

2-24 Temple Avenue – Zoning By-law Amendment Application - Request for Direction Report

Date: June 13, 2022

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Ward: 4 - Parkdale-High Park

Planning Application Number: 21 105906 STE 04 OZ

Related Application: 21 105909 STE 04 RH

SUMMARY

A Zoning By-law Amendment application was submitted on January 18, 2021 proposing a 16-storey residential building comprised of 273 dwelling units at 2-24 Temple Avenue. The application was deemed complete on February 16, 2021, and has since been revised to include 275 residential units.

An associated Rental Housing Demolition and Conversion application was submitted accompanying the Zoning By-law Amendment application regarding the existing rental dwelling units and dwelling rooms. This application is still under review.

On September 1, 2021, the applicant notified the City Clerk that an appeal was submitted to the Ontario Land Tribunal (OLT) due to Council not making a decision within the 90-day time frame for the Zoning By-law Amendment as outlined in the *Planning Act*.

This report recommends that the City Solicitor, with the appropriate City staff, attend the OLT hearing to oppose the application in its current form, and to continue discussions with the applicant to resolve outstanding issues. The OLT has scheduled a hearing from September 26, 2022 to October 4, 2022. Mediation sessions were held on May 27, 2022 and June 1, 2022.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor, together with City Planning staff and other appropriate staff, to attend the Ontario Land Tribunal hearing scheduled from September 26, 2022 to October 4, 2022 to oppose the Application for 2-24 Temple Avenue, and to continue discussions with the applicant in an attempt to resolve outstanding issues.

2. In the event that the Ontario Land Tribunal allows the appeals in whole or in part, City Council authorize the City Solicitor to request that the issuance of any final Orders be withheld until such time as the City Solicitor advises that:
 - a) Draft Zoning By-law Amendments are provided in a form and with content satisfactory to the Chief Planner and Executive Director, City Planning and the City Solicitor;
 - b) The owner has provided confirmation that outstanding issues listed in the Engineering and Construction Services memo to City Planning dated June 7, 2021 have been addressed to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
 - c) City Council has approved the Rental Housing Demolition application (File No. 21 105909 STE 04 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 the existing rental dwelling units at 2-24 Temple Avenue, and the owner has entered into, and registered on title to the lands, one or more agreements with the City, to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor, securing all rental housing-related matters, including tenant assistance to address Official Plan policy 3.2.1.12, necessary to implement City Council's decision.
3. City Council authorize the City Solicitor and appropriate City staff to take such necessary steps, as required, to implement City Council's decision.

FINANCIAL IMPACT

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

DECISION HISTORY

A Preliminary Report on the Zoning By-law Amendment application was adopted by Toronto and East York Community Council on April 21, 2021, directing staff to conduct a community consultation meeting. The link to the preliminary report can be found here:

<https://www.toronto.ca/legdocs/mmis/2021/te/bgrd/backgroundfile-165454.pdf>.

SITE AND SURROUNDING AREA

Site Description and Dimensions: The redevelopment application applies to the residential properties located as 2-24 Temple Avenue. The site is rectangular in shape, with a frontage along Temple Avenue of 69 metres and a depth along Dufferin Street of 36 metres, for a total site area of 2,436 square metres.

The site is currently occupied by 5 detached houses and 4 semi-detached houses, which are proposed to be demolished to accommodate the proposed development. The existing houses contain at least 22 rental housing dwelling units and 5 dwelling rooms. Of the 22 dwelling units, 14 units have affordable rents, 3 units have mid-range rents, and 5 units are considered to be high-end units. All 5 dwelling rooms have affordable rents.

Surrounding uses include:

North: adjacent 14-storey and 9-storey residential apartment buildings.

South: 2-storey and 3-storey detached and semi-detached houses on the south side of Temple Avenue.

East: 3-storey office building on the east side of Dufferin Street.

West: adjacent 3-storey detached houses along the north side of Temple Avenue.

THE APPLICATION

Description

Height: 16-storey (61.6 metres including mechanical penthouse) residential building.

Density (Floor Space Index): 8.09 times the area of the lot.

Unit count: 275 total residential dwelling units

- 12 studio units (5%)
- 180 one-bedroom units (65%)
- 56 two-bedroom units (20%)
- 27 three-bedroom units (10%)

Additional Information

See Attachments 1-5 of this report for a location map, Application Data sheet, three dimensional representations of the project in context, and a site plan of the

proposal, respectively. The Application Data sheet contains additional details of the proposal including site area and dimensions, floor area, unit breakdowns, and parking and loading information.

All plans and reports submitted as part of the application can be found on the City's Application Information Centre at: <https://www.toronto.ca/city-government/planningdevelopment/application-information-centre>

Reasons for Application

The proposed Zoning By-law Amendment application is required to exceed the height and density permitted in City of Toronto Zoning By-law 569-2013. The application also proposes to amend other performance standards of the by-law including, but not limited to, setbacks, drive aisle width, and parking space allocation.

The applicant has also submitted an application for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code for the demolition of the existing rental housing units as the subject lands contain six or more residential units, of which at least one is rental.

Site Plan Control

The proposal is subject to Site Plan Control. A Site Plan Control application was submitted on August 27, 2021. The Site Plan Control application is not part of this appeal.

POLICY CONSIDERATIONS

Official Plan Designation: The site is designated *Apartment Neighbourhoods* as shown on Map 18 of the Official Plan. See Attachment 7 for the Official Plan Map.

Zoning: The site is zoned Residential (R (d2.0) (x811)) by City of Toronto Zoning By-law 569-2013 (see Attachment 8: Zoning Bylaw Map). This zone permits residential use in a wide range of residential building types including an apartment building. Other permitted uses include home occupation uses, and a retail store with certain limitations.

