

765 Steeles Ave West – Zoning By-law Amendment Application – Final Report

Date: June 22, 2022

To: North York Community Council

From: Director, Community Planning, North York District

Wards: Ward 18 - Willowdale

Planning Application Number: 19 149036 NNY 18 OZ

Related Application: 19 149040 NNY 18 SA

Current Use(s) on site: A 21-storey rental apartment building containing 167 units.

SUMMARY

The Zoning By-law Amendment application proposes to amend the City-wide Zoning By-law 569-2013 and the former City of North York Zoning By-law No. 7625 for 765 Steeles Avenue West to permit a 27-storey (86 metres plus mechanical penthouse) residential building containing 296 residential units while retaining the existing 21-storey rental apartment building comprised of 167 rental dwelling units. A total of 297 vehicular and 218 bicycle parking spaces are proposed in a three-level underground garage. The proposed building would have a gross floor area ("GFA") of 22,314 square metres while the existing rental apartment building has a GFA of 17,278.6 square metres, resulting in an overall Floor Space Index ("FSI") of 3.59. The application would incorporate a 1,575 square metre public park at the site's southwest end and 514 square metres of privately-owned publically accessible space ("POPS") that would provide a pedestrian walkway access into the site from the existing low-rise neighbourhood located south of the site.

The proposed development is consistent with the Provincial Policy Statement (2020) and conforms with A Place to Growth: Growth Place for the Greater Golden Horseshoe (2020) and with the City of Toronto Official Plan.

This report reviews and recommends approval of the application to amend the Zoning By-laws. The draft zoning by-laws recommend that the lands be zoned with a Holding provision (H) until such time as a Functional Servicing and Stormwater Management Report is deemed acceptable by the Chief Engineer and Executive Director, Engineering and Construction Services.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the former City of North York Zoning By-law No. 7625 for the lands at 765 Steeles Avenue West substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to this report.
2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 765 Steeles Avenue West substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to this report.
3. City Council authorize the City Solicitor to submit the necessary bills to implement the foregoing recommendations provided the City Solicitor is satisfied that the appropriate legal mechanisms are in place to ensure that no building permit will issue until such time as the Section 37 Agreement is executed and registered.
4. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment(s) as may be required.
5. City Council approve that in accordance with Section 42 of the *Planning Act*, prior to the first above grade building permit, the Owner shall convey to the City an on-site parkland dedication, having a minimum size of 1,575 square metres located in the southern portion of the site, to the satisfaction of the General Manager, Park, Forestry and Recreation and the City Solicitor;
6. City Council approve the acceptance of on-site parkland dedication, subject to the owner transferring the parkland to the City free and clear, above and below grade, of all easements, encumbrances, and encroachments, in an acceptable environmental condition.
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 the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry & Recreation (PFR). The development charge credit shall be in an amount that is the lesser of the cost to the Owner of designing and constructing the Above Base Park Improvements, as approved by the General Manager, PFR, and the Parks and Recreation component of Development Charges By-law, as may be amended from time to time.
6. City Council require the Owner to enter into an agreement pursuant to Section 37 of the *Planning Act* (the "Section 37 Agreement") as follows:
 - a. The community benefits recommended to be secured in the Section 37 Agreement are as follows:

b. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support the development:

i. The Owner shall continue to provide and maintain the existing one hundred and sixty-seven (167) rental dwelling units at 765 Steeles Avenue West as rental housing, together with the new and retained associated facilities and amenities of the residential rental property, for a period of at least twenty (20) years commencing from the date the Zoning By-law Amendments come into force and effect, with no application for demolition or conversion to condominium ownership or from residential rental use during such twenty (20) year period, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor;

ii. The Owner shall provide tenants of all existing one hundred and sixty-seven (167) rental dwelling units at 765 Steeles Avenue West with access to, and use of, all indoor and outdoor amenities in the proposed development at no extra charge, and on the same terms and conditions as any other resident of the development, without the need to pre-book or pay a fee unless specifically required as a customary practice for private bookings;

iii. The Owner shall, at its sole expense and at no cost to tenants, undertake a tenant survey and provide improvements to the existing rental housing at 765 Steeles Avenue West, as follows:

A. The Owner shall undertake a tenant survey to identify needed improvements and renovations to the existing rental housing at 765 Steeles Avenue West to extend the life of the building that is to remain and to improve amenities, to the satisfaction of the Chief Planner and Executive Direction, City Planning Division;

B. Prior to the issuance of Notice of Approval Conditions for Site Plan approval, the Owner shall submit to the City a Construction Mitigation Strategy and Tenant Communication Plan to mitigate the impacts of construction of the development on tenants of the existing rental building at 765 Steeles Avenue West, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

C. Prior to the issuance of the first above-grade building permit for the development, the Owner shall provide the City with a Letter of Credit having a maximum value of six hundred thousand dollars (\$600,000) to secure the rental housing improvements identified by the tenant survey required in Recommendation 6.b.iii above. For clarity, if the total construction value of rental housing improvements identified by the tenant survey is less than six hundred thousand dollars (\$600,000), as demonstrated by one or more quotations provided by a qualified contractor, then such lower construction value shall

determine the value of the Letter of Credit provided to the City and the Owner shall undertake all improvements identified by the survey. If the total construction value of the rental housing improvements identified by the tenant survey exceeds six hundred thousand dollars (\$600,000), then the Owner shall undertake selected rental housing improvements having a total construction value of not more than six hundred thousand dollars (\$600,000), which shall be the value of the Letter of Credit provided to the City, and the selection of such improvements shall be made in consultation with, and to the satisfaction of, the Chief Planner and Executive Director, City Planning Division;

D. Prior to first occupancy of any new residential units, the Owner shall complete the rental housing improvements identified by the tenant survey required in Recommendation 6.b.iii.A above and secured by the Letter of Credit required in Recommendation 6.b.iii.C above, to the satisfaction of the Chief Planner and Executive Director, City Planning Division; and

E. The costs associated with the provision and maintenance of the rental housing improvements and Construction Mitigation Strategy and Tenant Communication Plan required in Recommendations 6.b.iii.A through 6.b.iii.D above shall not be passed on to tenants of the existing rental building at 765 Steeles Avenue West in any form. For clarity, the Owner shall agree to not apply to the Landlord and Tenant Board, or any successor tribunal with jurisdiction other applications made under the legislation governing residential tenancies in Ontario, for an above-guideline increase in rent to recover expenses incurred in completing the rental housing improvements identified by the tenant survey required in Recommendation 6.b.iii.A above and secured by the Letter of Credit required in Recommendation 6.b.iii.C above.

iv. The conveyance of the 1,575 square metres parkland dedication, free and clear, above and below grade of all physical obstructions and easements, encumbrances and encroachments, including surface and subsurface easements, to the satisfaction of the General Manager, Parks, Forestry & Recreation and the City Solicitor.

v. the Owner agrees to design, construct, finish, furnish and equip at its expense, a two-storey (ground floor and second floor) non-profit licensed child care facility comprising 790 square metres of interior space and adjacent exterior space comprising of 273 square metres including outdoor storage and a minimum of three (3) parking spaces reserved for the exclusive use of the child care facility for pick-up/drop-off operations, (the "Child Care Centre"),

a. shall provide a non-profit licensed daycare centre to be leased to the City for 99 years, and subleased to a non-profit child care operator non-profit community service use in the premises to be secured upon such terms and conditions as per the terms sheet, to the satisfaction of the City

solicitor and the Executive Director, City Planning, in consultation with the Ward Councillor. Any Child Care Centre shall be constructed, finished, furnished, and equipped by the Owner and shall be designed generally in accordance with the Child Care Term Sheet to the Satisfaction of the Chief Planner and Executive Director, City Planning.

b. three (3) dedicated parking spaces will be provided free-of-charge for the exclusive use of the Child Care Centre for pick-up/drop-off operations. These spaces to be assigned accordingly, and be located in close proximity to the main entrance, at ground level providing the shortest route between the parking spots and the Child Care Centre, which shall be barrier-free;

c. any other details related to the Child Care Centre such as timing, location, obligations and any matters necessary to implement the Child Care Centre, which have not been addressed in the recommendations of this report will be finalized between the Owner and the City and will be substantially in accordance with the City of Toronto's Child Care Design and Technical Guidelines (2016) & *Child Care and Early Years Act* (2014) and to the satisfaction of the Executive Director, Corporate and Real Estate Management, the General Manager, Children's Services, and the Chief Planner and Executive Director, City Planning, in consultation with the City Solicitor;

8. The Owner shall construct and provide and maintain a Privately Owned and Publically-Accessible Open Space ("POPS") at 765 Steeles Avenue West with a minimum area of 514 square metres generally located at the southern eastern edge of the property in the location generally identified in the Zoning By-law Amendment, with specific configuration and design of the POPS to be determined and secured in the context of Site Plan approval for the development to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor.

