

34, 36, 40, 42, 46, 48, 52, 54, 58, 60, 64, 66, & 70 Montgomery Avenue Official Plan Amendment and Zoning Amendment Application – Appeal Report

Date: October 24, 2023

To: North York Community Council

From: Director, Community Planning, North York District

Ward: 8 - Eglinton-Lawrence

Planning Application: 22 170531 NNY 08 OZ

Related Applications: 22 170530 NNY 08 SA

SUMMARY

On June 30, 2022, applications to amend the Official Plan and Zoning By-law (22 170531 NNY 08 OZ) and for Site Plan approval (22 170530 NNY 08 SA) were submitted to permit a 24 storey (75.3 metres excluding mechanical penthouse) mixed-use building with 306 residential dwelling units and 525 square metres of retail uses at grade. The applications were deemed complete on February 21, 2023 following a further submission of plans and reports.

On June 23, 2023, the applicant appealed the Official Plan and Zoning By-law amendment application to the Ontario Land Tribunal (“OLT”) due to Council not making a decision within the 120-day time frame specified in the *Planning Act* (the “Appeals”). The related Site Plan control application has not been appealed and is held in abeyance pending the outcome of the Appeals. A nine-day hearing of the Appeals has been scheduled to commence on June 17, 2024. The OLT has directed the parties to finalize a Procedural Order with Issues List for the hearing by December 20, 2023.

This report recommends that City Council instruct the City Solicitor with the appropriate City staff to attend the OLT hearing in opposition to the proposal in its current form, but to continue discussions with the applicant to try to resolve the issues in advance of the hearing, and to request that the Ontario Land Tribunal withhold its final Order approving the Official Plan Amendment and Zoning By-law Amendment until the outstanding issues have been resolved, and certain other pre-approval conditions have been met.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council authorize the City Solicitor and appropriate City staff to attend at the Ontario Land Tribunal hearing in opposition to the proposal in its current form, and to continue discussions with the applicant to address outstanding issues in advance of the hearing, including but not limited to those outlined in this report.
2. In the event the Tribunal allows the appeals, in whole or in part, City Council authorize the City Solicitor to request the Ontario Land Tribunal withhold its final Order approving the Official Plan Amendment and Zoning By-law Amendment until such time as the City Solicitor confirms that:
 - a) the final form and content of the draft Official Plan Amendment and Zoning By-law amendments are to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning;
 - b) City Council, or the Chief Planner and Executive Director, City Planning where authorized to do so, has approved a Rental Housing Demolition application under Chapter 667 of the Toronto Municipal Code pursuant to Section 111 of the City of Toronto Act, 2006, to permit the demolition of the one (1) existing rental dwelling unit at 70 Montgomery Avenue and the owner has provided an undertaking to the City to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor, securing an acceptable Tenant Relocation and Assistance Plan addressing financial compensation and other assistance to lessen hardship;
 - c) the owner has submitted updated sun/shadow and pedestrian level wind studies, including the identification of any required mitigation measures to be secured in the zoning by-law amendment and through the site plan process to the satisfaction of the Chief Planner and Executive Director, City Planning;
 - d) the owner has submitted a revised Travel Demand Management Plan acceptable to, and to the satisfaction of the Chief Planner and Executive Director, City Planning and the General Manager, Transportation Services and that such matters arising from such study be secured if required through the implementing zoning by-law amendment and, or Site Plan approval;
 - e) the owner has satisfactorily addressed the Transportation Services matters in the Engineering and Construction Services Memorandum dated March 10, 2023, any outstanding issues raised by Transportation Services, arising from the ongoing technical review (including provision of acceptable reports and studies), as they relate to the Official Plan

Amendment and Zoning By-law Amendment applications to the satisfaction of the General Manager, Transportation Services;

- f) the owner has satisfactorily addressed matters from Engineering and Construction Services as contained in the Engineering and Construction Services Memorandum dated March 10, 2023, or any outstanding issues raised by Engineering and Construction Services, arising from the ongoing technical review (including provision of acceptable reports and studies), as they relate to the Zoning By-law Amendment application, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
- g) the owner has satisfactorily addressed matters from Parks, Forestry & Recreation as contained in the Parks, Forestry & Recreation Memorandum dated January 4, 2023, or any outstanding issues raised by Parks, Forestry & Recreation arising from the ongoing technical review (including provision of acceptable reports and studies), as they relate to the Zoning By-law Amendment application, to the satisfaction of the General Manager, Parks, Forestry & Recreation;
- h) the owner has satisfactorily addressed matters from Tree Protection and Plan Review, Urban Forestry Memorandum dated October 18, 2022, or any outstanding issues raised by Urban Forestry, arising from the ongoing technical review (including provision of acceptable reports and studies), as they relate to the Zoning By-law Amendment application, to the satisfaction of the General Manager, Parks, Forestry & Recreation;
- i) The owner has submitted to the Executive Director of Engineering and Construction Services for review and acceptance, prior to approval of the rezoning application, a Functional Servicing Report to determine the storm water runoff, sanitary flow and water supply demand resulting from this development and whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposed development;
- j) The owner has made satisfactory arrangements with Engineering and Construction Services and enter into the appropriate agreement with the City for the design and construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support this development, according to the accepted Functional Servicing Report accepted by the Executive Director of Engineering and Construction Services; and
- k) The owner has provided space within the development for installation of maintenance access holes and sampling ports on the private side, as close to the property line as possible, for both the storm and sanitary

service connections, in accordance with the Sewers By-law Chapter 681.10.

3. City Council authorize the City Solicitor and City staff to take any necessary steps to implement City Council's decision.

FINANCIAL IMPACT

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

SITE AND SURROUNDING AREA

Description: The site is generally rectangular in shape and has an approximate area of 3,036 square metres, with an approximate frontage of 87.22 metres on Montgomery Avenue and 37.69 metres on Duplex Avenue. The site has a slight downward slope towards the west.

