

## **71 Talara Drive – Official Plan Amendment, Zoning By-law Amendment, and Rental Housing Demolition Applications – Final Report**

Date: June 27, 2022

To: North York Community Council

From: Director, Community Planning, North York District

Wards 17 - Don Valley North

**Planning Application Number:** 21 113721 NNY 17 OZ and 21 113723 NNY 17 RH

**Related Applications:** 21 11372 NNY 17 SA

### **SUMMARY**

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This application proposes to amend the Official Plan and Zoning By-laws for the lands at 71 Talara Drive. The applicant proposes to demolish the existing 3-storey residential building at 71 Talara Drive containing 29 rental dwelling units and redevelop the lands with a 23-storey (68.5 metres- excluding mechanical penthouse) residential building containing a total of 281 residential dwelling units, of which 29 units will be rental replacement units.

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

This report reviews and recommends approval of the application to amend the Official Plan, the Zoning By-laws and the Rental Housing Demolition Application at 71 Talara Drive.

### **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. City Council amend the Official Plan, for the lands at 71 Talara Drive substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 5 to this report.
2. City Council amend the former City of North York Zoning By-law 7625, as amended, for the lands at 71 Talara Drive substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to this report.

3. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 71 Talara Drive substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to this report.

4. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendments as may be required.

5. City Council require the Owner to enter into an Agreement pursuant to Section 37 of the Planning Act as follows:

a. The community benefit recommended to be secured in the Section 37 Agreement is as follows:

i. a \$2,250,000.00 cash contribution to be allocated towards improvements to community facilities located within Ward 17 and/or the vicinity of the application site, such allocation to be at the discretion of the Chief Planner and Executive Director, City Planning and General Manager, Parks, Forestry and Recreation, in consultation with the Ward Councillor.

ii. The financial contribution pursuant to Recommendation 5.a.i. above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto, calculated from the date City Council adopts the zoning by-law amendment(s) to the date of payment.

iii. In the event the cash contribution referred to in Recommendation 5.a.i. above has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

b. 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 provide a minimum of 10 percent of all new units in the proposed development as three-bedroom units;

ii. The Owner shall provide a minimum of 20 percent of all new units in the proposed development as two-bedroom units; and

iii. 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 the performance standards of Toronto Green Standards applicable at the time of the site plan application for each building on the site.

6. City Council approve the Rental Housing Demolition application (21 113723 NNY 17 RH) under Chapter 667 of the Toronto Municipal Code pursuant to Section 111 of the City of Toronto Act, 2006 to permit the demolition of 29 existing rental dwelling units at 71 Talara Drive, subject to the following conditions:

a. The Owner shall provide and maintain 29 replacement rental dwelling units for a period of at least 20 years beginning from the date that each replacement rental unit is first occupied. During such 20 year period, no replacement rental dwelling unit shall be registered as a condominium or any other form of ownership housing that provides a right to exclusive possession of a dwelling unit, including life-lease or co-ownership, and no application shall be made to demolish any replacement rental dwelling unit or convert any replacement rental unit to a non-residential rental purpose. The 29 replacement rental dwelling units shall collectively have a total gross floor area of at least 2120.3 square metres and be comprised of 1 studio unit, 7 one-bedroom units, and 21 two-bedroom units. The studio unit may be replaced with a one-bedroom unit, to the satisfaction of the Chief Planner and Executive Director, City Planning;

b. The replacement rental units will be similar in size, by unit type, to the demolished rental units to the satisfaction of the Chief Planner and Executive Director, City Planning. The average replacement rental unit size, by unit type, shall be no less than 97% of the average demolished rental unit size, by unit type. Revised floor plans for the replacement units indicating the sizes, and location of the 29 replacement rental units will be provided prior to the issuance of Notice of Approval Conditions for Site Plan Approval, to the satisfaction of the Chief Planner and Executive Director, City Planning;

c. The Owner shall provide and maintain 1 studio unit or one-bedroom unit, 5 one-bedroom units and 12 two-bedroom units at affordable rents, and 2 one-bedroom units and 9 two-bedroom units at mid-range rents, as currently defined in the Toronto Official Plan, for a period of at least ten (10) years beginning from the date of first occupancy of each unit.

d. The Owner shall provide an acceptable Tenant Relocation and Assistance Plan to all Eligible Tenants of the 29 existing rental units, addressing the right to return to occupy one of the replacement rental dwelling units at similar rents, the provision of alternative accommodation at similar rents in the form of rent gap payments, and other assistance to mitigate hardship. The Tenant Relocation and Assistance Plan shall be developed in consultation with, and to the satisfaction of, the Chief Planner and Executive Director, City Planning;

e. The Owner shall provide tenants of all 29 replacement rental dwelling units 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 separate entrances or the need to pre-book or pay a fee unless specifically required as a customary practice for private bookings;

- f. All of the replacement rental units will have a private outdoor balcony and/or patio;
- g. The Owner shall provide ensuite laundry in each replacement rental dwelling unit within the proposed development at no additional cost to tenants;
- h. The Owner shall provide central air conditioning in each replacement rental dwelling unit within the proposed development at no additional cost to tenants;
- i. The Owner shall provide and make available for rent a minimum of 14 vehicle parking spaces to tenants of the replacement rental dwelling units. Such parking spaces shall be made available firstly to returning tenants who previously rented a vehicle parking space, secondly to returning tenants who did not previously rent a vehicle parking space, and thirdly to new tenants of the replacement rental dwelling units. Existing tenants who rented parking in the existing building would have the right to rent a parking spot at a similar rate in the new building. The final terms and conditions for renting parking spots to tenants of the replacement units shall be to the satisfaction of the Chief Planner;
- j. The Owner shall provide tenants of the twenty-nine replacement rental dwelling units with access to all bicycle and visitor parking at no charge and on the same terms and conditions as any other resident of the proposed development;
- k. The Owner shall provide and make available for rent a minimum of 6 storage lockers to tenants of the replacement rental dwelling units. The terms and conditions for renting storage lockers to tenants of the replacement units shall be to the satisfaction of the Chief Planner and Executive Director, City Planning;
- l. The twenty-nine rental dwelling units required in recommendation 6b) above shall be made ready and available for occupancy no later than the date by which 70% of the new dwelling units in the proposed development, exclusive of the replacement rental units, are made available and ready for occupancy, subject to any revisions to the satisfaction of the Chief Planner and Executive Director, City Planning; and
- m. The Owner shall enter into, and register on title to the lands at 71 Talara Drive, one or more agreement(s) to secure the conditions outlined in recommendations 6a) through l), including an agreement pursuant to Section 111 of the City of Toronto Act, 2006, all to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning.

7. City Council authorize the Chief Planner and Executive Director, City Planning to issue Preliminary Approval of the Rental Housing Demolition Permit under Chapter 667 of the Toronto Municipal Code pursuant to Section 111 of the *City of Toronto Act, 2006* for the demolition of twenty-nine rental dwelling units at 71 Talara Drive after all the following have occurred:

- a. All conditions in Recommendation 6 above have been fully satisfied and secured;

- b. A tenant consultation meeting, led by City Staff, for eligible tenants has taken place;
- c. The Zoning By-law Amendment(s) have come into full force and effect;
- d. The issuance of the Notice of Approval Conditions for site plan approval by the Chief Planner and Executive Director, City Planning\or their designate, pursuant to Section 114 of the City of Toronto Act, 2006, or as otherwise authorized by the Chief Planner and Executive Director, City Planning;
- e. The issuance of excavation and shoring permits (conditional or full permit) for the approved development on the site;
- f. The Owner has confirmed, in writing, that all existing rental dwelling units proposed to be demolished are vacant; and
- g. The execution and registration of agreements pursuant to Section 37 of the Planning Act and Section 111 of the City of Toronto Act, 2006 securing recommendations 6b) through 6m) above and any other requirements of the Zoning-Bylaw Amendment(s).

8. City Council authorize the Chief Building Official and Executive Director, Toronto Building to issue a Rental Housing Demolition Permit under Chapter 667 of the Toronto Municipal Code after the Chief Planner and Executive Director, City Planning Division has given Preliminary Approval referred to in Recommendation 7 above.

9. City Council authorize the Chief Building Official and Executive Director, Toronto Building to issue a Residential Demolition Permit under Section 33 of the *Planning Act* and Chapter 363 of the Toronto Municipal Code for 71 Talara drive after the Chief Planner and Executive Director, City Planning has given the Preliminary Approval referred to in Recommendation 7 above, which may be included in the Rental Housing Demolition Permit under Chapter 667 pursuant to Section 6.2 of Chapter 363, on condition that:

- a. The Owner removes all debris and rubble from the site immediately after demolition;
- b. The Owner erects solid construction hoarding to the satisfaction of the Chief Building Official and Executive Director, Toronto Building;
- c. The Owner erects the proposed building no later than three years from the date on which the demolition of the existing rental dwelling units commences, subject to the timeframe being extended to the discretion of the Chief Planner and Executive Director, City Planning; and
- d. Should the Owner fail to complete the proposed development containing the 29 replacement rental dwelling units within the time specified in Recommendation 9 c) above, the City Clerk shall be entitled to enter on the

collector's roll, as with municipal property taxes, an amount equal to the sum of \$20,000.00 per dwelling unit for which a demolition permit is issued, and that such amount shall, until payment, be a lien or charge upon the land for which the Residential Demolition Permit is issued.

10. 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.

## **FINANCIAL IMPACT**

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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**

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### **Sheppard Avenue East Planning Review:**

On June 26, 2018, City Council directed City Planning staff to review the existing policies contained within the Sheppard East Subway Corridor Secondary Plan and the associated Bessarion-Leslie Context Plan for the lands located to the north and south of Sheppard Avenue East between the east side of Bayview Avenue and the east side of Leslie Street. The decision can be viewed at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.NY31.8>

On March 1, 2021, North York Community Council directed City Planning Staff to provide a Status Report on the Sheppard Avenue East Planning Review to North York Community Council which staff presented to the June 23, 2021 meeting of North York Community Council. The decisions can be viewed at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.NY22.26>

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.NY25.15>

### **ReNew Sheppard East (Sheppard Avenue East Planning Review)**

On February 2, 2022 City Planning staff had undertaken and completed the review as directed by City Council on June 26, 2018 and staff were to build upon the completed review and undertake a more fulsome study of the area with a broader scope.

The Study, is to analyze the streets and block network, parks and open space, an enhanced public realm, heritage, compatible land uses, transportation and servicing infrastructure, community services and facilities, built form character, and redevelopment potential of the area.

The Study website can be found at:

[ReNew Sheppard East \(Sheppard Avenue East Planning Review\) – City of Toronto](#)

## **Growth Plan Conformity and Municipal Comprehensive Review**

In June 2020, the City Planning Division initiated the Growth Plan Conformity and Municipal Comprehensive Review ("MCR"), which includes the delineation of approximately 180 potential Major Transit Station Areas ("MTSAs") to meet Provincial minimum intensification requirements. A subset of MTSAs will be identified as Protected Major Transit Station Areas ("PMTSAs"), where the Council-approved inclusionary zoning policy framework can be implemented. The report can be found at the following link: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.PH14.4>

On March 25, 2022, the Planning and Housing Committee approved for consultation 97 MTSA/PMTSAs, of which Bessarion Station was identified as a MTSA with a proposed minimum density target of 300 people and jobs per hectare.