The maximum density permitted is 2.0 times the lot area, and the maximum permitted height is 23 metres. City of Toronto Zoning By-law 569-2013 may be found here: <https://www.toronto.ca/citygovernment/planning-development/zoning-by-law-preliminary-zoning-reviews/zoningby-law-569-2013-2/>. See Attachment 8 for Zoning By-law Map.

Additional information: See Attachment 6 for applicable policy documents.

COMMUNITY CONSULTATION

A Virtual Community Consultation was hosted by City staff on April 28, 2021 in conjunction with the Ward Councillor. Comments and issues raised during this discussion, as well as feedback submitted in writing via email and through the City's Application Information Centre are summarized below:

- The proposal does not fit within the existing context, and that the proposed height and density are not appropriate for the area;
- Concerns with the minimal setbacks from all property lines especially the west property line adjacent the existing three-storey houses;
- Concerns regarding increased shadow impacts on surrounding properties;
- Concerns about the affordability of the proposed units; and
- Concerns with potential increases in traffic resulting from the development, and the increased demand on on-street parking in the neighbourhood.

COMMENTS

The proposal has been reviewed against the policies of the *Planning Act*, the Provincial Policy Statement, 2020 (PPS), A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 (Growth Plan), and Official Plan policies, planning studies, and design guidelines.

Planning Act

The review of this application has had regard for the relevant matters of provincial interest set out under Section 2 of the *Planning Act*.

Provincial Policy Statement (2020)

City Planning staff have reviewed the current proposal against the policies of the PPS, as described in the Policy Considerations Section and Appendix 6 in this report, and find the proposal is generally consistent with the PPS. A City Council decision to oppose the proposal is also consistent with the PPS given the non-conformity with the Official Plan.

Growth Plan (2020)

Planning staff have reviewed the current proposal against the policies of the Growth Plan, as described in the Policy Considerations Section and Appendix 6 in this report, and find the proposal generally conforms to the Growth Plan. A City Council decision to oppose the proposal conforms with the Growth Plan given the non-conformity to the Official Plan as described below.

Built Form

City Planning staff have reviewed the proposed built form of the 16-storey building, including height, massing and transition, against the policies of the Official Plan as well as relevant design guidelines. The proposal, in its current form, is inappropriate, and does not conform to the Official Plan or meet the intent of relevant design guidelines.

Existing and Planned Context

Planning staff have also reviewed the proposal based on the surrounding context of the area. The proposal, in its current form, represents overdevelopment, and does not provide adequate transition to the adjacent low-rise *Neighbourhoods*-designated properties to the south and the adjacent existing three-storey house-form residential properties to the west.

Public Realm

The proposal fails to create a safe and attractive public realm and pedestrian focused area along the Dufferin Street and Temple Avenue frontages. For a building of this scale, greater separation distances are required from the existing buildings to the west and north. As proposed, the application does not provide for adequate public outdoor circulation or amenity space. The proposed cantilevered massing over the Dufferin Street setback required for a tall building is inappropriate, and will inhibit the ability to create an enhanced public realm on this site which could include trees, soft landscaping or seating areas.

Height and Massing

The proposed 16-storey building does not conform to the policies of the Official Plan, or achieve the intent of the Tall Building Guideline's performance standards. The typology and scale as proposed is problematic as this site is not appropriate for a building of this mass and height. The proposal will create privacy/overlook issues to properties to the west due to incompatible massing at the west portion of the site, and will negatively impact the development potential of the properties to both the north and west.

Planning staff are of the opinion that the proposed building should reference the height of the building located to the north at 200 Dufferin Street, including appropriate setbacks of the taller elements of the building.

The proposal fails to appropriately address the setback requirements from the property lines, and if built, will impede the ability for tree planting to produce a better pedestrian environment and streetscape along the Dufferin Street. The proposal also does not adequately provide for protection of mature street trees on the Temple frontage.

The lack of setbacks from the property lines leaves no room for circulation and open space on the property. An increased setback on the west side of the property would allow for a mid-block pedestrian connection. This area could then be expanded with an appropriate setback from the east property line of a future redevelopment of the properties located to the west.

As a result, the proposed height and massing is unacceptable, and does not achieve the desired outcomes of the Official Plan or other city guidelines.

Unit Mix and Size

The revised proposal includes 275 proposed total units of which 56 are two-bedroom units and 27 are three-bedroom units were proposed, making up over 30% of total units. However, of these larger units in the resubmission, only two of the two-bedroom units are equal to or greater than the recommended 90 square metres and 10 of the three-bedroom units greater than 106 square metres as per the Growing Up Guidelines.

Rental Housing

Planning staff have reviewed the rental demolition application against Official Plan rental housing policies and Chapter 667 of the Municipal Code. Staff have requested further information on the rental history for the existing residential properties and will review that information to determine the final number of existing rental units and eligible tenants.

The proposal is required to include the full replacement of the same number, type, and size of the existing rental housing units, with units with similar rents. As well, a tenant assistance plan to assist tenants who are required to move will be required. As per Chapter 667-14, a tenant consultation meeting will be held to review the impact of the proposal on tenants of the residential rental property and matters under Section 111.

In addition, as the proposal involves the demolition of less than 6 dwelling rooms, replacement of the existing dwelling rooms would not be required. However, tenant assistance and relocation, in accordance with policy 3.2.1.12., would be required for any impacted tenants.

Servicing

Engineering & Construction Services have identified a few outstanding issues in their memo to City Planning dated June 7, 2021 related to the hydrogeological report and the groundwater summary.

In the event that the OLT allows the Zoning By-law Amendment appeal in whole or in part, the final Order should be withheld pending the confirmation that the groundwater and hydrogeological information required has satisfied the Chief Engineer and Executive Director, Engineering and Construction Services.