Existing Use(s): 13 residential properties with 12 semi-detached dwellings and one single detached dwelling.

Surrounding uses include:

North: Two and three storey apartments and a construction site at 2440 Yonge Street which includes 21 and 27 storey residential buildings and a public park. At the southeast corner of Duplex Avenue and Roselawn Avenue are four single detached dwellings.

East: Toronto Fire Station 134; further east is 2398 Yonge Street and the Yonge Street right of way.

South: Montgomery Avenue and a 27-storey mixed use building at 25 Montgomery Avenue. The remainder of the block bounded by Montgomery Avenue, Duplex Avenue, and Helendale Avenue consists of single detached and semi-detached dwellings which are planned to be demolished and replaced by a public park.

West: Duplex Avenue and a 34-storey residential building and townhouses are located at 500 Duplex Avenue, on the west side. City Council adopted a Settlement for new 11 and 15-storey residential buildings on the same property on March 29, 2023.

THE APPLICATION

Description

	34-70 Montgomery Avenue
Height:	24 storeys (75.31 metres high, plus a 4.95 metre high mechanical penthouse)
Gross Floor Area: Residential GFA Non-residential GFA	21,917 square metres 21,392 square metres 525 square metres
Density (Floor Space Index):	7.22
Unit count: Studio 1-bedroom 2-bedroom 3-bedroom	306 51 (17%) 112 (36%) 81 (37%) 34 (11%)
Vehicle Parking Spaces (residential:visitor):	124 (105:18)
Bicycle Parking Spaces (long-term:short-term):	348 (284:64)
Amenity Space (total): Outdoor amenity space Indoor amenity space	1,224 square metres (4.0 square metres per dwelling unit) 612 square metres (2.0 square metres per dwelling unit) 612 square metres (2.0 square metres per dwelling unit)

See Attachments 1-5 of this report for a location map, Application Data Sheet, three

dimensional representations of the project in context and a site plan of the proposal. The Application Data Sheet contains additional details on the proposal including: site area and dimensions, floor area, unit breakdowns, and parking counts.

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

Reasons for Application

The application proposes to amend the Official Plan and Yonge Eglinton Secondary Plan to redesignate the lands at 34 to 70 Montgomery Avenue from *Neighbourhoods "A"* to *Apartment Neighbourhoods*, to allow a 24-storey mixed use building. The application also proposes to amend Zoning By-law No. 569-2013, to vary performance standards including but not limited to permitted uses, number of dwelling units, gross floor area, parking spaces, building height, and building setbacks. Additional amendments to the Official Plan and the Zoning By-laws may be identified as part of the application review.

The proposal is also subject to Site Plan Control, which examines the technical aspects of a proposed development to ensure it is compatible with the surrounding area and contributes to the economic, social and environmental vitality of the City.

SITE PLAN CONTROL APPLICATION

An application for Site Plan Control has also been submitted under file 22 170530 NNY 08 SA. The Site Plan application has not been appealed and is presently held in abeyance until such time as a decision on the appeal for the OPA and ZBLA application has been rendered.

POLICY CONSIDERATIONS

Official Plan Designation: On Map 21-4 of the Yonge Eglinton Secondary Plan (YESP), the site is designated *Neighbourhoods "A"*.

Zoning: Under City of Toronto Zoning By-law no. 569-2013, the site is zoned Residential Exception 768 R(d1.0)(x768).

Additional information on the Official Plan and the Zoning By-law can be found in Attachment 6-10.

COMMUNITY CONSULTATION

A virtual Community Consultation Meeting was hosted by City staff on June 8, 2023. Members of the public and the Office of the Ward Councillor participated, resulting in the following comments on the proposed development:

- concerns that the proposal lacks trees and should have a greener Montgomery Avenue frontage;
- question about tentative timelines for construction;
- concerns about the proposed height and shadow impacts on parks;
- comment that the setbacks should be consistent with the prevailing setbacks in the neighbourhood;
- comment that all vehicle activity should take place on site, including deliveries and pickups and drop-offs (PUDO);
- questions about how vehicle and bicycle traffic will be accommodated and any potential changes to existing traffic signals;
- question about the tenure of the residential units;
- appreciation that this proposal is in close proximity to Eglinton Station;
- concerns about increased density causing delays for emergency vehicles;
- support for the proposed retail on the ground floor;
- question about when construction of the Eglinton Crosstown LRT will be completed;
- question about whether a co-op housing model has been considered; and
- concern about the lack of schools in the area to serve an increasing population.

COMMENTS

Provincial Planning Framework

Planning staff have reviewed the application submitted to the City against the policies of the Provincial Policy Statement ("PPS") (2020) and the Growth Plan (2020).

The PPS and the Growth Plan direct that Planning Authorities identify appropriate locations for future growth, including areas for intensification and redevelopment. These areas are typically known as Strategic Growth Areas under the Growth Plan and are made up of Urban Growth Centres, Major Transit Station areas, etc., or designated Growth Areas under the PPS. The Planning Authority's role is to identify these areas, plan for its future growth, ensure that there are the necessary infrastructure and public service facilities available long term, and develop appropriate development standards for future implementation reflective of the local context.

The built context of the immediate area is a mixture of low-rise, mid-rise, and tall buildings. Nearby tall buildings include a 27-storey building at 25 Montgomery Avenue and a 34-storey building at 500 Duplex Avenue. The site is approximately 400 metres from Eglinton subway station, making it well served by transportation infrastructure. Given the provincial policy framework, nearby transit, and the built form of the surrounding area, Staff are of the opinion that the proposal is consistent with and conforms to the Provincial policy framework.

