

5-15 Raglan Avenue – Zoning By-law Amendment, Rental Housing Demolition and Site Plan Control Applications – Request for Direction Report

Date: November 1, 2022

To: Toronto and East York Community Council

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

Ward: 12 - Toronto-St. Paul's

Planning Application Number: 21 232980 STE 12 OZ; 21 234166 STE 12 RH; 21 232984 STE 12 SA

Related Application: 21 232987 STE 12 CD

SUMMARY

On November 1, 2021, a Zoning By-law Amendment application was submitted to permit a 24-storey residential apartment building containing 170 dwelling units. A Rental Housing Demolition application was submitted to permit the demolition of 3 rental dwelling units on the site.

On May 4, 2022, the applicant appealed the Zoning By-law Amendment application and referred the Site Plan Control application to the Ontario Land Tribunal ("OLT") due to Council not making a decision within the time frame in the Planning Act.

This report recommends that the City Solicitor with the appropriate City staff attend the OLT hearing to oppose the applications in their current form and to continue discussions with the applicant to resolve outstanding issues.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor and appropriate City staff to attend the Ontario Land Tribunal in opposition to the current applications regarding the Zoning By-law Amendment and Site Plan Control appeals for the lands at 5-15 Raglan Avenue and to continue discussions with the applicant in an attempt to resolve outstanding issues.
2. In the event that the Ontario Land Tribunal allows the appeals in whole or in part, City Council authorize the City Solicitor to request that the issuance of any final Orders be withheld until such time as the City Solicitor advises that:

a) the final form and content of the draft Zoning By-laws are to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning;

b) the applicant has provided confirmation of water, sanitary and stormwater capacity to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, or the Chief Engineer and Executive Director, Engineering and Construction Services has determined that holding provisions are required in the Zoning By-law amendment;

c) the applicant has addressed all outstanding issues raised by Urban Forestry, Tree Protection and Plan Review as they relate to the Zoning By-law Amendment application, to the satisfaction of the Supervisor, Tree Protection and Plan Review; and

d) City Council has approved the Rental Housing Demolition Application (file 21 234166 STE 12 RH) in accordance with Chapter 667 of the Toronto Municipal Code pursuant to Section 111 of the City of Toronto Act, 2006, which allows for the demolition of the three (3) existing rental dwelling units on the site;

3. City Council authorizes 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.

DECISION HISTORY

A Preliminary Report was adopted by Toronto and East York Community Council on February 16, 2022 authorizing staff to conduct a community consultation meeting with an expanded notification area. The decision of the Toronto and East York Community Council can be found here: [Agenda Item History - 2022.TE31.40 \(toronto.ca\)](#)

THE SITE

Description: The site is generally square in shape and has an approximate area of 1,438.3 square metres, with a frontage of approximately 36.6 metres along Raglan Avenue. The site has an approximate depth of 39.4 metres along the public north-south laneway to the east of the site. Albert Wiggins Lane, an east-west public laneway with access to Raglan Avenue and Bathurst Street is located to the south of the site. See Attachment 1 for the Location Map.

Existing Use: Two 2.5-storey semi-detached dwellings, two 2-storey semi-detached dwellings and two 2-storey detached dwellings.

THE APPLICATION

Description: A 24-storey (78.7 metres including mechanical penthouse) residential building, with a step-back at the fifth floor to create an four-storey streetwall along Raglan Avenue.

Density: 10.2 times the area of the lot.

Dwelling Units: The proposed 170 dwelling units, includes 41 one-bedroom (24.1%), 106 two-bedroom (62.4%), and 23 three-bedroom (13.5%) units.

Access, Parking and Loading: Access to the 3.5-level underground garage, containing 78 parking spaces, is proposed from the north-south public laneway to the east of the site.

The proposed 171 bicycle parking spaces, include 18 short term and 153 long term bicycle parking spaces are located at grade and within the underground garage.

An internalized Type-G loading space is proposed to be accessed from the east side of the building, from the north-south public laneway.

Rental Housing: 3 rental dwelling units (2 one-bedroom units, and 1 two-bedroom unit) at 5 Raglan Avenue.

Additional Information

See Attachments 2, 3 and 4 of this report for the Application Data Sheet, a three-dimensional representation of the project in context, and a site plan of the proposal, respectively.

