 2.2.1.4 c) and e) which refers to the achievement of complete communities that provide a diverse range and mix of housing options to accommodate the needs of all household sizes and incomes; and provides for a more compact built form and a vibrant public realm, including public open spaces;
- Policies 2.2.2.3 b), d) and f) of the Growth Plan speak to delineated built-up areas and state that all municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will: identify the appropriate type and scale of development in strategic growth areas and transition of built form to adjacent areas; ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities; and be implemented through official plan policies and designations, updated zoning and other supporting documents;

- Policy 2.2.6.3 which refers to multi-unit residential developments to incorporate a mix of unit sizes and incomes; and
- In implementing these policies, Growth Plan Policy 5.2.5.6 states municipalities are to develop and implement urban design and site design official plan policies and other supporting documents that direct the development of a high quality public realm and compact built form. As such, the City's Official Plan and design guidelines are of importance for assessing Growth Plan conformity.

Policies 2.2.1.4 d) and e) state that applying the policies of the Growth Plan will support the achievement of complete communities through, among other matters, expanding convenient access to an appropriate supply of safe, publicly-accessible open spaces, and providing a more compact built form and a vibrant public realm, including public open spaces. The proposed development does not provide appropriate on-site public open space and does not support the achievement of complete communities.

With respect to Policies 2.2.2.3 b), d) and f), the proposal contemplates the intensification of a site within a delineated built-up area. While it is recognized that intensification is generally encouraged by the Growth Plan and in Urban Growth Centres, it must achieve the policy goals as outlined above. In this regard, the City has developed a strategy to achieve the minimum density targets through the City of Toronto Official Plan, in conjunction with the Yonge-Eglinton Secondary Plan, which provides a greater level of detail and specificity on matters such as built form, massing, scale and location of development within this area. These policies are further informed by the City's Tall Buildings Guidelines, which apply to this application as a tall building is being proposed.

Policy 5.2.5.6 of the Growth Plan states municipalities are to develop and implement urban design and site design official plan policies and other supporting documents that direct the development of a high quality public realm and compact built form in order achieve the minimum intensification and density targets in the Growth Plan. The City has done this through its Official Plan policies and supporting guidelines discussed in this report. Together, the policies and guidelines provide a planning framework that enables new development and intensification on the site in a manner that achieves a number of city building objectives and positively contributes to the surrounding context.

In the opinion of City Planning, the proposed development does not conform with the policy direction of the Growth Plan for the Greater Golden Horseshoe (2020) which directs intensification to be implemented through the Official Plan. The review of the proposed built form in relation to applicable Official Plan policies and relevant guidelines and their link in assessing PPS consistency and Growth Plan conformity is further examined below.

### **City of Toronto Official Plan and Yonge-Eglinton Secondary Plan**

This application has been reviewed against the relevant policies of the Official Plan and Yonge-Eglinton Secondary Plan described in the Issue Background Section of the Report.

## **Land Use and Character Area**

The lands are designated as *Apartment Neighbourhoods* in the Official Plan and Yonge-Eglinton Secondary Plan. *Apartment Neighbourhoods* are made up of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of area residents. Residential uses are permitted in the Official Plan.

The lands are located within the Redpath Park Street Loop Character Area in the Secondary Plan, which is a dense yet distinctly green and residential area that consists of towers and a variety of housing types.

While residential uses are permitted within the Redpath Park Street Loop Character Area of the Secondary Plan, the proposal fails to meet the overall intent of the Official Plan and Secondary Plan, as described in the following sections.

## **Built Form - Height, Massing, Tower Separation and Density**

The proposed tall building is massed as a tower with base building form and is located at the centre of the site along Redpath Avenue. The proposed building is a 35-storey (122.5 metre) high residential building which includes a base building measuring between 7 and 11 storeys (26.35 metres to 40.2 metres).

The proposal does not meet several policy objectives related to tall buildings in both the Official Plan and Yonge-Eglinton Secondary Plan, specifically with regard to context analysis, building height and base building height, transition, tower stepbacks, site area, tower separation, density and lack of landscape open space on site.

The Built Form policies in Section 3.1.2 of the Official Plan require that new development be located and organized to fit within its existing and/or planned context and be massed to fit harmoniously into its context. Section 3.1.2.3 (c) of the Official Plan refers to limiting impact by creating appropriate transitions in scale to neighbouring existing and/or planned buildings. Section 3.1.3 specifically addresses tall buildings and requires that they are planned to fit within their existing and/or planned context and to limit local impacts.

The planned context is specifically established in the Yonge-Eglinton Secondary Plan through the identified Character Areas, building heights, transition and built form direction for the subject site and adjacent lands. The Built Form policies in Chapter 5 of the Secondary Plan provide further direction regarding built form and height. The policies state that growth and intensification will be suitable and appropriate to the existing and planned context of the character areas by ensuring high-quality landscaping at grade, providing appropriate spacing and separation between tall buildings, and ensuring the bases of tall buildings have a scale that is compatible with the existing and planned character of the area. Development within the Secondary Plan area will ensure liveable and comfortable spaces by locating, designing and massing buildings to mitigate the cumulative impact of multiple tall buildings.

The site is located in the Redpath Park Street Loop Character Area. While the area context does include tall buildings, there are also an existing variety of housing types at varying heights and scales. Where there are tall buildings in the area context, they are characterized by landscaped open space and adequate tower separation where there are multiple towers.

The Built Form policies of the Official Plan and Yonge-Eglinton Secondary Plan are implemented, in part, through the Tall Building Design Guidelines. Guideline 1.1 (Context Analysis) requires a walkable and block context analysis be provided to inform the placement, height and character of base buildings, the location, shape, general height, and spacing of towers, as well as the relationship in scale between tall building components and to neighbours. In this case, it has not been sufficiently demonstrated that the placement, height and character of the base building at 7 to 11-storeys in height, and the location, shape, general height of the tower at 35-storeys in height is in keeping with the surrounding area context, which features existing buildings at much lower heights than what is being proposed by this application.

Regarding height, it is recognized that the Secondary Plan identifies an anticipated height range of 35 to 50 storeys in the Redpath Park Street Loop Character Area, with the tallest buildings along the south side of Roehampton Avenue and heights generally decreasing from south to north and from west to east. At 35 storeys, the proposal is within that range. However, the policies of this Plan must be read together as a whole and the relevant policies are to be applied to each situation as applicable. When read as a whole, the proposal fails to meet the policy framework and standards, specifically with respect to separation distances, transition and shadows that are applied to tall buildings. When these impacts are assessed cumulatively, a tower of this proposed height is not acceptable for this site. Further discussion on the proposed shadows can be found below in the Sun, Shadow, Wind section of the report.

The proposed tower does not provide adequate transition with the development site to the adjacent area context. The proposed tall building does not provide for an appropriate transition in height and does not conform to the policies in Section 3.1.2 of the City's Official Plan. Further, while informative but not determinative, OPA 480 requires that development 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. Transition in scale will be provided within the development site and measured from shared and adjacent property lines. Tall Building Guideline 1.3 (Fit and Transition in Scale), states that tall buildings should fit within the existing or planned context and provide an appropriate transition in scale down to lower-scaled buildings, parks and open space. This can be achieved by applying angular planes, minimum horizontal separation distances and other building envelope controls. Tall buildings should respect the scale of the local context.

Of note is that the building immediately adjacent to the proposed tower to the north (133 Erskine Avenue) is 11 storeys in height, is much lower height than what is being contemplated by the proposed building and is located in the Erskine and Keewatin Apartment Neighbourhoods Character Area with an anticipated height range of 25 to 35 storeys along Erskine Avenue and 12 to 18 storeys along the south side of Keewatin Avenue, generally decreasing west to east with increasing distance from Yonge Street.

The proposed building at 35 storeys does not respect or transition in accordance with Official Plan policies regarding height guidance and tall building design.

Policy 5.3.34 of the Secondary Plan states that base buildings of tall buildings in Apartment Neighbourhood Character Areas generally should not exceed 4 storeys. The intent of this policy is that base buildings of infill buildings will reinforce the historic, human-scaled character of historic four-storey walk-up buildings in the area context. The proposed base building at 7 storeys along Redpath Avenue, increasing to 11 storeys at the east end of the site is in excess of the planned context for base buildings in Midtown Apartment *Neighbourhoods* and is unacceptable. The proposed base building overwhelms the public realm in terms of scale and does not achieve compatibility with the scale and proportion of adjacent streets and neighbouring streetwall heights.

The City's Tall Building Guidelines also speak to base building height. Guideline 2.1 (Building Placement) provides that base buildings be located to frame the edges of streets, parks, and open space, to fit harmoniously with the existing context, and to provide opportunities for high-quality landscaped open space on-site. Guideline 3.1.1 (Base Buildings) states that base buildings be designed to fit harmoniously within the existing context of neighbouring building heights at the street and to respect the scale and proportion of adjacent streets, parks, and public or private open space. The proposed base building measuring between 7 and 11 storeys (26.35 metres to 40.2 metres) does not meet these Guidelines and does not effectively frame Redpath Avenue.

The proposed tower setbacks are also inappropriate. Tower setbacks, measured from the top of the base building, greater than 3 metres are encouraged by the Tall Building Guidelines and may be required for tall buildings to fit harmoniously within an existing context. Additionally, towers should be placed away from streets, parks, open space, and neighbouring properties to reduce visual and physical impacts of the tower and allow the base building to be the primary defining element for the site and adjacent public realm.

In this case, the building is setback 2 metres at grade. Rather than providing setbacks along Redpath Avenue, the building steps out to the west property line at a 0 metre setback/stepback. The only stepback proposed is above the seventh storey where the tower steps back 2 metres from the base. The proposed tower setbacks are unacceptable.

The applicant is proposing a tall building development on a site that is too small for a tower of this height, size and scale. The inadequate lot size results in an inability to achieve appropriate tower separation distances (and/or tower setbacks). As such, the fit and transition in scale between the proposed tall building and its neighbouring properties is abrupt and unacceptable. Tall Building Guideline 3.2.3 (Tower Placement) refers to tower separation distances of 12.5 metres or greater from the side and rear property lines in order to limit negative impact on sky view, privacy and daylighting. Where taller buildings or larger tower floor plates are proposed, the guidelines state that greater setbacks and separation distances be provided proportionate to increases in building size and height.