Land Use

The Subject Lands are designated *Neighbourhoods "A"* by the Yonge Eglinton Secondary Plan ("YESP"). The *Neighbourhoods "A"* designation provides for a variety of

low-rise residential uses as well as local institutional uses, parks, and open spaces. The site is also part of the Montgomery Square Character Area and Transit Node Secondary Zone. The Montgomery Square Character Area is the civic heart of Midtown with its concentration of historic buildings, community service facilities, and shops. Building heights scale down in height away from the intersection of Yonge Street and Eglinton Avenue. Building heights will be in the range of 20 to 30 storeys. Base buildings will have a maximum of six storeys with a setback above the second storey. The Transit Node Secondary Zone supports transit-supportive development in a compact urban form and a mix of uses, with an intensity of development being less than the Station Area Core.

City Planning staff have reviewed the proposed land use redesignation from *Neighbourhoods "A"* to *Apartment Neighbourhoods* against the policies of the Official Plan, as well as the relevant design guidelines. The applicant submitted a block context plan in support of the proposed redesignation. The report detailed a development scenario and a rationale, where the Subject Lands and the adjacent 2 and 3-storey apartment buildings would be suitable for tall buildings. The Block Context Plan recognizes the unique policy context of the block bounded by Montgomery Avenue, Yonge Street, Duplex Avenue, and Roselawn Avenue, in which much of the block is within a *Neighbourhoods "A"* designation as well as being within the Montgomery Square Character Area. This block is the only location within the Montgomery Square Character Area that has a *Neighbourhoods "A"* designation. The redesignation to support a tall building may be appropriate on the lands, subject to addressing the comments raised herein.

Built Form and Site Organization

Planning staff have reviewed the proposed site organization and built form, including height, massing and transition-in-scale, against the policies of the Official Plan and relevant design guidelines.

The Official Plan states that infill development will fit within the existing and planned context, including massing new buildings to provide a transition to lower scale *Neighbourhoods* through means such as setbacks and stepping down of heights. The Tall Buildings Design Guidelines guide the development and design of tall buildings. The height of the proposed building is within the range of heights of existing or approved buildings in the vicinity, including the 27-storey building to the south (25 Montgomery Avenue), the 34-storey building to the west (500 Duplex Avenue), and the under construction 21 and 27-storey buildings to the north (2440 Yonge Street). In this regard, the proposal achieves a height gradation with building heights generally decreasing from the intersection of Yonge Street and Eglinton Avenue.

City staff are of the opinion that the height is generally appropriate in the context of the existing and planned development in the area as well as the policies of the Montgomery Square Character Area and the Transit Node Secondary Zone, subject to satisfying staff comments and the relevant design guidelines. It is recommended that Staff continue to

work with the applicant to ensure a comfortable public realm, including but not limited to setbacks, articulation of the base building to ensure an activated public realm, and articulation of the tower to reduce the potential for impact on the public realm and surrounding properties.

Sun, Shadow and Wind

This application has been reviewed against the Official Plan and Secondary Plan policies and design guidelines described in the Policy and Regulation Considerations Section of the Report.

The applicant has submitted a Shadow Study for the proposal illustrating existing shadows along with new shadows resulting from the proposed and surrounding developments. The results of the shadow study demonstrate limited shadows on surrounding parks or open spaces through most of the year.

A Pedestrian Level Wind Study, prepared by RWDI, concluded that the future wind conditions over all grade-level pedestrian wind-sensitive areas within and surrounding the study site will be acceptable for pedestrian use. However, only a qualitative conclusion, based on the consultant's experience in Midtown and with this particular built form typology was provided. An additional quantitative wind study will need to be provided, to ensure any modifications to the proposed public realm setbacks and built form, do not create any adverse conditions to pedestrian comfort on site and to the surrounding public realm.

Building Setbacks and Public Realm

The proposed building will be set back 2.0 metres from the southern property line along Montgomery Avenue. The proposed setbacks to the east and west are 3.5 metres, with a 7.5 metre setback to the north. The main pedestrian and vehicle access points are from Duplex Avenue. The commercial entrance is proposed from the north-south pedestrian walkway which is proposed between the building and Toronto Fire Station 134 to the east. The walkway will extend through the development site of 2440 Yonge Street to the north, connecting to Roselawn Avenue. Co-ordination between both development proposals is required to ensure continuous access. The public realm on Montgomery Avenue and Duplex Avenue is proposed to consist of additional pedestrian space, planting beds, and trees.

In accordance with the Midtown Public Realm Implementation Strategy (MPRIS) and other applications on Montgomery Avenue, a larger setback from Montgomery Avenue should be provided. As described in Section 4.2 of the MPRIS, development on Montgomery Avenue should continue the Park Street Loop, by employing consistent landscape and surface treatments and by extending large scale tree planting into the abutting private setback. This site, in proximity to the new park to the south, provides an opportunity to expand upon the public realm vision of the Montgomery Square, Yonge Street Square Extensions. Montgomery Avenue should be reimagined as a Complete Street, which can be improved through this development, through means such as curb

extensions, improved cycling and pedestrian connections, and green streets improvements. A setback of 5.9 metres was achieved for the 500 Duplex Avenue development along their Montgomery frontage. This proposal should similarly provide for this setback.

In accordance with Section 2.4 of the Retail Design Manual, the main entrance to the retail space should be on the main pedestrian route, which is Montgomery Avenue. The next submission should also dimension the proposed depth of the retail space.

The proposed easterly setback of the base building is to be increased to provide for an appropriate interface with the abutting lands, including Toronto Fire Station 134, which is Listed on the Heritage Register. A larger setback should be achieved in this area of the site. Heritage staff have asked the applicant to provide additional 3D pedestrian views looking west along Montgomery Avenue to assist in the evaluation of the Montgomery Avenue streetscape and the interface between the proposed building and the Fire Station. The proposed base building also needs to provide an appropriate interface with the existing two-storey dwelling to the north of the subject lands.