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: <http://app.toronto.ca/AIC/index.do?folderRsn=Cs7n5HTiQPWEg9eDZyhINA%3D%3D.R>

Reasons for Application

The Zoning By-law Amendment application proposes to amend Zoning By-laws 569 2013 and 1-83 to amend performance standards including: gross floor area and floor space index; building height; building setbacks; and vehicular parking space requirements.

A Rental Housing Demolition application was submitted to permit the demolition of 3 rental dwelling units on the site.

Site Plan Control

A Site Plan Control application was submitted on November 1, 2021. On May 4, 2022, the applicant referred the application to the OLT due to Council not making a decision within the time frame in the Planning Act.

POLICY CONSIDERATIONS

Provincial Land-Use Policies

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement (PPS), and shall conform to provincial plans.

Official Plan Designation

The site is designated Apartment Neighbourhoods in the Official Plan.

Site and Area Specific Policy (SASP) 38

SASP 38 applies to lands along Raglan Avenue, south of Claxton Boulevard and north of St. Clair Avenue West, including the site. This policy states that land assembly will be required to allow for the development of more intensive buildings.

Zoning

Former City of York Zoning By-law 1-83 applies to 11 Raglan Avenue only. The property is zoned Residential Multiple RM2 with a height limit of 24 metres or 8-storeys. City of Toronto Zoning By-law 569-2013 applies to the remainder of the site. Under Zoning By-law 56-2013 a portion of the site (5-7 Raglan Avenue) is zoned Residential R(d0.6) with a height limit of 12 metres and the other portion (9, 13 and 15 Raglan Avenue) is zoned RA (x 777); with a height limit of 24 metres or 8-storeys.

Rental Housing Demolition and Conversion By-law

Section 111 of the City of Toronto Act, 2006 authorizes the City to regulate the demolition of residential rental properties. Chapter 667 of the Toronto Municipal Code, the Residential Rental Property Demolition and Conversion Control By-law, implements Section 111. Decisions under Chapter 667 are final and not appealable to the OLT. The By-law prohibits the demolition of rental housing in any building or related group of buildings containing six or more residential units, of which at least one is a rental unit, without obtaining a permit from the City and requires a decision by either City Council or, where delegated, the Chief Planner and Executive Director, City Planning.

St. Clair Avenue West and Bathurst Street Planning Framework

The Planning Framework places this site within the Raglan Transition Zone and identifies built form principles and special public realm features.

Design Guidelines

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

- Tall Building Design Guidelines;
- Growing Up Guidelines Planning for Children in New Vertical Communities;
- Pet Friendly Design Guidelines;
- Best Practices for Bird-Friendly Glass;
- Best Practices for Effective Lighting; and
- Toronto Accessibility Design Guidelines.

The City's Design Guidelines can be found here:

<https://www.toronto.ca/citygovernment/planning-development/official-planguidelines/design-guidelines/>

Toronto Green Standard

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. The TGS can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/toronto-green-standard/>

COMMUNITY CONSULTATION

A virtual Community Consultation Meeting was held on February 10, 2022 and approximately 29 people attended. At the meeting City staff and the applicant's team gave presentations on the site and surrounding area, the existing planning framework, and the proposed development. Following the presentations, City staff led a question and answer format meeting. Comments and questions provided by the meeting attendees included:

- Proximity of proposed building to adjacent tall buildings;
- Traffic impacts on Raglan Avenue, laneways, and nearby streets;
- Cumulative impact of the number of tall building proposals on Raglan Avenue;
- Whether any affordable housing is proposed within the development;
- Concerns about wind and shadow impact;
- Support for a more sustainable building;
- Support of non-residential uses to be incorporated into building;
- Support for dog amenities within building; and
- Support for additional green space.

City staff hosted a meeting with the applicant and representatives from the Raglan-Vaughan local Stakeholder Advisory Committee (SAC) on March 23, 2022 where the proposal was presented. Comments provided by attendees at that meeting were primarily related to the concerns about the cumulative impact of the number of tall building proposals on Raglan Avenue, the impact of multiple construction sites on

Raglan Avenue, increasing the amount of non-residential uses, and the potential of providing a knock-out panel for future TTC connection.

The issues raised through community consultation have been considered through the review of the application.