The report can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.PH32.7>

### **Application Background:**

The current application was submitted on February 8, 2021 and deemed complete as of February 12, 2021. A Preliminary Report on the application was adopted by North York Community Council on May 21, 2021 authorizing staff to conduct a community consultation meeting. Community consultation is summarized in the comments section of this Report.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.NY24.14>

## **PROPOSAL**

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This application proposes to amend the Official Plan and the Zoning By-laws for the property at 71 Talara Drive to permit the redevelopment of the lands with a 23-storey (68.5 metre excluding mechanical penthouse) residential building. The development is proposed to contain a total of 281 dwelling units, of which, 29 will be rental replacement units. The total gross floor area proposed for this development is 20,053.4 square metres, resulting in an overall density of 6.77 times the lot area.

The proposal contains 207 resident parking spaces, of which 178 residential parking spaces and 26 visitor parking spaces are provided within a 5-level underground parking garage. An additional 3 visitor parking spaces will be provided at-grade. A total of 212 bicycle parking spaces are proposed as part of this development, of which, 20 will be short term bicycle parking spaces and 192 will be long-term spaces.

The application proposes full replacement of the 29 existing rental units to be demolished with units of similar size and at similar rents to those in effect at the time of the application. Existing tenants would be provided the right to return to a replacement rental unit and financial compensation in the form of rent gap payments, as well as additional assistance to mitigate hardship.

The breakdown of the existing units by bedroom type and rent classification is as follows:

<b>Bedroom Type</b>	<b>Affordable</b>	<b>Mid-Range</b>	<b>Total</b>
Studio	1	0	1
One-bedroom	5	2	7
Two-bedroom	12	9	21
Total	18	11	29

The replacement units, as secured through this report's recommendations, will include 1 studio or one-bedroom unit, 7 one-bedroom units and 21 two-bedroom units.

### **Site and Surrounding Area**

The subject site is located on the south side of Talara Drive, adjacent to Highway 401. The site is regular in shape and has an overall area of 2,961 square metres. There is currently a 3-storey rental building containing a total of 29 dwelling units on the site today. Surrounding uses include:

North: to the immediate north along Greenbriar Drive surrounding uses area mix of low-rise residential buildings.

East: to the east of the site are 3, 2 1/2-storey apartment buildings which front onto Talara Drive. Further east uses include low rise residential buildings and Talara Park.

South: to the south of the site is Highway 401, an 18-lane highway.

West: to the immediate west is a long S-shaped 4-storey apartment building known as the Sheppard Manor Apartments. Further west are 3-storey townhouses, Rean Park, and the NY Towers community consisting of towers ranging from 20 to 28-storeys.

### **Reasons for Application**

An Official Plan Amendment is required in order to identify the site as a Key Development Area within the Sheppard East Subway Corridor Secondary Plan and to permit the proposed Floor Space Index ("FSI") of approximately 6.77 on lands where a density had not been prescribed by the Plan.

The proposed development also requires amendments to the City of Toronto Zoning By-law 569-2013 and the former City of North York Zoning By-law 7625 to permit the proposed density and height, setbacks, parking and technical matters such as projections.



A Rental Housing Demolition application under Chapter 667 of the Toronto Municipal Code pursuant to Section 111 of the City of Toronto Act, 2006 is required to demolish the twenty-nine existing rental dwelling units.

## **APPLICATION BACKGROUND**

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### **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 Official Plan amendment and 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 North York Community Council for this application, as these submissions are broadcast live over the internet and recorded for review.

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

## **Provincial Plans**

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with Provincial Plans.

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

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) came into effect on August 28, 2020. This was an amendment to the Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan (2020), establishes policies that require implementation through a 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:

- Supporting 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;
- 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;

- Supporting a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

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

The Growth Plan (2020) contains policies pertaining to population and employment densities that should be planned for in MTSA along priority transit corridors or subway lines. MTSA 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 MCR, the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSA plan for the prescribed densities. The MTSA boundaries and associated targets have been released for consultation as part of the MCR. Staff will consider the draft policies through the review of this application.

## **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 for 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 related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application.

The subject site is designated Apartment Neighbourhoods on Land Use Map 19 of the Official Plan. Apartment Neighbourhoods are considered physically stable areas of the City, 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 within the Neighbourhoods designation are also permitted in Apartment Neighbourhoods, however this designation is distinguished from low-rise Neighbourhoods because a greater scale of building is permitted and different scale-related criteria are needed to guide development.

The Built Form policies in Chapter 3 of the Official Plan identify the importance of urban design as a fundamental element of city building and contains built form policies intended to minimize the impacts of new development and guide the form of new buildings to fit within the context of the neighbourhood and the City. These policies guide new development to be located and organized to fit within its existing and/or planned context; and frame and support adjacent streets, parks and open spaces to improve the safety, pedestrian interest and casual view to these spaces. The policies also identify that tall buildings are only one form of intensification and are desirable in the right places but don't belong everywhere. The Plan contains principles to ensure that tall buildings fit within their existing and/or planned context and limit local impacts.

Section 3.2.1 of the Official Plan contains the City's policies pertaining to the provision, maintenance, and replacement of rental housing. Policy 3.2.1.6 prevents new development that would result in the loss of six or more rental dwelling units unless all of the existing rental units have rents that exceed mid-range rents at the time of application or, in cases where planning approvals other than site plan are being sought, at least the same number, size, and type of rental units are replaced and maintained with similar rents and the applicant develops an acceptable tenant relocation and assistance plan, addressing the right to return to the replacement units at similar rents and other assistance to mitigate hardship.

Section 5.1.1 of the Official Plan contains Section 37 policies that authorize the City to pass zoning by-laws involving increases in the height and/or density otherwise permitted by the Zoning By-law, in return for the provision of community benefits, such as additional parkland, community or childcare facilities and transit improvements.

Toronto Official Plan policies may be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

### **Sheppard East Subway Corridor Secondary Plan**

The site is located within the Bessarion Node in the Secondary Plan and is not identified as a Key Development Site. The Bessarion Node policies are contained within Section 4.2.B of the Secondary Plan. The Secondary Plan identifies that the Bessarion subway station will be a walk-in community station primarily serving the nearby designated stable residential community, with limited development opportunities on the large surplus former industrial blocks, and on some properties fronting on Sheppard Avenue East. No new Mixed Use Areas designations will be permitted on residential lands north of Sheppard Avenue East.

The urban design principles of Section 4.4 identify that there will be compatible transitions in density, height, and scale between development nodes and stable residential areas. Generally the highest densities and building heights should be permitted at the major intersections, near the transit stations, and adjacent to Highway 401.

All other relevant Secondary Plan policies will be considered in the evaluation of this development proposal.

The Sheppard East Subway Corridor Secondary Plan can be found here:  
<https://www.toronto.ca/wp-content/uploads/2017/11/9805-cp-official-plan-SP-9-SheppardEast.pdf>

## **Zoning**

The subject site is zoned RM4 (Multiple-Family Dwellings Fourth Density Zone) by former City of North York Zoning By-law 7625, as amended. The RM4 zone permits a wide range of residential uses including apartment house dwellings, converted dwellings, duplex dwellings, double duplex dwellings and multiple attached dwellings. All uses permitted in the R4 zone are also permitted in this zone. The RM4 zone permits a maximum gross floor area of 0.85 times the area of the lot for apartment house dwellings, with a maximum building height of 11.5 metres.

Zoning By-law 569-2013 zones the subject site RM (f21.0; a925; d0.85). The RM (Residential Multiple Dwelling) Zone permits a variety of residential uses including dwelling units in an apartment building, a detached house, semi-detached house, duplex, triplex or fourplex. The RM zoning requires a minimum frontage of 21 metres and a minimum lot area of 925 square metres, permits a maximum floor space index of 0.85, and a maximum height of 12.0 metres is permitted for all uses, except detached and semi-detached houses.

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/>

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

Section 111 of the City of Toronto Act, 2006 authorizes the City to regulate the demolition and conversion of residential rental properties. Chapter 667 of the Toronto Municipal Code, the Residential Rental Property Demolition and Conversion Control By-law, implements Section 111. The By-law prohibits the demolition of rental housing in any building or related group of buildings that collectively contain six or more dwelling units without obtaining a permit from the City and requires a decision by City Council or, where delegated, the Chief Planner.

Under Sections 14 and 15 of Chapter 667, Council may refuse an application or impose conditions on an approval, including conditions requiring an applicant to replace the rental units proposed to be demolished and/or to provide tenant relocation and assistance, which must be satisfied before a demolition permit is issued. These conditions implement the City's rental housing protection policies in the Official Plan.

Section 33 of the *Planning Act* also authorizes Council to regulate the demolition of residential properties. Section 33 is implemented through Chapter 363 of the Toronto Municipal Code, the Building Construction and Demolition By-law, which requires Council approval of any demolition of a residential property that contains six or more dwelling units (irrespective of whether any are rental) before the Chief Building Official can issue a demolition permit under the *Building Code Act, 1992*. Where a proposal requires Council approval of a residential demolition application under Chapter 363 and a Rental Housing Demolition application under Chapter 667, Council typically considers both applications at the same time.

The proposal to demolish 29 rental dwelling units on the subject lands requires approval under both Chapters 363 and 667 of the Toronto Municipal Code because it involves the demolition of at least six dwelling units and at least one rental unit.

The City of Toronto Municipal Code is available here:  
<https://www.toronto.ca/legdocs/bylaws/lawmcode.htm>

## **Design Guidelines**

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

- Tall Buildings Design Guidelines
- Bird Friendly 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:  
<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/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:  
<https://www.toronto.ca/legdocs/mmis/2013/pg/bgrd/backgroundfile-57177.pdf>.

## **Site Plan Control**

The application is subject to Site Plan Control. A Site Plan Control application has been submitted and is currently under review (File No. [21 11372 NNY 17 SA](#)).

## **Community Consultation**

Planning Staff held a virtual Community Consultation Meeting on July 7, 2021 via WebEx. Approximately 25 members of the public were in attendance. Issues raised by the community meeting attendees included:

- Concerns with height and density of the proposal.
- Concerns with traffic and increased congestion in the area.
- Concerns with parking supply and comments that more parking should be provided.
- Questions regarding infrastructure availability and capacity.
- Concerns with shadow impacts on neighbouring residential buildings and parks.
- Questions regarding rental replacement and how existing tenants can select their units upon return.
- Questions regarding timing of approvals and construction.

A Tenant Meeting was hosted by the City Planning Division on June 15, 2022 via WebEx. Approximately 10 tenants attended. Following presentations, questions and comments from tenants included:

- Questions regarding the selection process for returning to units.
- Questions regarding timing of approvals and notice to vacate.
- Questions regarding the financial assistance offered.
- Comments regarding status of building and building maintenance.
- Questions regarding the tenure of the new building.

Staff worked with the applicant to address and resolve concerns that arose at the Community Consultation Meeting.

## **COMMENTS**

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

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

The PPS identifies that the long-term prosperity and social well-being of the province depends on planning for strong and sustainable communities, a clean and healthy environment and a strong and sustainable economy. The PPS contains policies that promote the use of active transportation and transit before other modes of travel. Policy 1.1.3.3 promotes transit-supportive development and accommodating a significant supply and range of housing options through intensification and redevelopment taking into account the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

The Growth Plan contains similar policies to the PPS, and supports 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 of the Growth Plan supports the achievement of complete communities that are designed to support

healthy and active living and meet people's needs for daily living through an entire lifetime, and supports a range and mixing of housing options to serve all sizes, incomes and ages of households.