Further Issues

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

Conclusion

The application has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), the Toronto Official Plan, and applicable City guidelines intended to implement Official Plan policies. As currently proposed, staff are of the opinion that the application does not conform to the Official Plan and does not meet the intent of relevant guidelines. This report recommends that the City Solicitor, with appropriate staff, attend the OLT in opposition to the application in its current form, and to continue discussions with the applicant in an attempt to resolve outstanding issues. This recommendation is consistent with the PPS, and conforms to the Growth Plan.

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SIGNATURE

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Director, Community Planning, Toronto and East York District

ATTACHMENTS

Attachment 1: Location Map

Attachment 2: Application Data Sheet

Attachment 3: 3D Model of Proposal in Context – Northwest

Attachment 4: 3D Model of Proposal in Context – Southeast

Attachment 5: Site Plan

Attachment 6: Policy Considerations

Attachment 7: Official Plan Map

Attachment 8: Zoning By-law Map

Attachment 1: Location Map



Attachment 2: Application Data Sheet

APPLICATION DATA SHEET

Municipal Address: 2 TEMPLE AVE **Date Received:** January 18, 2021
Application Number: 21 105906 STE 04 OZ
Application Type: OPA / Rezoning, Rezoning
Project Description: Proposal for a 16-storey residential apartment building comprised of approximately 19,696 square metres of residential gross floor area. A total of 275 dwelling units are proposed.

Applicant	Agent	Architect	Owner
MHBC PLANNING LTD	David McKay	RAW DESIGN INC.	TEMPLE AVENUE PARTNERS INC

EXISTING PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhood	Site Specific Provision:
Zoning:	R (d2.0, x811)	Heritage Designation:
Height Limit (m):		Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 2,436 Frontage (m): 36 Depth (m): 69

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			1,335	1,335
Residential GFA (sq m):	1,320		19,817	19,817
Non-Residential GFA (sq m):				
Total GFA (sq m):	1,320		19,817	19,817
Height - Storeys:	3		16	16
Height - Metres:			56	56
Lot Coverage Ratio (%): 54.8			Floor Space Index: 8.14	

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

Residential GFA: 19,817

Retail GFA:

Office GFA:

Industrial GFA:

Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	22		22	22
Freehold:				
Condominium:			253	253
Other:				
Total Units:	22		275	275

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		12	180	56	27
Total Units:		12	180	56	27