COMMENTS

Provincial Framework

Staff's review of this application has had regard for the relevant matters of provincial interest set out in the Planning Act. Staff has reviewed the current proposal for consistency with the Provincial Policy Statement, and conformity with the Growth Plan. Staff find the proposal to be consistent with the PPS and conforms with the Growth Plan.

Built Form

City Planning staff have reviewed the proposed built form, including height, massing and transition, against the policies of the Official Plan as well as relevant design guidelines.

The proposal does not conform to the Official Plan. The proposed massing, including setbacks, step backs, and separation distances, is not acceptable. The proposal has not demonstrated how a tall building can be appropriately accommodated on the site.

Wind

The wind impacts resulting from the proposal are not acceptable and do not meet the policies of the Official Plan and the intent of the Tall Building Guidelines. A Pedestrian Level Wind Study prepared by Gradient Wind, dated October 25, 2021, shows a number of areas on the site, including the outdoor amenity spaces and in the adjacent public realm that will be negatively impacted by the proposed massing.

Streetscape

The proposed streetscape along Raglan Avenue is not acceptable. The proposed setbacks on Raglan Avenue are not in keeping with the character of the area and are inconsistent with setbacks provided on recently approved applications on Raglan Avenue. Additional setbacks, and landscaping and public realm improvements are needed along Raglan Avenue and the laneways to the south and east.

Servicing

A Functional Servicing and Stormwater Management Report and associated plans have been submitted for the site have been reviewed by Engineering and Construction Services. A number of revisions and additional information are required. In the event that the OLT allows the Zoning By-law Amendment appeal in whole or in part, the final

Order should be withheld pending the confirmation of water, sanitary and stormwater capacity from the Chief Engineer and Executive Director, Engineering and Construction Services, or the determination of whether holding provisions are required in the Zoning By-law amendment.

Tree Preservation

The proposal is subject to the provisions of the City of Toronto Municipal Code. An Arborist Report and Tree Inventory and Preservation Plan were submitted by the applicant. The applicant proposes to remove 7 City-owned trees, and 6 privately-owned trees regulated by the Private Tree By-law. Staff require replacement of 4 or 5 City-owned street trees along the City road allowance or the retention of "Tree 6", located near the northwest corner of the site, which would require significant revisions to the proposal.

Indoor/Outdoor Amenity Space

Zoning By-law 438-86 requires a minimum of 2.0 square metres per unit each of indoor and outdoor amenity space, and Zoning By-law 569-2013 requires a combined amenity space of 4.0 square metres per unit. The proposal includes 345 square metres of indoor amenity space (2.0 square metres per unit) and 437 square metres of outdoor amenity space (2.5 square metres per unit). The proposed amount amenity space is acceptable however the amenity space locations may need to be revised based on changes to the ground floor use and configuration and/or negative wind impacts.

Parking and Loading

A total of 81 vehicle parking spaces are proposed in a 3.5-level below-grade parking garage, accessed from Albert Wiggan Lane, an east-west lane connecting Raglan Avenue to Bathurst Street. A type-G loading space is proposed at grade. An Urban Transportation Considerations Report, dated October 2021, and prepared by BA Group, was submitted for the site. The proposed parking rates, access/egress route and traffic impact assessment are generally acceptable to Transportation Services. A 1.52-metre laneway widening of the north-south laneway is required. The implementation of a Transportation Demand Management plan and compliance with Toronto Green Standards (TGS) Version 3.0 are also required.

Further Issues

City Planning continues to receive additional information regarding this application as the result of ongoing review by City commenting divisions, materials submitted in support of the proposal, and through deputations made by members of the public to Community Council. Planning 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 City 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.