The tower setbacks as proposed from the property lines range from 2 metres (west to Redpath Avenue), 5.5 metres (east), 10 metres (north) and 11.5 metres (south), which does not factor in the encroachment (cantilever) of the mechanical penthouse above the 35th storey to the south and west property lines. Greater separation than what is being proposed is required and is not achievable based on the current massing of the building. There is also no regard for the need for increased tower separation as building height increases.

With respect to density, the proposed building at 15.77 times the area of the lot results in significant lot coverage (75% of the lot area) and limits the space available for open space, landscaping and amenity on the site. The Secondary Plan provides that development located in the Midtown Apartment Neighbourhoods where existing buildings are, or will be, set in a landscaped setting will provide appropriate setbacks on all sides of a building, inclusive of side yard setbacks.

As a result, the proposal does not meet the policies of the Secondary Plan, which provides that development located in the Midtown Apartment Neighbourhoods be set in a landscaped setting and provide appropriate setbacks on all sides of a building, inclusive of side yard setbacks. This is discussed further in the "Landscaping and Open Space" section of this report.

For the reasons noted above, the proposal in its current form is not acceptable with respect to its fit within the existing context, building height and base building height, transition, tower setbacks, site area, tower separation, density and lack of landscape open space on the site.

## **Sun, Shadow, Wind**

### *Shadow and Sky View*

The shadow impacts resulting from the proposed development are not adequately limited by the proposal. In its current form, there is a particular impact on Redpath Avenue Parkette and the private outdoor amenity areas on the properties to the east in mid-to-late afternoon at all times of the year. The applicant has submitted studies illustrating the extent of shadowing on March 21st and September 21st that would result from the proposed development from 9:18 am to 6:18 pm. Shadow studies for June 21st were not provided and are required.

There are shadow impacts at various times throughout the day on March 21st and September 21st along Erskine Avenue to the north of the site, which forms part of the Midtown Greenways Public Realm Move. At all times of the year, the shadow study illustrates significant later day shadow impacts on the amenity of the properties to the east within the *Apartment Neighbourhoods* designation, particularly on the adjacent heritage property at 141 Erskine Avenue.

Official Plan Built Form Policies 3.1.2.3 (e) and (f) require that new development provide adequate light and limit shadows on streets, properties and open spaces, while minimizing additional shadowing on neighbouring parks to preserve their utility. Policy

3.2.3.3 directs that development minimize additional shadows on parks and open spaces to preserve their utility. A 35-storey tower creates significant shadow impacts on Redpath Park beginning at 10:33 am until 1:33 pm on March and September 21st. This also includes extensive shadowing on the proposed Redpath Park expansion to the north of the existing park.

Policy 5.1.1(h) of the Secondary Plan states that development within the Secondary Plan area will generally reflect built form principles, to ensure liveable and comfortable spaces by locating, designing and massing buildings to mitigate the cumulative impact of multiple tall buildings, ensuring adequate access to sky view from the public realm, allowing adequate sunlight to penetrate to the street, and ensuring good wind conditions in all seasons. Further, Policy 5.6.1 states that development will be located and designed to maintain adequate access to sunlight on the existing and proposed expansion of Redpath Avenue Parkette.

It is important to note that shadow impacts in this area will not be exclusive to this proposal. Shadows from buildings approved and under construction in the immediate area will also extend throughout the day. The cumulative impact of multiple tall buildings, particularly from a shadow perspective, needs to be taken into consideration per Policy 5.1.1(h) of the Secondary Plan.

Tall Building Design Guidelines 1.3 (Fit and Transition in Scale) and Guideline 1.4 (Sunlight and Sky View) are also applicable to the proposal. Guideline 1.3(a) recommends maintaining access to sunlight and sky view for surrounding streets, parks, open space and neighbouring properties.

The proposed shadowing is significant as it impacts a number of surrounding properties including a number of private amenity areas, existing and future parks and surrounding community uses. Official Plan Policies 3.1.2.3 and 3.2.3.3 and related Tall Building Design Guidelines (Guidelines 1.3, 1.4 and 3.2) specifically state the need to minimize and limit shadows. A reduction in the building height is recommended to reduce or eliminate shadow impacts.

The proposed development results in shadow impacts that are not acceptable and do not conform with the policies of the Official Plan and the Yonge-Eglinton Secondary Plan.

### *Wind Impacts*

Policy 5.6.6 of the Secondary Plan states that buildings will be sited, massed and designed to adequately limit wind impacts on the public realm. Policy 5.7.2 of the Secondary Plan requires wind conditions for amenity spaces to be generally suitable for the use of the amenity space.

A Pedestrian Wind Assessment from Gradient Wind, dated May 15, 2020 was submitted with the application to detail the potential wind impacts resulting from the massing of the proposed building.

The assessment concludes that the future wind conditions over all grade-level pedestrian wind-sensitive areas within and surrounding the study site will be acceptable for the intended uses on a seasonal basis. To ensure safe and comfortable conditions for the elevated exterior amenity areas at Level 8 and the lower mechanical penthouse level, mitigation is recommended. A comparison of the existing versus future wind comfort surrounding the study site indicates that the proposed development will have a generally neutral influence on grade-level wind conditions. The assessment concludes that although wind speeds generally increase along sections of Redpath Avenue and areas directly north and south of the site, conditions nevertheless remain acceptable for the intended uses.

With respect to mitigation, it has been recommended that for the southwest corner of level 8, the applicant install a 1.8 metre west perimeter guard above the walking surface, as well as to install a canopy or pergola structure extending 2.0 metres from the building façade over the space to deflect downwash flows. It has also been identified that the area at the northwest corner of the building will not achieve the desired sitting classification throughout the year. Therefore, it is recommended to raise the north and west perimeter guards to 1.8 metres above the walking surface, as well as to install a canopy or pergola structure extending 2 metres from the building façade over the space to deflect downwash flows. These mitigations will further impact the expression of the building's height and massing, and will make the base building appear taller.

Staff have concerns with the building massing as it relates to wind impacts which requires a review of the overall design and massing to eliminate the need for extended wind mitigation particularly in the base building. City Planning requires an updated wind study and will secure any mitigation measures through the Section 37 Agreement and the Site Plan Control process.

### **Public Realm and Site Access**

The public realm in Midtown is to support a vibrant mixed-use community with a green landscaped character. Primary public realm objectives of the Secondary Plan are to maintain and enhance the green, landscaped character of the area, improve and expand the network of parks, open spaces and create a high-quality public realm and streetscapes to ensure the continued vitality and quality of life in the area.

For development in the Yonge-Eglinton Centre, Official Plan Policy 2.2.2.2(k) refers to establishing a high-quality public realm. This is expanded on by Public Realm Policies 3.1.1.5 and 3.1.1.6 which refer, among other things, to safe and efficient movement of pedestrians, provision of space for trees and landscaping and sidewalks being designed to provide safe, attractive, interesting and comfortable spaces for pedestrians.

The Secondary Plan states that pedestrian and public realm improvements will be prioritized to support Secondary Retail Streets identified on Map 21-5 and Public Realm Moves identified on Map 21-6, prioritizing the extension and enhancement of existing and proposed parks; the creation of privately-owned publicly-accessible spaces (POPS); the provision of additional street trees, understorey plantings and street furniture within streets and adjacent setbacks; re-allocating space within public streets

to prioritize pedestrians, cyclists and public transit; and the provision of public art. Redpath Avenue is a Secondary Retail Street and the site is located along the Redpath Revisited Public Realm Move.

Along Redpath Avenue, a 2 metre setback on the ground floor is proposed that consists primarily of pavers with minimal landscaping proposed within the City's right-of-way. The base building then tapers to a 0 metre setback above the ground floor along Redpath Avenue. The base building is also proposed at a 0 metre setback to the north and south property lines.

Per Policy 3.1.7(a) of the Secondary Plan, development will reduce the impact of vehicular, loading and servicing activities on the public realm by reducing, consolidating and eliminating existing vehicular curb cuts, limiting the introduction of new curb cuts and designing adjacent buildings, structures and open spaces to promote visibility at driveways and laneway intersections. Two separate vehicular accesses are proposed at the north end of the site - one to access the servicing and loading area and another to access the underground parking area.

Policy 3.1.9 of the Secondary Plan provides that the location and design of underground facilities, such as parking, on properties will provide sufficient space and soil depth to establish and maintain a permanent, high-branching tree canopy. In review of the applicant's landscape plan, three street trees are proposed to be planted along Redpath Avenue within the City right-of-way.

The proposed streetscape and public realm condition is unacceptable. Revisions are required to include space for sufficient soil volume/depth to support large canopy trees within the streetscape. Having two proposed driveway accesses to the site from Redpath Avenue does not reduce the impact of vehicular, loading and servicing activities on the public realm. Greater setbacks are required along the entirety of the Redpath Avenue street frontages to provide for a wider public realm.

## **Landscaping and Open Space**

The Secondary Plan provides that growth and intensification will enhance the liveability of a building's surroundings and the spaces within the building. All development within the Secondary Plan area will contribute to Midtown's green, landscaped character by ensuring high-quality landscaping at grade, as well as ensure liveable and comfortable spaces that also contribute to a resilient future by locating, designing and massing buildings to mitigate the cumulative impact of multiple tall buildings, ensuring adequate access to sky view from the public realm, allowing adequate sunlight to penetrate to the street, and ensuring good wind conditions in all seasons.

Policy 5.3.5(b) of the Secondary Plan provides that development located in the Midtown Apartment Neighbourhoods where existing buildings are, or will be, set in a landscaped setting will provide appropriate setbacks on all sides of a building, inclusive of side yard setbacks. Due to the size of the proposed building relative to the area of the site, the proposed setbacks and tower separation do not conform to these policies and do not provide enough space for adequate landscaping and open space on the site. Guideline 2.1 (Building Placement) of the City's Tall Building Design Guidelines states that tall

buildings should be located in a manner where there are opportunities for high-quality landscaped open space on-site. The open space that is provided along the easterly edge of the site is limited, is not publically accessible and is overwhelmed by the scale and coverage of the proposed base building.

The proposal fails to conform to Secondary Plan policies and does not have regard to the City's Tall Building Design Guidelines with respect to providing sufficient landscaping and open space on a site in a Midtown Apartment Neighbourhood.