FINANCIAL IMPACT

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

DECISION HISTORY

The application was submitted on May 3, 2019. A Preliminary Report on the application was adopted by North York Community Council on June 25, 2019 authorizing staff to

conduct a community consultation meeting. The Community Council decision and a copy of the report can be found here:

[Preliminary Report - Zoning By-law Amendment Application - 765 Steeles Avenue West](#)

PROPOSAL

The application proposes to amend the former City of North York Zoning By-law No. 7625 and City of Toronto Zoning By-law 569-2013 for the property at 765 Steeles Avenue West, to permit a 27-storey residential building (86 metres plus mechanical) comprised of 296 dwelling units on the third through the 27th floors and a childcare space on the first and second floors. An associated outdoor play space would be provided along the Steeles Avenue West and east side frontage and on the second floor. The proposed building would have a GFA of 22,314 square metres. The existing apartment building would be retained, resulting in an overall site GFA of 39,592.6 square metres which equates to a FSI of 3.59 (See Attachment 1: Application Data Sheet).

Along Steeles Avenue West, the base building (between the ground floor and seventh storey) would be setback a minimum of 3 metres from the front property line. Balconies would project 1.5 metres towards the front property line between the third to seventh stories. The base building would be setback 13.5 metres from the east property line to provide for a north-south pedestrian walkway connection from the City sidewalk along Steeles Avenue West through the site towards the abutting low-rise neighbourhood and Greenwin Village Road to the south of the site. This walkway would be secured as a privately-owned publically accessible space ("POPS"). Amenity space and landscaping would also be provided along the east side of the development. The development would provide for a 19.35-metre setback from the west property line, maintaining the existing driveway access into the site, providing for a new pedestrian walkway into the site from the City sidewalk and additional landscaping and outdoor amenity space. The podium would be setback 17.2 metres from two blank bump-outs of the existing apartment building to the south and would be up to 19.2 metres from the rest of the building wall.

The tower portion of the proposed building would be setback 20.2 metres from the existing apartment building's two bump-outs with the remaining having a setback of 25 metres from the rest of the apartment building's main walls. The tower portion of the development (between the ninth and twenty-seventh stories) would provide a 1.5 metre stepback along Steeles Avenue West and be setback 4.5 metres from the front property line. The tower would be setback 16.5 metres from the east property line and 29.8 metres from the west property line.

The eighth storey would have terraces that wrap around the tower and project a maximum of 3.0 metres from the tower wall. An outdoor amenity space of 243 square metres is proposed on the eighth storey on the west side of the development. The ninth

up to the twenty-seventh floor would be setback 4.5 metres from the front property line and would have inset balconies facing Steeles Avenue West. Units between the ninth and twenty-seventh floors would have balcony insets and balcony projections facing the east, south, and west sides onto private property up to a maximum of 1.5 metres. See Attachment 9 - Site Plan for more details.

The development proposes a total of 296 rental units, including 91 two-bedroom units (31%) and 33 three-bedroom units (11%). There are currently 167 rental apartments located within the existing 21-storey apartment building. No changes are proposed to those existing rental apartment units.

The lobby would be accessed by two primary entrances: one facing Steeles Avenue West on its north side and one on the south side directly opposite the primary entrance for the existing apartment building. Distinctive landscaping would be provided between the entrances to distinguish the pedestrian connection from the driveway.

A City-leased childcare space would be provided on the ground floor and second storey that would be 790 square metres, including 745 square metres on the second storey and 45 square metres on the first storey. Three drop-off / pick up parking spaces would be provided on the site. The daycare's primary entrance would be facing the east side property line. The daycare would have its own dedicated elevator between the ground floor and second storey. Two exterior play areas with a total area of 315 square metres would be provided, including 143 square metres on the first storey and 171 square metres on the second storey. The details for the play area would be secured as part of the Site Plan Control application.

The development proposes a total of 1,587 square metres of amenity space, including 504 square metres of indoor amenity space and 1,083 square metres of outdoor amenity space. Indoor and outdoor amenity space would be spread throughout the ground level, second storey, and eighth storey. On the ground level, a total of 259 square metres of indoor amenity space would be provided. The second floor would contain amenity space with a total of 184 square metres. The eighth floor would contain 61 square metres of indoor amenity space, and a total of 243 square metres of outdoor amenity space in the form of a terrace on the podium. On the ground level, outdoor amenity space would be provided on the west side of the podium on an outdoor terrace facing Steeles Avenue and the podium's side yard.

An outdoor amenity space of 840 square metres would be provided at the south end of the site, directly south of the existing apartment building. All the amenity areas would be accessible to residents of both the existing and proposed apartment buildings. The details for this outdoor amenity area would be secured through the Site Plan Control process.

At the southeast end of the site, a POPS is proposed to provide north-south access to the site between Steeles Avenue West and the existing low-rise neighbourhood along Greenwin Village Road. This POPS would be adjacent to the proposed parkland for the

subject site and the parkland secured as part of the development site at 755 Steeles Avenue West (File No. 14 248860 NNY 10 OZ). The POPS and new landscaping would replace an existing row of parking spaces at the east side of the site which would improve on-site permeability. Three proposed parking spaces are also proposed along the east end of the site as layby spaces for the proposed new City daycare. The application also proposes a parkland dedication of 1,575 square metres that would be conveyed to the City. The parkland would be secured through a Section 37 Agreement as a legal convenience.

The existing 6.0 metre wide driveway would be maintained and provide access to the site from Steeles Avenue West; no additional curb cuts would be introduced to access the site. The driveway would provide vehicular access, including to the underground parking garage, and loading space. There would be three levels of underground parking containing a total of 297 parking spaces, which would include 112 located on the first level retained as part of the existing apartment building. This total includes 39 proposed EV parking spaces. A total of 34 parking spaces would be located at the surface for visitor parking and for the daycare. A total of 6 accessible parking spaces are proposed within the underground parking garage. There would be a total of 218 bicycle parking spaces, including 199 residential long-term spaces and 19 residential short-term spaces.

Site and Surrounding Area

The subject site is located on the south side of Steeles Avenue West and is generally rectangular shaped at the north end of the lot and tapers towards the south end of the site abutting the existing low-rise residential neighbourhood. The site's Steeles Avenue West frontage is approximately 88 metres, has a lot depth of approximately 150 metres, and an area of approximately 11,060 square metres (1.1 hectares).

The property contains an existing apartment building that is 21-stories in height and contains 286 rental dwelling units. The property has access from Steeles Avenue West and currently has no pedestrian or vehicular connection to the existing neighbourhood to the south.

North: Tall- and mid-rise apartment buildings in the City of Vaughan.

South: To the south is a low-rise residential neighbourhood comprised of detached and semi-detached dwellings.

East: To the east at 755 Steeles Avenue West which is an existing 15-storey apartment building. This address was previously subject to a rezoning application (File No. 14 248860 NNY 10 OZ) to permit the development of a 10-storey, 124-unit building and 28, four-storey stacked townhouses on the site. A one-storey 550 square metre retail building was also proposed at the corner of Steeles Avenue West and Village Gate. The application also proposed 606 square metres of new City parkland, and a POPS that

would be 1,100 square metres. This application was approved by City Council on October 27, 2020.

West: To the west is a property with 6-storey and 16-storey apartment building.

Reasons for Application

Amendments to the City of Toronto Zoning By-law 569-2013 and the former City of North York Zoning By-law No. 7625 are required to permit the proposed height and density and set appropriate development standards to facilitate the proposal.

APPLICATION BACKGROUND

Application Submission Requirements

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

- Planning Rationale
- Housing Issues Report
- Community Services and Facilities Report
- Public Consultation Strategy Report
- Sun and Shadow Study
- Pedestrian Wind Assessment Study
- Toronto Green Standards Checklist and Statistics
- Functional Servicing and Stormwater Management Report
- Geotechnical & Hydrogeological Investigation
- Rental Housing Declaration
- Housing Issues Report
- Traffic Impact Study
- Arborist Report

The reports and studies submitted by the applicant are available on the City's Application Information Centre (AIC):

[Application Information Centre - 765 Steeles Avenue West](#)

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 and to formulate appropriate Zoning By-law standards.

Statutory Public Meeting Comments

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

POLICY CONSIDERATIONS

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

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

The Provincial Policy Statement (2020)

The Provincial Policy Statement (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:

- ensuring the efficient use and management of land and infrastructure;
- ensuring the sufficient provision of housing to meet changing needs;
- 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 recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.6 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans".

Provincial Plans

Provincial plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the provincial Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans. All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with provincial plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with provincial plans.

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

The Growth Plan for the Greater Golden Horseshoe, 2019 was prepared and approved under the *Places to Grow Act, 2005* and came into effect on May 16, 2019. Amendment 1 (2020) to the Growth Plan came into effect on August 28, 2020. The Growth Plan 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, establishes policies that require implementation through a Municipal Comprehensive Review ("MCR"), which is a requirement pursuant to Section 26 of the *Planning Act*.

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

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

The Growth Plan 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.