CONTACT

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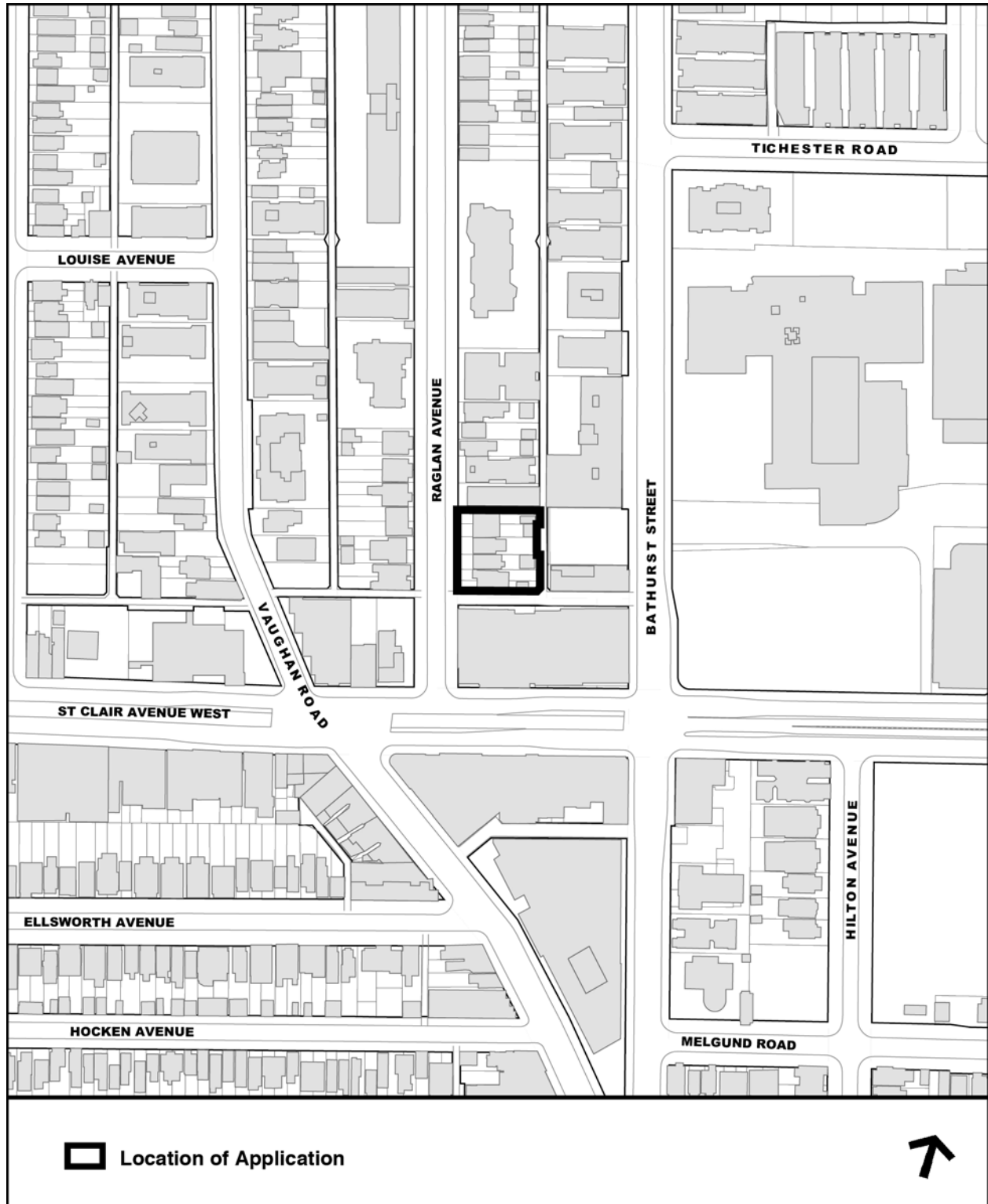
SIGNATURE

Oren Tamir, Acting Director
Community Planning, Toronto and East York District

ATTACHMENTS

Attachment 1: Location Map
Attachment 2: Application Data Sheet
Attachment 3: 3D Model of Proposal in Context Looking Northwest
Attachment 4: Site Plan
Attachment 5: Official Plan Land Use Map
Attachment 6: Zoning By-law Map

Attachment 1: Location Map



Attachment 2: Application Data Sheet

Municipal Address: 5-15 Raglan Ave **Date Received:** November 1, 2021

Application Number: 21 232980 STE 12 OZ

Application Type: Rezoning

Project Description: A 24-storey residential building with 170 dwelling units.

Applicant	Agent	Architect	Owner
Devine Park LLP	Bousfields	Richmond Architects.	Raglan Development Corp.