### **Midtown Zoning Review**

The City Planning Division, at the direction of Toronto City Council, is undertaking a comprehensive, City-initiated zoning review for Midtown's 22 Character Areas. The purpose of the Zoning Review is to align the zoning in the area to the recently approved Secondary Plan and to proactively plan for intensification and facilitate a faster and more streamlined development approvals process. This will allow housing to get to market quicker without the need for individual development approvals. The Midtown Zoning Review is being informed by a number of different streams of work.

The first component of the Zoning Review consisted of background analysis to understand the existing regulatory framework in Midtown and identify key issues and opportunities. This analysis has been completed and is summarized in the Midtown Zoning Background Report, which is available online on the project website at: [www.toronto.ca/midtownzoning](http://www.toronto.ca/midtownzoning).

The Secondary Plan provides detailed direction to guide both intensification and infrastructure improvements. A foundational aspect of the Secondary Plan included the identification of 22 Character Areas and establishing a vision for each area. The Secondary Plan also included detailed policy direction on permitted uses, heights and other building performance standards. The level of detail provided in the Secondary Plan reflects a need for clarity and certainty in an area experiencing rapid growth and to account for the diversity of Midtown's neighbourhoods which vary greatly in terms of scale, function and character. This detailed policy direction was provided both on an area-wide and Character Area-specific basis.

One of the intended outcomes of the zoning review is to establish specific heights in the Zoning By-law, as set out in Policy 5.4.3 of the Secondary Plan. It will also provide clarity on the location, scale and form of appropriate development within each Character Area and implement other policy directions within the approved Secondary Plan. Such a review will be used to create an area specific zoning by-law. It is to be determined whether the area specific zoning by-law will apply to the block or a broader geography.

The Midtown Zoning Review will consider the potential for other tall buildings in the area to ensure adequate access to sky view from the public realm, adequate sunlight and suitable wind conditions.

## **Heritage Impact & Conservation**

The subject site does not have a heritage designation; however there is a listed heritage property adjacent to the site (141 Erskine Avenue). The Americana Apartments, built in 1963, was listed on the heritage register by City Council on Jan. 27, 28, 29, 2004. The Heritage Impact Assessment (HIA) submitted with the application, prepared by ERA Architects and dated May 29, 2020, evaluated the cultural heritage value of the subject site in accordance with Ontario Regulation 9/06. The HIA finds that the proposed development conserves the cultural heritage value of the adjacent listed property at 141 Erskine Avenue.

Heritage Preservation Services staff has reviewed the application and do not have any issues with respect to the proposal's impact on the adjacent heritage property.

## **Open Space/Parkland**

The City of Toronto Parkland Strategy is a 20-year strategic city-wide plan that guides long-term planning for new parks, park expansions and improvements, and improved access to existing parks. The Strategy includes a new methodology to measure and assess parkland provision, using the baseline of residential population against the area of parkland available across the city. According to the Strategy's methodology, the development site is currently in an area with 0 to 4 square metres of parkland per person, which is well below the city-wide average provision of 28 square metres of parkland per person in 2016.

At the alternative rate of 0.4 hectare per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 5,160 square metres or 336% of the site area. However, for sites that are less than 1 hectare in size, a cap of 10% of the development site is applied to the residential use. In total, the parkland dedication requirement is 153.7 square metres.

This site is located in an area where there is currently a low provision of parkland. Therefore, the applicant may choose to satisfy the parkland dedication through acquiring off-site parkland that will contribute positively to existing parks within 500 metres of the applicant's site. The size and location of the parkland would be subject to the approval of the General Manager, Parks, Forestry and Recreation and would be subject to this Department's conditions for conveyance of parkland prior to the issuance of the first above grade building permit.

The Sun-Shadow (Park) drawings show significant, unacceptable shadow on the existing Redpath Avenue Parkette between 10:33 a.m. and 1:33 p.m. As per the in-force Secondary Plan, development will be located and designed to maintain adequate access to sunlight on the existing and proposed expansion of Redpath Avenue Parkette. All development proposals will be encouraged to minimize net new shadows on these existing and proposed parks.

The plans must be revised to remove shadow from the Redpath Avenue Parkette, which currently experiences low level of shadowing throughout the day.

The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. The appraisal will be conducted upon the submission of an application for the first above grade building permit and is valid for six months. Payment will be required prior to the issuance of said permit.

## **Housing - Unit Mix and Size**

The PPS (2020) and the Growth Plan (2020) acknowledge the importance of providing a full range of housing and identify affordable housing as a matter of Provincial interest. The provision of affordable, secure and diverse housing stock to meet housing needs for a wide range of people throughout their life cycle is essential to the creation of complete communities.

Further to this policy direction, Official Plan Policy 3.2.1.1 states that a full range of housing, in terms of form, tenure and affordability will be provided and maintained to meet the current and future needs of residents. A full range of housing includes affordable rental housing and shared and/or congregate-living housing.

Section 7.1 of the Secondary Plan states that in order to achieve a balanced mix of unit types and sizes, and to support the creation of housing suitable for families, development containing more than 80 new residential units will include:

- a minimum of 15 per cent of the total number of units as 2-bedroom units;
- a minimum of 10 per cent of the total number of units as 3-bedroom units; and
- an additional 15 per cent of the total number of units will be a combination of 2-bedroom and 3-bedroom units, or units that can be converted to 2-bedroom and 3-bedroom units through the use of adaptable design measures.

The Council-adopted Growing Up Urban Design Guidelines (2020) provide guidance on the proportion and size of larger units recommended in new multi-unit residential developments. Guideline 2.1 of the Growing Up guidelines states that a residential building should provide a minimum of 25% large units. Specifically, the guidelines state that a minimum of 10% of the total residential units should be three-bedroom units and a minimum of 15% should be two-bedroom units.

Guideline 3.0 states that the ideal unit size for large units, based on the sum of the unit elements, is 90 square metres for two-bedroom units and 106 square metres for three-bedroom units, with ranges of 87-90 square metres and 100-106 square metres representing an acceptable diversity of sizes for such bedroom types while maintaining the integrity of common spaces to ensure their functionality.

The unit breakdown for the proposed development is as follows:

### *Table 1 – Proposed Residential Unit Mix and Size*

	Studio	1 bedroom	2 bedroom	3 bedroom	Total
# of units	48	176	82	35	341
% of units	14.1%	51.6%	24.0%	10.3%	100.0%
Size range (m <sup>2</sup> )			69-84	84-96	
% 2-Bdrm ≥ 87m <sup>2</sup> & % 3-Bdrm ≥ 100m <sup>2</sup>			0	0	

The provision of 82 (24%) two-bedroom units and 35 (10.3%) three-bedroom units meets the 15% two-bedroom unit requirement and the 10% three-bedroom unit requirement of the Yonge-Eglinton Secondary Plan. However, further information has been requested to evaluate whether the proposal satisfies the intent of Policy 7.1(c) of the Secondary Plan, which provides that an additional 15 per cent of the total number of units will be a combination of 2-bedroom and 3-bedroom units, or units that can be converted to 2-bedroom and 3-bedroom units through the use of adaptable design measures.

The applicant has identified that: "the proposed development has been designed with knock-out panels so that units can be converted to 2-bedroom or 3-bedroom layouts should it be required". The applicant is to provide layouts to demonstrate that this proposal satisfies the intent of the Secondary Plan unit mix policy.

None of the 341 total net-new units (0%) are proposed two-bedroom units larger than 87 square metres or proposed three-bedroom units larger than 100 square metres, which does not 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 applicant is requested to increase the size of the two- and three-bedroom units in order to meet the unit size objectives of the Growing Up Guidelines.

## Rental Housing

Official Plan Policy 3.2.1.6 requires that development involving the demolition of six or more rental dwelling units shall not be approved unless the same number, size and type of rental dwelling units are replaced and maintained in a new development.

Redevelopment will provide and secure the replacement rental dwelling units with rents similar to those in effect at the time the redevelopment application is made, along with an appropriate tenant relocation and assistance plan.

Based on the information submitted by the applicant, the site contains a total of 46 rental dwelling units, comprising 34 one-bedroom units and 12 two-bedroom units. The rental dwelling units include 29 affordable, 16 mid-range and 1 super-intendent occupied units. The applicant is to provide further documentation, such as rent rolls, to confirm the rent classifications of all 46 rental dwelling units.

The application proposes to replace all 46 existing rental dwelling units with the same unit types and similar rents, and has indicated that a tenant assistance and relocation plan will be determined at a later date through consultation with Planning staff. The applicant has indicated that tenants of the rental replacement units will have access to the indoor and outdoor amenity spaces of the new building and that underground parking will be available at an extra charge.



Further information, as well as revisions to the proposal, have been requested from the applicant to review the proposal's conformity with Official Plan Policy 3.2.1.6, including but not limited to confirmation that the replacement rental dwelling units will be maintained as rental for a period of at least 20 years.

In the event that the LPAT allows the appeal in whole or in part, it is recommended that City Council direct the City Solicitor to request that LPAT withhold its final Order until the owner has submitted a tenant relocation and assistance plan to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor; until City Council, or the Chief Planner and Executive Director, City Planning where authorized to do so, has approved the Rental Housing Demolition Application; and until the owner has entered into and registered on title a Section 37 Agreement with the City securing the rental matters.

### **Amenity Space**

Every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the development. Zoning By-law 438-86 requires a minimum of 2 square metres per unit each of indoor and outdoor amenity space and By-law 569-2013 requires a combined amenity space of 4 square metres per unit. The proposal provides for a total combined indoor and outdoor amenity space of 1,285 square metres (3.32 square metres per unit).

A total of 774 square metres (2 square metres per unit) of indoor amenity space is proposed on the ground floor (164 square metres), eighth storey (146 square metres), and the two mechanical penthouse levels (318 square metres and 146 square metres, respectively). A total of 511 square metres (1.32 square metres per unit) of outdoor amenity space is proposed on the ground floor, eighth storey and first mechanical, adjacent to the indoor amenity space.

Although the proposed indoor amenity space provision is appropriate, the amount of outdoor amenity space provided is deficient with the standards of the Zoning By-law which requires 2 square metres per residential unit. This is a result of an inadequate amount of landscaping and open space area provided on site due to the massing of the proposed building.