The proposed development meets the policy objectives of the PPS and Growth Plan by providing an appropriate level of intensification of the site, that is in close proximity to higher order transit, while contributing to a mix of ownership types and densities necessary to meet projected requirements of current and future residents. In addition, the proposed development at 71 Talara Drive contributes to meeting the 300 people/jobs per hectare target as prescribed through the MTSA work. The development with the mix of unit types, sizes, tenures, and full rental replacement is consistent with the policies of the PPS and conforms to the Growth Plan.

## **Land Use**

The subject site is designated Apartment Neighbourhoods in the Official Plan. The Official Plan identifies that opportunities exist for additional townhouses or apartments on underutilized sites, including new rental housing on some lands designated Apartment Neighbourhoods. The Official Plan contains Development Criteria for new development in Apartment Neighbourhoods which provides guidance on achieving a high quality urban environment while ensuring that new development transitions to areas of lower scale.

Staff have reviewed the applicant's proposal against the Development Criteria in Apartment Neighbourhoods and determined that the proposal complies with the policies of the Official Plan, as further articulated in the following sections

## **Density**

Map 9.2 of the Sheppard East Subway Corridor Secondary Plan sets out maximum densities in the designated Key Development Areas ranging between 2 and 2.6 FSI. The Key Development Areas in the Bessarion Node are located fronting onto Sheppard Avenue East.

An Official Plan Amendment to the Secondary Plan has been made to make the lands at 71 Talara Drive a Key Development Area on Schedule 1 of the Secondary Plan. The Official Plan Amendment would assign the site a maximum density of 6.8 times the lot area. Staff are of the opinion that the increase in density at this site is in keeping with the policies of the Secondary Plan providing the greatest density, height and mass along Highway 401, while allowing for additional housing in close proximity to the subway station.

## **Height and Massing**

The Official Plan contains development criteria for Apartment Neighbourhoods. The Official Plan identifies that new buildings will be located and massed to provide a transition between areas of different development intensity and scale, through means such as providing setbacks from, and/or a stepping down of heights towards, lower-scale Neighbourhoods.



The Secondary Plan does not prescribe specific heights for development parcels along the Sheppard Avenue East corridor, however the objectives of the plan state that the highest densities and heights are directed to locations along Highway 401 and locations closest to the subway nodes, and to a lesser extent along the arterial roads.

The Tall Buildings Guidelines are an evaluation tool which seek to achieve optimal building siting and design, that enhance the adjacent public realm, and reinforce the surrounding built environment, context, and desired character of development. The Guidelines contain performance standards which are used to assist when evaluating and reviewing new tall building applications.

The applicant has revised their plans since the time of the original submission, reducing the building height from 27-storeys to 23-storeys, and reducing the overall proposed density from 7.34 times the lot area to 6.77 times the lot area. The draft Official Plan Amendment (Attachment 5) prescribes a maximum density of 6.8 times the lot area and a maximum building height of 23-storeys to the lands at 71 Talara Drive.

The proposed 23-storey building has been revised since the original submission and is now proposed to have a 4-storey base at the east, stepping up to 5-storeys to the west. The reduced base building at the east promotes transition in scale between the proposed tower at 71 Talara Drive, and the lower density buildings to the east of the site, which are designated Neighbourhoods. The 5-storey base building at the western portion of the site provides for a transition to the Apartment Neighbourhoods designation to the west of the subject site, as well as to the existing higher density context west of Rean Park. The base building has been aligned to be parallel to Talara Drive, and setback approximately 5 metres from the front property line. The proposed base building placement defines the edge of the street, while the building setback provides for tree planting within the public realm. The setback also allows for the building to be in keeping with the existing front yard setbacks of the buildings to the east.

Above the base building, a 3-metre stepback to the tower component of the building is being provided along the Talara Drive frontage, as required by the Tall Buildings Guidelines. In addition, the proposed 23-storey tower will be setback a minimum of 12.5 metres to the east and west property lines, as required by the Tall Building Guidelines. A Ministry of Transportation ("MTO") setback of 14-metres is required along the south property limit. No portion of the building, or underground parking garage, will be located within the MTO setback.

The proposed tower floorplate exceeds the Tall Buildings Guidelines prescribed maximum of 750 square metres. Staff have reviewed the proposed building floorplate and resulting shadow studies, and determined that the larger floorplate is consistent with the tower floorplates in the immediate area. In addition, the larger floorplate does not have any significant additional shadow impact on the adjacent parks, public realm, or lands designated Neighbourhoods.

The proposed height and building massing is appropriate for the lands at 71 Talara Drive and is in keeping with the Secondary Plan policies and the Tall Buildings Guidelines.

### **Sun/Shadow**

The Official Plan identifies that building location and massing will be done in a manner so as to adequately limit shadow impacts on properties in adjacent lower-scale Neighbourhoods, particularly during the spring and fall equinoxes. The applicant submitted Sun/Shadow Studies as part of their revised application. Staff have reviewed the Sun/Shadow studies against the policies of the Official Plan and Secondary Plan.

The applicant's Sun/Shadow studies demonstrate that the proposed building at 23-storeys results in 1 hour of morning shadow on Rean Park in March and September. The shadow moves off Rean Park by 10:18 am in March and September. Sun/Shadow studies also demonstrate that June shadow on Rean Park occurs for 15 minutes, at 9:18 am, moving off the park by 9:33 am.

The applicants Sun/Shadow Studies demonstrate evening shadowing of Talara Park in at 6:18 pm in March and at 5:18 pm in September. No shadowing of Talara Park occurs in June. In addition, the shadow studies demonstrate limited shadowing on the lands designated Neighbourhoods on the north side of Talara Drive.

Staff are of the opinion that the applicant's reduced building height at 23-storeys adequately limits the shadows on parks and low density neighbourhoods, as required by the policies of the Official Plan.

### **Wind**

The Official Plan contains Development Criteria for Apartment Neighbourhoods that identifies that new buildings will be located and massed to frame the edge of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces. The applicant submitted a Pedestrian Level Wind Study, prepared by SLR (Consulting) Canada, with addendums. The consultant's study determines that the wind conditions at grade will remain comfortable for leisurely walking or better throughout the year.

The study also identifies that wind conditions in Rean Park are comfortable for sitting or standing throughout the year at present. The study goes on to identify that with the proposed development in place wind conditions would remain comfortable for sitting or standing throughout the year in Rean Park.

The consultant identifies that the inclusion of wind mitigation measures at the outdoor amenity terrace will provide wind protection, and allow for passive activities on the terrace. The outdoor amenity area mitigation measures will be implemented through detailed building and site design and secured as part of the Site Plan Control application.

## **Amenity Space**

Section 3.1.2.6 of the Official Plan states that every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the new development. Each resident of such development will have access to outdoor amenity spaces such as balconies, terraces, courtyards, rooftop gardens and other types of outdoor spaces.

The application is required to provide a combined total of 4.0 square metres per unit of indoor and outdoor amenity space. The applicant is proposing to provide indoor and outdoor amenity space at grade, at level 5, and level 6 of the new development.

Three hundred and thirty eight (338) square metres of indoor amenity space is proposed at level one, directly adjacent to 180 square metres outdoor amenity space. An additional 59 square metres of indoor amenity space is proposed on level 5, adjacent to a 232 square metre outdoor amenity terrace. An indoor amenity space, having an area of 151 square metres is proposed on level 6, directly adjacent to a 179 square metre outdoor amenity terrace. A 15 square metre "pet spa" is proposed at grade, adjacent to a 22.4 square metre pet relief area at grade. Overall, the application proposes to provide 562 square metres of indoor amenity space and 591 square metres of outdoor amenity space as part of the development at 71 Talara Drive.

The new indoor and outdoor amenity space will be an improvement for tenants as the existing 3-storey apartment building does not have any indoor or outdoor amenity space. The new indoor and outdoor amenity spaces will be available for use by all returning tenants, and new tenants.

The amount of amenity space proposed by this development is satisfactory for the purposes of the Zoning By-law Amendment application. The locations of the amenity spaces will be secured on the drawings as part of the Site Plan Control application.

## **Family Size Units**

The proposal meets the Growing Up Guidelines requirements for the minimum number of family-sized dwelling units: of the 252 proposed new dwelling units (excluding replacement units), 58 are two-bedroom (23%) and 26 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 amendment.

## **Rental Housing Demolition Proposal**

The existing three-storey building at 71 Talara Drive contains a total of twenty-nine rental units with the following unit mix: one (1) studio unit, seven (7) one-bedroom units and twenty-one (21) two-bedroom units.

In accordance with Official Plan Policy 3.2.1.6, all twenty-nine existing rental units will be replaced in the new development. As secured through this report's recommendation, the replacement units will include:

- 1 studio or one-bedroom unit at affordable rent;
- 7 one-bedroom units, 5 at affordable rents and 2 at mid-range rents; and
- 21 two-bedroom units, 12 at affordable rents and 9 at mid-range rents;

Staff are supportive of the demolished studio unit being replaced with a one-bedroom unit provided that the rent for the replacement unit reflects affordable rent for studio units. Final floorplans for the replacement units will be determined prior to the issuance of notice of approval conditions for site plan approval.

All replacement rental units would be provided with ensuite laundry facilities, central air conditioning, and access to a private balcony, patio, or terrace. Tenants of the replacement rental units would have access to bicycle parking and all indoor and outdoor amenities on the same terms and conditions as the residents of the rest of the building. Storage lockers will be provided to tenants of the replacement units on the same proportionate basis they are provided to other residents of the building.

Tenants of the replacement rental dwelling units would have access to at least seventeen vehicle parking spaces, with returning tenants who were previously using one of the existing resident parking spaces receiving first priority.

The applicant has agreed to provide and maintain the 29 replacement rental dwelling units as rental tenure within the proposed building for at least 20 years, beginning from the date that each replacement rental dwelling unit is first occupied and until the owner obtains approvals for a Zoning By-law Amendment removing the requirement for the replacement rental dwelling units to be maintained as rental units.

### **Tenure and Rents for the Replacement Rental Dwelling Units**

The applicant has agreed to provide and maintain the twenty-nine replacement rental dwelling units as rental tenure within the proposed building for at least 20 years, beginning from the date that each replacement rental dwelling unit is first occupied and until the owner obtains approvals for a Zoning By-law Amendment removing the requirement for the replacement rental dwelling units to be maintained as rental units.

At the time of application, the existing building contained fifteen (15) affordable rental units: one (1) studio unit, five (5) one-bedroom units and twelve (12) two bedroom units. The existing building also contained eleven (11) mid-range units: two (2) one-bedroom units and nine (9) two-bedroom units. The applicant has agreed to secure the rents for the twenty-nine (29) affordable replacement rental dwelling units for at least 10 years, in accordance with Official Plan Policy 3.2.1.6.