EXISTING PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhood	Site Specific Provision:	SASP 38
Zoning:	RA (x777); R(d0.6); R2 Z0.6	Heritage Designation:	N
Height Limit (m):	24 m, 12m	Site Plan Control Area:	Y

PROJECT INFORMATION

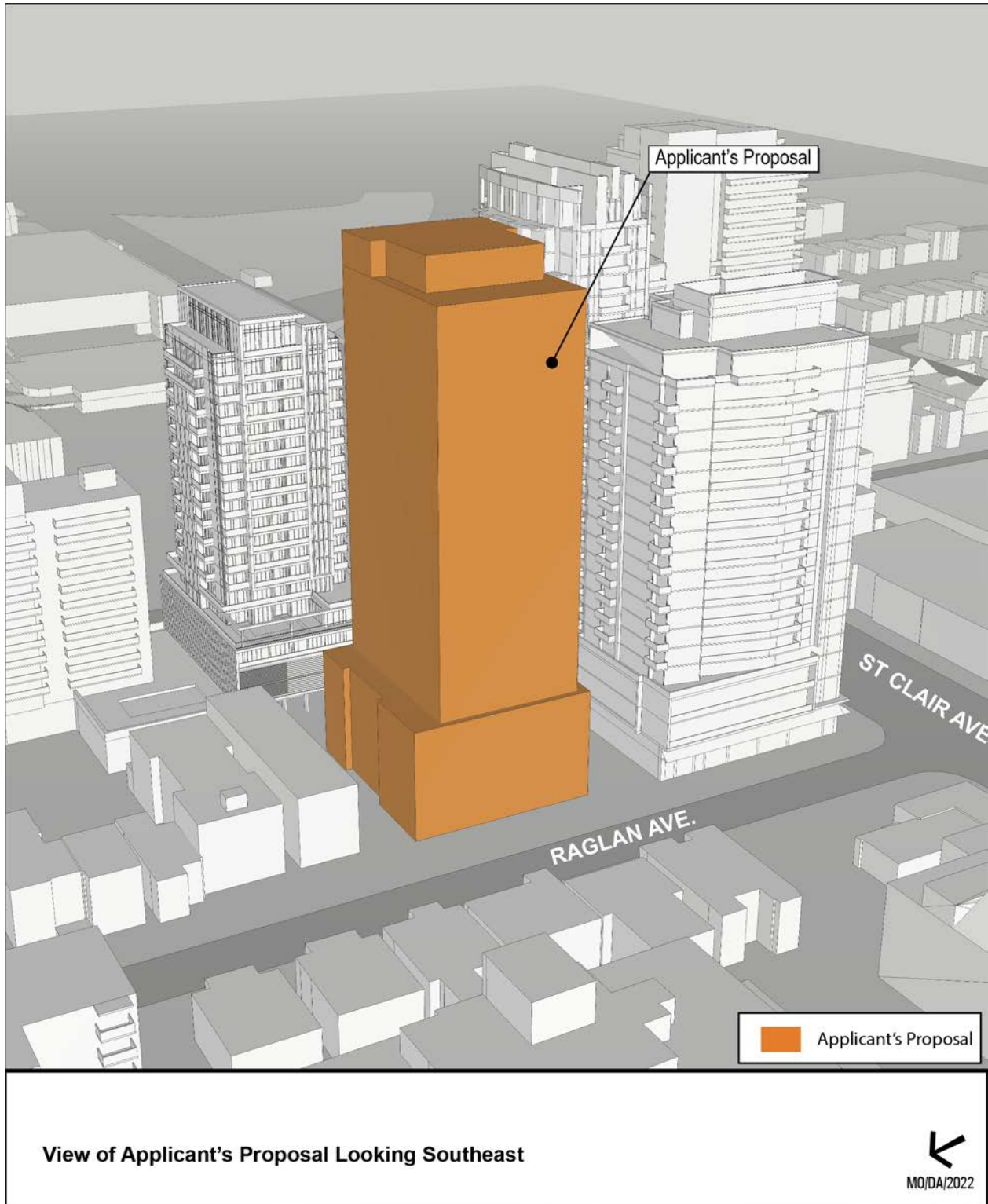
Site Area (sq m): 1,438 **Frontage (m):** 37 **Depth (m):** 39