Toronto Official Plan

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority of the Official Plan derives from the *Planning Act*. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies may be applicable to any application. This application has been reviewed against the policies of the City of Toronto Official Plan as follows:

Chapter 2 - Shaping the City

The Official Plan sets out principles for steering growth and change, while protecting our neighbourhoods and green spaces from development pressures. Infrastructure is needed to provide clean water to everyone, manage sewage and stormwater and treat it before it goes into the lake. Water and wastewater services are important foundations for growth in the City, as well as for maintaining the quality of life in all areas of the City.

Section 2.3.1: Healthy Neighbourhoods

Policy 2.3.1.2 recognizes that significant growth is not anticipated in *Apartment Neighbourhoods*. However, these sites may also contain space that is underutilized and could be improved through the addition of infill development to provide additional housing options, including new rental housing, while maintaining and/or improving on-site amenities and conditions for both new and existing residents. This compatible infill development may take place where there is sufficient space on a site to accommodate additional buildings or building additions while providing a good quality of life for both new and existing residents and improving site conditions by maintaining or substantially replacing and improving landscaped open space, maintaining adequate sunlight and privacy for residential units, and adequately limiting shadowing on outdoor amenity space and landscaped open space. *Apartment Neighbourhoods* contain valuable rental apartment buildings that often need physical and social renewal and transformation to achieve an improved living environment.

Chapter 3 - Building a Successful City

Section 3.1.2 - Built Form

The Built Form policies of the Official Plan require new development to be located and organized to fit with its existing and planned context. Buildings should generally be located parallel to the street and main building entrances should be located so that they are clearly visible and directly accessible from the public sidewalk. Development shall locate and organize vehicular parking and access and service areas to minimize their impact by providing parking underground where appropriate, and using shared service areas and driveways. The Built Form policies also direct that development fit into the existing and/or planned context by providing streetwall heights and setbacks that fit harmoniously into the existing and/or planned context.

Section 3.1.3 - Built Form - Building Types

Section 3.1.3.7 of the Official Plan provides policies for tall buildings. Tall buildings are the most intensive form of growth that come with both opportunities and challenges. Tall buildings play a role in achieving residential growth ambitions in parts of the *Downtown*, *Central Waterfront*, and the *Centres*, as well as other areas across the city. Tall buildings should only be considered where they can fit into the existing and planned context, and where the site's size, configuration and context allows for appropriate design criteria to be met.

Section 3.2.1 - Housing

Section 3.2.1 of the Official Plan contains the City's policies pertaining to the provision, maintenance, and replacement of housing.

Policy 3.2.1.5 states that significant new development on sites containing six or more rental units, where existing rental units will be kept in the new development, will secure the rental tenure of the existing rental units and should secure needed improvements and renovations to extend the life of the building(s) that are to remain and to improve amenities, without pass-through of costs to tenants.

Chapter 4 - Land Use Designations

The subject lands are designated *Apartment Neighbourhoods* on Map 16 of the Official Plan (See Attachment 3). These areas are made up of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, services and office uses that serve the needs of area residents.

As per Policy 4.2.2, development in *Apartment Neighbourhoods* will contribute to the quality of life by:

- a) locating and massing new buildings to frame the edges of streets and parks with good proportion and maintaining sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- b) including sufficient off-street motor vehicle and bicycle parking for residents and visitors;
- c) locating and massing new buildings to frame the edge of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- d) including sufficient off-street motor vehicle and bicycle parking for residents and visitors;
- e) locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residents;
- f) providing indoor and outdoor recreation space for building residents in every significant multi-unit residential development;
- g) providing ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces; and
- h) providing buildings that conform to the principles of universal design, and wherever possible, contain units that are accessible or adaptable for persons with physical disabilities.

Policy 4.3.3 continues by stating that although significant growth is not intended within developed *Apartment Neighbourhoods*, compatible infill development may be permitted on a site within a developed *Apartment Neighbourhood* with one or more existing apartment building which improves the existing site conditions by means such as:

- a) meeting the development criteria set out in Section 4.2.2;
- b) being compatible with the scale, including height and massing of the existing apartment building(s) on and adjacent to the site;
- c) providing separation distance between buildings on and adjacent to the site so as to achieve adequate sunlight and privacy;
- d) maintaining or replacing and improving indoor and outdoor residential amenities on the site, including, where achievable, equipping and managing indoor and outdoor amenity space to encourage use by residents;
- e) improving upon the quality of landscaped open space and outdoor amenity space for new and existing residents, including the preservation or replacement of significant landscape features and walkways and creating such features where they did not previously exist;
- f) providing adequate on-site structured shared vehicular parking for both new and existing development;
- g) consolidating and where achievable, relocating parking and service areas where they are not visible from streets, parks and landscaped open spaces
- k) organizing development on the site to frame streets, parks and open spaces at good proportion, providing adequate skyviews from the public realm, and creating safe and comfortable open spaces;

- n) improving pedestrian access to the buildings from public sidewalks and through the site; and
- p) improving waste storage and waste diversion facilities including enclosure of outdoor waste storage areas and enclosed waste storage facilities within a building where achievable.

Chapter 5 - Implementation: Making Things Happen

Chapter 5 outlines a variety of tools that the City can bring to bear to implement the vision within the Official Plan.

Section 5.1.1: Height and/or Density Incentives

The Official Plan provides for the use of Section 37 of the *Planning Act* to pass by-laws for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision of community benefits in the form of capital facilities. Under Toronto's Official Plan, developments that exceed a threshold of 10,000 square metres of gross floor area, and where the application increases the permitted density by at least 1,500 square metres and/or significantly increases the permitted height are subject to Section 37 community benefits. As the proposed increase in height and density meets these thresholds, community benefits will be required and secured in a Section 37 agreement.

Policy 5.1.2: Holding Provisions

Under the *Planning Act*, City Council may pass a Holding by-law and Policy 5.1.2.1 explains that a Holding provision (H) may be placed on the lands where the ultimate desired use is appropriate but that development cannot occur until conditions set out in the Plan or by-law are satisfied. These conditions may include transportation or servicing improvements.

The City of Toronto Official Plan can be found here: [City of Toronto - Official Plan](#)

Zoning

The site is subject to the former City of North York Zoning By-law 7625 and City of Toronto Zoning By-law 569-2013. It is also subject to site specific By-law 21781 under the former City of North York Zoning By-law No. 7625. Site specific By-law 21781 applies to the subject site and to the sites east and west of the subject site at 777 and 763 Steeles Avenue West.

By-law 7625 zones the site as Multiple-Family Dwellings Sixth Density Zone - (RM6). The RM6 designation allows for a number of building types including apartment house dwellings with a maximum lot coverage of thirty-five percent, a maximum FSI of 1.5 and a maximum height of eleven metres, which may be increased where the building is further away from a lot line. The site specific by-law limits the current building at 765

Steeles Avenue West to 22 storeys, limits the three sites subject to the by-law to a maximum of 560 dwelling units, and requires a minimum of 631 parking spaces for the three sites.

The site is zoned RA (f30.0; a1375; d1.5) in By-law 569-2013. The Residential Apartment Zone (RA) permits residential uses in apartment buildings and has a maximum height of 24 metres. A maximum FSI of 1.5 times the area of the lot is permitted. The site specific under Zoning By-law 7625 was not carried over into Zoning By-law 569-2013.

A Zoning By-law Amendment is required in order to establish site specific provisions for the property at 765 Steeles Avenue West under the former and current by-laws.

The City's Zoning By-law 569-2013 may be found here: [City of Toronto - Zoning By-law 569-2013](#)

Design Guidelines

The following design guidelines have been used in the evaluation of this application:

- Tall Buildings Guidelines
- Growing Up: Planning for Children in New Vertical Communities
- Pet Friendly Design Guidelines for High Density Communities

The City's Design Guidelines may be found here: [City of Toronto - Design Guidelines](#)

City-Wide Tall Building Design Guidelines

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

[City of Toronto - City-Wide Tall Building Design Guidelines](#)

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 (the "Growing Up Guidelines"), and directed City Planning staff to apply the "Growing Up Guidelines" in the evaluation of 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 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 Growing Up Guidelines include performance standards to accommodate the growing demand for family-oriented housing in vertical communities. The Guidelines recommend that a building provide a minimum of 25% large units: 10% of the units should be 3-bedroom units and 15% of the units should be 2-bedroom units. The Guidelines outline a range of unit sizes to represent a diversity of bedroom sizes while maintaining sufficient common space to ensure their functionality. Two-bedroom units should have a floor area of 87 to 90 square metres and 3-bedroom units should have a floor area of 100 to 106 square metres.

The Growing Up Guidelines are available at: [City of Toronto - Growing Up Guidelines](#)

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application has been submitted (File No. 19 149040 NNY 18 SA) and is under review.

