

## **22-36 Greenbriar Road – Official Plan Amendment, Zoning By-law Amendment and Rental Housing Demolition Applications – Decision Report- Approval**

Date: March 6, 2023

To: North York Community Council

From: Director, Community Planning, North York District

Wards: Ward 17 - Don Valley North

**Planning Application Number:** 21 252354 NNY 17 OZ

**Related Planning Applications:** 21 252355 NNY 17 RH, 22 241544 NNY 17 SA

### **SUMMARY**

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The Official Plan Amendment and Zoning By-law Amendment application proposes to redevelop the lands at 22-36 Greenbriar Road with a 22-storey (68.4 metres) residential building containing 320 dwelling units. The proposed building has a total gross floor area of 24,246 square metres. Vehicular access to the site would be provided by a single driveway via Talara Drive. The proposed development would provide a total of 145 parking spaces located in a two-level underground garage and a total of 241 bicycle parking spaces. The Rental Housing Demolition application proposes to demolish two rental dwelling units within eight existing semi-detached houses on the lands.

City Planning staff have reviewed the proposal and are recommending approval in an amended form with an overall building height of 21-storeys, reduced podium height of five-storeys (up to a maximum 16.0 metres in height), a tower floorplate size of 800 square metres of gross construction area, and a minimum rear (west) yard setback of 11.2 metres for the base building.

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

This reports reviews and recommends approval of the application to amend the Official Plan and Zoning By-laws 569-2013 and 7625 and the application to demolish two rental dwelling units, subject to the conditions set out in this report.

## RECOMMENDATIONS

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The City Planning Division recommends that:

1. City Council amend the Official Plan, for the lands at 22-36 Greenbriar Road 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 569-2013, for the lands at 22-36 Greenbriar Road 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 No. 7625 for the lands at 22-36 Greenbriar Road substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to this report.
4. 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 for the demolition of two (2) existing rental dwelling units at 22 and 26 Greenbriar Road after the following has occurred:
  - a. the owner shall provide an acceptable Tenant Relocation and Assistance Plan to all Eligible Tenants of the two rental dwelling units proposed to be demolished, addressing the provision of alternative accommodation at similar rents in the form of rent gap payments to assist in transitioning to market rental housing, and other assistance to mitigate hardship. The Tenant Relocation and Assistance Plan shall be to the satisfaction of the Chief Planner and Executive Director, City Planning.
5. 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 two (2) rental dwelling units at 22 and 26 Greenbriar Road after all the following have occurred:
  - a. Recommendation Part 4 above has been fully satisfied and secured;
  - b. the Official Plan and Zoning By-law Amendments have come into full force and effect;
  - c. the issuance of the Notice of Approval Conditions for site plan approval (File No. 22 241544 NNY 17 SA) by the Chief Planner and Executive Director, City Planning or designate, pursuant to Section 114 of the *City of Toronto Act, 2006*;
  - d. the issuance of excavation and shoring permits (conditional or full permit) for the approved development on the site;

e. the execution and registration of one or more agreements or the provision of a legal undertaking by the Owner, to the satisfaction of the City Solicitor, to secure the Tenant Relocation and Assistance Plan required in Recommendation 4 above and any other rental housing matters as deemed appropriate or necessary by the Chief Planner and Executive Director, City Planning; and

f. written confirmation by the owner that all existing rental dwelling units are vacant.

6. City Council authorize the Chief Building Official and Executive Director, Toronto Building to issue a Section 111 permit under Chapter 667 of the Toronto Municipal Code after the Chief Planner and Executive Director, City Planning has given the Preliminary Approval referred to in Recommendation 5 above.

7. 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 22, 24, 26, 28, 30, 32, 34, and 36 Greenbriar Road after the Chief Planner and Executive Director, City Planning has given the Preliminary Approval referred to in Recommendation 5 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 to the satisfaction of the Chief Building Official and Executive Director, Toronto Building;

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 five years from the date on which the demolition of the existing rental dwelling units commences, subject to the timeframe being extended at the discretion of the Chief Planner and Executive Director, City Planning; and

d. should the owner fail to complete the proposed development within the time specified in Recommendation 7.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 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.

8. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Official Plan and Zoning By-law Amendments as may be required, and to take any necessary steps to implement City Council's decision.

## **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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A Preliminary Report on the application was adopted by North York Community Council on April 20, 2022, authorizing City Planning staff to conduct a community consultation meeting with an expanded notification area. Comments from the community consultation are summarized in the Comments section of this Report. A copy of the Preliminary Report and Community Council's direction is available online at:

<https://secure.toronto.ca/council/agenda-item.do?item=2022.NY31.19>

## PROPOSAL

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### Proposal Description

The Official Plan and Zoning By-law Amendment application proposes to amend Map 9-2 of the Sheppard East Subway Corridor Secondary Plan and to amend the City-wide Zoning By-law 569-2013 and former City of North York Zoning By-law No. 7625, for the properties at 22-36 Greenbriar Road to permit a 22-storey residential building with a base podium that would be up to six-storeys in height. The Rental Housing Demolition application proposes to demolish two existing rental dwelling units on the lands.

### Height

The proposed building is 22-storeys, measuring 68.0 metres in height, excluding the mechanical penthouse that measures 5.0 metres in height). The base podium would be up to six stories and have a maximum height of 19.9 metres.

### Density

The proposed floor space index ("FSI") would be 7.28 times the area of the lot with a total gross floor area of 24,246 square metres.

### Unit Count

The residential unit mix would include four studio units (1%), 148 one-bedroom units (46%), 132 two-bedroom (41%) and 36 (11%) three-bedroom units for a total of 320 residential units.

### Additional Information

See Attachments 1-7 for a Location Map, Application Data Sheet, etc.

All plans and reports submitted as part of the applications can be found on the City's Application Information Centre at: [www.Toronto.ca/26GreenbriarRd](http://www.Toronto.ca/26GreenbriarRd)

### Site and Surrounding Area

The site is rectangular-shaped and located on the west side of Greenbriar Road and intersects with Talara Drive at the site's northwest corner. It is framed by two public

roads being Greenbriar Road (frontage of 67 metres) and Talara Drive (frontage of 39 metres). The site area is 3,331 square metres.

### **Existing Uses**

The site contains eight semi-detached houses that collectively contain eight dwelling units, including two rental units. One of the existing rental units is currently occupied.

### **Surrounding land uses**

North: On the north side of the site are three-storey townhouses with rooftop amenity space.

West: To the west of the site is the existing "S-shaped", four-storey apartment building and further west is Rean Park.

East: To the east of the site are existing semi-detached houses.

South: 71 Talara Drive is the site of a recently-approved Official Plan and Zoning By-law Amendment application for a 23-storey apartment building (File No. 21 113721 NNY 17 OZ). The application was approved in July 19, 2022.

### **Reasons for the Application**

The Official Plan Amendment and Zoning By-law application proposes to amend Map 9-2 of the Sheppard East Subway Corridor Secondary Plan to assign a maximum density to the lands and amend Zoning By-law 569-2013 and the former City of North York Zoning By-law No. 7625 to vary performance standards including: building height, building setbacks, floor space index, and parking space requirements.

The Rental Housing Demolition application proposes to demolish two rental dwelling units as part of a collection of eight semi-detached houses containing a total of eight dwelling units.

### **Site Plan Control**

The proposal is subject to Site Plan Control. A Site Plan Control application has been submitted (22 241544 NNY 17 OZ) and remains under review by City staff.

### **APPLICATION BACKGROUND**

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A pre-application meeting was held for the subject properties on May 20, 2021 to discuss complete application submission requirements and to identify preliminary issues with the proposed development.

The current application was submitted on December 31, 2022. A letter of complete submission was issued deeming the application complete as of December 31, 2022.

A virtual community consultation meeting was held on May 25, 2022. A summary from the community consultation can be found below in the Comments section of the report.

## **Application Submission Requirements**

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

- Planning Rationale
- Arborist/Tree Preservation Report
- Pedestrian Level Wind Study
- Sun/Shadow Study
- Housing Issues Report
- Rental Housing Declaration Form
- Public Consultation Strategy Report
- Functional Servicing and Stormwater Management Report
- Geotechnical Study/Hydrogeological Review
- Transportation Impact Study

Further information and documents can be found on the Application Information Centre: [www.toronto.ca/26GreenbriarRd](http://www.toronto.ca/26GreenbriarRd)

## **Agency Circulation Outcomes**

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City Divisions. Responses have been used to assist in evaluating the application and to formulate appropriate Official Plan amendments and zoning by-law standards.

## **Community Consultation**

City Planning staff hosted a virtual community consultation meeting on May 25, 2022. In accordance with the direction of North York Community Council, notice was sent to the notification area of 120 metres, plus an extended radius to additional residents, institutions and landowners. The public participated in the virtual meeting, along with the local Councillor's office, the applicant, their consulting team and City staff. City Planning staff presented the planning policy framework and an overview of the application for a 24-storey residential proposal.

Comments raised at the meeting included:

- Unit tenure, mix and size;
- Overall built form and density;
- Traffic in the surrounding area; and
- Provision of adequate resident and visitor parking.

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

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

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

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

### **Planning for Major Transit Station Areas**

The Growth Plan (2020) contains policies pertaining to population and employment densities that should be planned for in major transit station areas ("MTSAs") along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan (2020) requires that, at the time of the next (MCR), the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs plan for the prescribed densities.



At its meeting on July 19, 2022, City Council adopted Item PH35.16 - Our Plan Toronto: City-wide 115 Proposed Major Transit Station Area/Protected Major Transit Station Area Delineations - Final Report.

This item outlines the draft MTSA and PMTSA boundaries. These boundaries have not yet been approved by the Province.

## **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* of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation. This application has been reviewed against the policies of the City of Toronto Official Plan as follows:

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

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

### *Section 2.3.1: Healthy Neighbourhoods*

Chapter 2 of the Official Plan sets out the urban structure of the City, develops a strategy for directing growth within the urban structure and sets out policies for the management of change, through the integration of land use and transportation. The subject lands are designated *Apartment Neighbourhoods* in the Official Plan. Section 2.3.1 recognizes most of Toronto's existing apartment buildings are located within built up *Apartment Neighbourhoods* where significant growth is not anticipated on a city-wide basis. There may be sites within *Apartment Neighbourhoods* that contain space that is not well-utilized by the residents of existing apartment buildings. In some instances these sites could be improved through the addition of infill development that will provide additional housing options, including new rental housing while maintaining and/or improving on-site amenities and conditions for both new and existing residents. In other instances, redevelopment of vacant or underutilized sites in *Apartment Neighbourhoods* that meets the Plan's policies can create new housing options in Toronto.

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

### *Section 3.1.3 - Built Form*

The Built Form policies of the Official Plan requires new development to be located and organized to fit with its existing and planned context. Buildings should generally be located parallel to the street and main building entrances should be located so that they are clearly visible and directly accessible from the public sidewalk.

The Built Form policies also direct that development fit into the existing and/or planned context by providing streetwall heights and setbacks that fit harmoniously into the existing and/or planned context, and stepping back building mass and reducing building footprints above the streetwall height. 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.

Policy 3.1.3.(13) states that outdoor amenity space should be located away from and physically separated from loading and servicing areas, and have generous and well-landscaped areas to offer privacy and an attractive interface with the public realm.