The property to the north, 479-481 Duplex Avenue, is designated *Neighbourhoods "A"*. The DSSP states that development should provide a transition from *Apartment Neighbourhoods* through a variety of context-appropriate approaches such as transitioning building heights, setbacks, and landscaping. The proposed base building has a setback of 7.5 metres to the north, while the tall building portion is set back a minimum of 12.66 metres. The tall building massing is positioned close to Montgomery Avenue to maximize the setback to the north. Additional discussion with have to occur with respect to improving the transition to the north.

Overhead wires are located on the north side of Montgomery Avenue along the frontage of the Subject Lands. Toronto Hydro has indicated that a minimum of 3.2 metres of horizontal distance and 4.6 metres of vertical clearance are required from hydro assets.

Parkland

The City of Toronto Parkland Strategy (PLS) is a 20-year strategic city-wide plan that guides long-term planning for new parks, park expansions and improvements, and improved access to existing parks. The PLS assesses parkland provision, using the baseline of residential population against the area of parkland available across the city. According to the 2022 draft update to the PLS methodology, the development site is currently in an area with 4 -12 square metres of parkland per person, which is less than the City-wide average provision of 28 square metres of parkland per person (2022). Given the future expected growth both on the development site itself and surrounding sites, the existing parkland will be further stressed if no new parks are created. This anticipated parkland deficit must be addressed through the creation of new parks to serve the future population.

At the alternative rate of 1 hectare per 600 units specified in Section 42 of the *Planning Act*, the parkland dedication requirement is 4,883 square metres or 164.80 % of the site area. However, for sites that are less than 5 hectares in size, a cap of 10% of the development site is applied to the residential use while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement is 297.78 square metres.

In this instance and as per the Toronto Municipal Code Chapter 415-26, Parks, Forestry & Recreation would accept the conveyance of lands off-site that would expand an existing park or create a new park as the required parkland dedication. Toronto Municipal Code Section 415-26 (C) of the Toronto Municipal Code states that:

C. Where on-site parkland dedication is not feasible, an off-site parkland dedication that is accessible to the area where the development site is located may be substituted for an on-site dedication, provided that:

- (1) The off-site dedication is a good physical substitute for any on-site dedication;*
- (2) The value of the off-site dedication is equal to the value of the on-site dedication that would otherwise be required; and*
- (3) Both the City and the Owner agree to the substitution.*

The off-site dedication shall comply with Policy 3.2.3.8 of the Toronto Official Plan. The size and location of the off-site conveyance is subject to the approval of the General Manager, Parks, Forestry & Recreation and conditions for conveyance of parkland prior to the issuance of the first above grade building permit for the development.

The Yonge-Eglinton Secondary Plan can be consulted to identify candidate areas for off-site parkland dedications.

As per Toronto Municipal Code Chapter 415-29, the appraisal of the cash-in-lieu will be determined under the direction of the Executive Director, Corporate Real Estate Management. Should the value of the off-site dedication not fulfill the value of the on-site dedication, the remaining value shall be provided in cash-in-lieu, prior to the issuance of the first above grade building permit.

If the Owner has demonstrated, to the satisfaction of the General Manager, Parks, Forestry & Recreation, that the pursuit of an off-site parkland dedication has not been successful, payment of cash-in-lieu of parkland will be required.

Amenity Space

A total of 1,521.9 square metres of amenity space is proposed, including 626.1 square metres of indoor space and 895.8 square metres of outdoor space. This complies with the requirements of Zoning By-law 569-2013. The Growing Up: Planning for Children in New Vertical Communities Guidelines recommend that amenity space include adequate

space for children and families. Staff will work with the applicant to ensure that the Guidelines are implemented through the Site Plan process.

In accordance with the Pet Friendly Design Guidelines, an outdoor pet relief area should be provided with a minimum size of 5.0 square metres and an outdoor off-leash area/dog run with a minimum size of 40 square metres or 5% of the total outdoor amenity space, whichever is larger. The pet relief area, off-leash area, and pet wash station should be close to each other.

Floor Plans

In accordance with the Tall Buildings Design Guidelines, rectangular balconies with at least 1.5 metres of depth are preferred. The proposed triangular shape of the balconies significantly reduces usable outdoor space for residents.

Solid Waste

On the ground floor, a minimum 30.6 square metre staging pad is required abutting the front of the Type G loading space. The vehicle access needs to accommodate an outside turning radius of 14 metres for collection vehicles. A warning system will be required to warn motorists of potential conflicts with heavy vehicles using the loading space.

Tree Preservation

The applicant has submitted an Arborist Report, Tree Protection Plan, and Landscape Planting Plan in support of the application. PF&R staff advise that the applicant needs to provide site-specific, scaled, fully dimensioned, and detailed Landscape Sections of all soil areas at and between trees, showing tree locations and all pertinent above and below-grade elements.

The proposed 479 cubic metres of soil volume are less than the required 552 cubic metres. Further, soil volumes on elevated platforms are not accepted. Soil volumes must allow for tree to be at least 3.0 metres from the building, in planters that are at least 1.5 metres wide with access to additional soil below adjacent hard surfaces to meet 30 cubic metres per tree. The underground parking garage footprint must also be at least 4.0 metres from street trees, and at least 50% of private tree plantings are to be unencumbered by underground structures.

Servicing and Stormwater Management

Engineering and Construction Services staff have reviewed the submitted materials which include Civil Plans and Stormwater Management Report. Staff require revisions as outlined in the memorandum from Engineering and Construction Services dated March 3, 2023. These include but are not limited to fire flow calculation methodology, revisions to sewer connections, submission of a Functional Servicing Report, and

provision of space for maintenance access holes and sampling ports on private property.