### **Pet Friendly Design**

A exterior pet area is proposed on the ground floor, as part of the outdoor amenity at the rear of the building. For a building with more than 20 units, pet amenity should be 10% of the required amenity space and include an outdoor pet relief area at least 5 square metres in size. No details about the amount of space dedicated to pets, facilities for the disposal of pet waste, or the location of pet wash facilities have been provided. An indoor pet washing station is recommended. Policy 5.7.5 of the Secondary Plan provides that development that includes residential units will be encouraged to include pet amenity areas that include facilities for the disposal of pet waste.

Given the current rise in dog-owning populations, the applicant is strongly encouraged to provide dog amenities on-site with proper disposal facilities such as dog relief stations to accommodate their future residents' needs in accordance with the Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings. This will help alleviate pressure on neighbourhood parks.

### Traffic Impact

A Transportation Impact Study, prepared by LEA Consulting Ltd and dated June 1, 2020 was submitted in support of the proposed development. The study estimates that the proposed development is expected to generate 54 two-way auto trips (10 inbound, 44 outbound) in the weekday AM peak hour, and 52 two-way auto trips (38 inbound, 14 outbound) in the weekday PM peak hour.

The consultant concludes that under future background traffic conditions, the studied intersections continue to operate acceptably without any constraints during the weekday AM and PM peak hours. Transportation Services agrees with these conclusions as the Redpath Avenue and Broadway Avenue will be signalized in the future.

Transportation Services reviewed the Transportation Considerations Report provided with the submission and provided comments to the applicant. Staff recommend the LPAT withhold the issuance of any Orders until such time as the owner has provided a Transportation Considerations Report satisfactory to the Chief Engineer and Executive Director, Engineering and Construction Services, and the General Manager, Transportation Services.

### Parking

The site is subject to the parking requirements of City of Toronto Zoning By-law 569-2013 and is located in Policy Area 2 (PA2). A summary of the parking requirements for the site in accordance with the above-noted By-law is outlined in Table 2.

*Table 2 –Zoning By-law No. 569-2013 – Policy Area 2 (PA2) Site Parking Requirements*

Use	Scale	Parking Rate		Spaces Required	
		Min	Max	Min	Max
Residential Condominium (Residents)					
Studio	48	0.6	0.9	28	43
1 Bedroom	210	0.7	1.0	147	210
2 Bedrooms	94	0.9	1.3	84	122
3 Or More Bedrooms	35	1.0	1.5	35	52

Use	Scale	Parking Rate		Spaces Required	
Residential Condominium (Visitor)	387	0.10	-	38	-
Sub-Total Residents				294	427
Sub-Total Visitors				38	-
Grand-Total				332	-

Zoning By-law 569-2013 (PA2) requires that the subject site provide a minimum total of 332 parking spaces consisting of 294 resident and 38 visitor spaces. The development is proposing a total of 97 parking spaces, which is 235 spaces short of the By-law requirement. The proposed parking consists of 81 residential parking spaces including 4 car share spaces and 12 visitor parking spaces. Transportation Services considers this a substantial reduction and does not agree with the justification provided in support of the proposed parking supply as similar buildings of this size in the area provide parking at a much higher rate.

Zoning By-law 579-2017 requires a minimum of one accessible parking space for every 25 parking spaces up to the first 100 spaces, plus one space per additional 50 spaces above 100 spaces. This requirement has not been met and is not discussed in the Parking Study.

### **Bicycle Parking**

A total of 402 bicycle parking spaces are proposed, including 362 long-term spaces which are located on the second storey and 40 short term spaces located on the mezzanine floor. The proposed bicycle parking is satisfactory.

### **Travel Demand Management (TDM)**

Travel Demand Management (TDM) measures are aimed at encouraging people to take fewer and shorter single occupancy vehicle trips to reduce congestion, energy consumption and pollution. In the past, transportation planning has often focused on supply-side solutions by identifying where additional transportation capacity is needed to satisfy forecasted travel demands. TDM in contrast, puts the emphasis on changing travel behaviour to modify and reduce our demand for vehicular travel in cities. TDM measures are most effective when supported by complementary actions in the key areas of land use planning and public transit improvements.

Typical TDM policies and programs include, but are not limited to: parking supply management strategies such as reduced parking provision; car sharing/bike sharing; school/trip planning; development-related transit initiatives; and cycling programs and citywide cycling networks.

In the event that the LPAT approves the application in some form, Transportation Planning staff have indicated that a contribution to the expansion of the City's bike share

system in the area is a key consideration to meet the Toronto Green Standard Version 3 requirements, as well as providing a dedicated, publicly accessible car share vehicle space and services on site.

### **Loading**

A minimum of one (1) Type G loading space with minimum dimensions of 4 metres in width by 13 metres in length must be provided, with a required vertical clearance of 6.1 metres. One (1) Type G loading space is proposed.

The Vehicle Manoeuvring Diagrams (VMD), which show a heavy vehicle entering and exiting the site and the proposed loading space in a forward motion will need to be revised once the access is designed as per City of Toronto Standards.

### **Servicing**

The applicant submitted Functional Servicing and Stormwater Management Report dated May 27 and 28, 2020 by WSP Canada Group Limited. Engineering and Construction Services reviewed the submitted materials and require a number of revisions, as stated in their memorandum dated August 4, 2020.

Staff recommend the LPAT withhold the issuance of any Orders until such time as the owner has provided a Functional Servicing and Stormwater Management Report satisfactory to the Chief Engineer and Executive Director, Engineering and Construction Services, and the General Manager, Toronto Water.

### **Construction Management**

A Construction Management Report has not been submitted with the application. Per Policy 9.7.1 of the Secondary Plan, in order to ensure minimal disruptions to the surrounding area and good communications with neighbours of the development site during the construction period, Construction Management Plans will be required as part of the site plan control process for development in *Apartment Neighbourhoods*.

A construction management plan is required by City Planning and Transportation Services as part of a Site Plan Control Application. A Construction Management Plan has not been submitted.

### **Tree Preservation**

An Arborist Report, prepared by Central Tree Care Limited and dated May 15, 2020, was submitted in support of the proposed development. The report concludes that there are a total of 6 trees on and within six metres of the subject property. The removal of 4 trees is required to accommodate the proposed development.

Urban Forestry staff have indicated that the applicant is to submit a revised Landscape plan showing soil volumes and species for the proposed trees to be planted on the City owned right of way.

The City will secure the planting of new trees on the site and on adjacent public rights-of-way through Site Plan Approval.

### **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 services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

One of the major objectives of the Yonge-Eglinton Secondary Plan is the provision of community services and facilities. The Secondary Plan states that Midtown will continue to prosper by maintaining and expanding community service facilities. Creating new community spaces will be essential to supporting a prosperous local economy, fostering innovation and broadening opportunities for stable employment.

A CS&F Study prepared by Goldberg Group was submitted in support of the proposed development. The Study makes no reference to the findings and directions identified in the Midtown Community Services and Facilities Strategy (2018) and provides no indication of how the proposed development may contribute towards addressing the community service facility needs to support growth in the area.

Based on the CS&F policies of the Council-adopted Yonge-Eglinton Secondary Plan and identified priorities of the Midtown CS&F Strategy (2018), CS&F contributions may include: a financial contribution towards capital improvements to the Northern District Library to expand the service capacity of the existing facility; and/or a financial contribution towards capital projects identified in the City's Park and Recreation Facilities Master Plan that will serve the Midtown area.

### **School Boards**

The application was circulated to the both the Toronto Catholic District School Board (TCDSB) and the Toronto District School Board (TDSB). The TCDSB has identified that the proposal falls within the fixed attendance boundary of St. Monica Catholic School, as well as Marshall McLuhan Catholic Secondary School and St. Patrick Catholic Secondary School.

The TCDSB has indicated that the local elementary and secondary schools are operating at capacity and cannot accommodate additional students from the development. The TCDSB has identified that they have concerns with school

accommodation in the area. The TCDSB has also indicated that under the Education Development Charges (EDC) By-law 194, as amended, the TCDSB is eligible to levy EDC's in this area towards the acquisition of approximately 2 hectares (5 acres) of land or alternate accommodation opportunities for an elementary school.

The TDSB has indicated that they do not support the development application at this time. The TDSB is of the position that the timing of development should be aligned with the provision of pupil accommodation at local schools, with occupancy no earlier than September 2024, in line with the TDSB's Midtown area accommodation strategy.

### **Section 37**

Section 37 of the *Planning Act* allows the City to require community benefits in situations where increased density and/or height are permitted. Community benefits are specific capital facilities or cash contributions for specific capital facilities and can include: affordable housing; parkland and/or park improvements above and beyond the required Section 42 *Planning Act* parkland dedication; public art; streetscape improvements on the public boulevard not abutting the site; and other works detailed in Section 5.1.1.6 of the Official Plan.

City Planning staff recommend that the City Solicitor be directed to request the LPAT, in the event it determines to allow the appeals in whole or in part, to withhold any order until a Section 37 Agreement has been entered into between the City and the owner and registered on title, all to the satisfaction of the Chief Planner and the City Solicitor.

### **Toronto Green Standard**

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. 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 and will be encouraged to meet Tiers 2, 3 or 4. City Planning and Engineering and Construction Services staff will work towards securing a development that meets a high standard of environmental sustainability and resiliency.

### **Conclusion**

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), the City of Toronto Official Plan and the Yonge-Eglinton Secondary Plan.

Staff are of the opinion that the proposal is not consistent with the PPS (2020) and does not conform with the Growth Plan (2020). Further, the proposal does not conform to the Toronto Official Plan and Yonge-Eglinton Secondary Plan. The proposed development does not achieve appropriate tower setbacks nor stepbacks; does not maintain

adequate access to sunlight on the existing and proposed expansion of Redpath Avenue Parkette; lacks sufficient open space and landscaping on site; and proposes a 7 and 11-storey base building height that does not conform to Policy 5.3.34(a) of the Yonge-Eglinton Secondary Plan. The proposed tower is not, and cannot, meet the intent of the City's Tall Building Design Guidelines. In addition, the application does not have a satisfactory Functional Servicing Report to address servicing issues.

The proposed Zoning By-law Amendment application, in its current form, is not supported by City Planning staff. The proposal, in its current form is not good planning and is not in the public interest.

Staff recommend that City Council direct City Staff to continue discussions with the applicant in an attempt to resolve the outstanding issues detailed in this report. In the event that the application is not revised to propose an appropriate form of development on this site, City Planning recommends that City Council direct the City Solicitor and appropriate City staff to attend the Local Planning Appeal Tribunal (LPAT) in opposition to the proposal.