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	385		1,059	1,059
Residential GFA (sq m):	821		14,667	14,667
Non-Residential GFA (sq m):				
Total GFA (sq m):	821		14,667	14,667
Height - Storeys:	3		24	24
Height - Metres:	9		74	74
Lot Coverage Ratio (%):	73.61	Floor Space Index:	10.2	

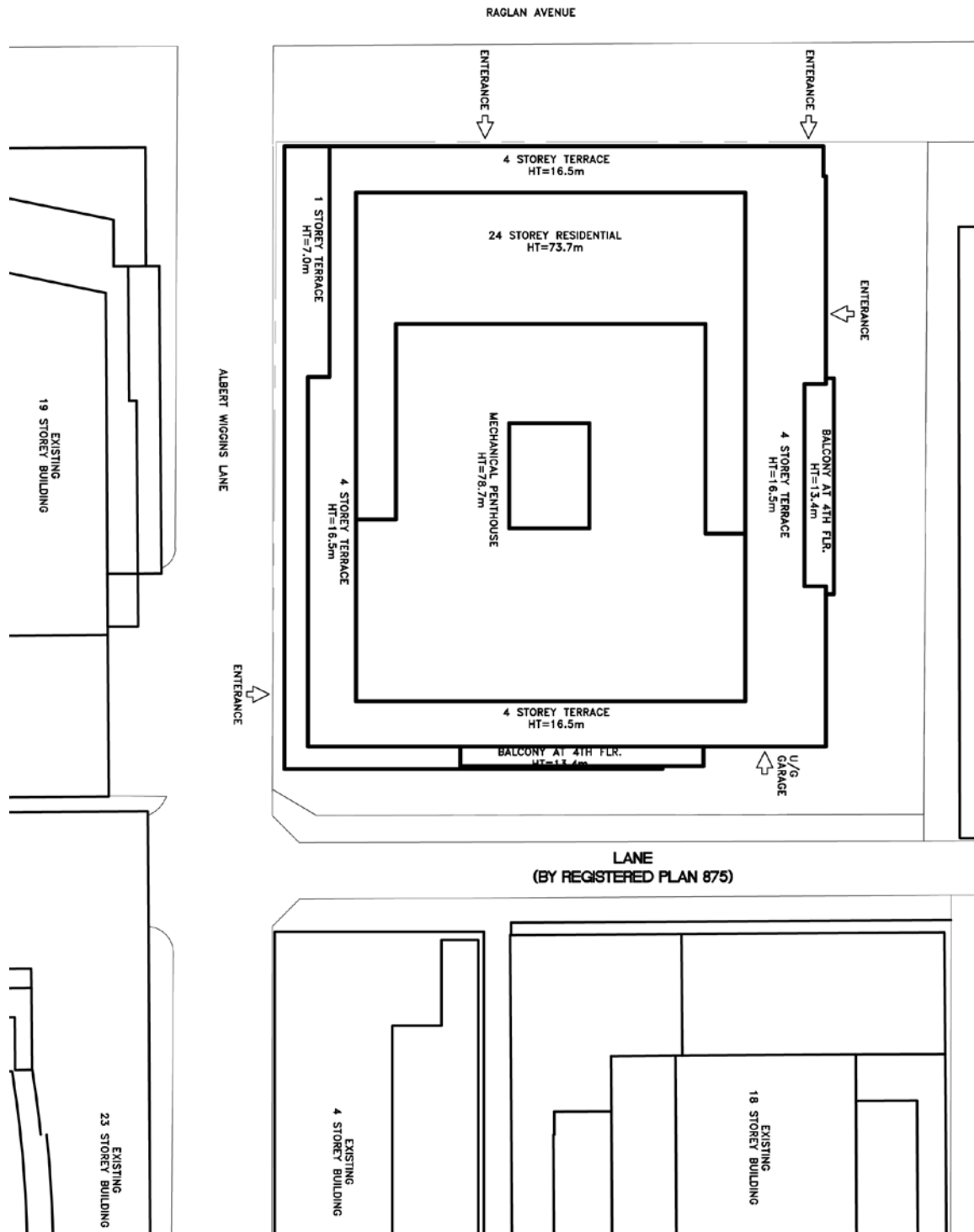
Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	14,667	

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	3			
Freehold:	5			
Condominium:			170	170
Total Units:	8		170	170