COMMENTS

Provincial Policy Statement and Provincial Plans

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

Policy 1.1.1 of the PPS identifies that healthy, liveable, and safe communities are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long-term. Policy 1.1.3.3 promotes transit-supportive development and accommodating a significant supply and range of housing options through intensification and redevelopment, while taking into account the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

The Growth Plan, similar to the PPS, provides policies which support the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime. Policy 1.2.1 provides

principles which identify intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability. This policy supports a range and mix of housing options, including additional residential units and affordable housing, to serve all sizes, incomes, and ages of households.

Policy 4.6 of the PPS recognizes that the Official Plan is the most important vehicle for implementation of the PPS and assists in implementing the Growth Plan by setting out appropriate land use designations and policies.

This application has been reviewed against the Official Plan policies described in the Policy Consideration Section of this Report as well as applicable Guidelines intended to implement the Official Plan policies as a whole.

Land Use

This application has been reviewed against the Official Plan land use policies contained in Chapter 4.

The subject site is designated *Apartment Neighbourhoods* (Attachment 3). The *Apartment Neighbourhoods* designation, through the City of Toronto Official Plan, establishes that infill development is permitted on such lands when it is demonstrated that a proposal can be compatible with existing apartment buildings on site, while providing for appropriate landscaping, parking, and on-site indoor/outdoor amenities. The application proposes a new 27-storey building infill development that would be a compatible with the existing 21-storey apartment building, provides appropriate separation distance, improves on-site outdoor and indoor amenity space for existing and future residents, provides for new City-parkland and daycare space, and provides a POPS to create a new north-south connection. The Tall Buildings Guidelines supports the Official Plan policies by providing direction that recognizes the local context. The height and scale of the proposed development is appropriate for the site and area context.

The proposal conforms with the policies contained in Section 4.2 for *Apartment Neighbourhoods*.

Density, Height, Massing

The Official Plan requires that development be located and organized to fit with its existing and/or planned context, define and frame the edges of the public realm with good street proportion, and ensure access to direct sunlight and daylight on the public realm. Section 3.1.3 specifically addresses tall buildings. The objective of these policies is to ensure development reduces the physical and visual impacts of the tower onto the public realm, limits shadow impacts, maximizes sunlight and open views, and limits and mitigates pedestrian-level wind impacts. These policy objectives should be achieved by stepping back the tower from the podium generally aligning the tower with, and parallel to, the street limiting tower floor plates, providing appropriate separation distances, and

locating and shaping balconies to limit shadow impacts. The Tall Buildings Guidelines provide further direction for how to achieve these policy objectives.

The total building height is proposed at 86 metres, which includes the mechanical penthouse. The tower would be setback 20.2 metres from two bump-outs for the existing apartment building and up to a maximum of 25 metres from the main building wall. The application provides for a slender tower with a floor plate of 730 square metres of gross construction area, which is below the Guideline's maximum 750 square metres.

The tower would sit on top of a base building that is eight storeys in height (28.6 metres) and be setback 3 metres from the front property line, a 13.5 metres setback is provided from the east property line, and a 19.35 metre setback from the west property line. The base building would be setback 17.2 metres from the existing apartment building to the south up to a maximum of 19.2 metres with balcony projections up to 1.5 metres from the main podium wall. The tower would stepback an additional 3 metres from the base building, and would be 4.5 metres facing the front line..

The proposed tower floor plate, in tandem with the proposed podium and tower setbacks are appropriate, conform to the Official Plan and are in keeping with the intention of the Guidelines. Tower placement is a component of the Guidelines to reduce visual and physical impacts of the tower and to allow the base building to be a defining element of the site and the public realm. The Guidelines recommend a 3 metre, or greater, tower stepback from the base building to improve wind and sunlight and skyview. The top of the podium on the eight storey would be setback 6.0 metres from the front property line and would be stepback 4.5 metres from the ninth to the twenty-seventh storey facing Steeles Avenue West. The tower would be setback 16.5 metres from the east property line, adjacent to the proposed new north-south pedestrian walkway, and would be setback 29.8 metres from the west property line.

The Guidelines recommends a tower separation of 25 metres. The tower would be setback 20.2 metres from two bump-outs for the existing apartment building's and up to a maximum of 25 metres from the main building wall. The 20.2 metre setback from the bump-out would face blank wall portions of the existing building. The proposed building would have a 25 metre tower separation from the existing main wall containing windows and living space. This setback would provide appropriate separation distance between each building.

The proposed building would have a gross floor area of 39,592.6 square metres and an FSI of 3.59. The proposed built-form is appropriate for the site and would provide for a compatible infill development on an *Apartment Neighbourhood*. Staff are of the opinion that the proposed development is compatible with the surrounding existing and planned context and that the proposed density and built form, including the proposed height, is appropriate.

Sun, Shadow, Wind

This application has been reviewed against the Official Plan policies and design guidelines described in the Policy Considerations section of this report. Sun/shadow and wind impacts affects the enjoyment of being outside as well as the provision of adequate light and suitable wind conditions. Sun/shadow and wind are impacted by the size, location, and shape of building floor plates, building height, and building setbacks. Sun/shadow is impacted by the time of year and angle of the sun.

The Official Plan contains a number of policies that address appropriate sun/shadow and wind impacts that direct the adequate provision of light and adequately limit shadows on streets, properties, and open spaces. The *Apartment Neighbourhoods* development criteria also require that development locate and mass new buildings to frame the edge of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces.

The City-wide Tall Building Design Guidelines contain performance standards intended to assist in the design and orientation of buildings to minimize their shadow impact on publically-accessible parks, open spaces, and natural and other shadow-sensitive areas.

The applicant prepared and submitted a shadow analysis that illustrates the extent of shadowing that would result from the proposed development in March, June, and September. Shadow impact on the existing low-rise neighbourhood would be limited, in part, due to the location of the proposed development being on the north end of the site, while the neighbourhood is further south of the proposed building.

The sun/shadow analysis shows there would be limited shadowing on the *Neighbourhoods* and the proposed parkland at the south end of the site from the proposed development. There would be a minor amount of shadowing during the latter part of the day from the proposed development onto the neighbourhood on June and September 21 at 6:18 pm. This shadow would be only be cast at this time of day with no additional shadowing during the earlier part of the day.

Shadowing on the public realm facing Steeles Avenue West would be consistent throughout the year, in part, to the location of the building. Shadow cast on Village Gate, east of the site would be limited to the later part of the day. However, the smaller tower floor plate would result in a narrower shadowing that passes through quicker compared to the existing apartment building with a much larger floor plate.

The wind study provided by the applicant, outlines wind impacts for building entrances and walkways, outdoor amenity spaces, sidewalks, and wind safety. The study generally found that wind conditions are predicted to be suitable for sitting at all building entrances throughout the year, and generally suitable for at-grade amenity spaces. The sidewalks surrounding the proposed development would have wind conditions that are

comparable to the existing conditions and would be suitable for its intended use. The outdoor amenity space on the top of the podium is anticipated to have suitable wind conditions which would be further improved with the inclusion of a wind screen. The wind report recommends a semi-porous wind screen and/or privacy fence along the north and west edges of the outdoor, at-grade amenity space. Wind impacts on the south end of the site are expected to be similar to the existing condition, given the location of the proposed building.

Staff are of the opinion the sun/shadow and wind impacts from the proposed development would be adequately limited as directed by the Official Plan policies and the Tall Building Design Guidelines. Wind screens and/or privacy fencing will be secured through the Site Plan Control process.

Traffic Impact, Access, Parking

The proposal maintains the existing 6-metre-wide driveway that is accessed from Steeles Avenue West. This driveway leads to the existing surface parking, loading, and four-level underground parking garage. Under the proposal, the garage ramp provides access for both the existing and proposed apartment buildings. The proposed new portion of the underground parking garage contains a total of 297 parking spaces, including 34 visitor parking spaces, 6 accessible parking spaces and 39 electric vehicle parking spaces. The development also proposes a total of 199 long-term, and 19 short-term bicycle parking spaces. A total of 34 surface parking spaces would be retained. There would be 6 surface parking spaces shared with the daycare for pick-up / drop-off. The development proposes 6 dedicated pick-up / drop-off spaces for the proposed childcare.

Servicing

Due to outstanding sanitary servicing issues, Staff are recommending the subject lands be zoned with a Holding provision (H) until such time that satisfactory arrangements are made with Engineering and Construction Services and/or appropriate agreement(s) are entered into with the City for the design and construction of any improvements to the municipal infrastructure.

Rental Housing Intensification

The proposal is consistent with Policy 3.2.1.5 of the Official Plan, as it would result in new rental housing supply through residential intensification and infill, while retaining and improving the retained rental housing on the lands. The applicant has confirmed that they will continue to provide and maintain all 167 existing rental dwelling units at 765 Steeles Avenue West as rental housing for at least 20 years, with no application for demolition or conversion to condominium ownership or from residential rental use during that period, in accordance with Policy 3.2.1.5(a) of the Official Plan.