In the event that the OLT allows the Official Plan Amendment and Zoning By-law Amendment application appeal in whole or in part, the final Order should be withheld pending the confirmation the required plans and reports have been submitted and/or revised to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

Transportation

Transportation Services staff provided comments requesting the provision of a 5.0 metre corner rounding at the northwest corner of the site and revision of bicycle parking in accordance with the Guidelines for the Design and Management of Bicycle Parking Facilities.

Housing Issues

The applicant submitted a Rental Housing Demolition Application on December 6, 2022 under Chapter 667 of the Toronto Municipal Code. The Housing Issues Report submitted by the applicant indicates 12 of the 13 properties on the Subject Lands were owner-occupied when they were purchased by the applicant and one property was leased to a residential tenant. As less than six rental dwelling units exist on the subject lands, replacement of the rental unit is not required and a decision on the Rental Housing Demolition application will be delegated to the Chief Planner per Chapter 667-12 of the Toronto Municipal Code.

The existing rental unit located at 70 Montgomery Avenue is a 4-bedroom townhouse with high-end rent. Since the proposed development would require the demolition of the rental dwelling unit, 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 lessen hardship for the existing tenant household. The applicant has proposed and implemented a tenant relocation and assistance plan consistent with the City's current practices and secured the plan through an undertaking by the owner.

Should the OLT allow the appeals in whole or in part, City staff recommend that the City Solicitor request that the Tribunal withhold its final Order until it has been advised that the Chief Planner has approved the Rental Housing Demolition application under delegated authority.

Unit Mix

The Growing Up Guidelines state that a minimum 10% of the units should have 3 bedrooms and 15% of should have 2 bedrooms. Policy 7.1 of the YESP have the same requirements, plus an additional 15% of the total being a combination of 2-bedroom and 3-bedroom units. As described in the application description, 48% of the units in the building are large units, including 37% with two bedrooms and 11% with three

bedrooms. The proposed unit mix satisfies the large unit mix objectives of the Growing Up Guidelines and Policy 7.1 of the YESP.

The Growing Up Guidelines include recommendations to improve how large units accommodate children, including:

- a. Minimum 4 square metre entrances with a minimum width of 1.5 metres;
- b. Larger laundry rooms with storage;
- c. Living rooms in units larger than one bedroom should have a minimum area of 16.5 square metres in addition to a 2x3 metre flexible play space;
- d. Bedrooms should have exterior windows; and
- e. Bedrooms should not open directly into living areas.

Staff will continue to work with the applicant to ensure that the City's objectives for large units are satisfied.

Further Issues

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

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), the Toronto Official Plan, and applicable City guidelines intended to implement Official Plan policies.

This report recommends that City Council direct the City Solicitor, with appropriate staff, to attend the OLT in opposition to the Application in their current forms and to continue discussions with the Applicant in an attempt to resolve outstanding issues.

CONTACT

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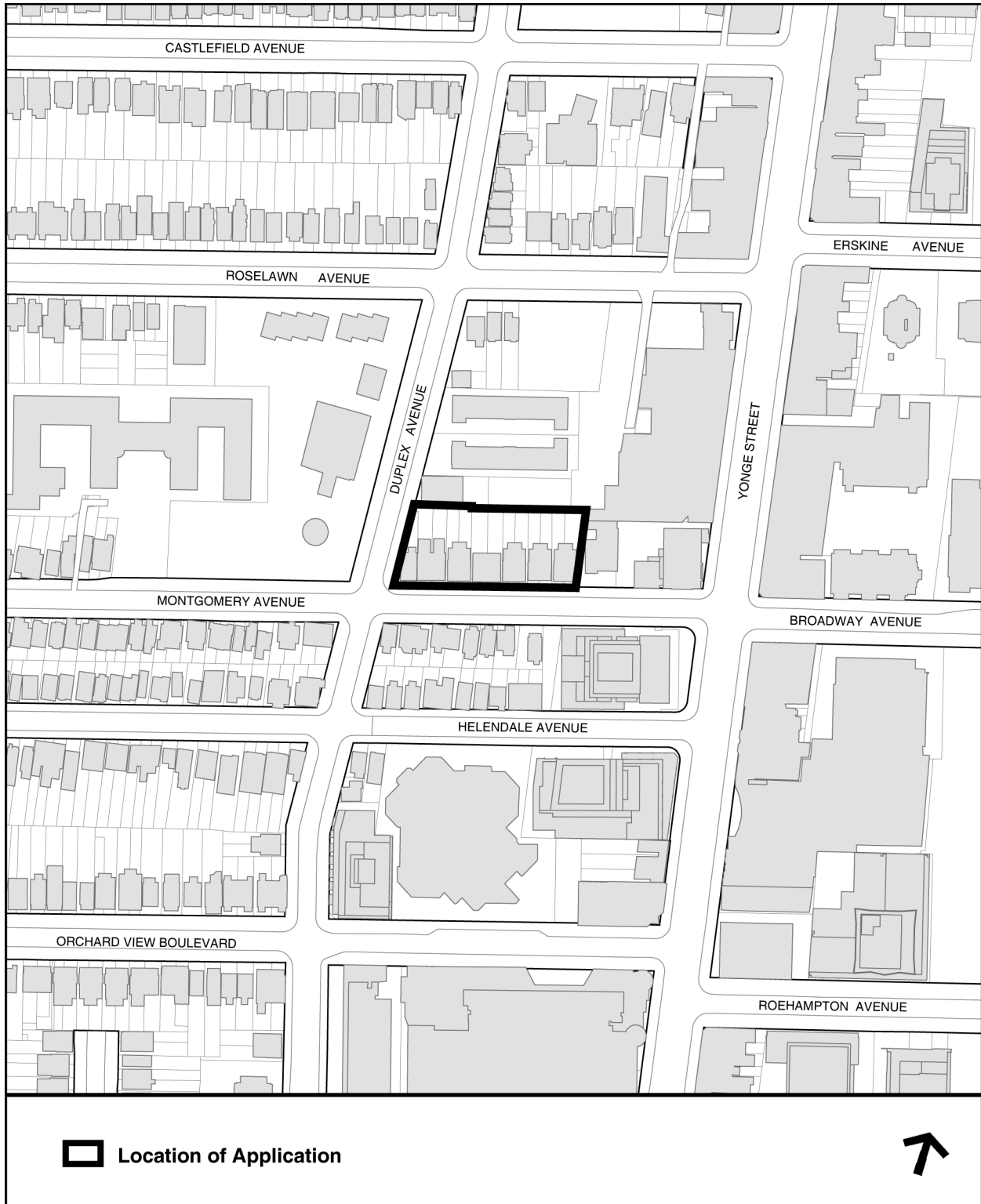
SIGNATURE