### **Tenant Relocation and Assistance Plan**

The applicant has agreed to provide tenant relocation and assistance to all eligible tenants, all to the satisfaction of the Chief Planner and secured through legal agreements with the City. The Tenant Relocation and Assistance Plan would assist tenants in finding and securing alternative accommodations during the demolition and construction period. As part of this plan, all eligible tenants would receive:

- At least 6 months' notice of the date they must vacate their rental unit;
- Compensation equal to 3 months' rent pursuant to the Residential Tenancies Act;
- The right to return to one of the replacement rental dwelling units in the new building at similar rents;
- Monthly rent-gap payments equivalent to the difference between the monthly rent paid by each eligible tenant and the Market Area Rent, which has been defined as Private Apartment Average Rents, by unit type, for Zone 14 - North York (Northeast) as reported by the Canada Mortgage and Housing Corporation. The rent-gap payment will be equal to the total accrued monthly rent-gap over a thirty (30) month construction period, with additional payments if construction is delayed;
- A rental leasing agent available upon request;
- A move-out moving allowance and a move-back moving allowance if they exercise their right to return to a replacement rental dwelling unit; and
- Any special needs compensation as determined by the Chief Planner and Executive Director, City Planning.

City Planning are satisfied with the applicant's proposed tenant relocation and assistance plan as it is in line with the intent of the City's standard practices and will appropriately address and mitigate hardship experienced by tenants.

Staff is recommending that Council approve the Rental Housing Demolition Application, with conditions, to demolish 29 existing rental units, subject to the conditions of approval identified within this report.

### **Traffic Impact**

The applicant submitted an Urban Transportation Consideration Report for review and acceptance by Transportation Services. The Urban Transportation Consideration Report estimates that the proposed development for the proposed development will generate approximately 55 two-way auto trips during the weekday AM and PM peak hours.

The consultant concludes that traffic generated by the proposed development can be accommodated by the adjacent street system without the need for any intersection improvements. Transportation Services has accepted the conclusions of the Urban Transportation Consideration Report.

### **Transportation Demand Management**

A Transportation Demand Management ("TDM") plan was provided in the applicant's Urban Transportation Consideration Report. TDM measures that have been proposed include bicycle parking and a bicycle repair station, transit screens, the provision of pre-loaded Presto cards. Transportation Planning staff have reviewed the TDM Strategy and agree with the TDM Strategy in principle. Certain TDM measures will be secured in the zoning by-law amendments as well as through the Site Plan Control process.

## **Access and Parking**

The parking space requirements for the project are governed by the applicable parking provisions contained in the former North York Zoning By-law No. 7625 and the Toronto Zoning By-law 569-2013.

The subject site falls within the Rest of the City, however, given the location of the site, Transportation Services support the parking rates under Policy Area 3 (PA3) contained in Zoning By-law 569-2013.

The applicant is proposing to provide a total of 207 parking spaces in five levels of underground parking. The Site Specific Zoning By-laws will require maximum parking rates of 1.0 space per 1-bedroom unit, 1.3 spaces per 2-bedroom unit, and a maximum of 1.5 spaces per 3-bedroom unit. The minimum amount of visitor parking spaces will be 0.1 space per unit, which in this case would result in 28 visitor parking spaces.

Zoning By-law 569-2013 requires that a minimum of 8 accessible parking spaces are provided as part of this development. The applicant is providing the minimum required number of accessible parking spaces.

## **Loading**

Under Zoning By-law No. 569-2013, the subject site requires 1 Type G loading space. According to the site plan statistics, 1 Type G loading spaces is proposed. Vehicle Maneuvering Diagrams were submitted, and Transportation Services accepts this configuration.

The existing loading and waste storage area is located outdoors in the surface parking lot south of the existing apartment building. The proposal will internalize the loading and waste storage areas within the building. Staff are of the opinion that this will be an improvement to the existing condition.

## **Servicing**

There are significant servicing constraints in the area and downstream capital improvements are required prior to any development in the area. An updated Functional Servicing Report is required for review and acceptance by the Chief Engineer of Engineering and Construction Services prior to construction commencing, as detailed in the Holding Symbol section below.

A municipal easement currently exists along the west property limit of the site. Engineering and Construction Services have indicated that the municipal easement requires widening to meet current City standards. The applicant has provided an additional 0.7 metres to the east of the existing easement to allow for the required widening to occur which will be secured through the Site Plan Control process. The building, and all underground parking levels, have been setback from the widened easement.

## **Holding Symbol**

As there are significant servicing constraints in the area, downstream capital improvements are required prior to any development on the lands at 71 Talara Drive commencing. Staff recommend the use of a Holding Symbol (H), in accordance with Section 36 of the Planning Act and Policy 5.1.2 of the Official Plan.

The lands at 71 Talara Drive, will not be permitted to be used for any purpose other than the uses and building that currently exist on the site, until such time as the “H” symbol has been removed. Engineering and Construction Services staff have identified that in order to remove the Holding symbol from the site, the municipal sanitary sewer upgrades - those being the upgrade of the last three 300mm sanitary sewer legs upstream of the sanitary trunk sewer to 675mm, located at the north west corner of Sheppard Avenue East and Leslie Street intersection - are fully constructed and operational to the satisfaction of the Chief Engineer of Engineering and Construction Services and the General Manager, Toronto Water. The sanitary sewer upgrades are currently being undertaken by the City of Toronto, Major Infrastructure Unit.

The Site Specific Zoning By-laws contained in Attachments 6 and 7 contain provisions regarding the Holding Symbol.

## **Open Space/Parkland**

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the City of Toronto Official Plan shows local parkland provisions across the City. In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The residential component of this proposal is subject to a cap of 10% parkland dedication. The value of 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.

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 4-12 square metres of parkland per person, which is below the city-wide average provision of 28 square metres of parkland per person in 2016.

## **Schools**

The application was circulated to the school boards. The Toronto Catholic District School Board has advised that sufficient space exists within the local elementary and secondary schools to accommodate additional students anticipated from the development as proposed.

The Toronto District School Board ("TDSB") has indicated that the projected accommodation levels at local schools warrant the use of warning clauses, as a result of the cumulative impact arising from all residential development in the school's attendance areas. The TDSB will require that warning signs be erected on the site, and warning clauses be included in the Site Plan Control Agreement.

### **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. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. Performance measures for the Tier 1 development features will be secured through the Site Specific By-laws and through the Site Plan Control application.

### **Community Services Assessment**

Community Services and Facilities ("CS&F") are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions, such as recreation, libraries, childcare, schools, public health, human services, cultural services and employment services.

The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community. Staff have been able to secure Section 37 funds that will be directed towards improvements to local community facilities.

### **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-law, the application is consistent with the objectives and policies of the PPS, the Growth Plan and the Official Plan, and thus constitutes good planning.



Staff have been able to secure a cash contribution of \$2.25 Million dollars as part of the Section 37 Contribution. The community benefits recommended to be secured in the Section 37 Agreement are as follows:

- i) a \$2,250,000.00 cash contribution to be allocated towards improvements to community facilities located within Ward 17 and/or the vicinity of the application site, such allocation to be at the discretion of the Chief Planner and Executive Director, City Planning and General Manager, Parks, Forestry and Recreation, in consultation with the Ward Councillor.
- ii) The financial contribution in i) above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto, calculated from the date City Council adopts the zoning by-law amendment(s) to the date of payment.
- iii) In the event the cash contribution referred to in i) above has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

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

- 1. Matters related to the rental housing demolition application;
- 2. Securing at least 10% of the new units as three-bedroom units and at least 20% of the new units as two-bedroom units.
- 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 the performance standards of Toronto Green Standards applicable at the time of the site plan application for each building on the site. The Owner shall construct and maintain the development in accordance with Tier 1.

### **Community Consultation**

A Community Consultation meeting was hosted by City staff on July 7, 2021 via Webex, in conjunction with the Ward Councillor to discuss the proposal. In addition to feedback received as a result of the meeting, staff received comments through the Application Information Centre. Concerns raised included the overall height and density proposed, increased traffic and congestion, shadows on surrounding uses, and the proposed rental replacement.

Staff worked with the applicant to address and resolve concerns that came out of the Community Consultation Meeting. To address the concerns raised, the applicant has reduced the overall building height and density. The reduced building height has also resulted improved the shadows on nearby parks and low density uses. In addition, all existing rental units on the site will be replaced within the proposed development.

## **Conclusion**

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2020) and does not conflict with the Growth Plan (2020). Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan, and the Sheppard East Subway Corridor Secondary Plan. Staff recommend that Council support approval of the application.

## **CONTACT**

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Marian Prejel, Senior Planner, Community Planning  
Tel. No. (416) 392-9337  
E-mail: [Marian.Prejel@toronto.ca](mailto:Marian.Prejel@toronto.ca)

Graham Haines, Senior Planner, Housing Policy  
Tel. No. (416) 392-8124  
E-mail: [Graham.Haines@toronto.ca](mailto:Graham.Haines@toronto.ca)

## **SIGNATURE**

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

## **ATTACHMENTS**

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Attachment 1: Application Data Sheet  
Attachment 2: Location Map  
Attachment 3: Official Plan Land Use Map  
Attachment 4a: Existing Zoning By-law Map 7625  
Attachment 4b: Existing Zoning By-law Map 569-2013  
Attachment 5: Draft Official Plan Amendment  
Attachment 6: Draft Zoning By-law Amendment By-law 7625, as amended  
Attachment 7: Draft Zoning By-law Amendment By-law 569-2013  
Attachment 8: Site Plan  
Attachment 9a: North Elevation  
Attachment 9b: East Elevation  
Attachment 9c: West Elevation  
Attachment 9d: South Elevation

## Attachment 1: Application Data Sheet

Municipal Address:	71 TALARA DR	Date Received:	February 8, 2021
Application Number:	21 113721 NNY 17 OZ & 21 113723 NNY 17 RH		
Application Type:	OPA & Rezoning		
Project Description:	Official Plan and Zoning By Law Amendment application to permit the proposal for a 23-storey residential building containing a 5-storey podium fronting onto Talara Drive. The proposal includes a total of 281 residential dwelling units, 29 of which will be rental replacement units, with a total Gross Floor Area of 20,053.4 square metres. The proposal contains 207 parking spaces, provided within a 5-level underground parking garage.		
Applicant	Agent	Architect	Owner
CASELS BROCK LLP	BOUSFEILDS	TURNER FLEISCHER	ROCKBROOK DEVELOPMENTS INC

### EXISTING PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhood	Site Specific Provision:	N
Zoning:	RM (f21.0; a925; d0.85)	Heritage Designation:	N
Height Limit (m):	12	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq m):	2,961	Frontage (m):	55	Depth (m):	53
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Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	839		813	813
Residential GFA (sq m):	2,120		20,053	20,053
Non-Residential GFA (sq m):				
Total GFA (sq m):	2,120		20,053	20,053
Height - Storeys:	3		23	23
Height - Metres:			69	69

Lot Coverage Ratio (%):	27.46	Floor Space Index:	6.77
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Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	19,641	412
Retail GFA:		
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	29	0	29	29
Freehold:				
Condominium:			252	252
Other:				
Total Units:	29		281	281