### *Section 3.1.4 - Built Form: Building Types*

Section 3.1.4.7 of the Official Plan provides policies for tall buildings. Tall buildings are the most intensive form of growth that come with both opportunities and challenges. Tall buildings play a role in achieving growth ambitions in parts of the *Downtown, Central Waterfront*, and the *Centres*, as well as other areas across the city. Tall buildings should only be considered where they can fit into the existing and planned context, and where the site's size, configuration and context allows for appropriate design criteria to be met.

The Official Plan requires that development be located and organized to fit with its existing and/or planned context, define and frame the edges of the public realm with good street proportion, and ensure access to direct sunlight and daylight on the public realm. Policies under 3.1.4(9) direct 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. Design criteria are provided for under Policy 3.1.4(10) 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 sunlight and open views of the sky from the public realm, and limit and mitigates pedestrian-level wind impacts. These policies should be achieved by stepping back the tower from the base building, generally aligning the tower with, and parallel to, the street, limiting tower floor plates, providing appropriate separation distances, and locating and shaping balconies to limit shadow impacts.

## **Chapter 4 - Land Use Designations**

The subject lands are designated *Apartment Neighbourhoods* on Map 19 of the Official Plan (see Attachment 3). These areas are made up of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, services and office uses that serve the needs of area residents.

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

- a) locating and massing new buildings to 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*;

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

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

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

The subject lands are also located within the Sheppard East Subway Corridor Secondary Plan. The Secondary Plan is intended to encourage development within key development areas which are primarily designated *Mixed Use Areas* and to establish a planning context for long term growth. The Secondary Plan provides for policies that envision the highest densities located closest to the subway nodes, along the frontages of arterial roads, and abutting Highway 401.

The site is located within the Bessarion Node (Area B) of the Secondary Plan. The Bessarion Node is located around the Bessarion Subway Station on the Toronto Transit Commission's (TTC) Line 4 and is expected to be a node providing opportunities for new residential uses with a mix and range of housing types.

The lands are presently not identified as a Key Development Area in Map 9-2 of the Secondary Plan which are primarily designated *Mixed Use Areas*.

The Sheppard East Corridor Secondary Plan can be found here: [9 - Sheppard East Subway Corridor Secondary Plan \(toronto.ca\)](#)

## ReNew Sheppard Avenue Study

On June 26, 2018, City Council directed staff to study the area generally bounded by Bayview and Leslie Avenues along Sheppard Avenue to refine and build upon the existing and recent planning initiatives undertaken in the area and develop a vision and planning framework for a complete community which supports the *Mixed Use Areas*, *Apartment Neighbourhoods* and *Neighbourhoods* designations within the study area. The planning framework, in conjunction with a public realm and open space framework, and built form plan, will be integrated with a multi-modal transportation system, servicing strategy, and policies, or strategic initiatives to serve the area.

The ReNew Sheppard East Planning Study will provide recommendations to clarify, refine, and/or strengthen the existing policy framework, which could include official plan changes, and area-specific planning tools and policies.

On June 23, 2021, City Planning staff issued a Status Report for the analysis of the policy framework for this segment of Sheppard Avenue East in phases and to facilitate more public engagement. North York Community Council also endorsed the Draft Boundaries for Major Transit Station Areas map for consultation to be considered in the context of the review of major transit station areas through the city-wide Growth Plan conformity exercise. Staff were also directed to include a review of community services and facilities, including any updates to area schools and hospitals, and to report back as part of the final staff report by Q1 2022.

More information on the ReNew Sheppard Avenue Study can be found here: [ReNew Sheppard East \(Sheppard Avenue East Planning Review\) – City of Toronto](#)

## Zoning

The lands are designated RM (f21.0; a925; d0.85) which permits a range of building types, including apartment buildings. The zoning permits a maximum height of 12.0 metres, minimum front yard setback of 6.0 metres, minimum rear yard setback of 7.5 metres, and minimum side yard setback of 2.4 metres. The maximum density permitted on the site is 0.85 times the lot area.

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.

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

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

This application involves the demolition of rental housing. Since the development site contains six or more residential units, of which at least one unit is a rental unit, an application is required under [Chapter 667](#) of the City's Municipal Code, the Rental Housing Demolition and Conversion By-law. The By-law requires an applicant to obtain a permit from the City to demolish the existing rental housing units. The City may impose conditions on an approval that must be satisfied before a demolition permit is issued.

A Rental Housing Demolition application was submitted to the City and deemed complete on March 17, 2022.

## **Design Guidelines**

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

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

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

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

City Council has adopted city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of tall building development applications. These Guidelines focus on how the design of new tall buildings should be evaluated and carried out to ensure that tall buildings fit within their existing and/or planned context and limit impacts. The link to the guidelines is here: [City of Toronto: Tall Building Design Guidelines](#)

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

Guidelines are the result of a two year study and two year period of implementation and monitoring, focused on how new mid-rise and tall buildings can be developed as vertical communities to support social interaction and better accommodate the needs of all households, including those with children. They apply to all new multi-residential mid-rise and tall building development application with twenty or more units. The link to the guidelines and the background staff reports is available here: [City of Toronto - Growing Up: Planning for Children in New Vertical Communities](#)

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

The purpose of the Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings document is to guide new developments in a direction that is more supportive of a growing pet population, considering opportunities to reduce the current burden on the public realm, and provide needed pet amenities for high density residential communities. These Guidelines are to be used by the development industry in the preparation of development applications, by architects to inform the size, location

and layout of pet friendly facilities, and by city staff in the various stages of development application review to identify best practices and help inform decisions that will support pet friendly environments. The Guidelines are to be used in conjunction with other policies and guidelines. They are not intended to be prescriptive, but rather are intended to provide an additional degree of information. All residents, both pet-owners and non-pet-owners, will benefit from the Guidelines as they encourage design that demonstrate considerations for pets and reduces the impact that they have on our parks, open spaces and the environment. The Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings are available at: [City of Toronto - Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings](#)

## COMMENTS

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The applicant has proposed a twenty-two storey development with a six-storey base building, and tower floorplate size of 903 square metres. The base building incorporates 'wings' adjacent to the west (rear) property line. The application proposes a maximum density of 7.28 times the lot area. Staff are recommending approval of the application in an amended form with a maximum height of 21-storeys and a podium height of five-storeys (maximum height of 16 metres). The amended form would also remove the 'wings' on the rear (west) side of the base building. The amended form would incorporate a maximum tower floorplate size of 800 square metre of gross construction area. The maximum density of the proposed building would be 6 times the lot area. As discussed in the comments below, Staff are of the opinion that the amended form is consistent with the PPS, would conform with the Growth Plan and would better meet the policies in the Official Plan for *Apartment Neighbourhoods*, as well as the current policies in the Secondary Plan which does not identify this property as a Key Development area.

### Provincial Policy Statement and Provincial Plans

The proposal has been reviewed in the amended form and evaluated against the PPS and the Growth Plan. Staff are of the opinion that the proposal, in the amended form, is consistent with the PPS and conforms with the Growth Plan.

Staff have determined that the amended form is consistent with the PPS and conforms with the Growth Plan as follows:

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

The Growth Plan supports the objectives of the PPS through the prioritization of better use of land and infrastructure by directing growth to settlement areas and prioritizing intensification with a focus on *strategic growth areas*. The Growth Plan establishes that compact built form and intensification go together with more effective transit and active transportation networks and are fundamental to where and how we grow. The Growth

Plan prioritizes the use of existing land through intensification to make better use of existing infrastructure and public service facilities. In applying the policies of the Growth Plan, municipalities will support the goal of achieving complete communities that incorporate a mix of land uses, improves the quality of life for humans of all ages, abilities, and incomes, provide for a mix of housing options, access to transit, and a more compact built form and vibrant public realm, including public open spaces.

The amended proposal conforms to the policy objectives of the PPS and Growth Plan by providing an appropriate level of intensification on a site that is underutilized given the existing land use designation and its location, while contributing to the mix of housing types (ground-related units, apartment units, and mix of two- and three-bedroom units) and densities necessary to meet projected requirements of current and future residents. The proposed development supports active transportation through the adequate provision of bicycle parking spaces and reduced vehicular parking to residential unit ratio. To support the reduced parking supply, the amended form would also require a minimum of 4 car-share spaces. The proposal also provides tenant assistance and relocation plan for the residents of the existing rental unit on the site. The tenant assistance and relocation plan will be secured through a legal undertaking. Lastly, the amended proposal also provides additional open space areas at the ground floor for future residents.

Policy 4.6 of the PPS recognizes that the Official Plan is the most important vehicle for implementation of the PPS. The City of Toronto Official Plan establishes areas for intensification and includes policies that encourage intensification, provided that the proposal demonstrates conformity with other applicable Official Plan policies.

This application has been reviewed against the Official Plan policies described in the Policy Considerations Section of the Report as well as the policies of the Toronto Official Plan as a whole.

## **Land Use**

This application has been reviewed against the Official Plan land use policies contained in Chapter 4 and the policies of the Sheppard East Subway Corridor Secondary Plan.

The subject site is designated *Apartment Neighbourhoods* (Attachment 3). The *Apartment Neighbourhoods* designation, through the City of Toronto Official Plan, establishes that development in *Apartment Neighbourhoods* will contribute to the quality of life through several development criteria. The proposed introduction of grade level units on Greenbriar Road and adjacent to the north side lot line are supported by the policies of the Plan. These residential units would support the existing residential character of the surrounding lands designated *Apartment Neighbourhoods*. The proposed outdoor amenity space facing Talara Drive would also be supported by the Plan which directs for active uses and animation along the street level.

The amended form would provide for a compatible redevelopment of the lands that also conforms to the general intent of Policies contained in 4.2.2 which provides that development improve the quality of life by locating and massing new buildings to frame the edge of streets with good proportion and maintain sunlight and comfortable wind

conditions for pedestrians on adjacent streets, locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences, and provide for ground floor uses that enhance the safety, amenity and animation of adjacent streets.

The Sheppard East Subway Corridor Secondary Plan (the "Secondary Plan") directs that development on lands designated *Apartment Neighbourhoods* will be in accordance with the Official Plan.

## **Density**

The Secondary Plan directs that the greatest density, height and mass abutting Highway 401, at major intersections, and at locations with the greatest accessibility to public transit. The Secondary Plan also sets out maximum densities for various sites throughout the secondary plan area and identifies sites as Key Development Areas on Map 9-2. The majority of these sites are in a *Mixed Use area* designation rather than an *Apartment Neighbourhoods* designation.

The densities outlined in the Secondary Plan are intended to be in support of the subway facilities. Maximum densities in the Secondary Plan are defined by built form, urban design objectives, community resources, infrastructure and the need to address potential impacts on stable land uses and areas within and beyond the boundaries of the Sheppard East Subway Corridor.

An Official Plan Amendment to the Secondary Plan has been made to assign a maximum density to the site. The current application proposes a maximum density of 7.28 times the lot area. The Official Plan Amendment would assign the site a maximum density of 6 times the lot area. Staff are of the opinion that the amended form provides a transition in height and density from development abutting Highway 401, including the Official Plan and Zoning By-law Amendment application at 71 Talara Drive which was approved with a height of 23-storeys and maximum density of 6.8 times the lot area. The proposed density for the amended form balances intensification in proximity to a subway station, respects the existing policy framework of the Official plan and secondary plan and incorporates a built form with appropriate transition and compatibility to stable land uses.