## **CONTACT**

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## **SIGNATURE**

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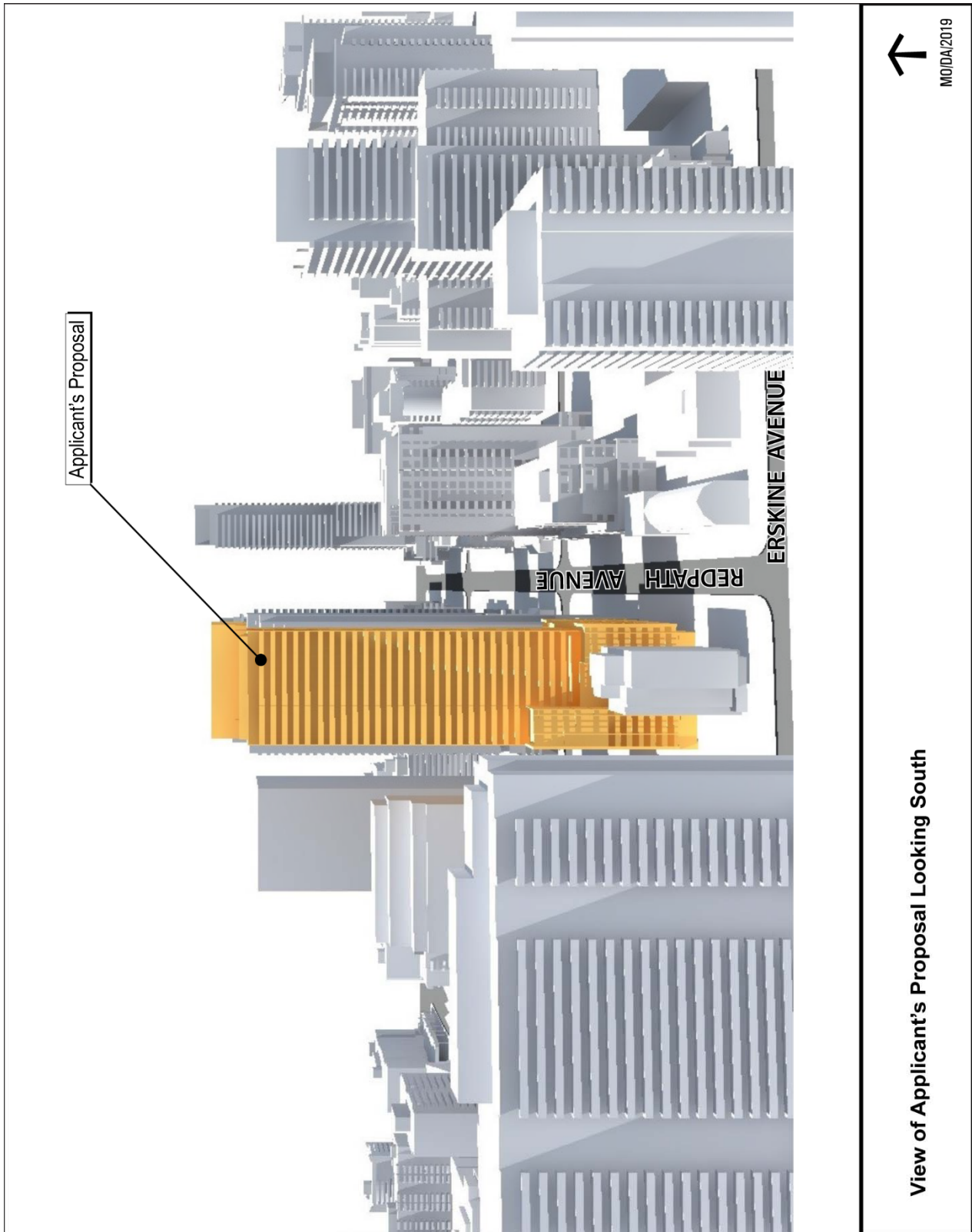
Al Rezoski, AICP  
Acting Director  
Community Planning, North York District

## **ATTACHMENTS**

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Attachment 1: 3D Model of Proposal in Context - Looking South  
Attachment 2: Location Map  
Attachment 3: Context Plan  
Attachment 4: Site Plan  
Attachment 5: North Elevation  
Attachment 6: South Elevation  
Attachment 7: East Elevation  
Attachment 8: West Elevation  
Attachment 9: Official Plan Map  
Attachment 10: Yonge-Eglinton Secondary Plan Map  
Attachment 11: Zoning By-law No. 438-86  
Attachment 12: Zoning By-law No. 569-2013  
Attachment 13: Application Data Sheet

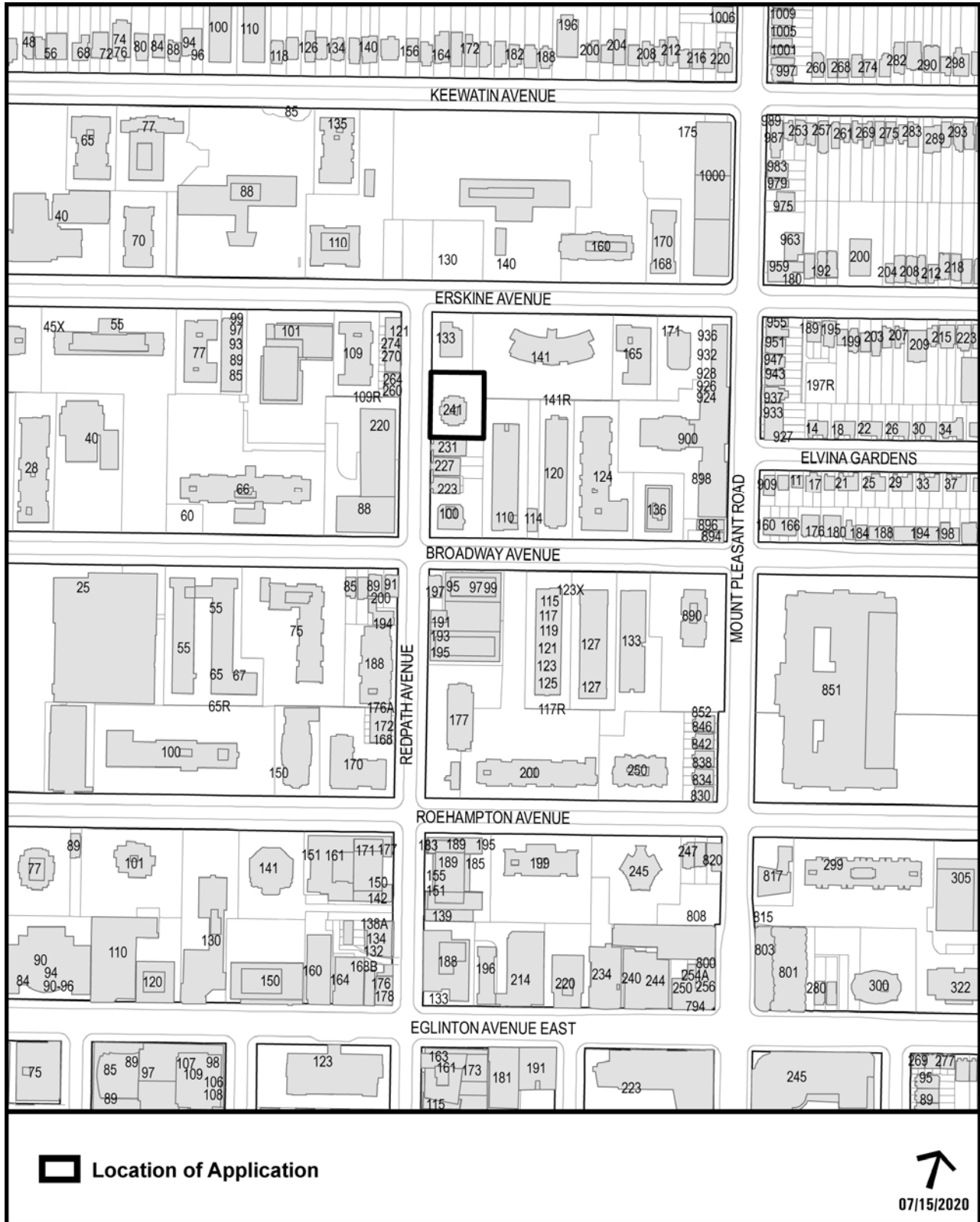
**Attachment 1: 3D Model of Proposal in Context - Looking South**