Parking and Loading

Parking Spaces: 95 Bicycle Parking Spaces: 284 Loading Docks: 1

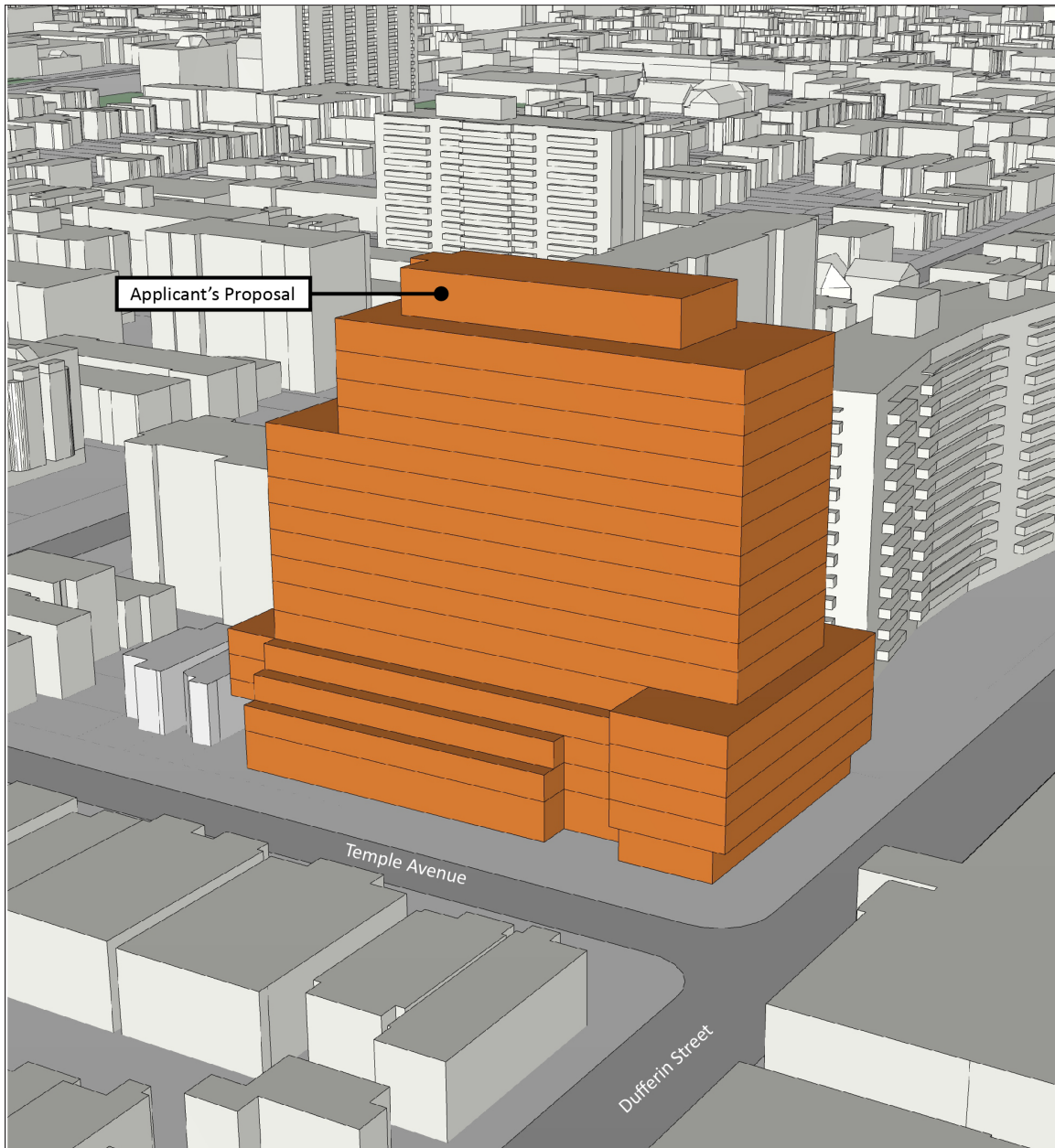
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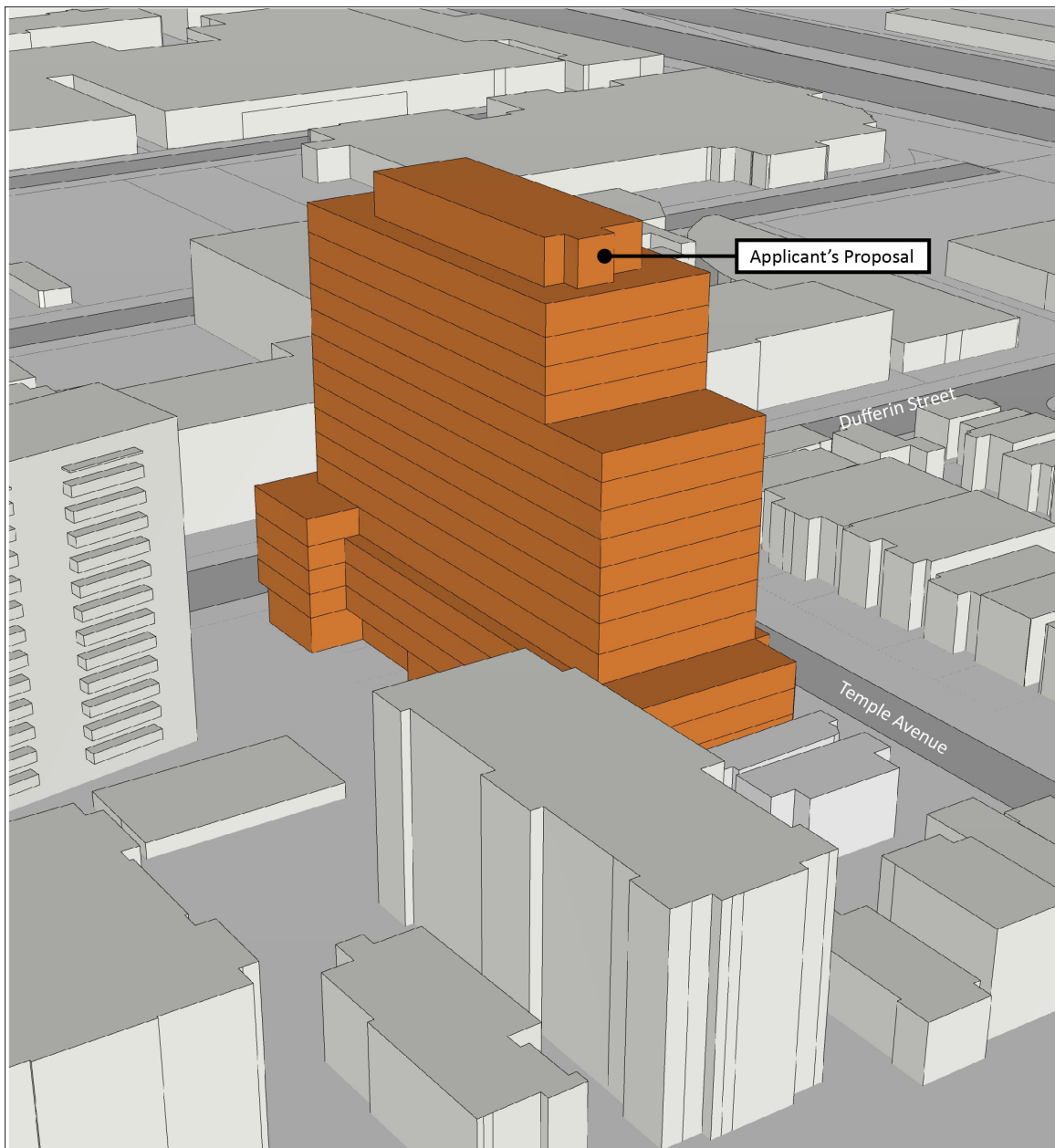
Attachment 3: 3D Model of Proposal in Context – Northwest



View of Applicant's Proposal Looking Northwest



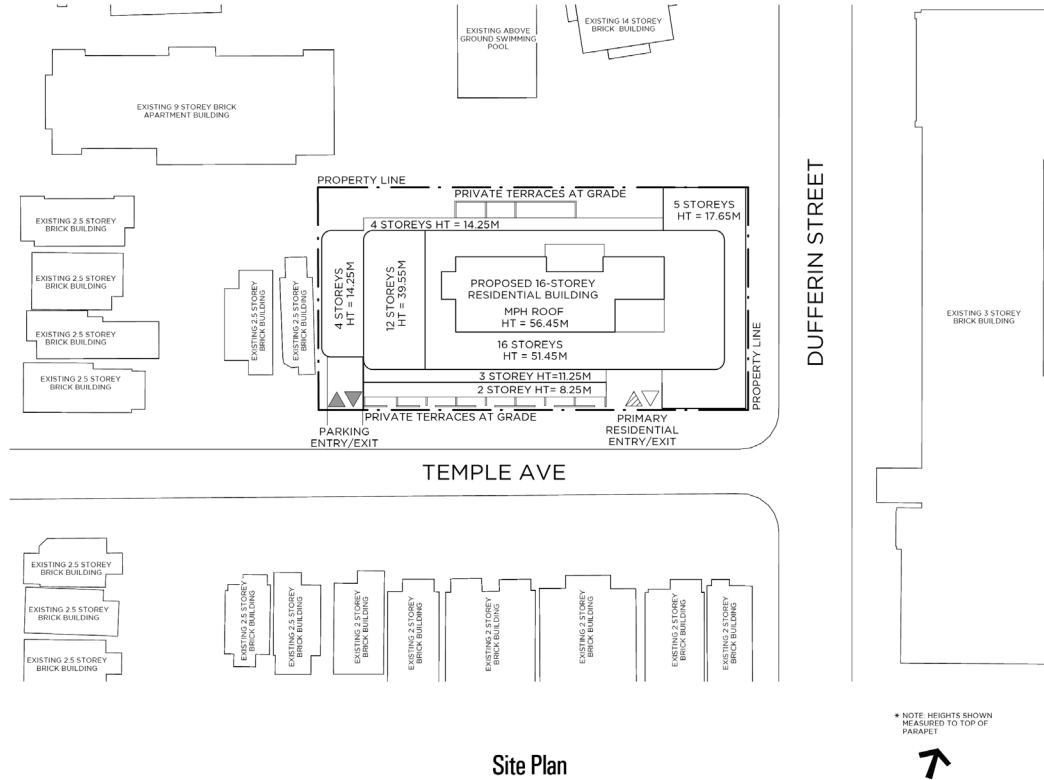
Attachment 4: 3D Model of Proposal in Context – Southeast