## **Built Form: Height, Massing, and Setbacks**

The Official Plan contains development criteria for *Apartment Neighbourhoods*. The Official Plan identifies that new buildings will locate and mass new buildings to frame the edge of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces.



The Secondary Plan directs that building height and massing achieve several objectives, including minimizing shadowing, wind or snow drifting effects within blocks, along streets, and within open space areas, and responding sensitively to the nearby low density residential uses and minimize adverse impact of built form on homes. The height and mass of buildings should ensure a proper response to pedestrian scale.

#### *Tower*

The current application proposes a tower floorplate size of 903 square metres. The amended form presents a tower floorplate size of 800 square metres which would exceed the Tall Building Guidelines recommended maximum of 750 square metres of gross construction area. The Tall Building Guidelines provides flexibility in managing impacts from a tower through the implementation of tower floorplate size, setbacks and stepbacks. The reduced tower floorplate ensures a 3-metre tower stepback from the base building along all streets and open space frontages (including publicly accessible or private shared open space and rooftop amenity within the site), which are recommendations found in the Tall Building Guidelines. Staff have also reviewed the existing context which is comprised of residential buildings that were approved or constructed pre- and post-Tall Building Guidelines. Staff are of the opinion that the amended tower floorplate size responds to the existing floorplate context, while adhering to the intention of the Guidelines to provide a floorplate size that would ensure faster moving shadows, and improve access to sky view. The floorplate size works in tandem with the tower separation distances, setbacks, and stepbacks, which is further discussed below.

The Tall Building Guidelines recommends a minimum 3-metre stepback to provide a development that reinforces the base building as a defining feature of the public realm, enhance pedestrian comfort from downward wind shear and limit visual impact of the tower at grade. The current proposal provides a 3.8 metre tower stepback facing Talara Drive, but provides deficient tower stepbacks facing Greenbriar Road and the rear (west) yard setback adjacent to the private shared open space.

Facing Greenbriar Road and intersecting with Talara Drive, the current proposal's tower has a stepback of 1-metre from the base podium and incorporates a bump-out and balcony that overhang 1.8 metres beyond the podium facing Greenbriar Road between the eighth and twenty-second storey. Stepping back the tower would reduce the building mass above the streetwall height and eliminate the tower overhang from the podium on the Greenbriar Road frontage.

The current tower has a 1.2 metre setback over the podium adjacent to the rear yard outdoor amenity space. The 3-metre tower stepback on the rear portion of the podium would provide an improved relationship with the ground level uses including the outdoor amenity space, as recommended by the Guidelines. The amended form is intended to maintain a minimum tower rear yard setback of 12.5 metres, as recommended by the Tall Building Guidelines. The tower would maintain a north side yard setback exceeding 30 metres from the north side property line, providing a greater separation distance from the north lot line and the existing townhouse development.

Overall, the reduced tower floorplate size improves tower stepback and overall development setback to comply with Official Plan Policy 3.1.3(5) which directs that development will be located and massed to fit with the existing and planned context by providing streetwall heights and setbacks that fit harmoniously with the existing and/or planned context. The incorporation of tower stepbacks from the base building and limiting and shaping the size of the floorplates above the base building is in conformity with Policy 3.1.4(11) of the Official Plan.

#### *Podium Height*

The base portion of tall buildings should respect and reinforce good street proportion and pedestrian scale and be lined with active grade-related uses, per Official Plan policy 3.1.4(9). The Tall Buildings Guidelines recommends that the base building achieve a maximum height of 80% of the adjacent right-of-way width and to align the height where there is a consistent streetwall height. The Guidelines recommend that the portion of the base building adjacent to lower-scaled context match the scale and height of neighbouring buildings.

The current proposal incorporates a six-storey base building with a maximum height of 19.9 metres, which would correspond to approximately 100% of the right-of-way width of 20 metres. The current podium has a stepback from the north lot line, is proposed at 13.4 metres and four-storeys in height. The 13.4 metre height would transition appropriately to the north side three-storey townhouses which has a maximum height of 13.9 metres to the roof top.

Policy 3.1.3(6) states that development will provide good transition in scale between areas of different building height and/or intensity of use in consideration of both the existing and planned contexts of neighbouring properties and the public realm. Staff are recommending that the amended proposal incorporate a five-storey base building that corresponds to 80% of the right-of-way width and maintain a four-storey stepdown adjacent to the north side townhouses.

Staff have reviewed the surrounding area to evaluate the existing and planned context, including the recently approved development 71 Talara Drive. The base building for the proposal at 71 Talara Drive was approved with a base building height of five-storeys (maximum height of 16.55 metres) and steps down to four-storeys (maximum height of 13.15 metres) adjacent to the existing two and a half storey building to the east.

The proposed amended form ensures that the proposal is consistent with this context of streetwall heights, and provides appropriate transition to the adjacent north side towns. The reduced podium height would maintain an appropriate streetwall height adjacent to the northside townhouses and provide for an improved base building relationship with Greenbriar Road.

The podium height reduction would result in an overall tower height of 64.9 metres, excluding the 5.0 metre mechanical penthouse. These modifications would be in keeping with the recommendations in the Guidelines and respect and reinforce good street proportion and pedestrian scale, as directed by Official Plan policy.

## *Podium Setbacks*

The current proposal incorporates a setback of 3.6 metres for the base building from the Greenbriar Road frontage. This setback would be compatible with the 3.7 metre setback of the adjacent north side townhouses. The setback incorporates landscaping and private patio space for the ground level two-storey units.

The south side yard setback on Talara Drive is 4.7 metres and incorporates landscaping and amenity space to animate the streetscape with active uses. The podium would be setback 5.0 metres from the north yard abutting the townhouses. This setback provides appropriate separation distance from the side yards of the north side townhouses and incorporates private amenity space for the ground level units.

Staff have concerns with the proposed rear yard setback facing the west lot line, due to the podium 'wings'. The rear yard incorporates the driveway access, outdoor amenity space, and pet amenity. On the ground level, the base podium proposes a 3.6 metre setback closest to the north lot line (abutting the townhouses) and a 0 metre setback closest to Talara Drive. From the second storey above, the greatest rear yard setback proposed for the podium would be 11.2 metres.

The amended proposal would incorporate an increased podium setback of 11.2 metres for the entirety of the podium abutting the rear yard property line. The increased setback is intended to provide appropriate space in the rear yard to ensure the outdoor amenity space is physically separated from the loading and servicing space areas, and increase on-site landscaping. These revisions would be in conformity with Policy 3.1.3(13) which directs that outdoor amenity space should be located away from and physically separated from loading and servicing areas, and have generous and well-landscaped areas to offer privacy and an attractive interface with the public realm.

## **Sun/Shadow and Wind**

### *Sun/Shadow*

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

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

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

The applicant prepared and submitted a sun/shadow study that illustrates the extent of shadowing that would result from the proposed development in March and September. During March and September, the shadow study shows that a small portion of Rean Park would be partially under shadow at 9:18am and move past the park in the following hour. Shadowing on Greenbriar Road would begin at 1:18pm and the *Neighbourhoods* would be under shadow beginning at 4:18pm.

The amended form is intended to reduce the shadowing on the public realm caused by the development by reducing the overall tower and podium height and by reducing the tower floorplate size to ensure shadowing passes through quicker compared to the currently proposed floorplate size of 903 square metres and six-storey base building. This rationale is supported by Official Plan policy 3.1.4(1)(c) which directs that the tower portion of a tall building should be designed to maximize access to sunlight and open views of the sky from the public realm.

### *Wind*

The wind study provided by the applicant outlines a realignment of winds was noted along Greenbriar Road resulting in generally windier conditions. The study notes that winds that formerly flowed over the low-rise site will be redirected by the proposed development to flow down and around the facades of the proposed building, resulting in localized increases in winds along Greenbriar Road. Generally, due to the proposed development, Greenbriar Road and Talara Drive experience increased wind conditions resulting in classification from sitting to standing, or standing to walking.

The report outlines mitigation plans recommended for the main residential entrance, the outdoor space at the intersection of Greenbriar Road and Talara Drive, the at-grade outdoor amenity space to the south of the building, and the 7th storey outdoor amenity space. Mitigation measures recommended by the wind study include the podium, stepped and narrow facades, overhangs, balconies, and landscaping.

The amended form is intended to incorporate revisions to the floorplate size and increased tower stepbacks to further limit and mitigate pedestrian level wind impacts, consistent with Policy 3.1.4(1)(d) of the Built Form policies. While the wind study generally outlines suitable wind conditions for the intended uses along the public realm, such as walking, the amended form would further support recommendations in the report, including stepped and narrowed facades through the incorporation of a reduced tower floorplate size to increase the tower's stepback from 1-metre fronting Greenbriar to 3-metres. The report identifies mitigative features, which include podiums, setbacks, and stepped facades, among other features.

Staff are of the opinion that the amended form would result in improved sun/shadow and wind impacts, in conformity with the Official Plan and Tall Buildings Guidelines.

## **Traffic Impact, Access, Parking**

### *Traffic Impact*

The applicant's transportation consultant submitted a Transportation Impact Study (TIS) Addendum dated December 13, 2022 in support of the proposal. The report estimates that the proposed development will generate approximately 41 and 37 two-way trips during the AM and PM peak hours, respectively. Transportation Services generally accepts the conclusions of the submitted study.

### *Access and Parking*

The primary access to the site will be provided by a full moves driveway via Talara Drive, where the type and location of the driveway are acceptable

The parking space requirements for the project are governed by the applicable parking provisions contained in the Toronto Zoning By-law No. 569-2013. The subject site falls within the Rest of the City, however, given the location of the site within a walking distance to the TTC Subway Line 4, Transportation Services can support the parking rates under Policy Area 3 (PA3). As a result, Transportation Services require that parking for this project be provided in accordance with Zoning By-law No. 569-2013 for PA3, as defined in the By-law. A summary of the parking requirements for this project is provided in Table 1.

Table 1: Minimum Parking Space Requirements – By-law No. 569-2013 (PA3)

Use	Scale	Parking Rate <sup>1</sup>	No. of Spaces Required
Residential			
Bachelor	4	0.6	2
1 Bedroom	148	0.7	103
2 Bedrooms	132	0.9	118
3 Bedrooms or More	34	1.0	34
Visitors	320	0.1	32
Sub-Total Residents			257
Sub-Total Visitors			32
Grand Total			289

The application proposes a parking supply that would be less than the amount currently required by the Zoning By-law. Staff are supportive of a reduced parking supply through the provision of appropriate TDM measures such pre-loaded Presto cards, bicycle supply that complies with or is in excess of the Zoning By-law requirements, and the development of a bikeshare station. The reduced vehicle parking rate, bicycle parking rates and car-share parking will be secured in the Zoning By-laws. Staff are

recommending that the other TDM measures outlined above be secured through Site Plan Control, or other agreements.