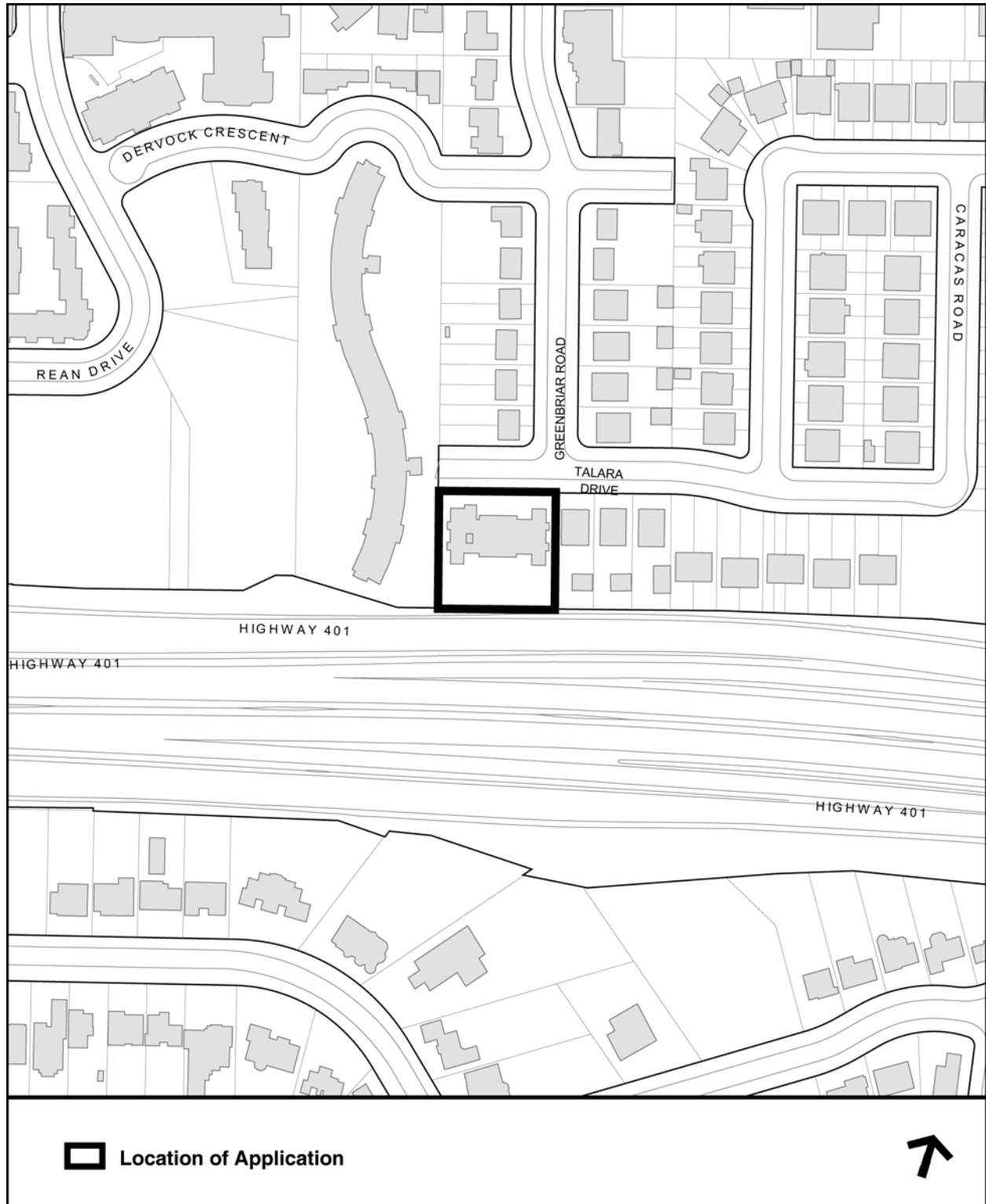
#### Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			176	71	34
Total Units:			176	71	34

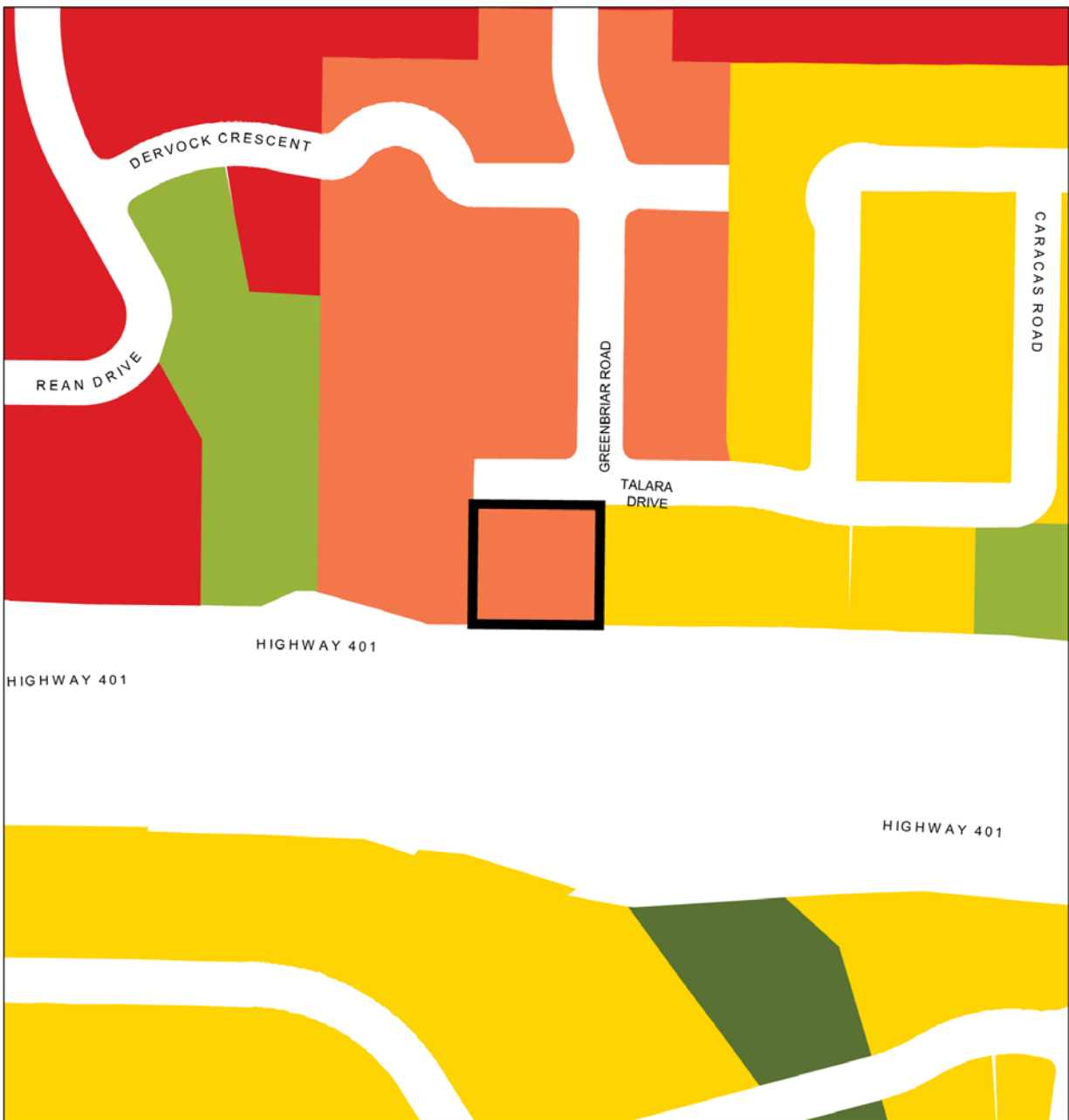
#### Parking and Loading

Parking Spaces:	207	Bicycle Parking Spaces:	212	Loading Docks:	1
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## Attachment 2: Location Map



### Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #19

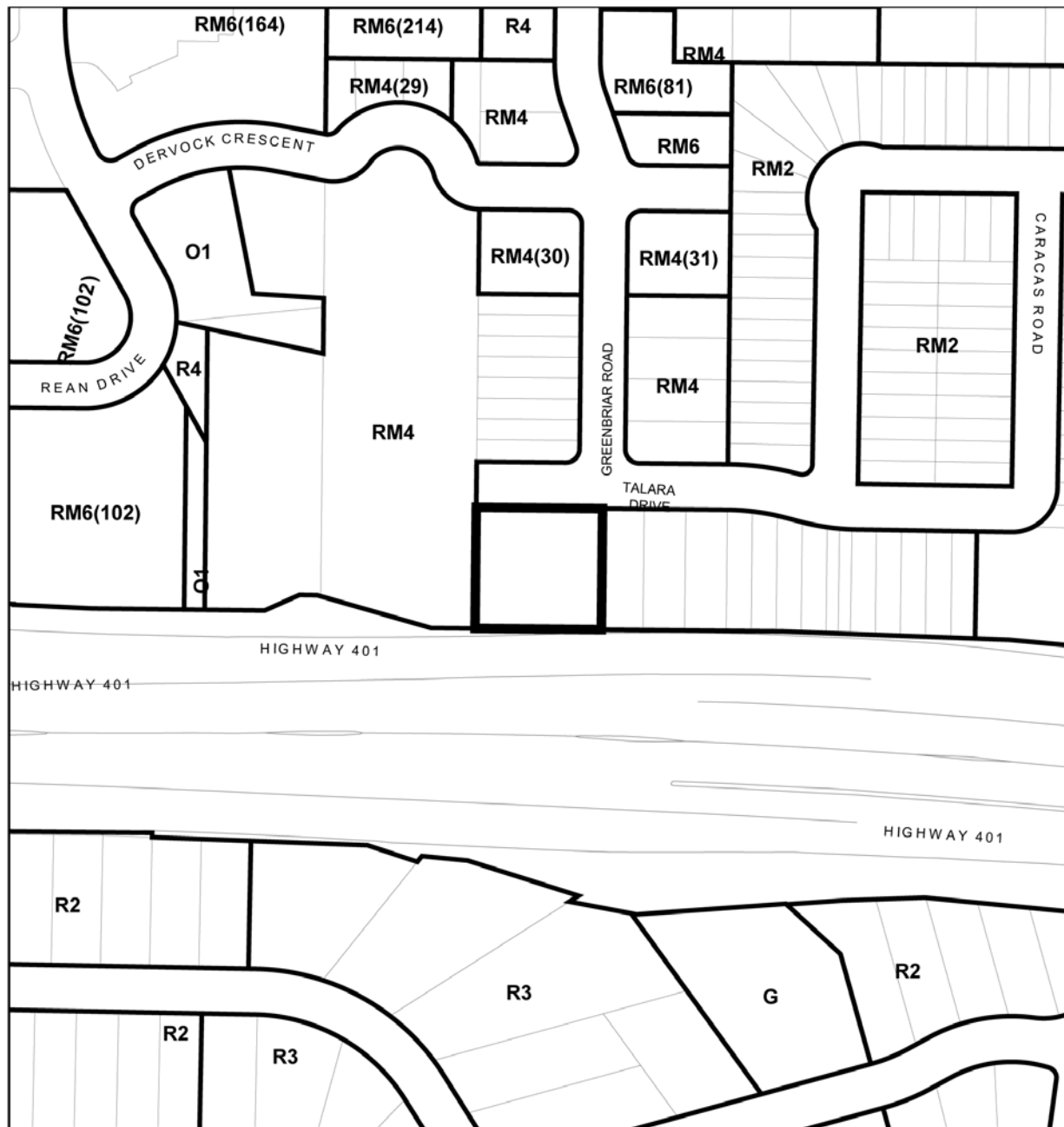
71 Talara Drive

File # 21 113721 NNY 17 02



Not to Scale  
Extracted: 02/16/2021

Attachment 4a: Existing Zoning By-law Map 7625, as amended



Zoning By-law 7625

71 Talara Drive

File # 21 113721 NNY 17 02



Location of Application

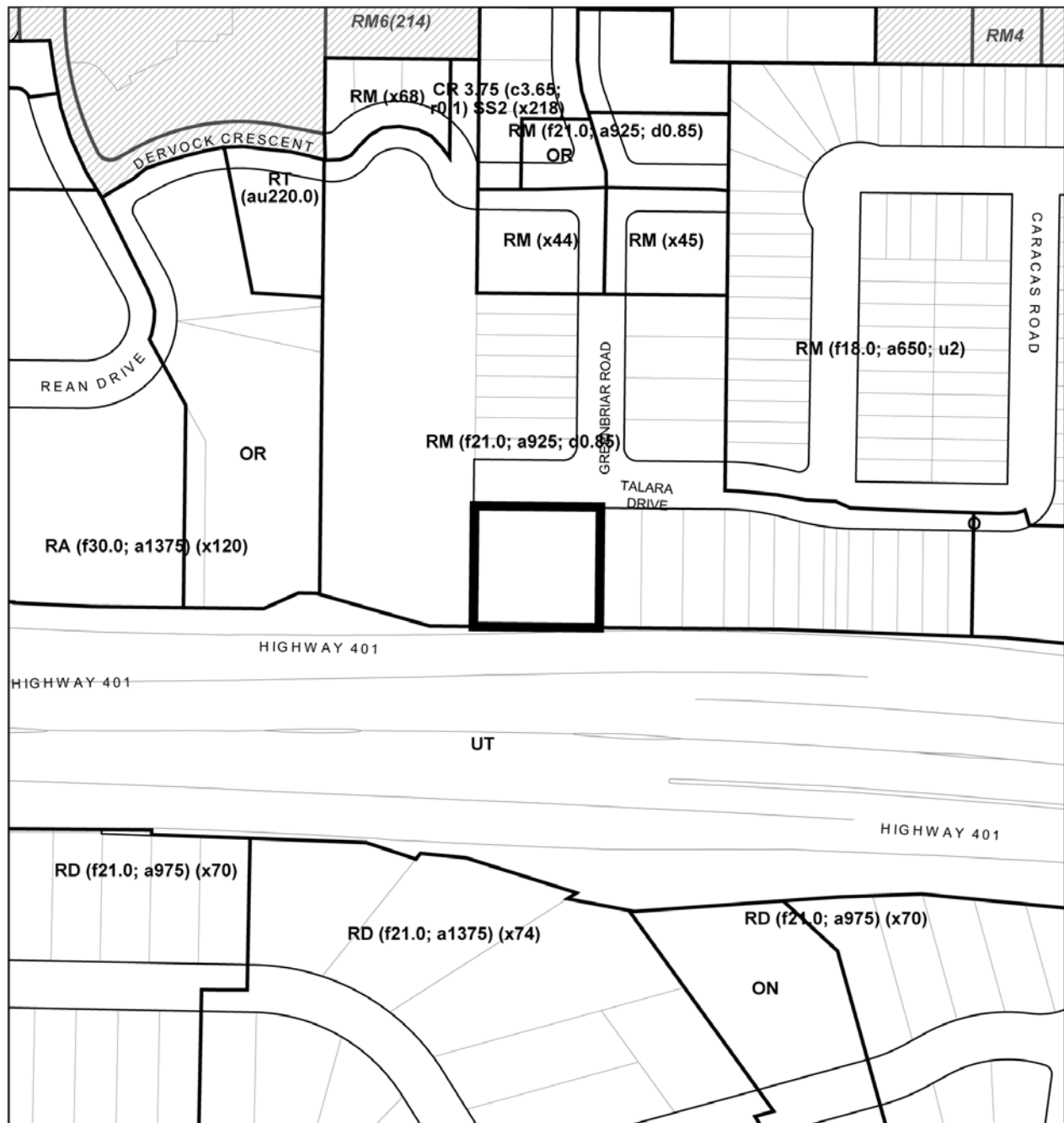
R2 One-Family Detached Dwelling Second Density Zone  
 R3 One-Family Detached Dwelling Third Density Zone  
 R4 One-Family Detached Dwelling Fourth Density Zone  
 RM2 Multiple-Family Dwellings Second Density Zone  
 RM4 Multiple-Family Dwellings Fourth Density Zone  
 RM6 Multiple-Family Dwellings Sixth Density Zone

O1 Open Space Zone  
 G Greenbelt Zone



Not to Scale  
 Extracted: 02/16/2021

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



Zoning By-law 569-2013

71 Talara Drive

File # 21 113721 NNY 17 0Z



Location of Application

RD Residential Detached  
RT Residential Townhouse  
RM Residential Multiple  
RA Residential Apartment  
CR Commercial Residential  
O Open Space

ON Open Space Natural  
OR Open Space Recreation  
UT Utility and Transportation



See Former City of North York By-law No. 7625  
RM6 Multiple-Family Dwellings Sixth Density Zone



Not to Scale  
Extracted: 02/16/2021



## Attachment 5: Draft Official Plan Amendment

Authority: North York Community Council Item ~ as adopted by City of Toronto Council on ~, 2022

Enacted by Council: ~, 2022

### **CITY OF TORONTO BY-LAW XXX**

#### **To adopt an amendment to the Official Plan for the City of Toronto respecting the lands known municipally in the year 2021 as 71 Talara Drive**

Whereas authority is given to Council under the Planning Act, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act;

The Council of the City of Toronto enacts:

1. The text and map attached are adopted as Amendment No. 614 to the Official Plan of the City of Toronto.

Enacted and Passed this ~ day of ~, A.D. 2022.

Frances Nunziata, John D. Elvidge,  
Speaker City Clerk

(Seal of the City)

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**AMENDMENT NO. 614 TO THE OFFICIAL PLAN**

**LANDS MUNICIPALLY KNOWN IN THE YEAR 2021 AS 71 TALARA DRIVE**

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The following text and map constitute Amendment No. 614 to the City of Toronto Official Plan.

1. The Official Plan of the City of Toronto is amended as follows:

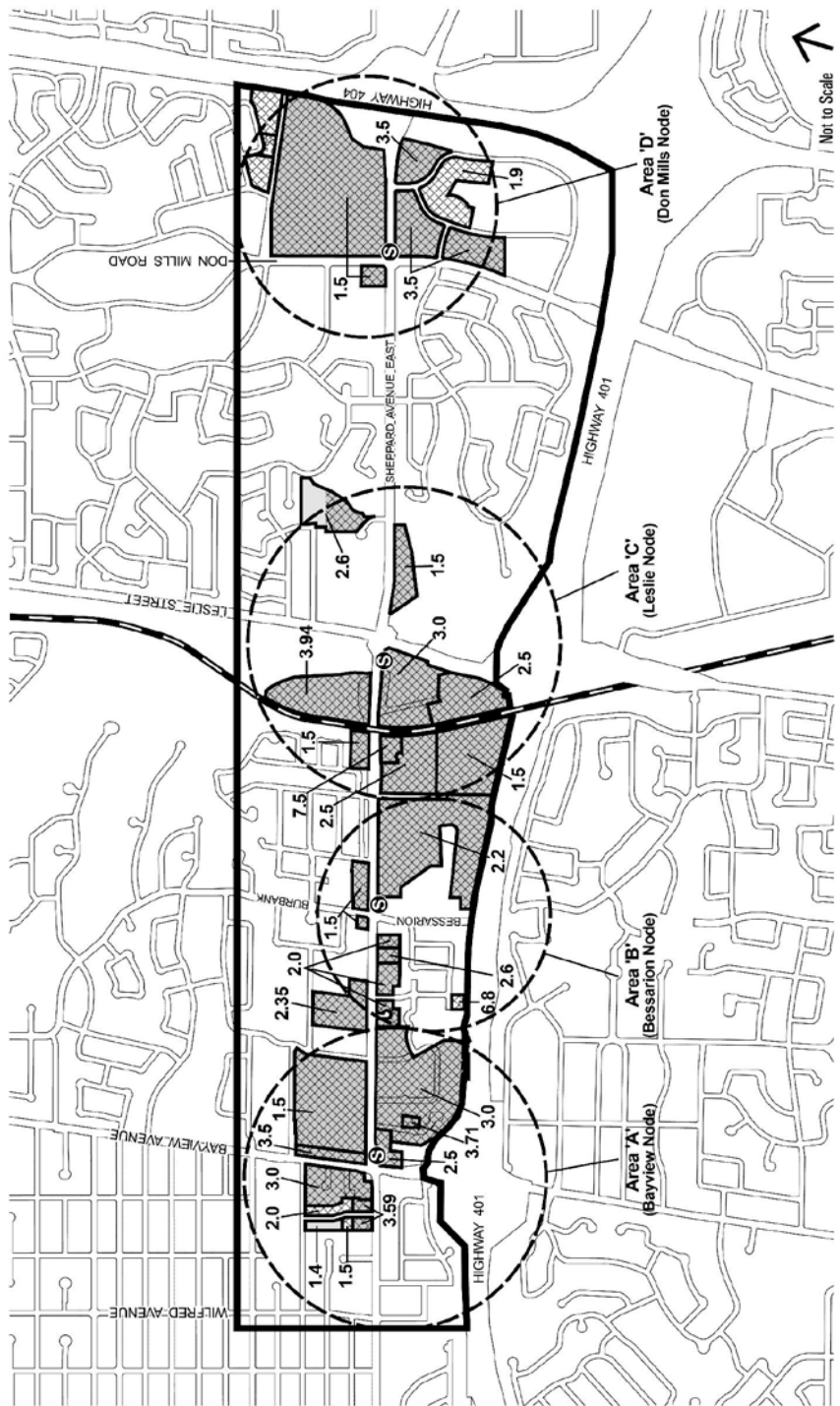
(a) Chapter 6, Section 9 (Sheppard East Subway Corridor Secondary Plan), is amended by adding a site specific policy to Section 4.2 (Development Nodes), Subsection .B - Bessarion Node for lands municipally known as 71 Talara Drive with the following text:

“4.2.2.X        71 Talara Drive

The Secondary Plan assigns a maximum density of 6.8 times the lot area and a maximum building height of 23-storeys to the lands municipally known as 71 Talara Drive as shown on Map 9-2.”

(b) Map 9-2, Key Development Areas, of Chapter 6, Section 9 (Sheppard East Subway Corridor Secondary Plan) is amended to permit a density of 6.8 times the lot area for the lands municipally known as 71 Talara Drive as shown on Schedule 1.