**View of Applicant's Proposal Looking South**

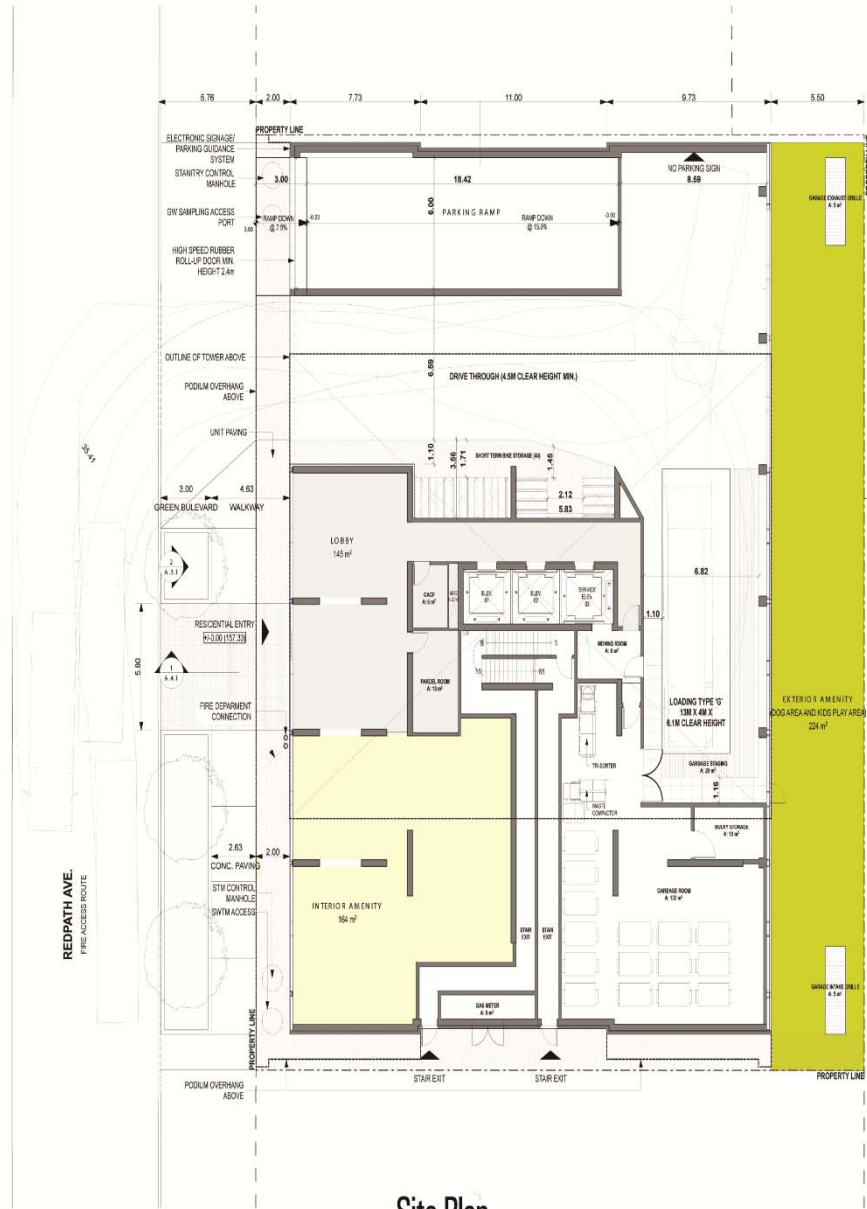


# Attachment 2: Location Map





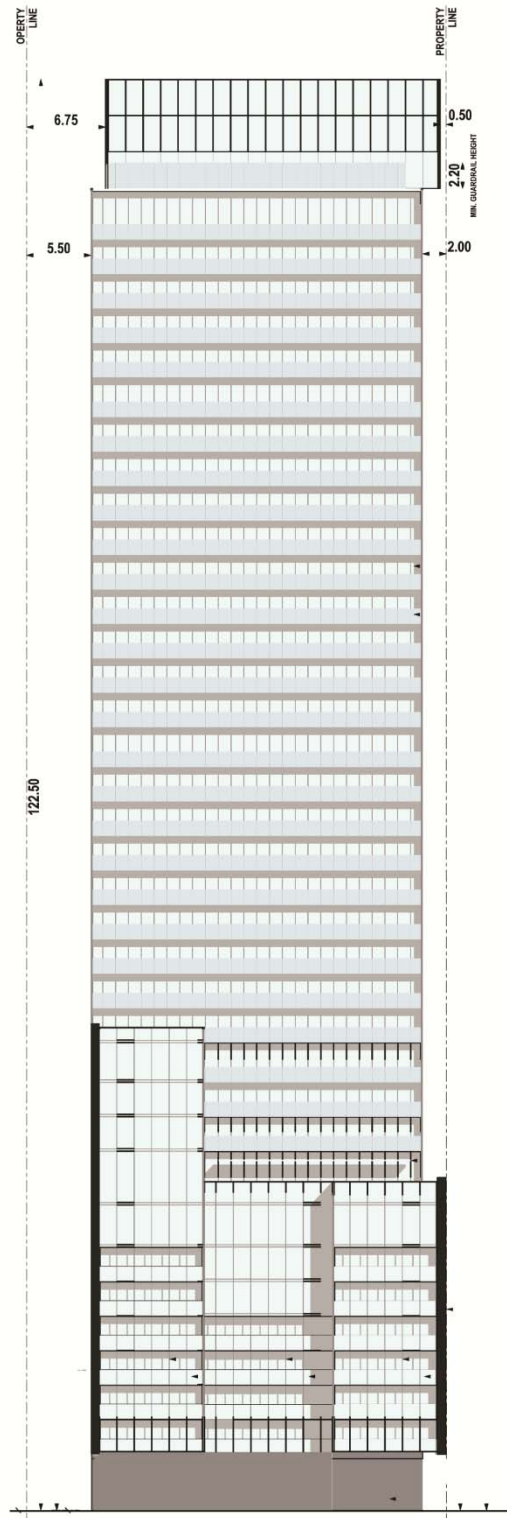
# Attachment 4: Site Plan



Site Plan

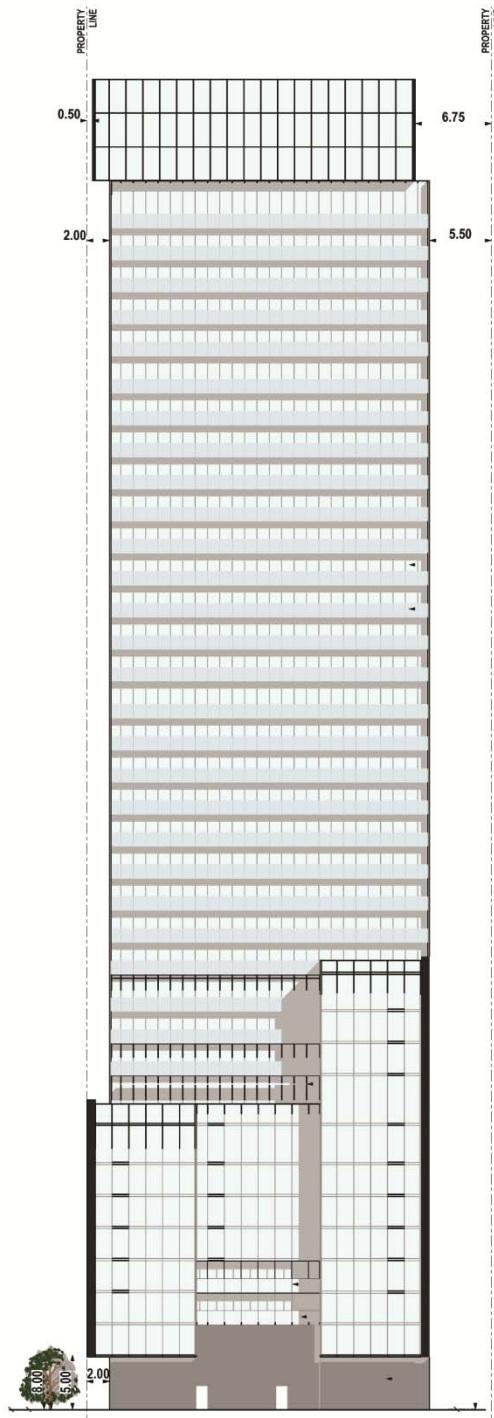


# Attachment 5: North Elevation



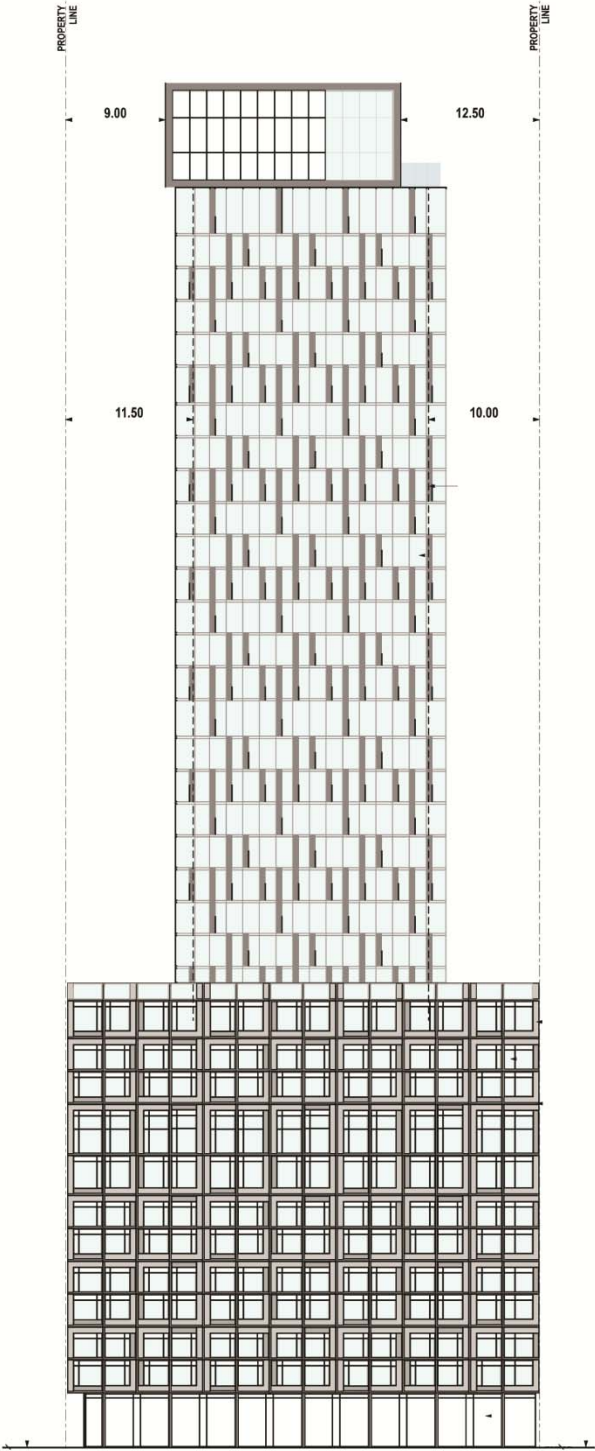
North Elevation

# Attachment 6: South Elevation



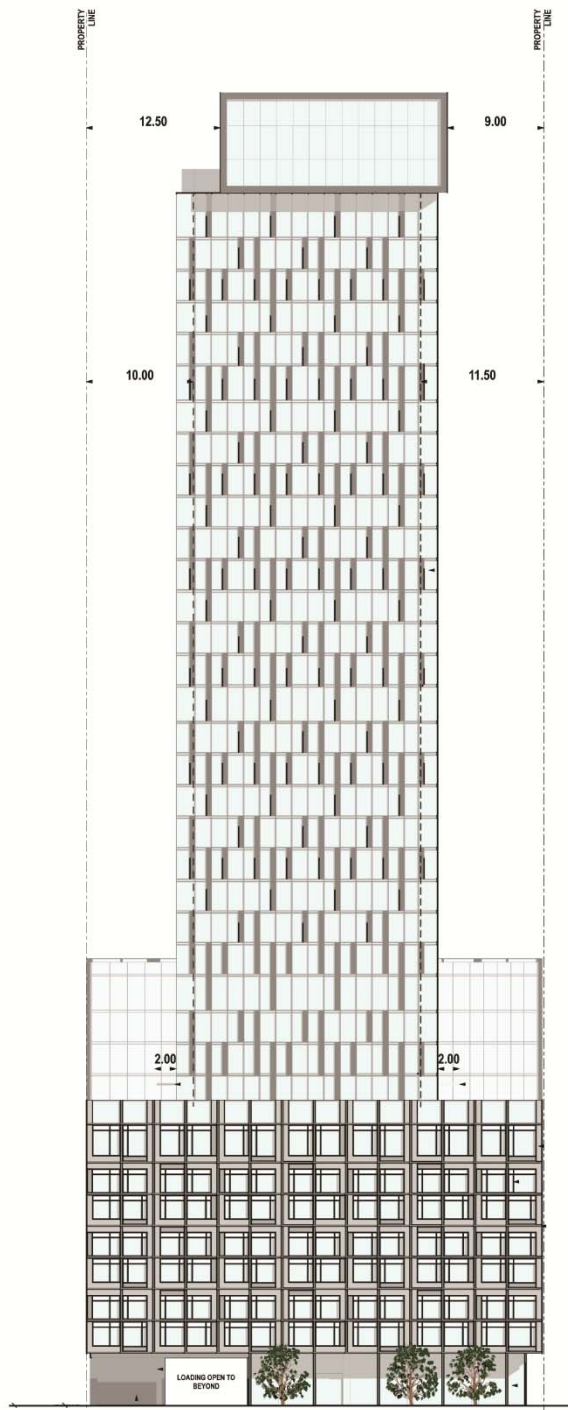
South Elevation

**Attachment 7: East Elevation**



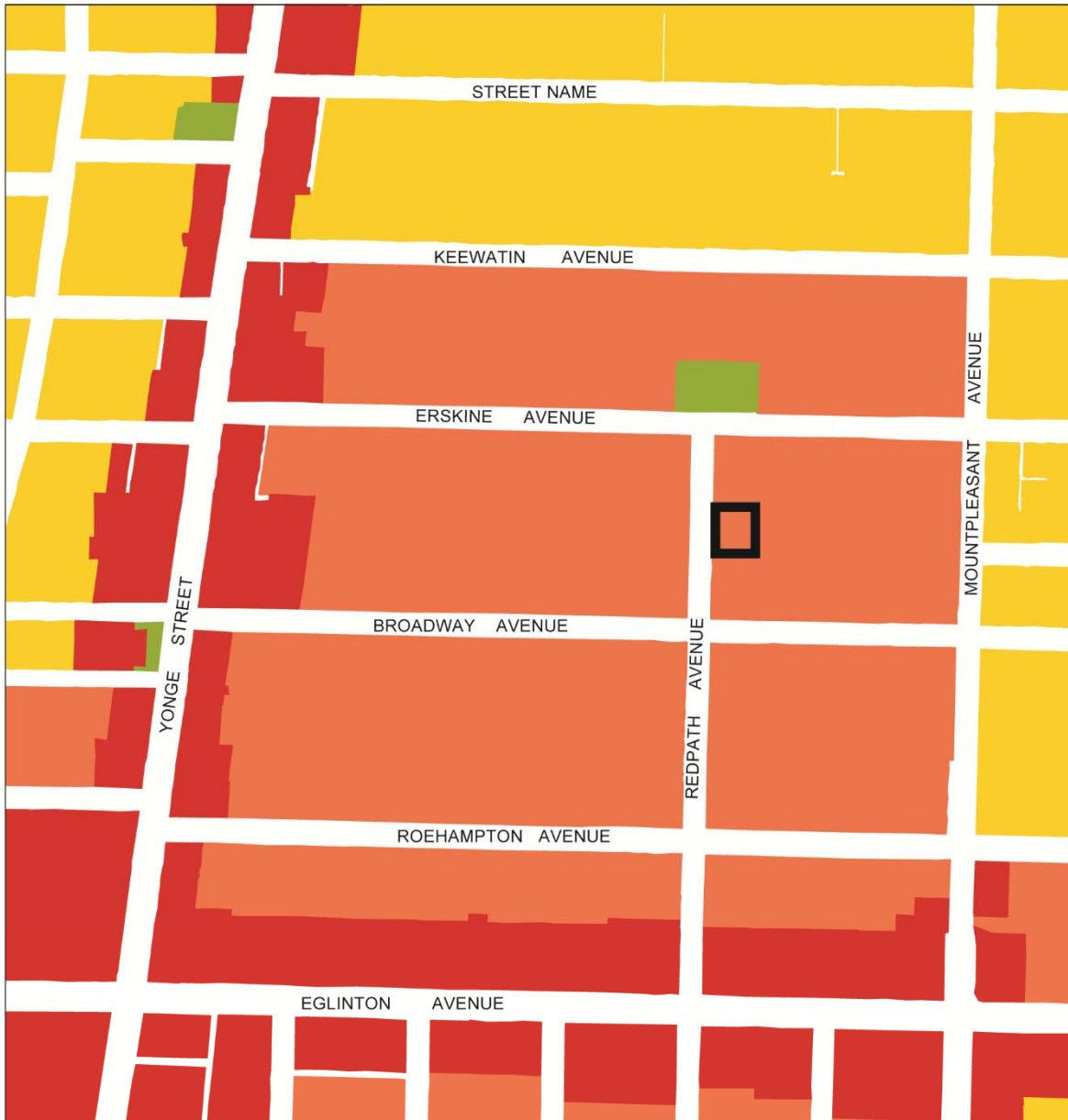