Chapter 200.15.10 under By-law No. 569-2013 requires a minimum of 5 accessible spaces for the first 100 spaces, plus 1 space per additional 50 spaces above 100 spaces. The By-law requires a minimum number of 6 accessible parking spaces. A total of 8 accessible parking spaces are proposed, which meets the minimum requirement.

### *Bicycle Parking*

A total of 241 bicycle parking spaces are provided, including 218 long-term spaces and 23 short-term spaces. The design and location of the bicycle parking will be secured during the Site Plan Control application. The amended by-law has reflected the number of bicycle parking spaces required.

### *Loading*

The loading space requirements for the project are governed by the applicable parking provisions contained in the Toronto Zoning By-law No. 569-2013. As per the By-law, the proposed development needs 1 Type G loading space, and 1 Type G loading space is proposed, which satisfies the by-law requirements. Type G Loading Space means a loading space that is a minimum of 4.0 m wide, 13.0 m long and has a minimum vertical clearance of 6.1 m. Furthermore, appropriate turning movement diagrams have been provided illustrating a heavy vehicle entering and exiting the site in a forward motion. As such, Transportation Services accepts the proposed loading space configuration.

### Transportation Demand Management (TDM)

Transportation Demand Management (TDM) measures are aimed at encouraging people to take fewer and shorter single occupancy vehicle trips to reduce congestion, energy consumption and pollution. The Traffic Impact Study recommends TDM measures, including a pre-loaded Presto card on an on-demand basis, bicycle supply in excess of the Zoning By-law requirements, the development of a bikeshare station, and a reduced vehicle parking supply. Transportation Planning staff are also recommending for the provision of 4 car-share spaces. As noted, Staff are recommending that TDM measures such as those outlined here, and others be secured through the Zoning By-law Amendment, Site Plan Control, or other agreements.

### **Servicing**

An updated Functional Servicing and Stormwater Management Report is required for review and acceptance by the Chief Engineer and Executive Director of Engineering and Construction Services to confirm there is sufficient capacity to accommodate the proposed development, prior to final approval and construction commencing, as detailed in the Holding Symbol section below.

## **Holding Symbol**

As there are outstanding servicing and capacity issues that need to be resolved in the Functional Servicing and Stormwater Management Report, 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 22-36 Greenbriar Road, 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. An amending by-law to remove the "(H)" symbol shall be enacted by City Council when the following condition has been fulfilled to the satisfaction of City Council:

"The owner has submitted an acceptable Site Servicing Review (comprised of Functional Servicing Report, Stormwater Management Report and Hydrogeological Report) demonstrating that the City requirements can be met and sufficient capacity exists to accommodate the proposed development, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services. Should the Functional Servicing Report identify that any upgrades or improvements to municipal infrastructure including municipal services are required, those upgrades and improvements shall be secured by appropriate agreements as a condition of Site Plan approval, and shall be constructed prior to the issuance of any building permits for any development on the lands, all to the satisfaction to the Chief Engineer and Executive Director, Engineering and Construction Services."

## **Housing Issues**

Policy 3.2.1.12 of the Official Plan states that new development that would have the effect of removing all or part of a private building or related group of buildings, and would result in the loss of one or more rental units or dwelling rooms, will not be approved unless an acceptable tenant relocation and assistance plan is provided to lessen hardship for existing tenants.

Since the proposed development would require the demolition of two rental dwelling units, Policy 3.2.1.12 of the Official Plan applies to this proposal and the applicant is required to provide an acceptable tenant relocation and assistance plan to mitigate hardship for existing tenants. The plan would assist tenants in finding and securing alternative accommodation and consist of the following:

- At least six months' notice before having to vacate their existing dwelling unit;
- Financial compensation equal to three months' rent or an alternative unit acceptable to the tenant, as required under the *Residential Tenancies Act, 2006* when a tenant receives a notice of termination to terminate their tenancy for the purposes of demolition;

- Financial compensation, above and beyond the requirements of the *Residential Tenancies Act, 2006*, in the form of a rent gap payment, where the rent gap would be calculated as the difference between the rent paid by a tenant on the date their tenancy is terminated and the most recent average rent for vacant private rental apartments by unit type in Canada Mortgage and Housing Corporation's ("CMHC") Rental Market Survey (RMS) Zone 14 – North York (Northeast), which encompasses the development site, over a 36-month period. The rent gap payments would assist tenants in transitioning to market rents and be paid out to each eligible tenant in a lump sum on the date they provide vacant possession of their existing rental unit;
- A moving allowance to cover expenses for moving into alternative accommodation;
- Special needs compensation for applicable tenants; and
- Upon request, make a rental leasing agent available to provide tenants with a list of rental vacancies in the neighbourhood, co-ordinate referrals and references from the current landlord, and provide similar assistance commensurate with tenant needs.

The tenant relocation and assistance plan is consistent with the City's current practices and will support tenants in continuing to access and afford accommodation within the neighbourhood. This plan will be secured through either an agreement pursuant to Section 111 of the *City of Toronto Act, 2006* or a legal undertaking by the owner, as deemed appropriate by, and to the satisfaction of, the City Solicitor. The agreement or legal undertaking shall be executed prior to the issuance of Preliminary Approval for the Rental Housing Demolition Permit.

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

Policy 3.2.1.12 of the Official Plan states that new development that would have the effect of removing all or part of a private building or related group of buildings, and would result in the loss of one or more rental units or dwelling rooms, will not be approved unless an acceptable tenant relocation and assistance plan is provided to lessen hardship for existing tenants.

Policy 3.2.1.12 was approved by City Council on June 18, 2019 with the adoption of OPA No. 453 through the enactment of By-law 986-2019. OPA No. 453 was subsequently appealed to the Ontario Land Tribunal (the "Tribunal"). On October 25 2021, the Tribunal issued an Oral Decision approving OPA 453 and bringing Policy 3.2.1.12 into full force and effect except for one site-specific appeal.

Since the proposed development would require the demolition of an existing building comprised of one (1) rental dwelling unit, Policy 3.2.1.12 of the Official Plan applies to this proposal and the applicant is required to develop and implement an acceptable tenant relocation and assistance plan to mitigate hardship for existing tenants. This plan will be secured through an agreement or legal undertaking prior to the issuance of Preliminary Approval for the Rental Housing Demolition Permit. and implemented prior to the issuance of Notice of Approval Conditions for Site Plan Approval.



## **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. The lands which are the subject of this application are in an area with 4 to 12 square metres hectares of local parkland per 1,000 people which is below the city-wide average provision of 28 square metres of parkland per person. The site is in a parkland priority area, as per Chapter 415, Article III, of the Toronto Municipal Code.

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

## **Tree Preservation**

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees by-law) and III (Private Tree by-law). The applicant submitted an Arborist Report identifying 9 City-trees and the remaining being 36 private trees, including trees on the site and neighbouring boundary trees.

The proposal would require the removal of 6 City-trees and injury/preservation of 3. Private trees include a total of 34 removed trees and the injury of 3 boundary trees. Urban Forestry would accept the replacement of private trees at a replacement ratio of 3:1. Where not physically possible to replace the tree, Cash-in-Lieu payment in lieu of planting on site would be required for approved removals. These approvals would be secured as part of the Site Plan application. Regarding City-owned trees, Urban Forestry has advised that a Tree Guarantee Deposit will be required to cover the combined appraised tree value, removal and replacement cost throughout the construction process.

Urban Forestry has notified Community Planning that supplementary information is required on the Landscaping Plans and Public Utility Plans. This information would supplement the information provided for the soil cell specifications, revisions to proposed tree grates, and clarity between landscaping and utility plans to accurately identify the location of a 150mm watermain and 100mm gasmain running parallel to Talara Drive and within the City right-of-way.

## **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. A total of 241 bicycle parking spaces and 74 electric vehicular parking spaces (out of a total of 145 parking spaces) are proposed. Performance measures for the Tier 1 development features will be secured on site plan drawings and through a Site Plan Agreement and other measures.

## **Community Consultation**

On May 25, 2022 staff held a community consultation meeting in conjunction with the local Ward councillor. The public raised concerns with the potential traffic impacts, unit size and mix, and overall site density. The revised proposal would reduce the amount of parking spaces provided for the development, as well as provide a minimum 15% two-bedroom and 10% three-bedroom units are provided, in accordance with the Growing Up Guidelines. The revised proposal would provide for a reduced density which would provide for a compatible transition to the existing townhouses located north of the site, and provide for increased landscaping on the site, and increase access to sunlight on the public realm.

## **Conclusion**

The revised proposal has been reviewed against the policies of the PPS, the Growth Plan and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS and conforms with the Growth Plan. Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan, particularly as it relates to development in Apartment Neighbourhoods providing compatible transition to

developments with different scale and intensity. This compatible transition would be consistent with the existing Secondary Plan's direction for less density where the site is not abutting Highway 401 and not identified as a Key Development area with no density number assigned. The revised proposal will also limit impact on adjacent properties that are lower in scale. Staff recommend that Council support approval of the application as revised.

## **CONTACT**

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## **SIGNATURE**

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

## **ATTACHMENTS**

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City of Toronto Data/Drawings  
Attachment 1: Application Data Sheet  
Attachment 2: Location Map  
Attachment 3: Official Plan Land Use Map  
Attachment 4: Existing Zoning By-law Map  
Attachment 5: Draft Official Plan Amendment  
Attachment 6: Draft Zoning By-law 569-2013 Amendment  
Attachment 7: Draft Zoning By-law No. 7625 Amendment

## Attachment 1: Application Data Sheet

Municipal Address: 26-36 GREENBRIAR RD Date Received: December 31, 2021  
 Application Number: 21 252354 NNY 17 OZ  
 Application Type: OPA & Rezoning  
 Project Description: Official Plan and Zoning by-law amendment application to facilitate the redevelopment of the site for a 24-storey residential building having a gross floor area of 24,320 square metres and containing 351 residential dwelling units.