A tenant survey will be conducted to identify needed improvements to the retained rental building and amenities for the purposes of satisfying Official Plan Policy 3.2.1.5(b). Rental housing improvements should be capital in nature and extend beyond repairs which form part of regular building maintenance. The applicant has notified Staff that a tenant meeting is scheduled for June 28, 2022.

The Owner shall provide the City with a Letter of Credit having a maximum value of \$600,000 to secure the provision of rental housing improvements identified by the tenant survey prior to the issuance of the first above-grade building permit for the proposed development. If the total construction value of the rental housing improvements identified by the survey is less than \$600,000, then such lower value shall determine the value of the Letter of Credit provided to the City. If the total value of the rental housing improvements exceeds \$600,000, then the Owner shall undertake selected improvements having a total value of not more than \$600,000, and the selection of the improvements shall be made in consultation with, and to the satisfaction of, the Chief Planner and Executive Director, City Planning. The rental housing improvements shall be provided prior to first occupancy of any new residential units in the proposed development.

The Owner will be prevented from passing through the costs associated with the provision and maintenance of the rental housing improvements to tenants, including by way of an application to the Landlord and Tenant Board for an above-Guideline increase in rent to recover expenses incurred in completing the improvements. Prior to the issuance of site plan approval, the Owner will also be required to submit a Construction Mitigation Strategy and Tenant Communication Plan, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, to mitigate construction impacts on existing residents.

The rental tenure of the existing apartment building, the housing improvements, and the Construction Mitigation Strategy and Tenant Communication Plan will be secured through the Section 37 Agreement (as a legal convenience) and incorporated into the Section 37 provisions of the amending zoning by-laws.

Residential Unit Mix and Sizes

The application proposes a residential unit mix for the new building that meets the Growing up Guidelines requirement for the minimum number of family-sized dwelling units: of the 286 dwelling units, 88 are two-bedroom (31%) and 29 are three-bedroom units (10%). City Planning staff are satisfied with the unit mix within the development. The proposed unit mix will be secured through the Zoning By-law amendments.

The application proposes the provision of 91 of the 296 new residential units as two-bedroom rental units (representing 31% of all new residential units) and 33 of the new residential units as three-bedroom rental units (representing 11% of all new residential

units), which satisfies the unit mix objectives of Guidelines 2.1 the Growing Up Guidelines.

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 0-4 square metres of parkland per person which is well below the city-wide average provision of 28 square metres of parkland per person (2016). The development site is also within an Areas of Parkland Need per Figure 18 of the Parkland Strategy, which highlights areas where the city will focus and prioritize parks planning and acquisitions. Given the future expected growth both on the development site itself and surrounding sites, a parkland deficit will be generated if no new parks are created. This anticipated parkland deficit must be addressed through the creation of a new park to serve the future population.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the Owner is required to satisfy the parkland dedication required through an on-site parkland dedication. For sites that are 1 to 5 hectares in size, a cap of 15% of the development site is applied to the residential use while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement is 1,575 square metres. The parkland should comply with Policy 3.2.3.8 of the Toronto Official Plan, including, but not limited to, being free and clear of encumbrances.

Through this development, the Owner is required to convey a 1,575 square metre unencumbered parkland dedication, located on the south end of the site with frontage on Greenwin Village Road. The parkland dedication is to be conveyed prior to the issuance of the first above grade building permit. A privately-owned publically accessible space in the form of a new pedestrian walkway will be located directly adjacent to the parkland, which will provide access through the site and to the parkland.

Privately-Owned Publicly Accessible Open Space (POPS)

A privately-owned publicly-accessible open space of approximately 514 square meters is being proposed. The POPS would be provided in the form of a pedestrian walkway running north-south and would provide access through the site from Steeles Avenue West to the existing neighbourhood to the south. Staff consider the proposed POPS to be a positive element of the proposal. It would provide a new pedestrian connection from Greenwin Village Road to Steeles Avenue West through the subject site, which currently does not exist. Staff recommend that the POPS be secured in the Section 37 Agreement and its final design be secured through the Site Plan Control approval process.

Tree Preservation

The application is subject to provision of the City of Toronto Municipal Code, Chapter 813 (Trees). The applicant has provided an Arborist Report and Tree Inventory in support of the application. The Tree Inventory identifies all by-law protected trees within and immediately surrounding the site.

Should the application be approved as proposed, a total of 36 trees would require permits to injure or remove. Proposed removals include 3 City-owned trees in the public right-of-way, and 19 privately-owned trees, one of which is situated on adjacent property. In addition, 14 privately owned trees would be injured (i.e., subject to some encroachment into their Minimum Protection Zone), all of which are boundary line or neighbour-owned. Five City-owned trees and 23 privately-owned trees (including trees that are by-law protected and those that are "undersized") would be retained and fully protected from injury / encroachment. All but one of the retained trees are situated around the periphery of the site, on the property line or on adjacent properties.

The landscape plans illustrate a total of 33 new trees, which falls short of the total number of replacement trees required through the City's tree by-laws (60 replacements required as a result of tree by-law). Trees not planted may be provided as cash-in-lieu, through Urban Forestry's tree permitting process. The per tree cash-in-lieu amount is \$583.00. Revisions have been requested to increase the number of satisfactory new trees, and to support the soil volume requirements of the TGS for tree planting.

The submission of satisfactory landscape plans with tree replanting will be addressed through the Site Plan Control process.

Toronto Green Standard

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

The applicant is required to meet Tier 1 of the TGS but encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. Tier 1 of the TGS includes performance measures for cycling infrastructure and electric vehicle parking. A total of 218 bicycle parking spaces and 39 electric vehicle parking spaces would be secured through the zoning by-law amendment. Other detailed performance measures for the Tier 1 development features will be secured through the Site Plan Control process.

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 facilities, libraries, childcare facilities, schools, public health facilities, and human, cultural, and employment services.

The timely provision of CS&F is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads, and transit. The City's Official Plan establishes and recognizes that the provision of and investment in CS&F supports healthy, safe, liveable, and accessible. Providing for a full range of CS&F in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

The applicant would be providing a non-profit licensed daycare centre to be leased to the City for 99 years, and subleased to a non-profit childcare operator non-profit community service use in the premises to be secured upon such terms and conditions as outlined as per the terms sheet in Attachment 9 to this report. This daycare facility would be secured through a Section 37 agreement.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the *Planning Act*. While the proposed development exceeds the height and density limits of the existing Zoning By-laws, the application is consistent with the objectives and policies of the Official Plan, and thus constitutes good planning.

Developments that exceed a threshold of 10,000 square metres of gross floor area, and where an application increases the permitted density by at least 1,500 square metres, and/or significantly increases the permitted height, are subject to Section 37 community benefits. As the proposed increase in height and density meets these thresholds for the use of Section 37, community benefits will be required and secured in a Section 37 Agreement. While the proposed development exceeds the height and density limits of the existing Zoning By-law, the application is consistent with the objectives and policies of the Official Plan, and thus constitutes good planning.

The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

- i. The Owner shall continue to provide and maintain the existing one hundred and sixty-seven (167) rental dwelling units at 765 Steeles Avenue West as rental housing, together with the new and retained associated facilities and amenities of the residential rental property, for a period of at least twenty (20) years commencing from the date the Zoning By-law Amendments come into force and

effect, with no application for demolition or conversion to condominium ownership or from residential rental use during such twenty (20) year period, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor;

ii. The Owner shall provide tenants of all existing one hundred and sixty-seven (167) rental dwelling units at 765 Steeles Avenue West with access to, and use of, all indoor and outdoor amenities in the proposed development at no extra charge, and on the same terms and conditions as any other resident of the development, without the need to pre-book or pay a fee unless specifically required as a customary practice for private bookings;

iii. The Owner shall, at its sole expense and at no cost to tenants, undertake a tenant survey and provide improvements to the existing rental housing at 765 Steeles Avenue West, as follows:

A. The Owner shall undertake a tenant survey to identify needed improvements and renovations to the existing rental housing at 765 Steeles Avenue West to extend the life of the building that is to remain and to improve amenities, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

B. Prior to the issuance of Notice of Approval Conditions for Site Plan approval, the Owner shall submit to the City a Construction Mitigation Strategy and Tenant Communication Plan to mitigate the impacts of construction of the development on tenants of the existing rental building at 765 Steeles Avenue West, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

C. Prior to the issuance of the first above-grade building permit for the development, the Owner shall provide the City with a Letter of Credit having a maximum value of six hundred thousand dollars (\$600,000) to secure the rental housing improvements identified by the tenant survey required in Recommendation 6.b.iii above. For clarity, if the total construction value of rental housing improvements identified by the tenant survey is less than six hundred thousand dollars (\$600,000), as demonstrated by one or more quotations provided by a qualified contractor, then such lower construction value shall determine the value of the Letter of Credit provided to the City and the Owner shall undertake all improvements identified by the survey. If the total construction value of the rental housing improvements identified by the tenant survey exceeds six hundred thousand dollars (\$600,000), then the Owner shall undertake selected rental housing improvements having a total construction value of not more than six hundred thousand dollars (\$600,000), which shall be the value of the Letter of Credit provided to the City, and the selection of such improvements

shall be made in consultation with, and to the satisfaction of, the Chief Planner and Executive Director, City Planning Division;