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

ATTACHMENTS

- Attachment 1: Location Map
- Attachment 2: Application Data Sheet
- Attachment 3: 3D Model of Proposal in Context Looking Northeast
- Attachment 4: 3D Model of Proposal in Context Looking Southwest
- Attachment 5: Site Plan
- Attachment 6: Official Plan Land Use Map
- Attachment 7: Yonge-Eglinton Secondary Plan Land Use Map
- Attachment 8: Yonge-Eglinton Secondary Plan Midtown Character Areas
- Attachment 9: Yonge-Eglinton Secondary Plan Midtown Transit Station Areas
- Attachment 10: Zoning By-law no. 569-2013 Map

Attachment 1: Location Map



Attachment 2: Application Data Sheet

Municipal Address: 34-70 MONTGOMERY AVE Date Received: February 22, 2023
 Application Number: 22 170531 NNY 08 OZ
 Application Type: OPA & Rezoning

Project Description: Proposed amendments to the Official Plan and the Zoning By-law to allow a 24-storey mixed-use building with 306 dwelling units, comprised of residential gross floor area of 21,392 square metres, non-residential gross floor area of 525 square metres (retail space at grade), 124 resident and visitor parking spaces, and 348 bicycle parking spaces

Applicant	Agent	Architect	Owner
JOSHUA BUTCHER	FIRST CAPITAL	RAW DESIGN	ERIC SAARVALA AND SHARON BERNARD

EXISTING PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods "A"	Site Specific Provision:	N
Zoning:	R(d1.0)(x768)	Heritage Designation:	N
Height Limit (m):	10.0	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 3,036 Frontage (m): 87.29 Depth (m): 35.7

Complete the all the GFA and height data for the existing building

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			1,697.6	1,697.6
Residential GFA (sq m):			21,392	21,392
Non-Residential GFA (sq m):			525	525
Total GFA (sq m):			21,917	21,917
Height - Storeys:	2		24	24
Height - Metres:			75.31	75.31

Ground Floor Lot Coverage Ratio (%): 55.92 Floor Space Index: 7.22

Floor Area Breakdown	Above Grade (m ²)	Below Grade (m ²)
Residential GFA:	21,392	5780.5
Retail GFA:	525	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	1			
Freehold:				
Condominium:				
Other:			306	306
Total Units:	1		306	306

Total Residential Units by Size

	Rooms	Studio	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		51	109	112	34
Total Units:		51	109	112	34

Parking and Loading

Parking Spaces:	124	Bicycle Parking Spaces:	284	Loading Docks:	1
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CONTACT:

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Attachment 3: 3D Model of Proposal in Context Looking Northeast