View of Applicant's Proposal Looking Southeast



Attachment 5: Site Plan



Site Plan

Attachment 6: Policy Considerations

The Planning Act

Section 2 of the Act identifies matters of provincial interest to which a municipality shall have regard regarding carrying out its responsibilities under the Act. Amongst other matters this includes:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water, and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable, and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Identify appropriate locations and promote opportunities for transit supportive development, accommodating a significant supply and range of housing options, including affordable housing, through intensification and redevelopment where it can be accommodated;
- Residential development promoting a mix of housing, recreation, parks and open space, and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form, and by conserving features that help define local character.

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:

- Encouraging a sense of place, by promoting well-designed built form;
- 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 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 to 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 to provincial plans.

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

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) came into effect on August 28, 2020. This was an amendment to the Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan (2020), establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the Planning Act.

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

- Directing municipalities to make more efficient use of land, resources, and infrastructure to reduce sprawl, contribute to environmental sustainability, and provide for a more compact built form, and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land-use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation, and green space that better connect transit to where people live and work;
- Public service facilities and public services should be co-located in Community Hubs, and integrated to promote cost-effectiveness;
- Cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas;
- 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 to the Growth Plan (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform to the Growth Plan (2020).

Toronto Official Plan

The Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. The Official Plan directs growth towards the Downtown, Centres, Avenues and Employment Areas.

The City of Toronto Official Plan can be found here:

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

On September 21, 2020, the Ministry of Municipal Affairs and Housing issued Notices of Decision approving OPA 479 and OPA 480. OPA 479 (Public Realm) and OPA 480 (Built Form) were adopted as part of the Five-Year Official Plan Review. The OPAs replace Sections 3.1.1, 3.1.2 and 3.1.3 of the Official Plan with new and revised policies for the public realm, built form and built form types, which respond to Council's direction to amend the urban design policies of the Official Plan.

The Official Plan Amendment can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.PH11.4>.

Chapter 2 – Shaping the City

The site is not located along one of the City's Avenues, identified as growth areas shown on Map 2 of the Official Plan.

Section 2.3.1 Healthy Neighbourhoods

Policy 2.3.1.2 of the Healthy Neighbourhoods policies of the Official Plan state that Apartment Neighbourhoods are residential areas with taller buildings and higher density than Neighbourhoods, and are considered to be physically stable. Development in Apartment Neighbourhoods will be consistent with this objective and will respect the criteria contained in Section 4.2.2 and other relevant sections of this Plan.

Policy 2.3.1.3 discusses development in *Apartment Neighbourhoods*, stating that developments in *Mixed Use Areas*, *Regeneration Areas* and *Apartment Neighbourhoods* that are adjacent or close to *Neighbourhoods* will:

- Be compatible with those *Neighbourhoods*;
- Provide a gradual transition of scale and density, as necessary to achieve the objectives of this Plan through the stepping down of buildings towards and setbacks from those *Neighbourhoods*;
- maintain adequate light and privacy for residents in those *Neighbourhoods*;
- Orient and screen lighting and amenity areas so as to minimize impacts on adjacent land in those *Neighbourhoods*;
- Locate and screen service areas, any surface parking and access to underground and structured parking so as to minimize impacts on adjacent land in those *Neighbourhoods*, and enclose service and access areas where distancing and screening do not sufficiently mitigate visual, noise and odour impacts upon adjacent land in those Neighbourhoods; and

- Attenuate resulting traffic and parking impacts on adjacent neighbourhood streets so as not to significantly diminish the residential amenity of those *Neighbourhoods*.

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

Policy 2.3.1.5 discusses improvements to Apartment Neighbourhoods stating that the functioning of the local network of streets in Neighbourhoods and Apartment Neighbourhoods will be improved by:

- Maintaining roads and sidewalks in a state of good repair;
- Investing in the improvement of bus and streetcar services for neighbourhood residents; Minimizing through traffic on local streets;
- Discouraging parking on local streets for non-residential purposes; and
- Providing new streets that extend the local street network into larger sites, where the new streets would provide access and frontage for existing and future development, improve pedestrian and bicycle circulation and improve the prominence, visibility and safe access to parks, open spaces, transit, schools and pedestrian destinations.

Section 2.4 Transportation

Section 2.4 of the Official Plan addresses the differing transportation demands between areas targeted for growth and those other parts of the City where little physical change is foreseen. This section of the Plan provides a policy framework to make more efficient use of the City's infrastructure and to increase opportunities for walking, cycling and transit use and support the goal of reducing car dependency throughout the City. Policies also state that planning for new development will be undertaken in the context of reducing auto dependency and the transportation demands and impacts of such new development assessed in terms of the broader social and environmental objectives of the Official Plan.