Applicant	Agent	Architect	Owner
WALKER NOTT DRAGICEVIC ASSOCIATES LIMITED			BLOCK (GREENBRIAR) DEVELOPMENTS LIMITED

### EXISTING PLANNING CONTROLS

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

### PROJECT INFORMATION

Site Area (sq m): 3,331      Frontage (m): 68      Depth (m): 45

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	800	0	1,311	1,311
Residential GFA (sq m):	895	0	24,238	24,238
Non-Residential GFA (sq m):	0	0		
Total GFA (sq m):	895		24,238	24,238
Height - Storeys:	2		22	22
Height - Metres:			68	68

Lot Coverage Ratio (%)	54	Floor Space Index:	7.28
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Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
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Residential GFA: 24,084 162  
 Retail GFA:  
 Office GFA:  
 Industrial GFA:  
 Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	2	0		
Freehold:	6	0		
Condominium:			320	320
Other:				
Total Units:	8	0	320	320

#### Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:	4	148	132	36	
Total Units:	4	148	132	36	

#### Parking and Loading

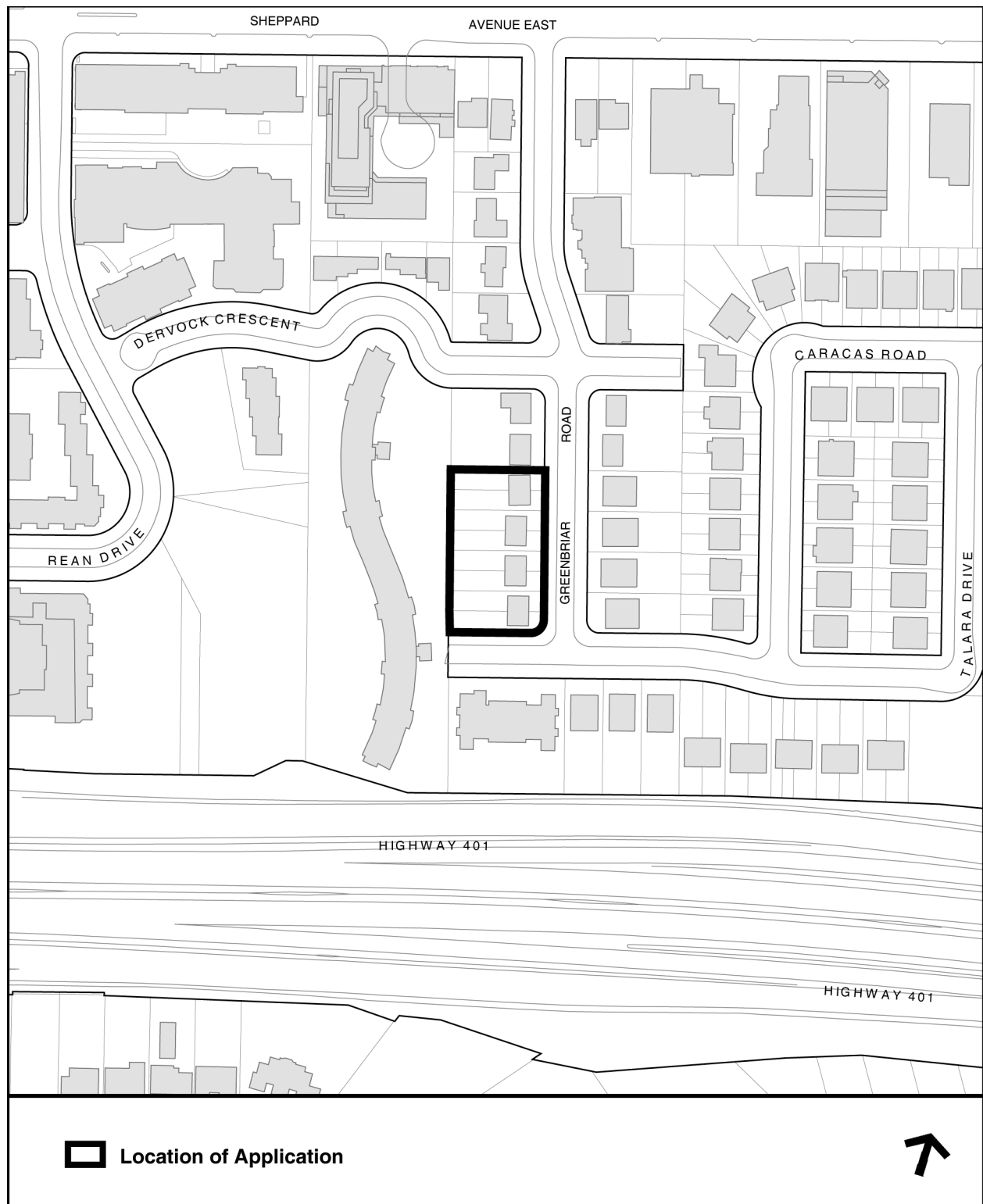
Parking Spaces: 145 Bicycle Parking Spaces: 241 Loading Docks: 1

#### CONTACT:

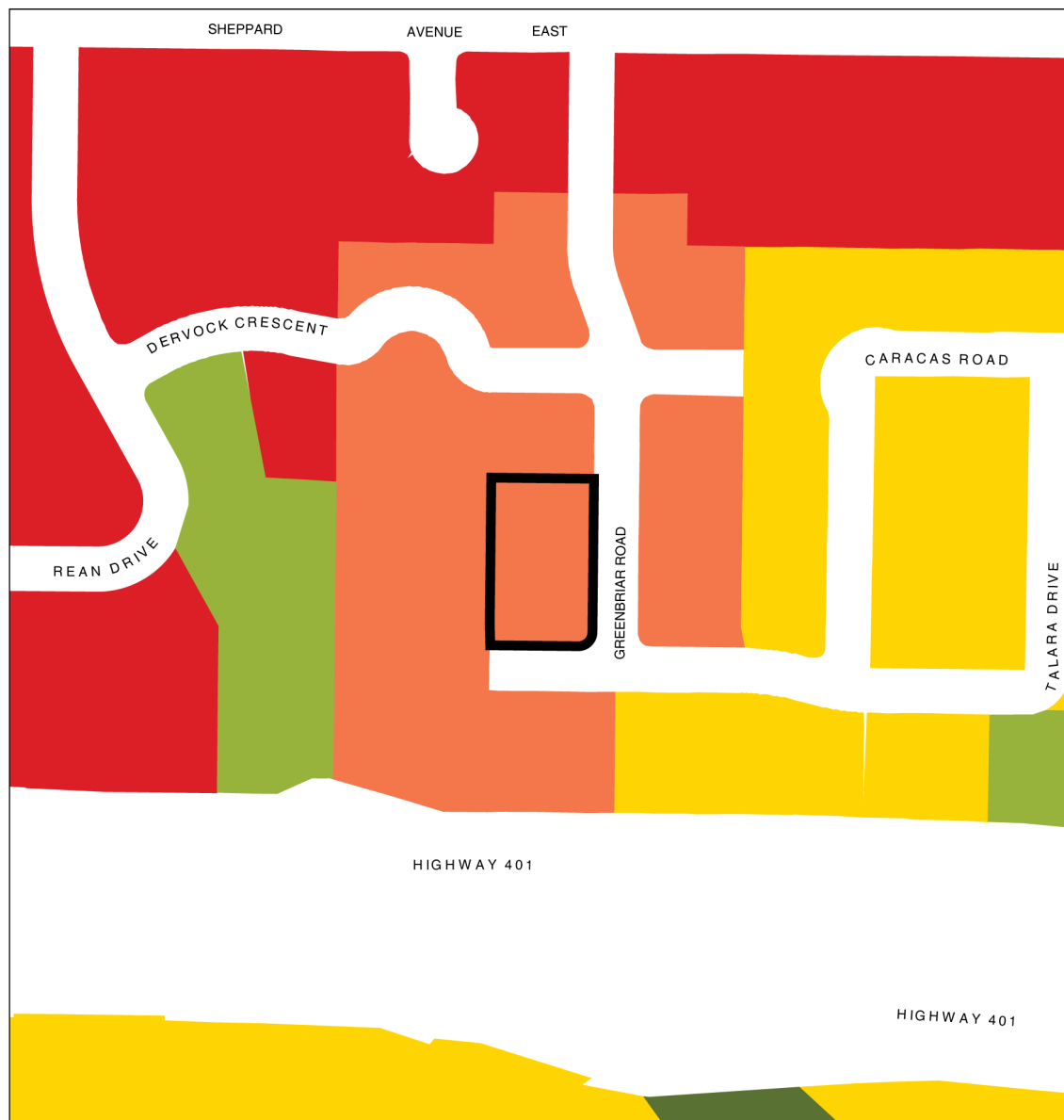
Michael Romero, Planner  
 (416) 395-6747

[Michael.Romero@toronto.ca](mailto:Michael.Romero@toronto.ca)

## Attachment 2: Location Map



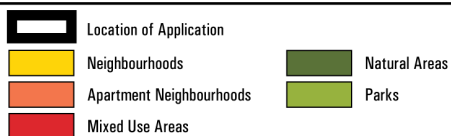
## Attachment 3: Official Plan Land Use Map




Official Plan Land Use Map #19

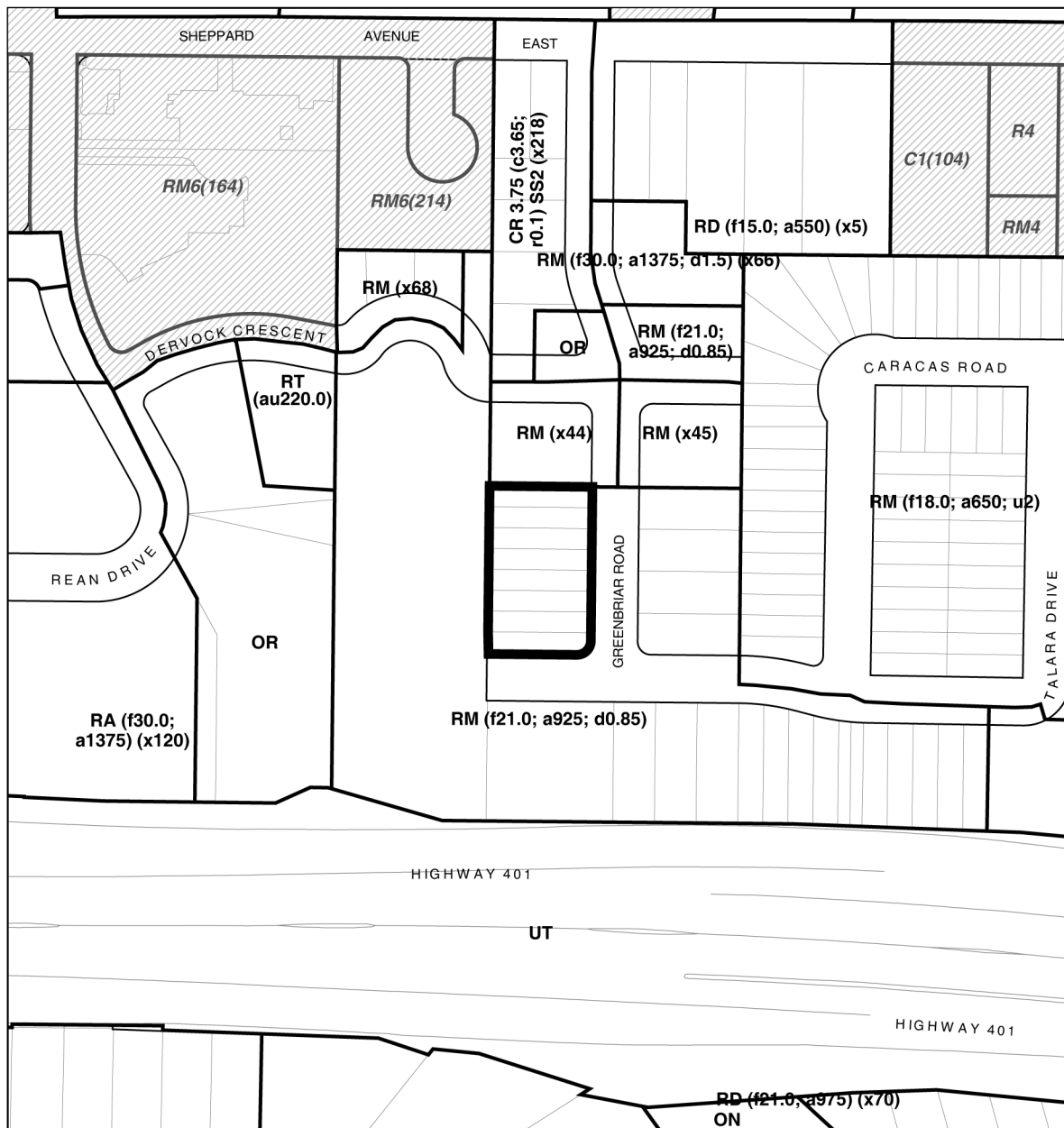
22-36 Greenbriar Road

File # 21 252354 NNY 17 02



  
 Not to Scale  
 Extracted: 01/04/2022

## Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

22-36 Greenbriar Road

File # 21 252354 NNY 17 02



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

R4 One-Family Detached Dwelling Fourth Density Zone  
RM4 Multiple-Family Dwellings Fourth Density Zone  
RM6 Multiple-Family Dwellings Sixth Density Zone  
C1 General Commercial Zone



Not to Scale  
Extracted: 01/04/2022



## Attachment 5: Draft Official Plan Amendment

### CITY OF TORONTO

#### BY-LAW ###-2023

To adopt Amendment No. 650 to the Official Plan of the City of Toronto respecting the lands known municipally in the year 2021 as 22-36 Greenbriar Road.