**East Elevation**

# Attachment 8: West Elevation



West Elevation

# Attachment 9: Official Plan Map



241 Redpath Avenue

## Official Plan Land Use Map #17

File # 20 151705 NNY 15 0Z

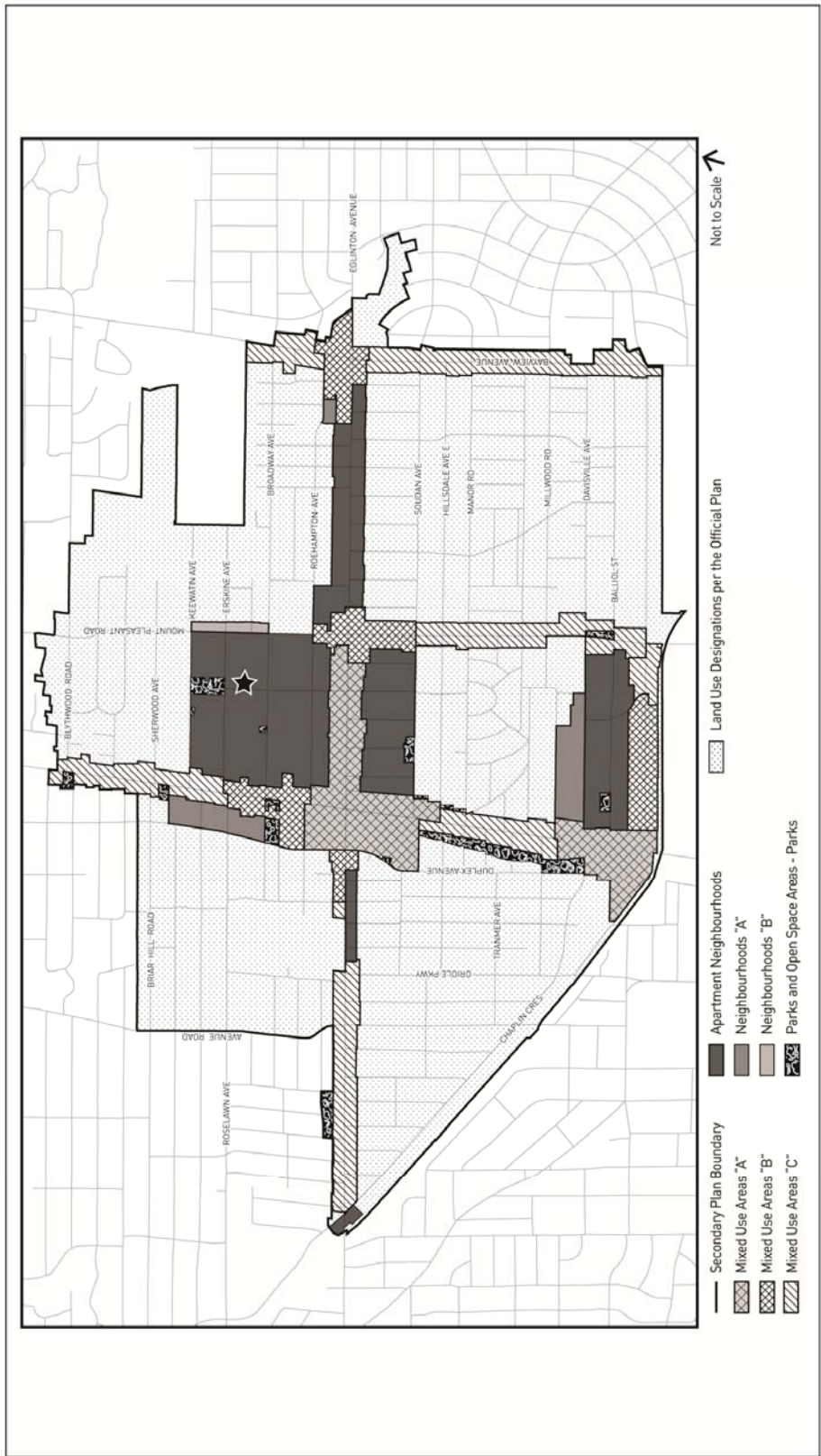
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|--|--|
|  Location of Application  |  Parks & Open Space Areas |
|  Neighbourhoods           |  Parks                    |
|  Apartment Neighbourhoods |  |
|  Mixed Use Areas          |  |