Chapter 3 – Building a Successful City

Section 3.1.1 The Public Realm

The public realm is the fundamental organizing element of the city and its neighbourhoods, and plays an important role in supporting population and employment growth, health, liveability, social equity, and overall quality of life. It

is a key shared asset that draws people together and creates strong social bonds at the neighbourhood, city, and regional level. The public realm, and the buildings that frame it, convey our public image to the world and unite us as a city. They contribute to Toronto's cultural heritage and are fundamental to defining our urban form and character. They set the stage for our festivals, parades, and civic life as well as for daily social interaction. Quality design of our public spaces enhance people's sense of community identity.

The public realm policies in section 3.1.1 of the Official Plan place emphasis on providing the organizing framework and setting for development, fostering complete, well-connected walkable communities and employment areas that meet the daily needs of people and support a mix of activities, active transportation, and public transit use. They also promote the provision of a comfortable, attractive and vibrant, safe and accessible setting for civic life and daily social interaction, and contribute to the identity and physical character of the City and its neighbourhoods.

Policy 3.1.1.13 states that sidewalks and boulevards will be designed to provide safe, attractive, interesting and comfortable spaces for users of all ages and abilities by:

- Providing well designed and co-ordinated tree planting, landscaping, amenity spaces, setbacks, green infrastructure, pedestrian-scale lighting, street furnishings and decorative paving as part of street improvements;
- Locating and designing utilities within streets, within buildings or underground, in a manner that will minimize negative impacts on the natural, pedestrian and visual environment and enable the planting and growth of trees to maturity; and
- Providing unobstructed, direct and continuous paths of travel in all seasons with an appropriate width to serve existing and anticipated pedestrian volumes.

Section 3.1.2 Built Form

Our quality of life and personal enjoyment of the public realm depend in part on the buildings that define and support the edges of our streets, parks and open spaces. The scale and massing of buildings define the edges of, and give shape to, the public realm. The ground floor uses, entrances, doors, windows, materiality and quality of these building edges help to determine the visual quality, activity, comfortable environment and perception of safety in those public spaces. Individual building façades that are visible from, and form the edges of streets, parks or open spaces are read together as the walls that define and support the public realm.

They should be conceived not only in terms of individual building sites and programs, but also in terms of how sites, buildings and their interface with the public realm fit within the existing and/or planned context of the neighbourhood

and the city. Each new development should be designed to make a contribution to the overall quality of urban design in the city.

Section 3.1.2 of the Official Plan, ensures that development will be located and organized to fit within its existing and planned context. It will frame and support adjacent streets, lanes, parks and open spaces to promote civic life and the use of the public realm, and to improve the safety, pedestrian comfort, interest and experience, and casual views to these spaces from the development.

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

Policy 3.1.2.6 and 3.1.2.7 also note that development will be required to provide good transition in scale between areas of different building heights and/or intensity of use in consideration of both the existing and planned contexts of neighbouring properties and the public realm, and that transition in scale will be provided within development sites and measured from shared and adjacent property lines.

Policy 3.1.2.9 provides that the design of new building facades visible from the public realm will consider the scale, proportion, materiality and rhythm of the façade to ensure fit with adjacent building facades, contributes to a pedestrian scale by providing a high quality of design on building floors adjacent to and visible from the public realm and break up long facades in a manner that respects and reinforces the existing and planned context.

Finally, Policy 3.1.2.11 also specifies that new indoor and outdoor shared amenity spaces shall be provided as part of multi-unit residential developments and are encouraged to be high quality, well designed, and consider the needs of residents of all ages and abilities over time and throughout the year.

Section 3.1.3 - Building Types

Section 3.1.3 of the Official Plan discusses different building typologies, stating that tall buildings play a role in achieving residential and office growth ambitions in parts of the Downtown and Central Waterfront and the Centres, as well as other areas across the city. However, not every site is appropriate for a tall building. Tall buildings should only be considered where they can fit into the existing or planned context, and where the site's size, configuration and context allows for the appropriate design criteria to be met.

Policy 3.1.3.8 states that tall buildings should typically be designed to consist of three parts – a base, a tower and a top – carefully integrated into a single whole.

Policy 3.1.3.9 states that the base portion of tall buildings should:

- Respect and reinforce good street proportion and pedestrian scale; and
- Be lined with active, grade-related uses.

Policy 3.1.3.10 states that the tower portion of a tall building should be designed to:

- Reduce the physical and visual impacts of the tower onto the public realm;
- Limit shadow impacts on the public realm and surrounding properties;
- Maximize access to sunlight and open views of the sky from the public realm
- Limit and mitigate pedestrian level wind impacts; and
- Provide access to daylight and protect privacy in interior spaces within the tower.

Policy 3.1.3.11 states that Policy 3.1.3.10 should be achieved by:

- Stepping back the tower from the base building;
- Generally aligning the tower with, and parallel to, the street;
- Limiting and shaping the size of tower floorplates above base buildings
- Providing appropriate separation distances from side and rear lot lines as well as other towers; and
- Locating and shaping balconies to limit shadow impacts.

Policy 3.1.3.12 states that the top portion of a tall building should be designed to:

- Integrate roof top mechanical systems into the building design;
- Contribute to the surrounding skyline identity and character; and
- Avoid up-lighting and excessive lighting.

Section 3.2.1 – Housing

Official Plan Policy 3.2.1.1 states that a full range of housing, in terms of form, tenure and affordability, across the City and within neighbourhoods, will be provided and maintained to meet the current and future needs of residents. A full range of housing includes: ownership and rental housing, affordable and mid-range rental and ownership housing, social housing, shared and/or congregate-living housing arrangements, supportive housing, emergency and transitional housing for homeless people and at-risk groups, housing that meets the needs of people with physical disabilities and housing that makes more efficient use of the existing housing stock.