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

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 attached Amendment 650 to the Official Plan is adopted pursuant to the Planning Act, as amended.

Enacted and passed on Month, #, 2023.

Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk

City of Toronto By-law #####-2023

## AMENDMENT 650 TO THE OFFICIAL PLAN

### LANDS MUNICIPALLY KNOWN IN THE YEAR 2021 AS 22-36 GREENBRIAR ROAD

The following text and map constitute Amendment 650 to the City of Toronto Official Plan.

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

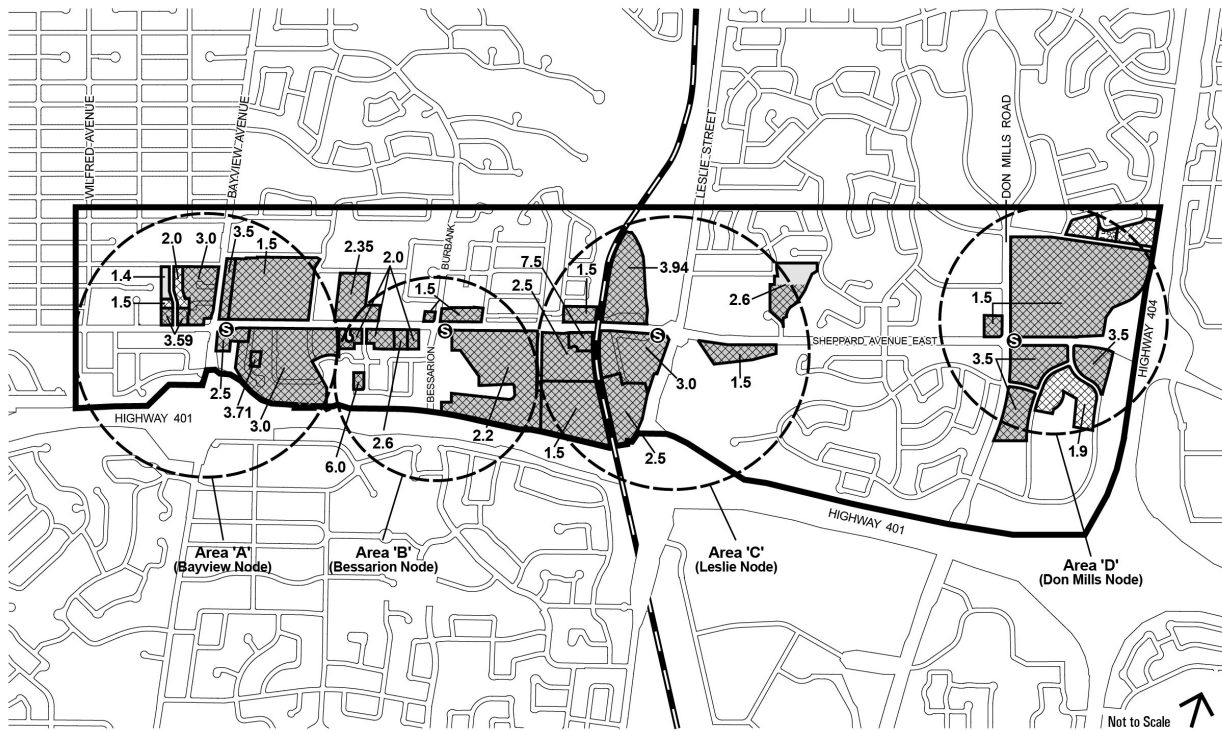
(a) Chapter 6, Section 9 (Sheppard East Subway Corridor Secondary Plan), is amended by adding a site specific policy to Section 4.2 (Development Nodes), Subsection B - Bessarion Node for lands municipally known as 22-36 Greenbriar Road with the following text:

"4.2.B.6        22-36 Greenbriar Road

The Secondary Plan assigns a maximum density of 6.0 times the lot area and a maximum building height of 21-storeys to the lands municipally known as 22-36 Greenbriar Road 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 6.0 times the lot area for the lands municipally known as 22-36 Greenbriar Road 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.B.6 for the lands municipally known as 22-36 Greenbriar Road as shown on Schedule 1.



## Schedule 1 - Official Plan Amendment #650

## Sheppard East Subway Corridor Secondary Plan

22-36 Greenbriar Road

MAP 9-2 Key Development Areas

- |                          |                          |
|--------------------------|--------------------------|
| Secondary Plan Boundary  | Parks & Open Space Areas |
| Neighbourhoods           | Parks                    |
| Apartment Neighbourhoods | 1.5 Density              |
| Mixed Use Areas          | Subway Station           |

November 2015

## Attachment 6: Draft Zoning By-law 569-2013 Amendment

### CITY OF TORONTO

#### BY-LAW No. \_\_\_\_-2023

To amend the City of Toronto Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2023 as 22-36 Greenbriar Road.

Whereas Council of the City of Toronto has the authority pursuant to Section 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended, to pass this By-law; and

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;

Whereas pursuant to Section 39 of the Planning Act, as amended, the council of a municipality may, in a by-law passed under Section 34 of the Planning Act, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited in the by-law; and

Whereas pursuant to Section 36 of the Planning Act, as amended, the council of a municipality may, in a by-law passed under Section 34 of the Planning Act, use a holding symbol "(H)" in conjunction with any use designation to specify the use that lands, buildings or structures may be put once Council removes the holding symbol "(H)" by amendment to the by-law; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the use of holding symbol "(H)"; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in height and density of development; and

The Council of the City of Toronto HEREBY ENACT AS follows:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning in Zoning By-law No. 569-2013, Chapter 800 Definitions.
3. Zoning By-law No. 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines to from a zone label of RM (f21.0; a925; d0.85) to (H) RM (f21.0; a925; d0.85) (x349), as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569 -2013, as amended, is further amended by amending the Lot Coverage Overlay Map in Section 995.30 for the lands subject to this By-law, from a lot

coverage label of 35 to a lot coverage label of 51 as shown on Diagram 3 attached to this By-law.

5. Zoning By-law No. 569-2013, as amended, is further amended by adding Exception Number RM 349 to Article 900.6.10 so that it reads:

(349) Exception RM 349

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

(A) On 22-36 Greenbriar Road, if the requirements of By-law [Clerks to insert By-law ##] are complied with, a building or structure may be constructed, used or enlarged in compliance with Regulations (B) to (O) below:

(B) Despite Regulation 10.5.40.10(1), the height of a building or structure is the distance between the Canadian Geodetic Datum of 171.35 metres and the elevation of the highest point of the building or structure;

(C) Despite Regulation 10.80.40.10(1), the permitted maximum height of a building or structure is 64.9 metres and 21 storeys, subject to the minimum building setbacks required in Regulations (F), (G), (H) and (I) below;

(D) Despite Regulations 10.5.40.10(2), (3) and (4) and (C) above, the following equipment and structures may project beyond the permitted maximum height shown on Diagram 3 of By-law ### [City Clerk to provide Bylaw #];

i. parapets, roof access, chimneys, vents, ducts, pipes, roof drainage, antennae, telecommunication equipment, satellite dishes, guard rails, railings, dividers, screens, balustrades, unenclosed structures providing safety or wind protection, privacy and wind screens, elements of a green roof, pergolas, trellises, light fixtures, landscape elements and landscape planters, architectural features, retaining walls, thermal and waterproofing assembly located at each of the roof levels of the building, structures on the roof of any part of the building used for outside or open air recreation, noise mitigation elements and partitions dividing outdoor recreational areas, all of which may project up to a maximum of 3.5 metres; and

ii. structural/non-structural architectural columns, piers, mechanical penthouses, equipment used for the functional operation of the building, such as cooling tower, electrical, utility, mechanical and ventilation equipment, stair and elevator enclosures and overruns, window washing equipment, lightning rods, exhaust flues, vents, ventilating equipment, chimney stack, air shafts, gas metres, garbage chute overruns and structures that enclose, screen or cover the equipment, structures and parts of a building listed in this section, all of which may project up to a maximum of 5.0 metres;

(E) Despite Regulation 10.80.40.40(1), the permitted maximum gross floor area of all buildings and structures on the lot is 20,000 square metres;

(F) Despite Clause 10.80.40.70, the required minimum building setbacks for a building from the identified lot lines are as follows:

north lot line: 5.0 metres;  
east lot line: 3.6 metres;  
south lot line: 4.7 metres; and  
west lot line: 11.2 metres;

(G) Despite Clause 10.80.40.70 and Regulations (C) and (F) above, the required minimum building setbacks from the identified lot lines for the portions of the building at a Canadian Geodetic Datum of 184.75 metres and higher are as follows:

north lot line: 7.7 metres;

(H) Despite Clause 10.80.40.70 and Regulations (C), (F) and (G) above, the required minimum building setbacks from the identified lot lines for the portions of the building at a Canadian Geodetic Datum of 187.70 metres and higher are as follows:

north lot line: 5.0 metres;  
east lot line: 3.6 metres;  
south lot line: 4.7 metres; and  
west lot line: 11.2 metres;

(I) Despite Clause 10.80.40.70 and Regulations (C), (F), (G) and (H) above, the required minimum building setbacks from the identified lot lines for the portions of the building at a Canadian Geodetic Datum of 236.4 metres and higher are as follows:

north lot line: 30.5 metres;  
east lot line: 9.5 metres;  
south lot line: 8.3 metres; and  
west lot line: 14.3 metres.