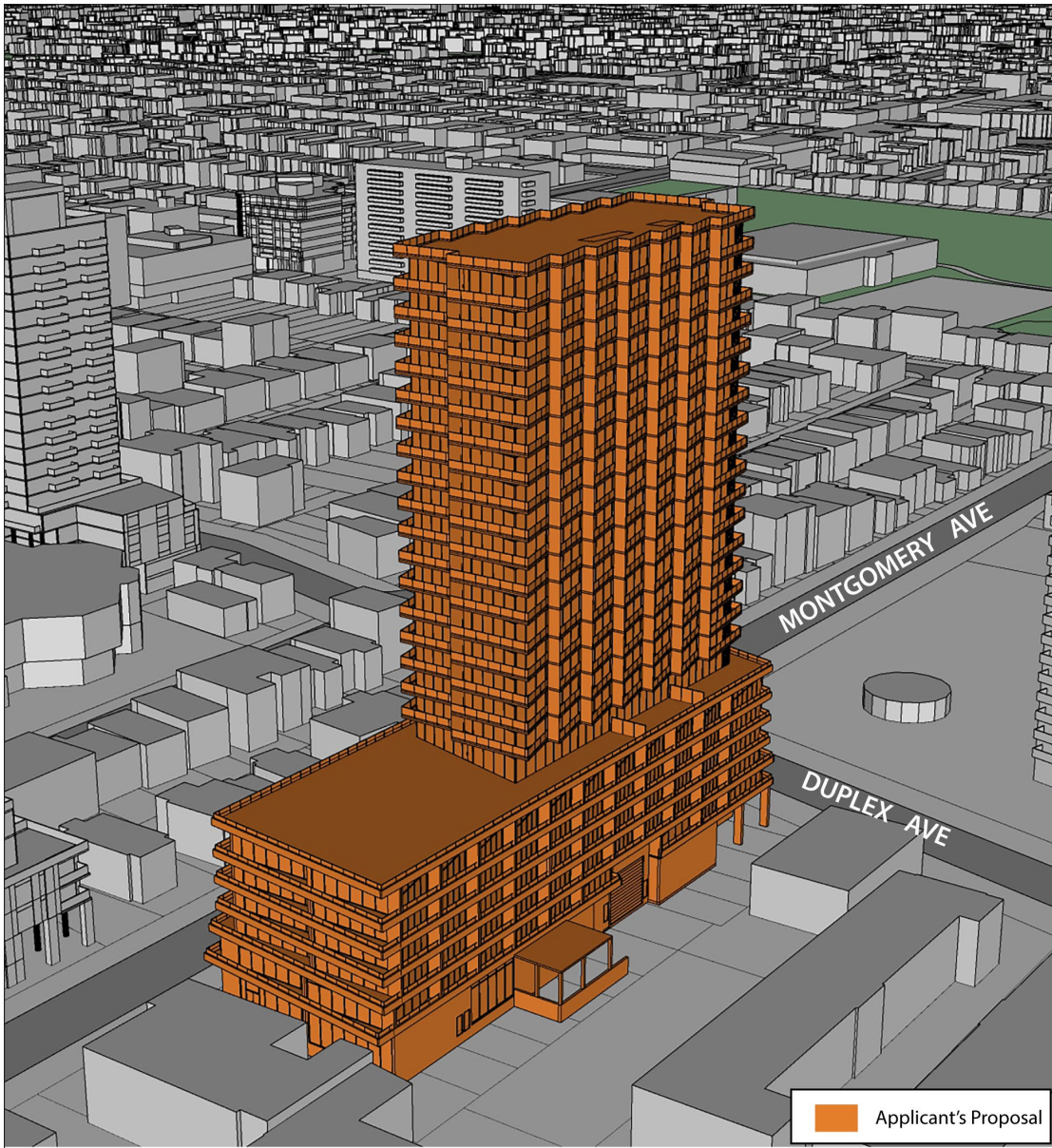


View of Applicant's Proposal Looking Northeast



10/10/2023

Attachment 4: 3D Model of Proposal in Context Looking Southwest

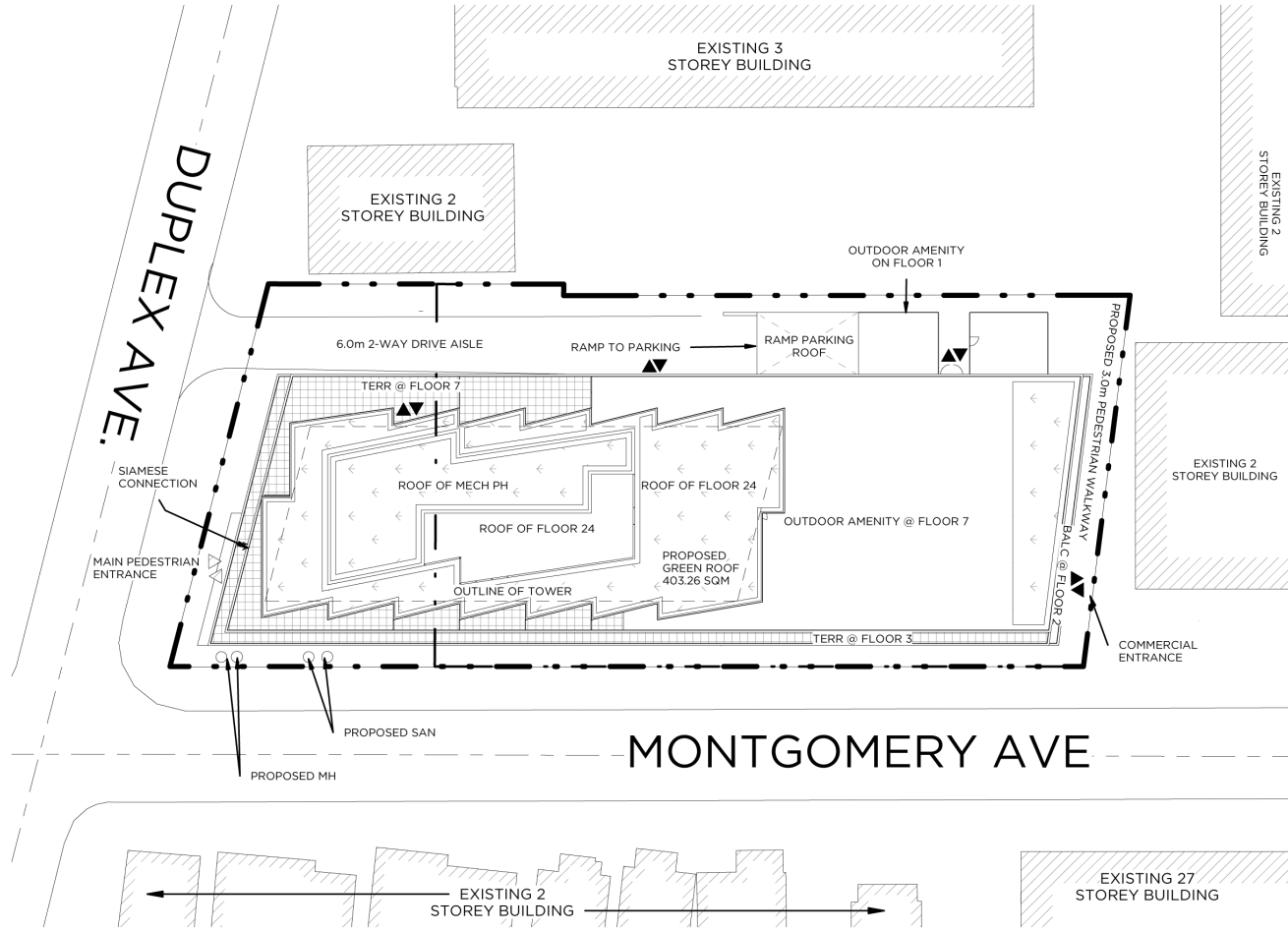


View of Applicant's Proposal Looking Southwest



10/10/2023

Attachment 5: Site Plan



Site Plan



Attachment 6: Official Plan Land Use Map




Official Plan Land Use Map #17

34-70 Montgomery Avenue

File # 22 170531 NNY 08 0Z

-  Location of Application
-  Neighbourhoods
-  Apartment Neighbourhoods
-  Mixed Use Areas
-  Parks