Policy 3.2.1.5 discusses protecting the City's rental stock, stating 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 as rental housing, the existing rental housing units which have affordable rents and mid-range rents; and
- Should secure needed improvements and renovations to the existing rental housing to extend the life of the building(s) that are to remain and to improve amenities, without pass-through costs to tenants. These improvements and renovations should be a City priority under Section 5.1.1 of this Plan where no alternative programs are in place to offer financial assistance for this work.

Housing Policy 3.2.1.6 states that new development that would have the effect of removing all or a part of a private building or related group of buildings, and would result in the loss of six or more rental housing units will not be approved unless:

- All of the rental housing units have rents that exceed mid-range rents at the time of application, or
- In cases where planning approvals other than site plan are sought, the following are secured:
 - a) at least the same number, size and type of rental housing units are replaced and maintained with rents similar to those in effect at the time the redevelopment application is made;
 - b) for a period of at least 10 years, rents for replacement units will be the rent at first occupancy increased annually by not more than the Provincial Rent Increase Guideline or a similar guideline as Council may approve from time to time; and
 - c) an acceptable tenant relocation and assistance plan addressing the right to return to occupy one of the replacement units at similar rents, the provision of alternative accommodation at similar rents, and other assistance to lessen hardship, or in Council's opinion, the supply and availability of rental housing in the City has returned to a healthy state and is able to meet the housing requirements of current and future residents. This decision will be based on a number of factors, including whether:
 - i. Rental housing in the City is showing positive, sustained improvement as demonstrated by significant net gains in the supply of rental housing including significant levels of production of rental housing, and continued projected net gains in the supply of rental housing;
 - ii. The overall rental apartment vacancy rate for the City of Toronto, as reported by the Canada Mortgage and Housing

- Corporation, has been at or above 3.0 per cent for the preceding four consecutive annual surveys;
- iii. The proposal may negatively affect the supply or availability of rental housing or rental housing sub-sectors including affordable units, units suitable for families, or housing for vulnerable populations such as seniors, persons with special needs, or students, either in the City, or in a geographic subarea or a neighbourhood of the City; and
 - iv. All provisions of other applicable legislation and policies have been satisfied.

Chapter 4 - Land Use Designations

The site is designated *Apartment Neighbourhoods* on Map 18 - Land Use Plan (see Attachment7) of the City's Official Plan. *Apartment Neighbourhoods* are made up of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, service, and office uses that serve the needs of area residents. All land uses provided for in the *Neighbourhoods* designation are also permitted in *Apartment Neighbourhoods*.

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

- locating and massing new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of this Plan, through means such as providing setbacks from, and/or a stepping down of heights towards, lower-scale Neighbourhoods;
- locating and massing new buildings so as to adequately limit shadow impacts on properties in adjacent lower-scale Neighbourhoods, particularly during the spring and fall equinoxes;
- 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;
- including sufficient off-street motor vehicle and bicycle parking for residents and visitors;
- locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences;
- providing indoor and outdoor recreation space for building residents in every significant multi-unit residential development;
- providing ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces; and
- 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.

Design Guidelines

Policy 5.3.2.1 of the Official Plan also contemplates that City Council will adopt guidelines to advance the vision, objectives and policies of the Plan.

Tall Building Design Guidelines

Tall buildings are generally defined as buildings with height that is greater than the width of the adjacent street right-of-way or the wider of two streets if located at an intersection.

The Guidelines primarily illustrate how the public realm and built form policy objectives of the Official Plan can be achieved within a tall building development and within the area surrounding a tall building site. The Guidelines provide specific and often measurable directions related to the following guiding principles:

- Promote architectural and urban design excellence, sustainability, innovation, longevity, and creative expression with visionary design, high-quality materials, and leading-edge construction methods;
- Promote harmonious fit and compatibility with the existing and planned context, emphasizing relationships to lower-scale buildings, parks and open space; • conserve and integrate adjacent and on-site heritage properties so that new tall buildings are sympathetic to, and compatible with, the heritage property;
- Consider relationships to other tall buildings, including the cumulative effect of multiple towers on sunlight, comfort, and quality in the public realm create a safe, comfortable, accessible, vibrant, and attractive public realm and pedestrian environment;
- Minimize shadowing and wind impacts, and protect sunlight and sky view, for streets, parks, public and private open space, and neighbouring properties;
- Respond appropriately to prominent sites, important views from the public realm, and the shape of the skyline to reinforce the structure and image of the city; and
- Ensure high-quality living and working conditions, including access to public and private open space, interior daylighting, natural ventilation, and privacy for building occupants.

Growing Up: Planning for Children in New Vertical Communities

The Council-adopted Growing Up: Planning for Children in New Vertical Communities urban design guidelines provide guidance on the proportion and size of larger units recommended in new multi-unit residential developments.

Guideline 2.1 of the Growing Up guidelines states that a residential building should provide a minimum of 25% large units. Specifically, the guidelines state

that 10% of the total residential units should be three-bedroom units and 15% should be two-bedroom units.

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

The application was reviewed in the context of these guidelines to ensure an appropriate mix of units as well as the provision of adequately sized units to support housing choices and accommodation of larger households.

These guidelines can be accessed at this link:

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

Pet Friendly Design Guidelines for High Density Communities

City Planning has completed Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings. The purpose of this document is to guide new development in a direction that is more supportive of a growing pet population, considering opportunities to reduce the current burden on the public realm through the provision of pet amenities in high density residential communities.

These Guidelines provide direction on the size, location and layout of pet friendly facilities, while identifying best practices to support pet friendly environments at the neighbourhood, building and unit scale. The Guidelines are available on the City's website at:

<https://www.toronto.ca/wp-content/uploads/2019/12/94d3-CityPlanning-Pet-Friendly-Guidelines.pdf>.