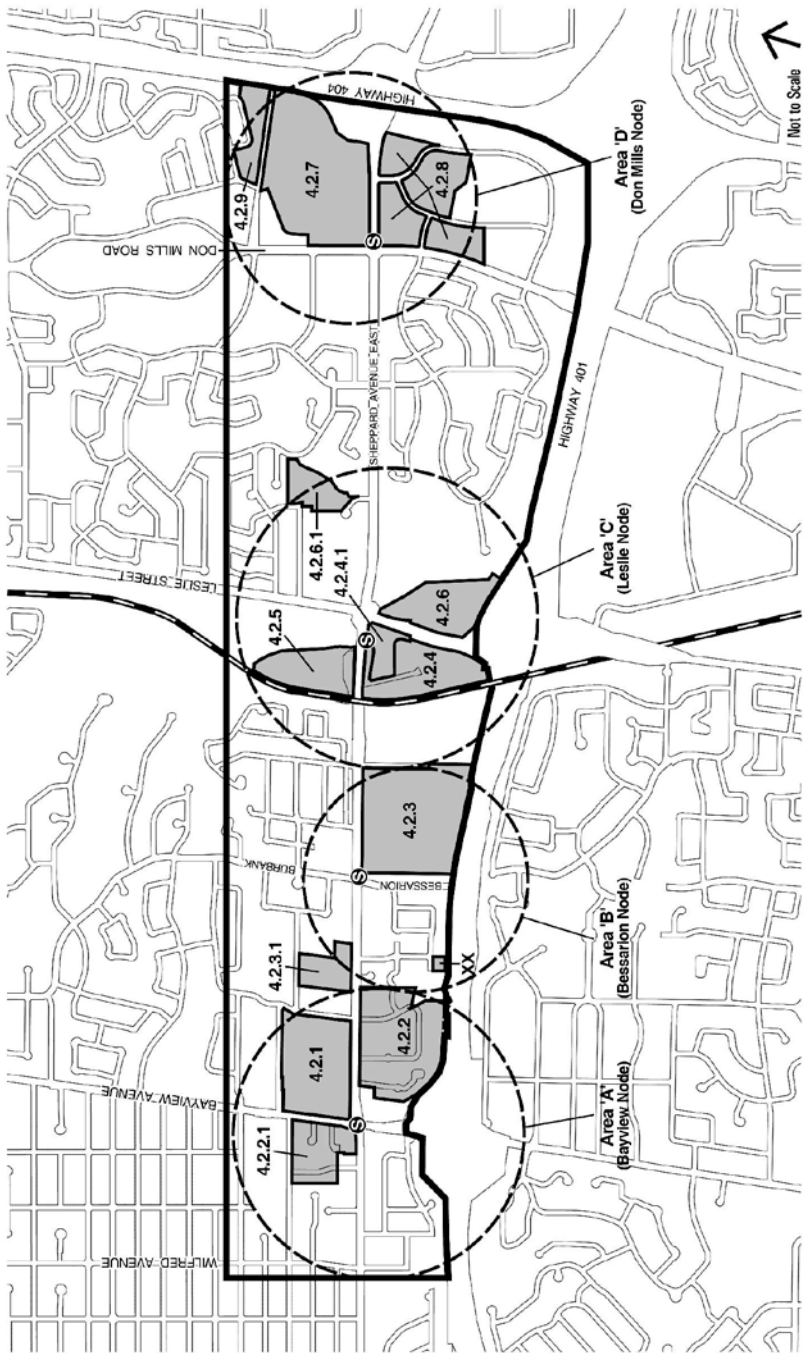
(c) Map 9-3, Specific Development Policies, of Chapter 6, Section 9 (Sheppard East Subway Corridor Secondary Plan) is amended to establish Specific Development Policy 4.2.2.X for the lands municipally known as 71 Talara Drive as shown on Schedule 2.



## Sheppard East Subway Corridor Secondary Plan

MAP 9-2 Key Development Areas

November 2015



**Sheppard East Subway Corridor Secondary Plan**  
MAP 9-3 Specific Development Policies



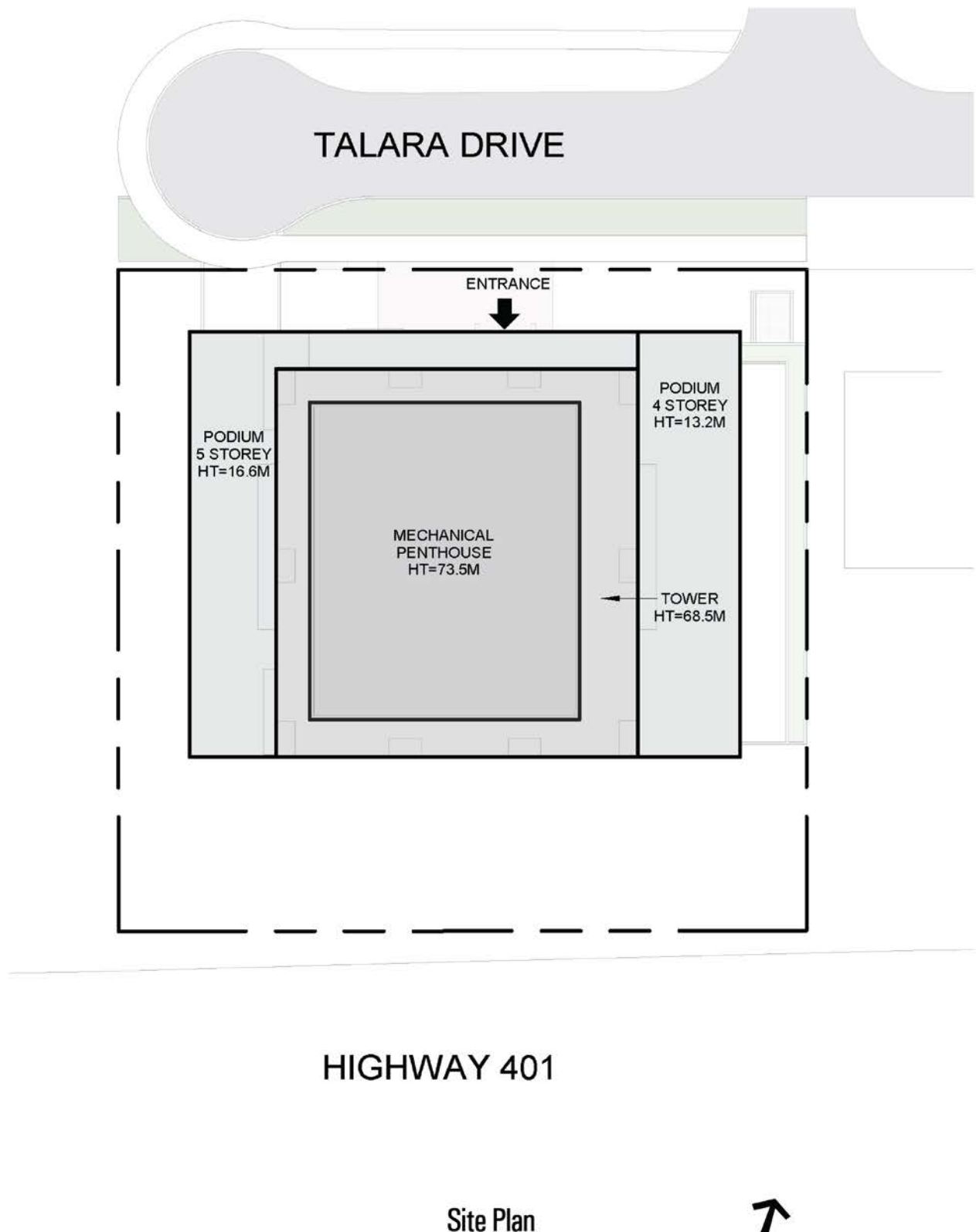
- Secondary Plan Boundary
- Specific Development Policy Areas
- Subway Station

November 2015

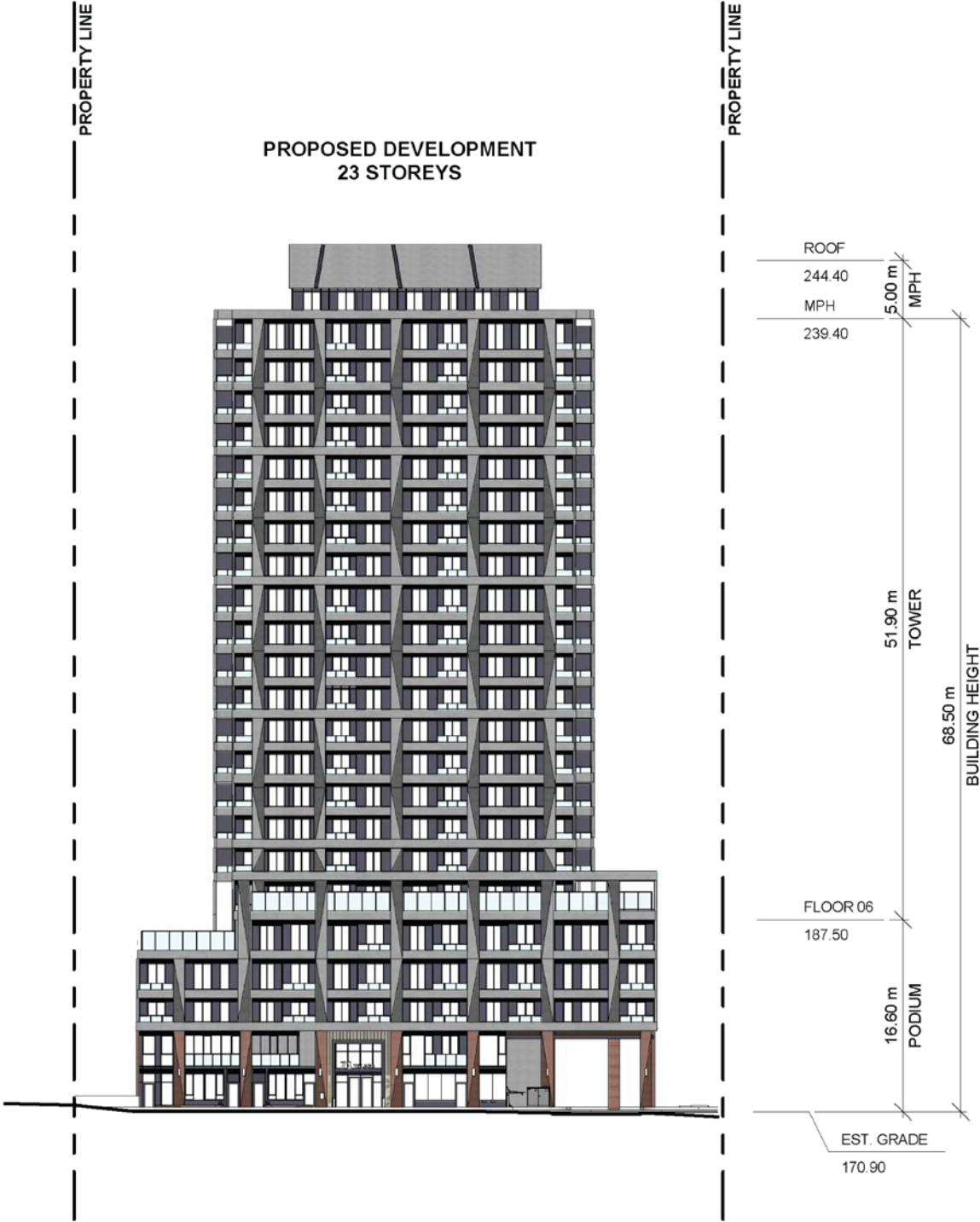
Attachment 6: Draft Zoning By-law Amendment By-law 7625, as amended  
(to be available prior to the July 8, 2022 meeting of North York Community Council)

Attachment 7: Draft Zoning By-law Amendment By-law 569-2013  
(to be available prior to the July 8, 2022 meeting of North York Community Council)