D. Prior to first occupancy of any new residential units, the Owner shall complete the rental housing improvements identified by the tenant survey required in Recommendation 6.b.iii.A above and secured by the Letter of Credit required in Recommendation 6.b.iii.C above, to the satisfaction of the Chief Planner and Executive Director, City Planning Division; and

E. The costs associated with the provision and maintenance of the rental housing improvements and Construction Mitigation Strategy and Tenant Communication Plan required in Recommendations 6.b.iii.A through 6.b.iii.D above shall not be passed on to tenants of the existing rental building at 765 Steeles Avenue West in any form. For clarity, the Owner shall agree to not apply to the Landlord and Tenant Board, or any successor tribunal with jurisdiction other applications made under the legislation governing residential tenancies in Ontario, for an above-guideline increase in rent to recover expenses incurred in completing the rental housing improvements identified by the tenant survey required in Recommendation 6.b.iii.A above and secured by the Letter of Credit required in Recommendation 6.b.iii.C above.

iv. The conveyance of the 1,575 square metres parkland dedication, free and clear, above and below grade of all physical obstructions and easements, encumbrances and encroachments, including surface and subsurface easements, to the satisfaction of the General Manager, Parks, Forestry & Recreation and the City Solicitor.

v. the Owner agrees to design, construct, finish, furnish and equip at its expense, a two-storey (ground floor and second floor) non-profit licensed daycare facility comprising 790 square metres and adjacent exterior space comprising of 273 square metres including outdoor storage and a minimum of three (3) parking spaces reserved for the exclusive use of the child care facility for pick-up/drop-off operations, (the "Child Care Centre"):

a. shall provide a non-profit licensed daycare centre to be leased to the City for 99 years, and subleased to a non-profit child care operator non-profit community service use in the premises to be secured upon such terms and conditions as per the terms sheet, to the satisfaction of the City Solicitor and the Executive Director, City Planning, in consultation with the Ward Councillor. Any daycare shall be constructed, finished, furnished, and equipped by the Owner and shall be designed generally in accordance with the Child Care Term Sheet to the satisfaction of the Chief Planner and Executive Director, City Planning.

b. three (3) dedicated parking spaces will be provided free-of-charge for the exclusive use of the child care facility for pick-up/drop-off operations. These spaces to be assigned accordingly, and be located in close proximity to the main entrance, at ground level providing the shortest route between the parking spots and the Child Care Centre, which shall be barrier-free;

c. any other details related to the Child Care Centre such as timing, location, obligations and any matters necessary to implement the Child Care Centre, which have not been addressed in the recommendations of this report will be finalized between the Owner and the City and will be substantially in accordance with the City of Toronto's Child Care Design and Technical Guidelines (2016) & *Child Care and Early Years Act* (2014) and to the satisfaction of the Executive Director, Corporate and Real Estate Management, the General Manager, Children's Services, and the Chief Planner and Executive Director, City Planning, in consultation with the City Solicitor;

1. The Owner shall construct and provide and maintain a Privately Owned and Publically-Accessible Open Space ("POPS") at 765 Steeles Avenue West with a minimum area of 514 square metres generally located at the southern eastern edge of the property in the location generally identified in the Zoning By-law Amendment, with specific configuration and design of the POPS to be determined and secured in the context of Site Plan approval for the development to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor.

2. The Owner shall construct and provide and maintain a Privately Owned and Publically-Accessible Open Space ("POPS") at 765 Steeles Avenue West with a minimum area of 514 square metres generally located at the southern eastern edge of the property in the location generally identified in the Zoning By-law Amendment, with specific configuration and design of the POPS to be determined and secured in the context of Site Plan approval for the development to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor.

3. The Owner will construct and maintain the development of the site in accordance with Tier 1, Toronto Green Standard, and the Owner will be encouraged to achieve tier 2, Toronto Green Standard, or higher, where appropriate, consistent with performance standards of Toronto Green Standards applicable at the time of the site plan application. The Owner shall construct and maintain the development in accordance with Tier 1.

Community Consultation

A Community Consultation meeting was held on September 26, 2019 with the local Councillor, the applicant, City Planning staff, and 15 members of the public. Several comments were raised during the meeting with themes including:

- Green space;
- Community Services & Amenities; and
- Transportation.

Comments regarding green space pertained to the need for a public park being larger to accommodate existing and additional residents to create a communal space for the neighbourhood; to provide for a playground, trees and benches to geared for a family demographic; and to provide some delineation between the public park and private property.

The comments raised at the time of the meeting were for a previous iteration of the proposal which included two proposed buildings on the site.

Since this community meeting, the proposed building at the south end of the site has been eliminated from the proposal and now only one building is proposed at the north end of the site. This change has resulted in the proposal including greater public parkland as amenity space, from approximately 800 square metres to 1,575 square metres, and increased seating areas and amenity space. The pedestrian walkway on the east side of the site, and proposed POPS, have been maintained through these revisions. Details regarding site programming, landscaping, and materials for the parkland and POPS would be evaluated during the Site Plan Control application. A new childcare facility would be provided within the development to provide for greater community amenities on the property. The details for the childcare facility would also be further evaluation during the Site Plan Control application.

Conclusion

The proposal has been reviewed against the policies of the PPS the Growth Plan, and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS and conforms Growth Plan. Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan, particularly as it relates to providing additional housing options through appropriate infill development.

Staff worked with the applicant and the community to address and resolve the following key concerns: increasing on-site City parkland and providing outdoor amenity space for existing and future residents, and a new child care facility. The proposal provides for the retention and improvement of the existing rental apartment building, and would provide additional housing options in the form of a new rental apartment building. This proposal would be an appropriate infill development that is compatible with the surrounding context, and provides for appropriate separation distances from the existing building and appropriate setbacks including from the front property line facing Steeles Avenue West.

Although Staff are satisfied with the proposal, the draft by-law includes a Holding provision ("H") which may be removed at such a time as a servicing solution is accepted

to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services. Staff recommend that Council approve the application.

CONTACT

Michael Romero, Planner
Tel. No. 416-395-6747
E-mail: Michael.Romero@toronto.ca

Keir Matthews-Hunter, Planner, Strategic Initiatives, Policy & Analysis (Housing)
Tel. No.: 416-392-5092
Email: Keir.Matthews-Hunter@toronto.ca

SIGNATURE

David Sit, MCIP, RPP, Director
Community Planning, North York District

ATTACHMENTS

City of Toronto Data/Drawings

Attachment 1: Application Data Sheet
Attachment 2: Location Map
Attachment 3: Official Plan Land Use Map #16
Attachment 4: Existing Zoning By-law 569-2013 Map
Attachment 5: Existing Zoning By-law 7625 Map
Attachment 6: Draft Zoning By-law 569-2013 Amendment
Attachment 7: Draft Zoning By-law 7625 Amendment
Attachment 8: Summary of Public Consultation

Applicant Submitted Drawings

Attachment 9: Site Plan
Attachment 10: Elevations

Attachment 1: Application Data Sheet

Municipal Address: 765 Steeles Avenue West Date Received: May 3, 2019

Application Number: 19 149036 NNY 18 OZ

Application Type: Rezoning

Project Description: To construct a rental apartment building at the north of the existing apartment neighbourhood. A new daycare and public park is proposed at the south end of the site. A POPS in the form of a pedestrian walkway is proposed at the south-east end of the site.

Applicant	Agent	Architect	Owner
ELDON THEODORE			IMH 765 STEELES LTD

EXISTING PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhood	Site Specific Provision:
Zoning:	RA (f30.0; a1375; d1.5)	Heritage Designation:
Height Limit (m):		Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m):	11,058	Frontage (m):	88	Depth (m):	192
-------------------	--------	---------------	----	------------	-----

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	562	562	791	1,353
Residential GFA (sq m):	17,278	17,278	22,413	39,691
Non-Residential GFA (sq m):				
Total GFA (sq m):	17,278	17,278	22,413	39,691
Height - Storeys:	21	21	27	27
Height - Metres:	54	54	86	86

Lot Coverage Ratio (%): 12.2%	Floor Space Index: 3.59
----------------------------------	-------------------------

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

Residential GFA:

Retail GFA:

Office GFA:

Industrial GFA:

Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	167	167	296	563
Freehold:				
Condominium:				
Other:				
Total Units:	167	167	296	563

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:			63	84	20
Proposed:			153	91	33
Total Units:			216	175	53

Parking and Loading

Parking Spaces: 297 Bicycle Parking Spaces: 218 Loading Docks: 1

CONTACT:

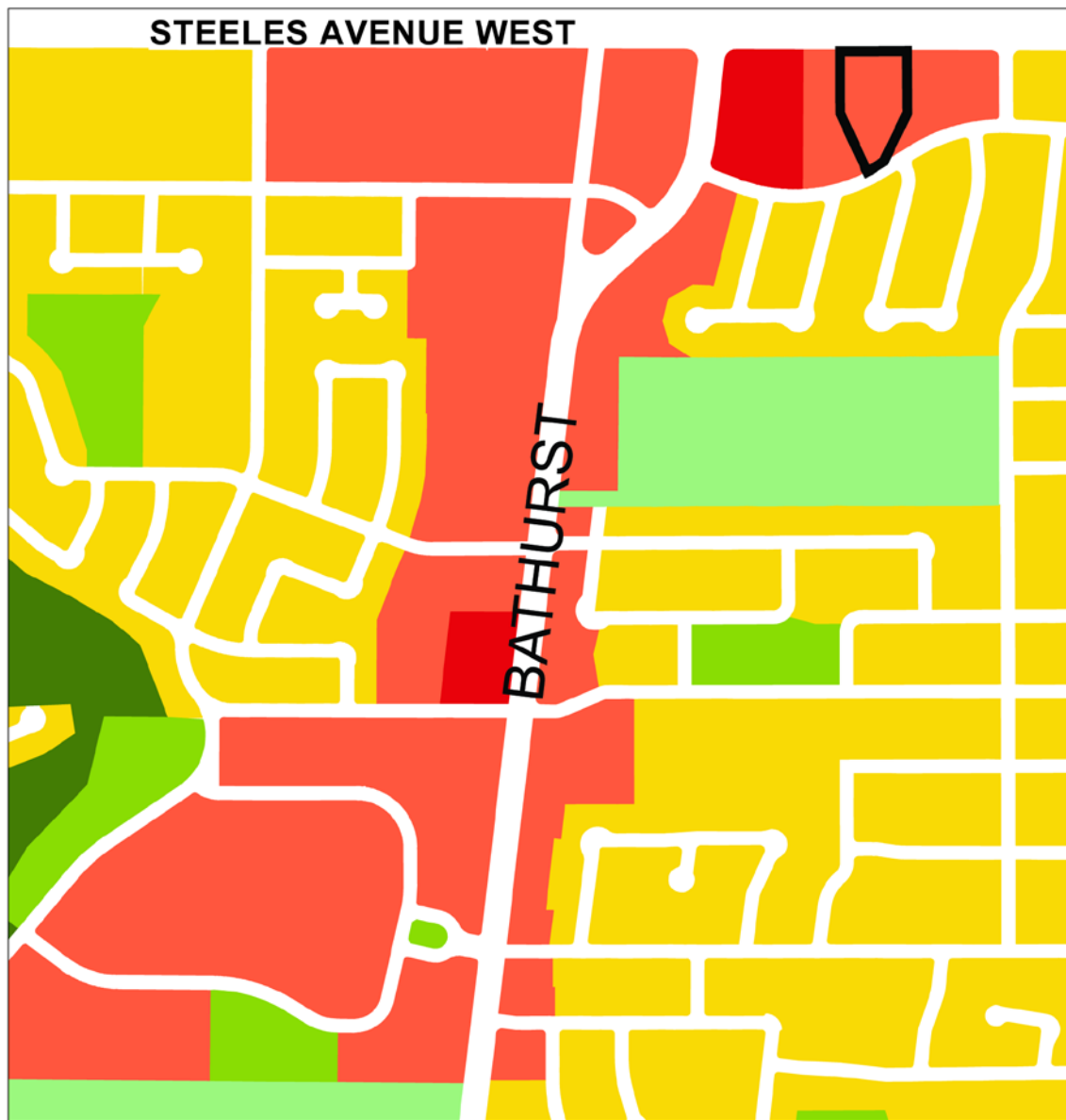
Michael Romero, Planner

(416) 395-6747

Michael.Romero@toronto.ca

Attachment 2: Location Map

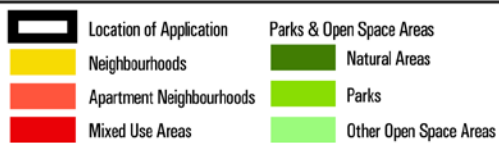




Official Plan Land Use Map #16

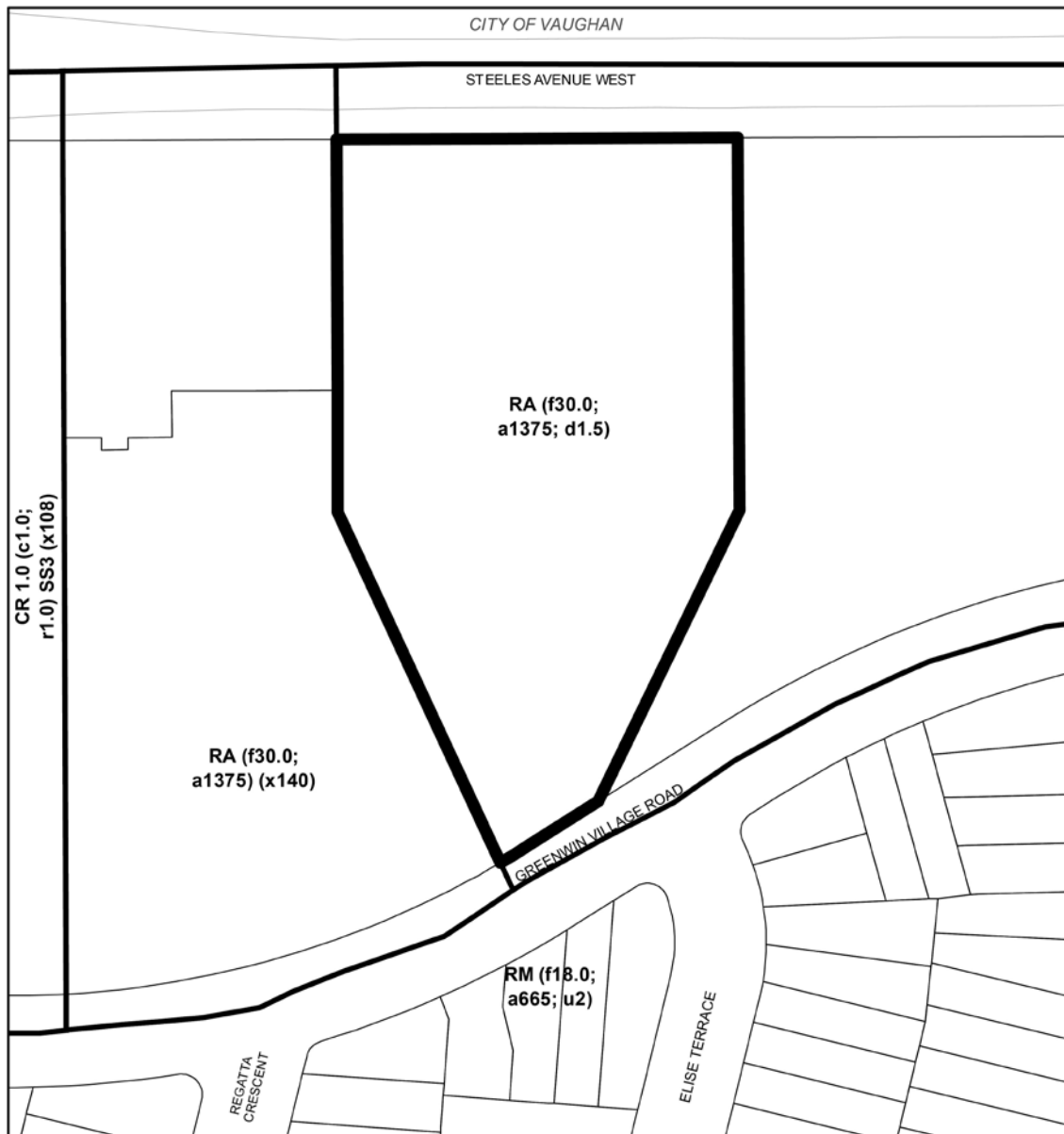
765 Steeles Avenue West

File # 19 149036 NNY 18 0Z



Not to Scale
05/28/2019

Attachment 4: Existing Zoning By-law 569-2013 Map



Zoning By-law 569-2013

765 Steeles Avenue West

File # 19 149036 NNY 18 02



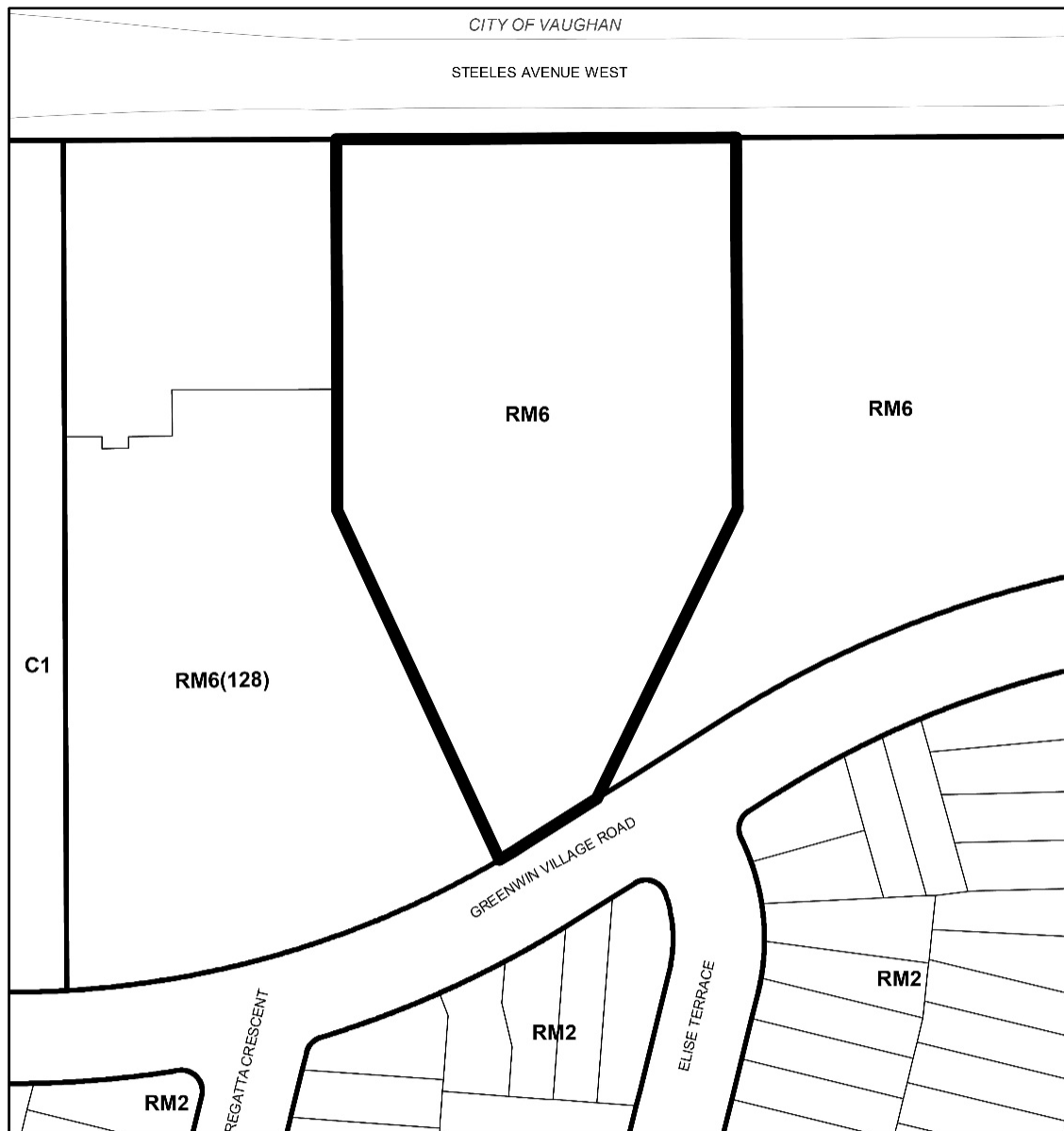
Location of Application

RM Residential Multiple RA Residential Apartment
CR Commercial Residential



Not to Scale
Extracted: 06/20/2022

Attachment 5: Existing Zoning By-law 7625 Map



Zoning By-law 7625

765 Steeles Avenue West

File # 19 149036 NNY 18 0Z



Location of Application

RM2 Multiple-Family Dwellings Second Density Zone

RM6 Multiple-Family Dwellings Sixth Density Zone
C1 General Commercial Zone



Not to Scale
Extracted: 06/20/2022

Attachment 6: Draft Zoning By-law Amendment 569-2013 to be submitted to North York
Community Council

Attachment 7: Draft Zoning By-law Amendment 7625 2013 to be submitted to North York Community Council

Attachment 8: Summary of Public Consultation

Green Space

- Would like public park to be larger to accommodate existing and additional residents and to create a communal space for the neighbourhood which is currently lacking
- Would like park to include a playground, trees, and benches; aimed at family demographic