(J) Despite Clauses 10.80.40.70 and 10.80.40.80 and Regulations (F) to (I) above, the following elements may encroach into the required minimum building setbacks and main wall separation distances as follows:

i. balconies, balcony platforms, guards, railings and screens, all of which may encroach to a maximum of 2.5 metres;

ii. lighting fixtures, architectural features, structural/non-structural architectural columns/piers, window washing equipment, awnings, canopies, parapets, parapet flashing, bollards, chimneys, cornices, eaves, stacks, roof and terrace scuppers, vents, roof overhang, gutter, downspout, trellises, window sills, guardrails, balustrades, railings, wheel chair ramps, mechanical exhaust and intake components, gas meters, underground garage ramps and their associated structures and elements, retaining walls, fences, Siamese connections, ornamental elements, all of which may encroach to a maximum of 2.0 metres;

iii. terraces and terrace platforms, guards, railings, privacy screens, wind mitigation and acoustic screens and features, planters, parapets, landscape planters and elements of a green roof, which may project beyond the required building setback to the extent of the main wall of the storey below to a maximum of 6 metres; and

iv. stairs, stair enclosures, air shafts, gas metres, underground garage ramps and their associated structures, wheelchair ramps, and window washing equipment;

(K) Despite regulation 10.80.40.40(1)(A) the maximum permitted floor space index must not exceed 6.0 for the lot shown on Diagram 2 of By-law ### [City Clerk to provide Bylaw #];

(L) A minimum of one (1) Type "G" loading space must be provided and maintained on the lot for the building as shown on Diagram 1 of By-law ### [City Clerk to provide Bylaw #] with the following dimensions:

- i. minimum length of 13.0 metres;
- ii. minimum width of 4.0 metres; and
- iii. minimum vertical clearance of 6.1 metres.

(M) Despite regulation 200.5.10.1(1) and Table 200.5.10.1 parking spaces must shall be provided and maintained on the lot as follows:

- i. A minimum of 0.39 residential parking spaces per dwelling unit must be provided for residents;
- ii. A minimum of 0.07 visitor parking spaces per dwelling unit must be provided for residential visitors;

(N) A minimum of 4 parking spaces must be provided as "car-share parking spaces":

A reduction of 4 resident parking spaces will be permitted for each "car-share parking space", provided that the maximum reduction permitted is 16 resident parking spaces;

For the purpose of this exception, "car-share" means the practice whereby a number of people share the use of one or more motor vehicles and such "car-share" motor vehicles are made available to at least the occupants of the building for short-term rental, including hourly rental; and

For the purpose of this exception, "car-share parking space" means a parking space exclusively reserved and signed for a vehicle used only for "car-share" purposes.

(O) Despite Regulation 230.5.10.1(1), (3) and (5) and Table 230.5.10.1(1), bicycle parking spaces must be provided in accordance with the following:

- 0.68 "long-term" bicycle parking spaces for each dwelling unit;
- 0.07 "short-term" visitor bicycle parking spaces for each dwelling unit.

Prevailing By-laws and Prevailing Sections: (None Apply)

6. Despite any existing or future consent, severance, partition or division of the lot, the provisions of By-law ### [City Clerk to provide By-law #], shall apply to the lands, as identified on Diagram 1, as if no consent, severance, partition or division occurred.

7. Temporary use(s):

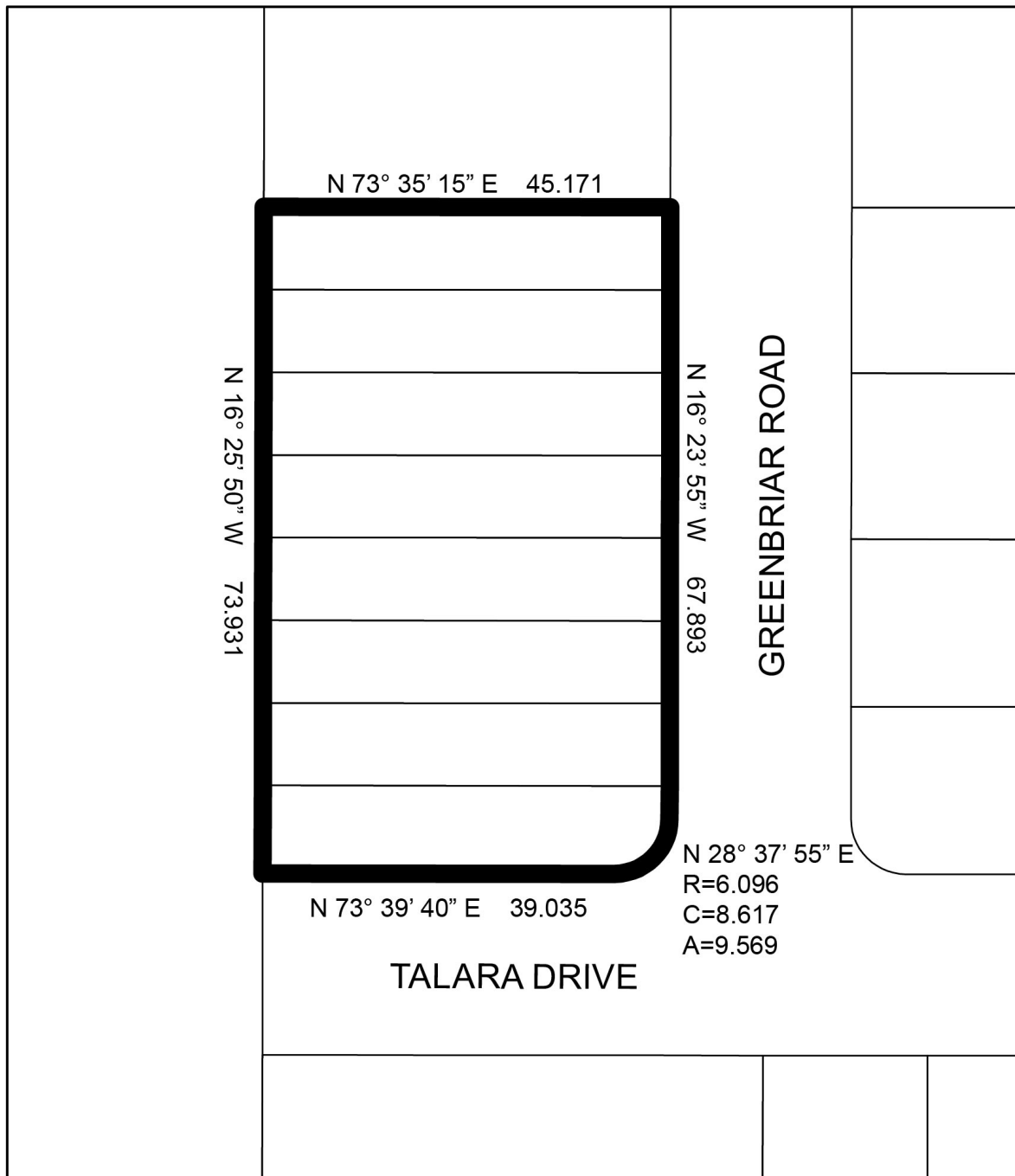
None of the provisions of By-law 569-2013, as amended, apply to prevent the erection and use of a temporary sales office on the lot for a period of not more than 2 years from the date this By-law comes into full force and effect.

8. Holding Provisions:

The lands zoned with the "(H)" symbol delineated by heavy lines on Diagram 1 attached to and forming part of this By-law shall not be used for any purpose other than those uses and buildings as existing on the site as of December 31, 2021 until the "(H)" symbol has been removed. An amending by-law to remove the "(H)" symbol shall be enacted by City Council when the following condition has been fulfilled to the satisfaction of City Council.

1. The Owner has submitted an acceptable Site Servicing Review (comprised of Functional Servicing Report, Stormwater Management Report and Hydrogeological Report) demonstrating that the City requirements can be met and sufficient capacity exists to accommodate the proposed development, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services. Should the Functional Servicing Report identify that any upgrades or improvements to municipal infrastructure including municipal services are required, those upgrades and improvements shall be secured by appropriate agreements as a condition of Site Plan approval, and shall be constructed prior to the issuance of any building permits for any development on the lands, all to the satisfaction to the Chief Engineer and Executive Director, Engineering and Construction Services.