Not to Scale  
07/10/2020



# Attachment 10: Yonge-Eglinton Secondary Plan Map



## Yonge-Eglinton Secondary Plan - OPA 405

## 241 Redpath Avenue

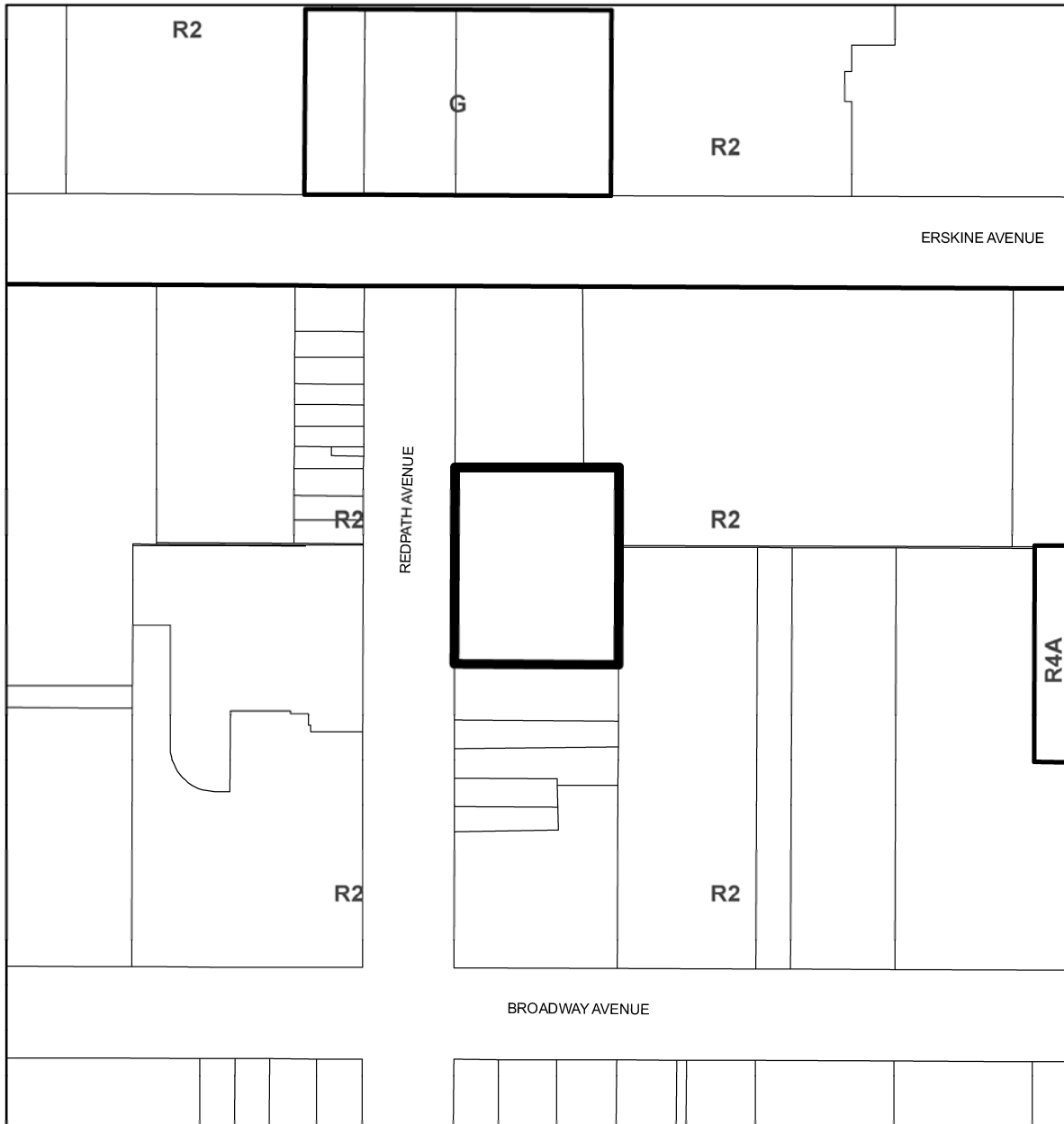
File # 20 151705 NMY 15 0Z

★ Site Location



Not to Scale  
07/10/2020

Attachment 11: Zoning By-law No. 438-86



Zoning By-law 438-86

241 Redpath Avenue

File # 20 151705 NNY 15 OZ



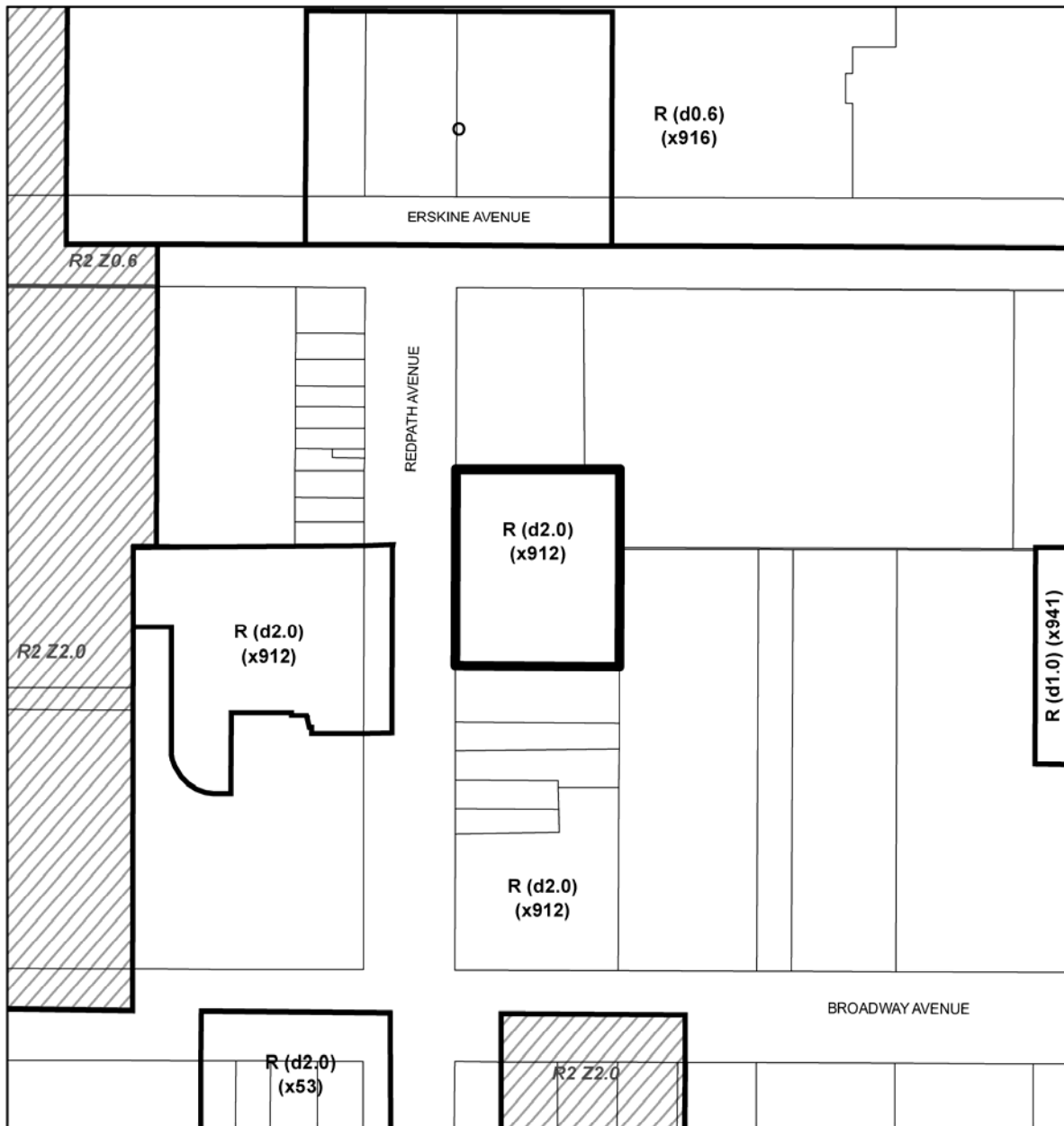
Location of Application

R2 Residential R4A Residential G Open Space



Not to Scale  
Extracted: 11/30/2020

Attachment 12: Zoning By-law No. 569-2013



Zoning By-law 569-2013

241 Redpath Avenue

File # 20 151705 NNY 15 OZ



Location of Application

R Residential    O Open Space



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

R2 Residential District



Not to Scale  
Extracted: 11/30/2020

## Attachment 13: Application Data Sheet

Municipal Address: 241 Redpath Avenue Date Received: June 3, 2020

Application Number: 20 151705 NNY 15 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: Zoning By-law Amendment and Rental Housing Demolition Applications which propose the demolition of the existing 12-storey, 46 unit apartment building and redevelopment of a new 35-storey residential tower with a 7-storey base building facing Redpath Avenue and 11-storey base building facing the rear on the site. The new building will contain 387 new dwelling units, including 46 rental replacement units, a residential gross floor area of 24,400 square metres and an FSI of 15.77 times the lot area.

Applicant/Agent	Architect	Owner
Mod Developments 555 Richmond St W Suite 1106 Toronto, ON, M5V 3B1	architectsAlliance 205 - 317 Adelaide St W Toronto, ON M5V 1P9	NASA Investments Ltd. 15 Rockland Dr Toronto, ON M2M 2Y8

### EXISTING PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhoods	Site Specific Provision:	N
Zoning:	R (d2.0) (x912)	Heritage Designation:	Adjacent
Height Limit (m):	38	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	1,537	Frontage (m):	43	Depth (m):	36
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Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq. m):	265	0	1,154	1,154
Residential GFA (sq. m):	3,174	0	24,238	24,238
Total GFA (sq. m):	3,174	0	24,238	24,238
Height - Storeys:	12	0	35	35
Height - Metres:	30	0	122.5	122.5

Lot Coverage Ratio (%) 75.08 Floor Space Index: 15.77

Floor Area Breakdown Above Grade (sq. m) Below Grade (sq. m)  
 Residential GFA: 24,238

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	46	0	46	46
Freehold:				
Condominium:			341	341
Other:				
Total Units:	46	0	387	387

	Studio	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:	0	0	0	0
Proposed:	48 (12.4%)	210 (54.3%)	94 (24.3%)	35 (9%)
Total Units:	48 (12.4%)	210 (54.3%)	94 (24.3%)	35 (9%)

Parking and Loading

Parking Spaces: 97 Bicycle Parking Spaces: 402 Loading Docks: 1

CONTACT:

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 Jason.Brande@toronto.ca