- would like some sort of delineation from park to private property for security

Community Services & Amenities

- More stress to community services and amenities for an already in need community
- Recognize that area has a lot of families with children, which require specific services
- Schools and community centres are at full capacity and will experience more capacity issues with this development

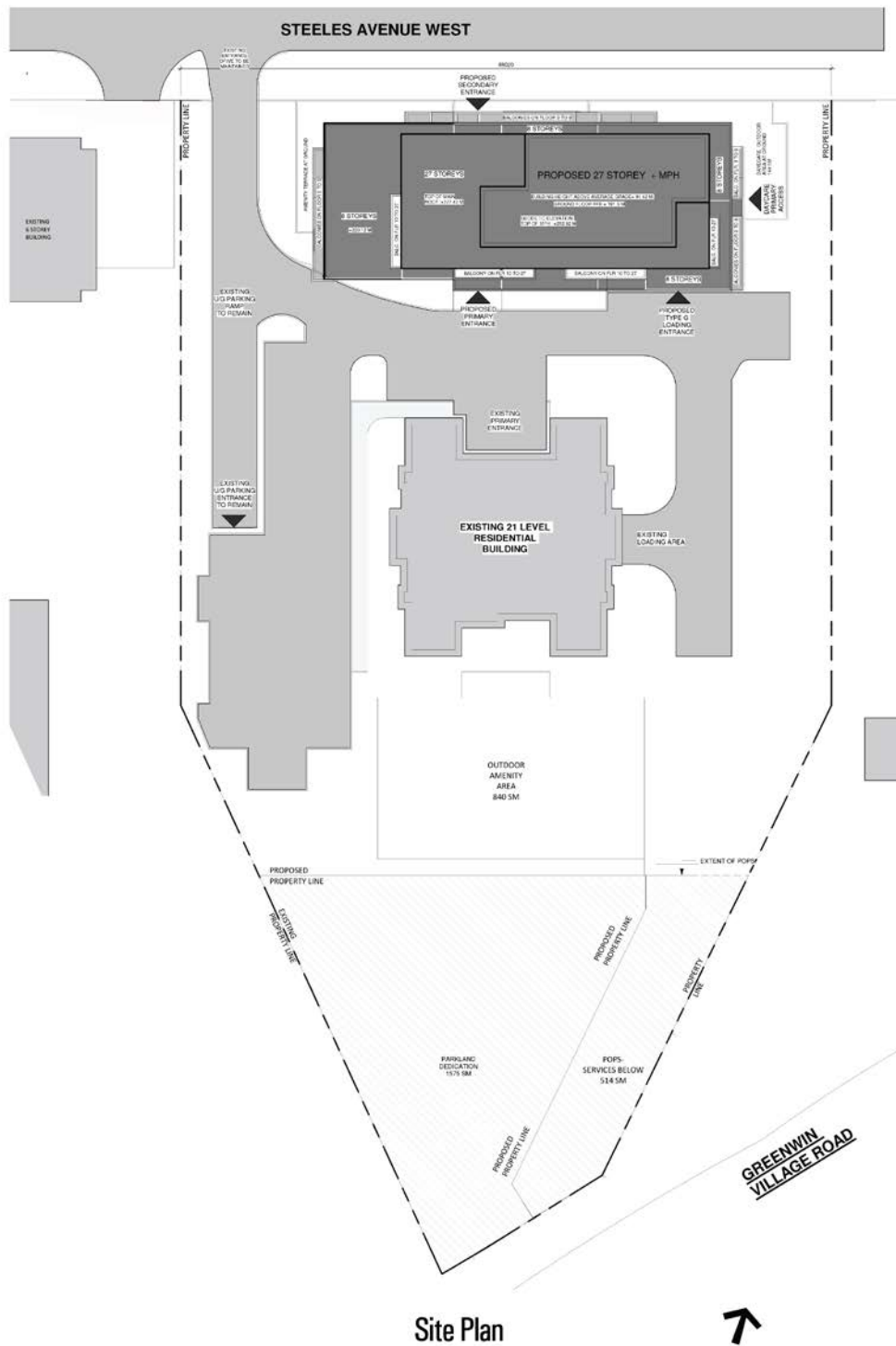
Transportation

- Main concern is related to high density increase, will stress an already poor transportation system and road network
- Transit system and roads cannot handle the stress of additional residents, already numerous accidents occurring in area
- Not safe to make a left out of development onto Steeles Ave W and right turns are prohibited
- Although there is no direct connection from development to Greenwich Village Drive, there will still be traffic created on this street from resident's turning left and right out of development from Steeles Ave W

General Comments

- Would like to reduce number of units, overall size, and potentially remove one building altogether and aim to keep as much land for City parkland
- Residents are happy that purpose built rental being constructed, will also mean no opportunities for Airbnb
- Long construction period and existing tenants will be impacted, would like assurance for security and that quality of life will somewhat be maintained

Page 8 of 42



Attachment 10: Elevations



East Elevation



West Elevation