 Not to Scale
 Extracted: 07/13/2022

Attachment 7: Yonge-Eglinton Secondary Plan Land Use Map



Yonge-Eglinton Secondary Plan
MAP 21-4 Land Use Plan

- | | | |
|---------------------------|--------------------------------------|---|
| — Secondary Plan Boundary | ■ Apartment Neighbourhoods | ▨ Land Use Designations per the Official Plan |
| ▨ Mixed Use Areas "A" | ■ Neighbourhoods "A" | |
| ▨ Mixed Use Areas "B" | ■ Neighbourhoods "B" | |
| ▨ Mixed Use Areas "C" | ■ Parks and Open Space Areas - Parks | |

Not to Scale ↗

March 29, 2018

Attachment 8: Yonge-Eglinton Secondary Plan Midtown Character Areas



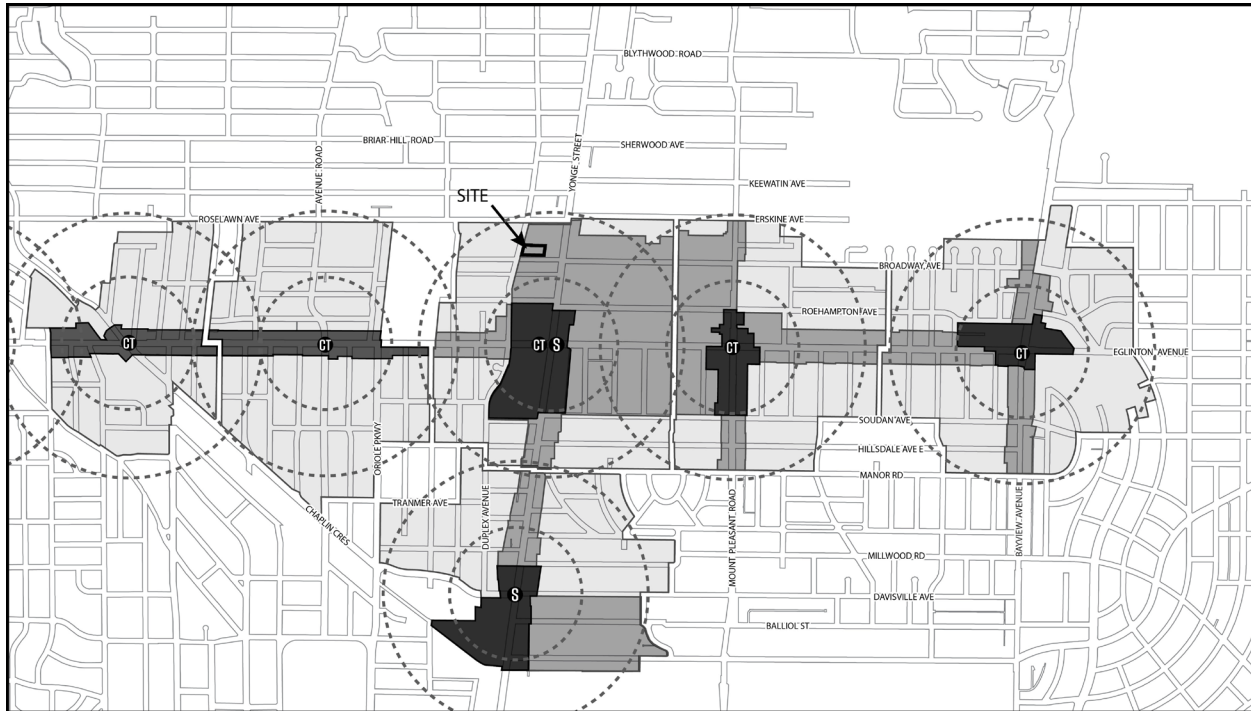
Yonge-Eglinton Secondary Plan
MAP 21-2 Midtown Character Areas

<ul style="list-style-type: none"> — Secondary Plan Boundary ■ Apartment High Streets A1 Eglinton Park A2 Mount Pleasant Gateway A3 Eglinton East A4 Mount Pleasant North 	<ul style="list-style-type: none"> ■ Apartment Neighbourhoods B1 Erskine and Keewatin B2 Redpath Park Street Loop B3 Soudan B4 Davisville 	<ul style="list-style-type: none"> ■ Villages C1 Eglinton Way C2 Yonge Street North C3 Yonge Street South C4 Mount Pleasant South C5 Bayview-Leaside 	<ul style="list-style-type: none"> ■ Cores D1 Yonge-Eglinton Crossroads D2 Davisville Station D3 Mount Pleasant Station D4 Bayview Focus Area 	<ul style="list-style-type: none"> ■ Special Places E1 Eglinton Greenline E2 Montgomery Square E3 Henning E4 Davisville Community Street E5 Merton Street
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Not to Scale ↗

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Attachment 9: Yonge-Eglinton Secondary Plan Midtown Transit Station Areas



Yonge-Eglinton Secondary Plan
MAP 21-3 Midtown Transit Station Areas

- | | | |
|----------------------|--------------------------|----------------------------|
| Transit Nodes | Transit Corridors | 250m and 500m Radii |
| Station Area Core | Corridor | Subway Station |
| Secondary Zone | Built-up Zone | Eglinton Crosstown Station |
| Built-up Zone | | |

Not to Scale

March 29, 2018