Attachment 8: Site Plan



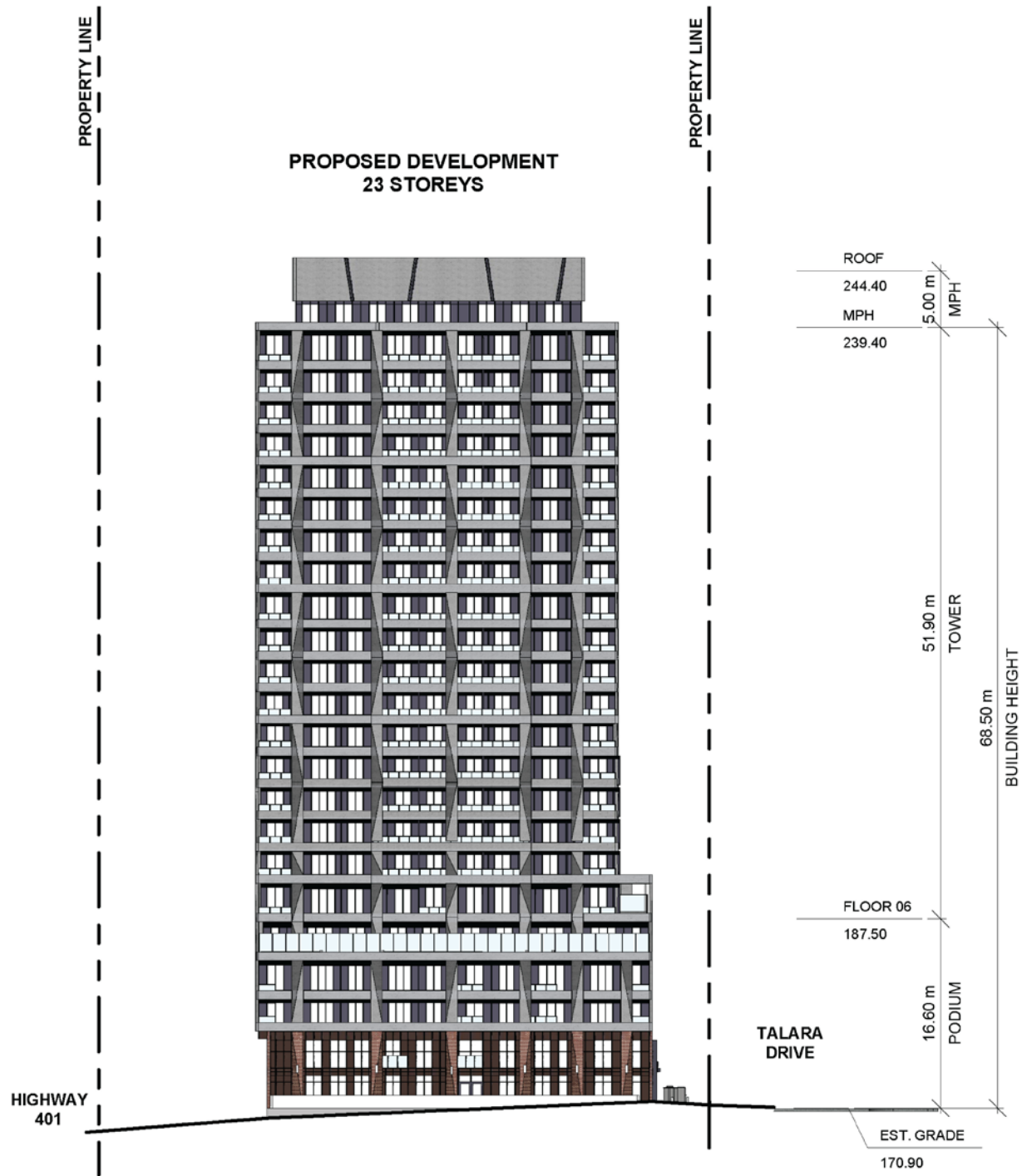
Attachment 9a: North Elevation



North Elevation

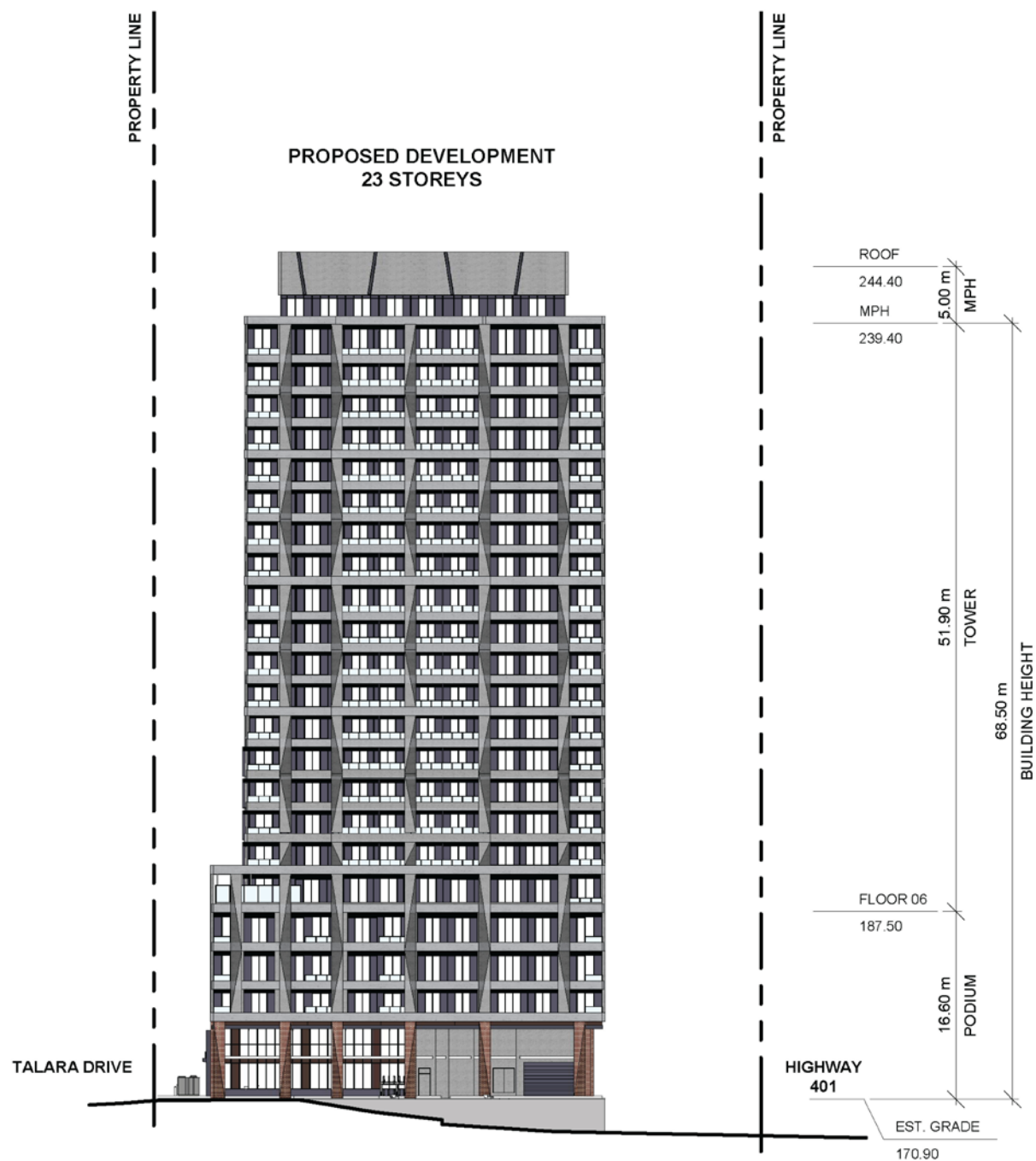


Attachment 9b: East Elevation



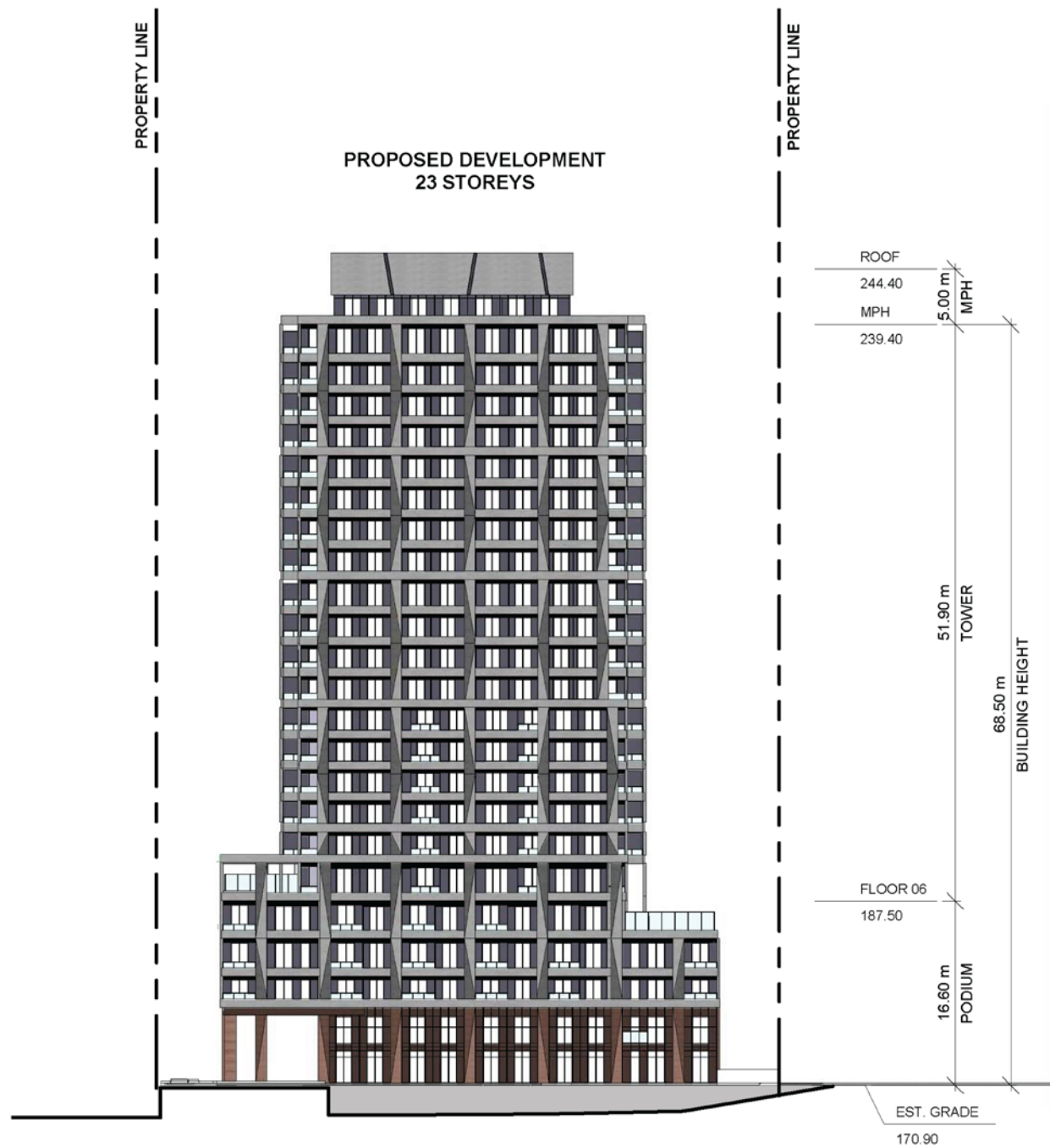
East Elevation

Attachment 9c: West Elevation



West Elevation

Attachment 9d: South Elevation



South Elevation