Toronto Green Standard (Climate Mitigation and Resilience)

Climate change mitigation and resilience are key concerns of the City. On October 2, 2019, City Council declared a Climate Emergency and set a new goal to achieve net zero greenhouse gas emissions by 2050 or sooner. In 2021, an updated TransformTO Net Zero Strategy will be presented to Council, outlining the necessary climate action to reach net zero GHG emissions community-wide. In June 2019, the Resilience Strategy was published, which set out that new development should be resilient to a changing climate.

The Toronto Green Standard (the "TGS") sets out the key sustainable performance measures new developments are required to meet to address

climate mitigation and resilience. The TGS is a critical component of the City's efforts to achieve zero emissions buildings by 2030, to meet 2050 citywide greenhouse gas reduction targets, and to build a more resilient city. The TGS also supports other City-wide strategies related to environmental sustainability, including TransformTO, the Resilience Strategy, Ravine Strategy and Biodiversity Strategy.

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. Tier 1 performance measures are secured on site plan drawings and through a site plan agreement or registered plan of subdivision. Tiers 2+ are voluntary higher levels of performance with financial incentives (post-construction development charge refunds) intended to facilitate the foregoing objectives. Applicants are strongly encouraged to pursue higher tiers of the TGS wherever possible.

Applications must use the documentation required for the version of the TGS in effect at the time of the initial site plan application. TGS Version 3.0 applies to new applications submitted on or after May 1, 2018. TGS Version 4.0 will apply to all new applications submitted on or after May 1, 2022.

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


Attachment 7: Official Plan Map



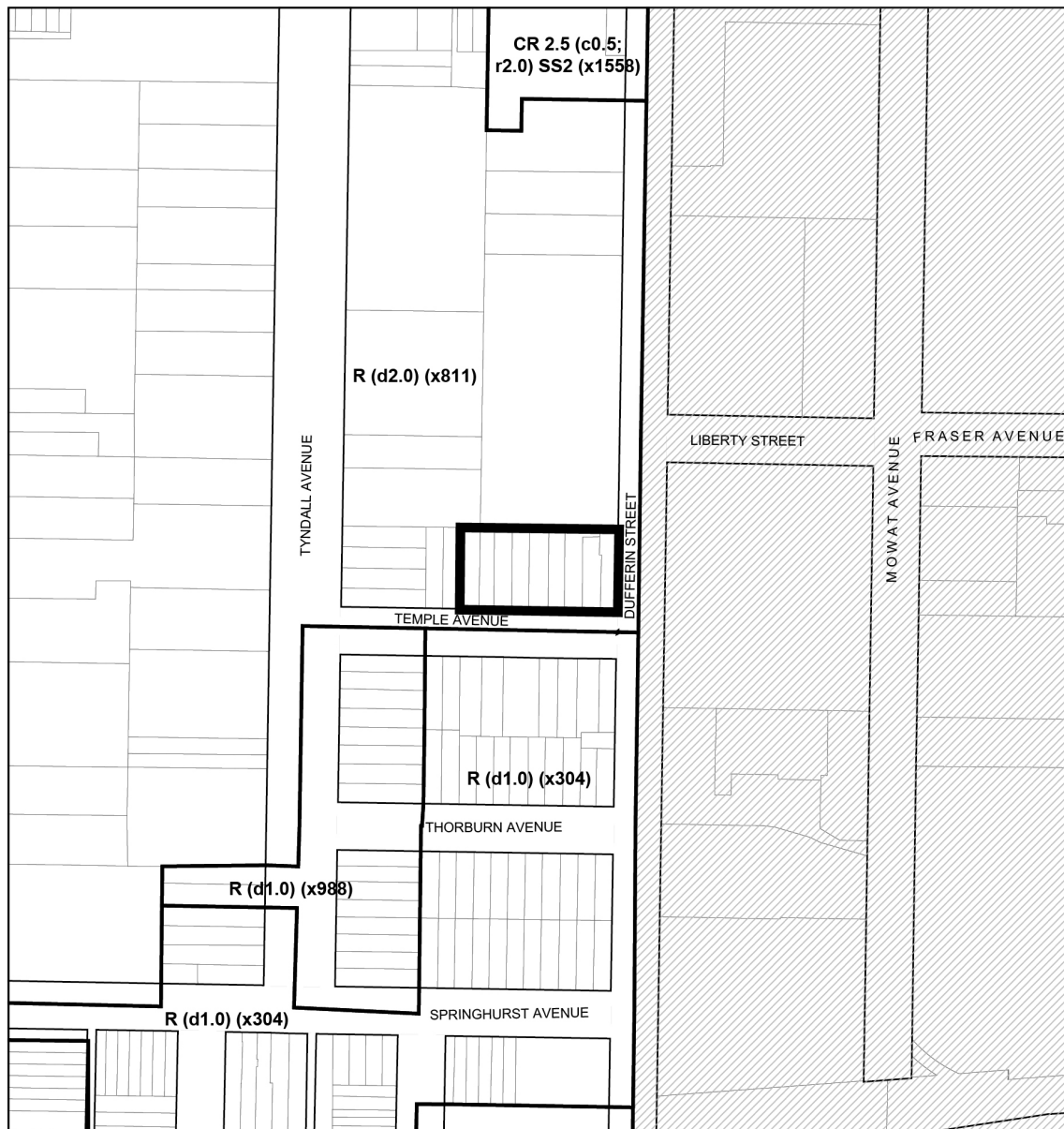
Official Plan Land Use Map #18

2-24 Temple Avenue
File # 21 105906 STE 04 02




 Not to Scale
 Extracted: 02/08/2021

Attachment 8: Zoning By-law Map




Zoning By-law 569-2013

2-24 Temple Avenue

File # 21 105906 STE 04 02

 Location of Application
R Residential
CR Commercial Residential
OR Open Space Recreation
UT Utility and Transportation

 See Former City of Toronto By-law No. 438-86
R2 Residential District
IC Industrial District
G Parks District


 Not to Scale
 Extracted: 02/09/2021