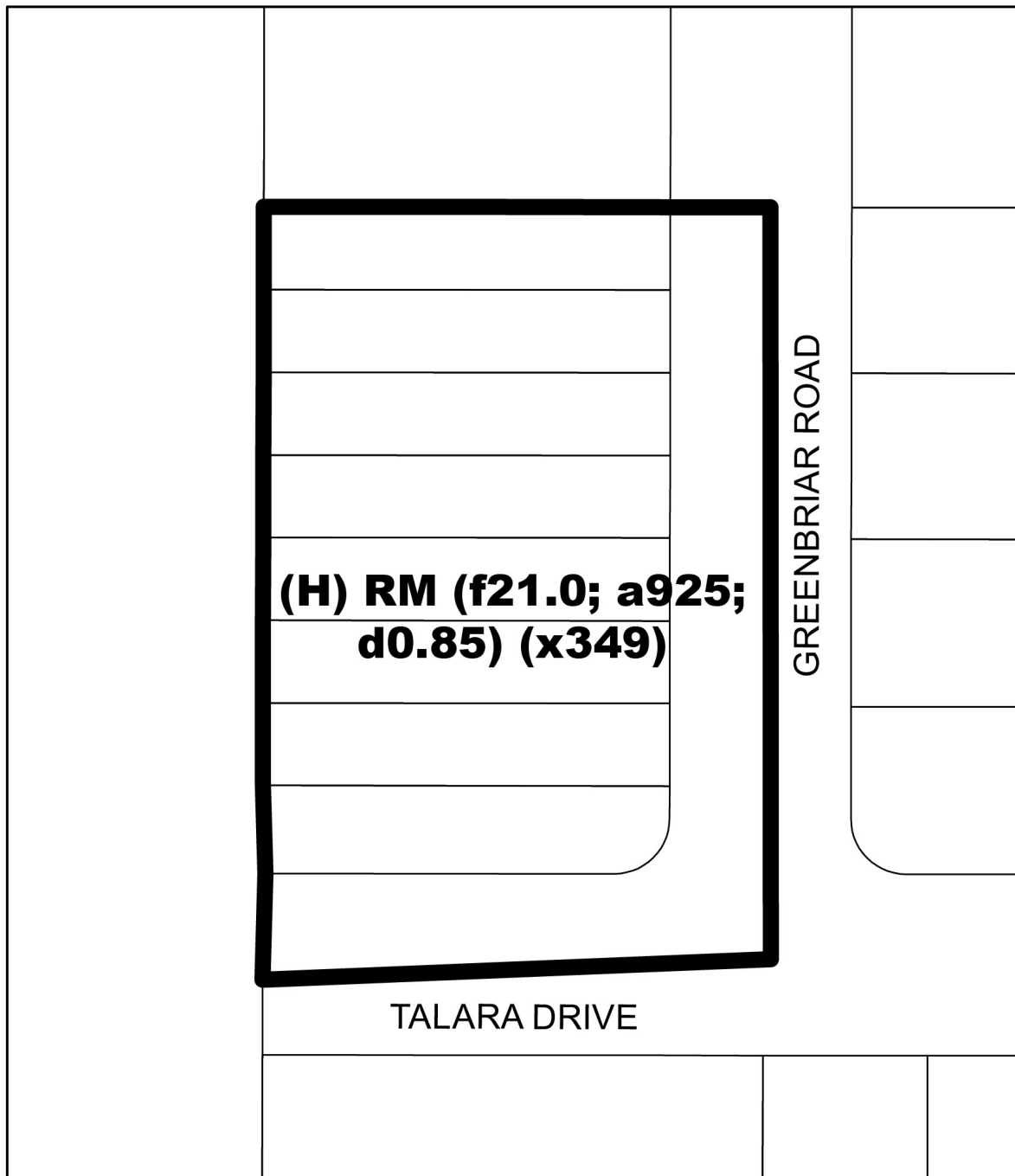


**Toronto**  
Diagram 1

22-36 Greenbriar Road

File # 21 252354 NNY 17 0Z


City of Toronto By-law 569-2013  
Not to Scale  
03/01/2023

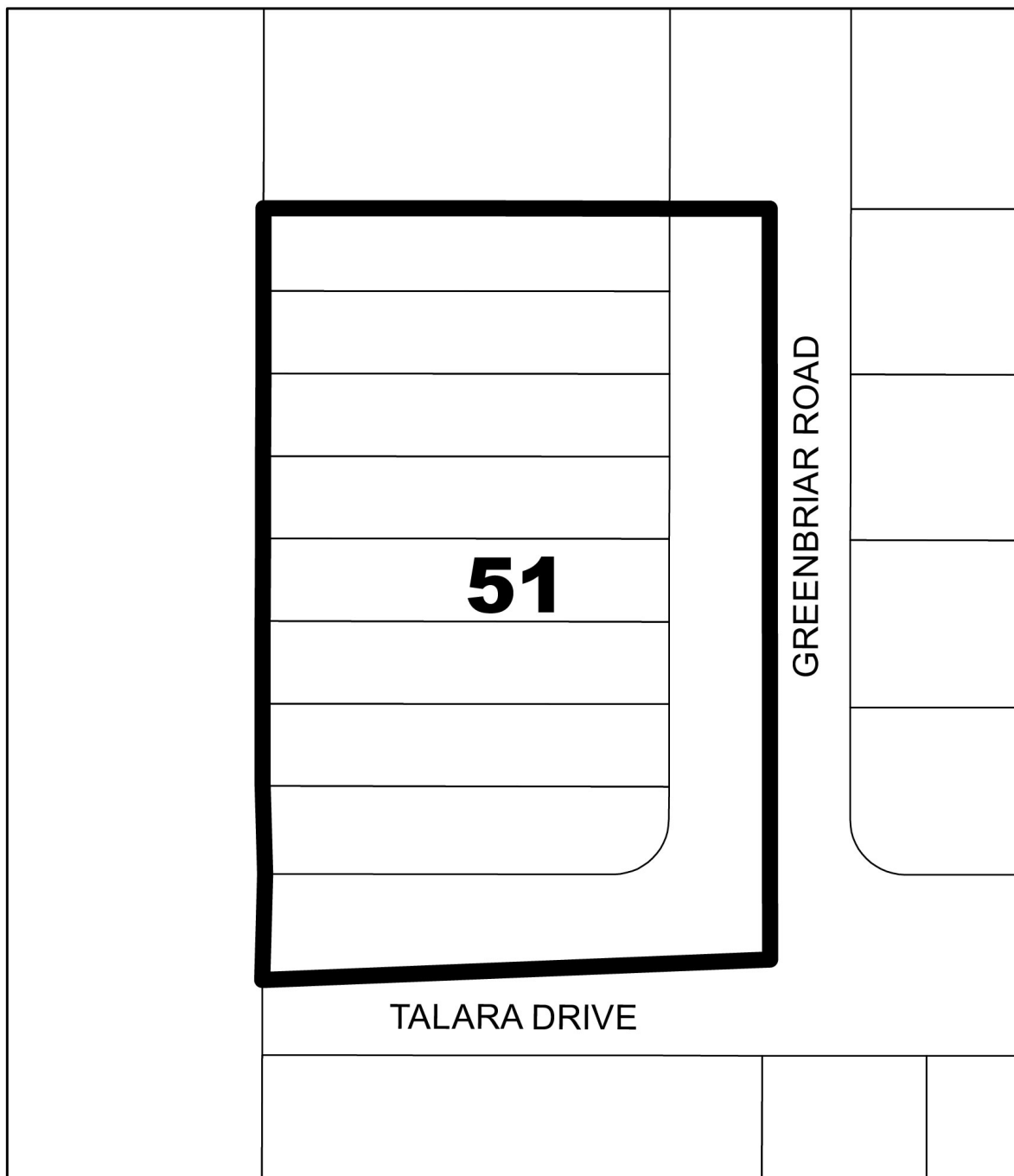


 **Toronto**  
Diagram 2

22-36 Greenbriar Road

File # 21 252354 NNY 17 0Z


  
City of Toronto By-law 569-2013  
Not to Scale  
03/13/2023



**Toronto**  
Diagram 3

**22-36 Greenbriar Road**

File # 21 252354 NNY 17 0Z

  
 City of Toronto By-law 569-2013  
 Not to Scale  
 03/01/2023

## Attachment 7: Draft Zoning By-law No. 7625 Amendment

### CITY OF TORONTO

#### BY-LAW No. #####-202~

To amend the former City of North York Zoning By-law 7625, as amended, with respect to the lands municipally known in the year 2023 as 22-36 Greenbriar Road.

Whereas Council of the City of Toronto has the authority to pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P.13, as amended, to pass this By-law; and

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; and

Whereas authority is given to Council by Section 34 and Section 36 of the Planning Act, R.S.O. 1990, c. P.13, as amended, to impose the Holding Symbol (H) and to remove the Holding Symbol (H) when Council is satisfied that the conditions relating to the Holding Symbol have been satisfied; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the use of a Holding (H) symbol with conditions in the Zoning By-law; and

The Council of the City of Toronto enacts:

1. Schedules "B" and "C" of By-law 7625 of the former City of North York are hereby amended in accordance with Schedule 1 of this By-law.

2. Section 64.19 of By-law 7625, as amended, is amended by:

(a) revising the building height on the lands on Schedule 1 attached to this by-law, in order to permit a building height of 21 storeys for lands municipally known as 22-36 Greenbriar Road;

(b) Section 64.19 of By-law 7625 is amended by adding the following subsection: "64.19 RM4 to RM4(36)(H)":

### EXCEPTION REGULATIONS

For the purpose of the lands shown on Schedule 1, as attached to this By-law, the following regulations shall apply:

### YARD SETBACKS

(A) The required minimum building setbacks for a building from the identified lot lines are as follows:

north lot line: 5.0 metres;  
east lot line: 3.6 metres;  
south lot line: 4.7 metres; and  
west lot line: 11.2 metres;

(B) Despite provision (A) above and (C) and (D) below, the required minimum building setbacks from the identified lot lines for the portions of the building at a Canadian Geodetic Datum of 184.75 metres and higher are as follows:  
north lot line: 7.7 metres;

(C) Despite provision (A) and (B) above, the required minimum building setbacks from the identified lot lines for the portions of the building at a Canadian Geodetic Datum of 187.70 metres and higher are as follows:

north lot line: 5.0 metres;  
east lot line: 3.6 metres;  
south lot line: 4.7 metres; and  
west lot line: 11.2 metres;

(D) Notwithstanding provisions (A), (B), (C) above and (H) to (I) below, the required minimum building setbacks from the identified lot lines for the portions of the building at a Canadian Geodetic Datum of 236.4 metres and higher are as follows:

north lot line: 30.5 metres;  
east lot line: 9.5 metres;  
south lot line: 8.3 metres; and  
west lot line: 14.3 metres.

## PERMITTED PROJECTIONS

(E) Notwithstanding subsection (A) to (D) herein, a parapet wall, fence, safety railing, landscaping, mechanical equipment, stairs, stair enclosures, terrace, trellis, green roof elements, elevator shaft or privacy screen may project up to 6 metres beyond the height of the roof;

(F) Notwithstanding Section 19.2.4, no portion of any buildings and structures located on the lands shown on Schedule 1 shall extend beyond the lines delineated by the heavy lines on Schedule 1 of this By-law;

(G) Despite subsection (A) to (D) herein, eaves, balconies, cornices, lighting fixtures, window sills, landscape planters, awnings, canopies and other minor architectural projects are permitted to project beyond the setbacks in provisions (A) to (D);

## HEIGHT

(H) For the purpose of this exception, “established grade” shall mean 171.35 metres Canadian Geodetic Datum.

(I) The maximum permitted height the permitted maximum height of a building or

structure is 64.9 metres and 21 storeys,

#### MAXIMUM GROSS FLOOR AREA

(J) A maximum permitted gross floor area shall be 20,000 square metres.

(K) For the purpose of this exception, “gross floor area” shall mean the aggregate of the areas of each floor, measured between the exterior walls of the building or structure at the level of each floor, but excluding:

- (i) indoor recreational amenity area;
- (ii) parking, loading and bicycle parking below established grade;
- (iii) parking, loading and bicycle parking at or above established grade;
- (iv) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement and at or above established grade;
- (v) shower and change facilities required by this By-law for required bicycle parking spaces;
- (vi) elevator shafts;
- (vii) garbage shafts;
- (viii) mechanical penthouse; and
- (ix) exit stairwells in the building.

#### PARKING

(L) Notwithstanding Section 6A(2)(a) (Parking Requirements), the minimum number of parking spaces shall be calculated in accordance with the following:

(i) Residential:

- Visitors: 0.07 spaces per dwelling unit.
- Residents: 0.39 spaces per dwelling unit.

(ii) Car share

- A minimum of 4 parking spaces must be provided as car-share parking spaces.

#### BICYCLE PARKING

(M) For the purpose of this exception, the following bicycle parking rates shall apply:

- 0.68 long-term bicycle parking spaces for each dwelling unit;
- 0.07 short-term visitor bicycle parking spaces for each dwelling unit.

#### LOADING

(N) A minimum of one Type 'G' loading space shall be provided on the site.

(O) For the purposes of this exception, “Type ‘G’ loading spaces” shall mean an area used for the loading or unloading of goods or commodities from a vehicle, with the following dimensions:

- (i) minimum length of 13.0 metres;
- (ii) minimum width of 4.0 metres; and
- (iii) minimum vertical clearance of 6.1 metres.

#### DENSITY

(P) The maximum density permitted on the lands shall be 6 times the area of the lot, outlined by heavy black lines on Schedule 1.

#### SEVERANCE

(Q) Despite any future severance, partition or division of the lot as shown on Schedule 1, the provisions of this By-law apply as if no severance, partition or division occurred.

#### HOLDING PROVISION

(R) The lands zoned with the "(H)" symbol delineated by heavy lines on Schedule 1 attached to and forming part of this By-law shall not be used for any purpose other than those uses and buildings as existing on the site as of December 31, 2021, until the "(H)" symbol has been removed. An amending by-law to remove the "(H)" symbol shall be enacted by City Council when the following condition has been fulfilled to the satisfaction of City Council.

i. The Owner has submitted an acceptable Site Servicing Review (comprised of Functional Servicing Report, Stormwater Management Report and Hydrogeological Report) demonstrating that the City requirements can be met and sufficient capacity exists to accommodate the proposed development, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services. Should the Functional Servicing Report identify that any upgrades or improvements to municipal infrastructure including municipal services are required, those upgrades and improvements shall be secured by appropriate agreements as a condition of Site Plan approval, and shall be constructed prior to the issuance of any building permits for any development on the lands, all to the satisfaction to the Chief Engineer and Executive Director, Engineering and Construction Services.

Enacted and passed on DATE, 2023.

Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk

(Seal of the City)