Attachment 3: 3D Model of Proposal in Context



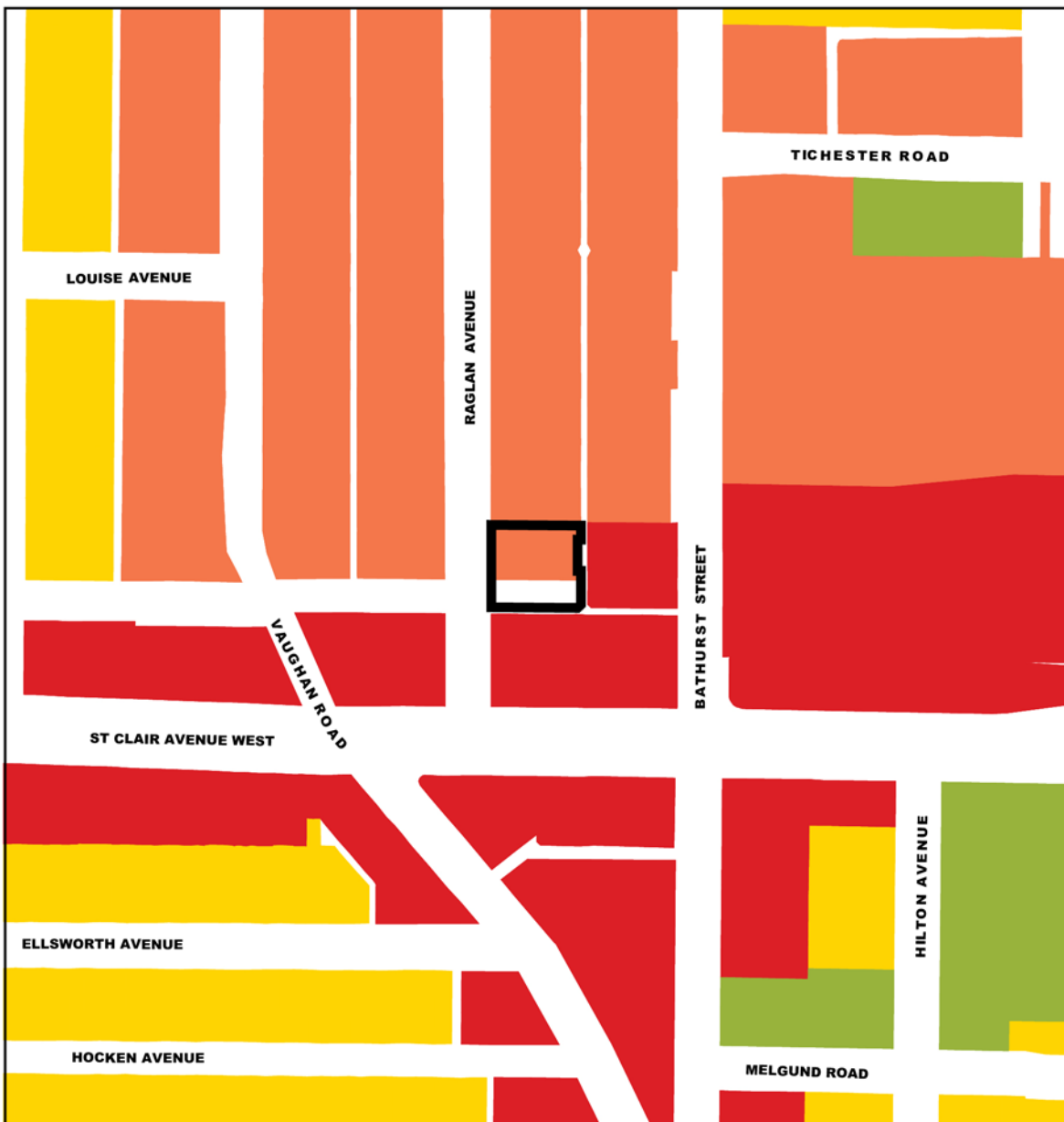
Attachment 4: Site Plan



Site Plan



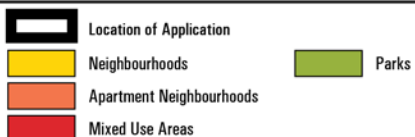
Attachment 5: Official Plan Land Use Map



Official Plan Land Use Map #17

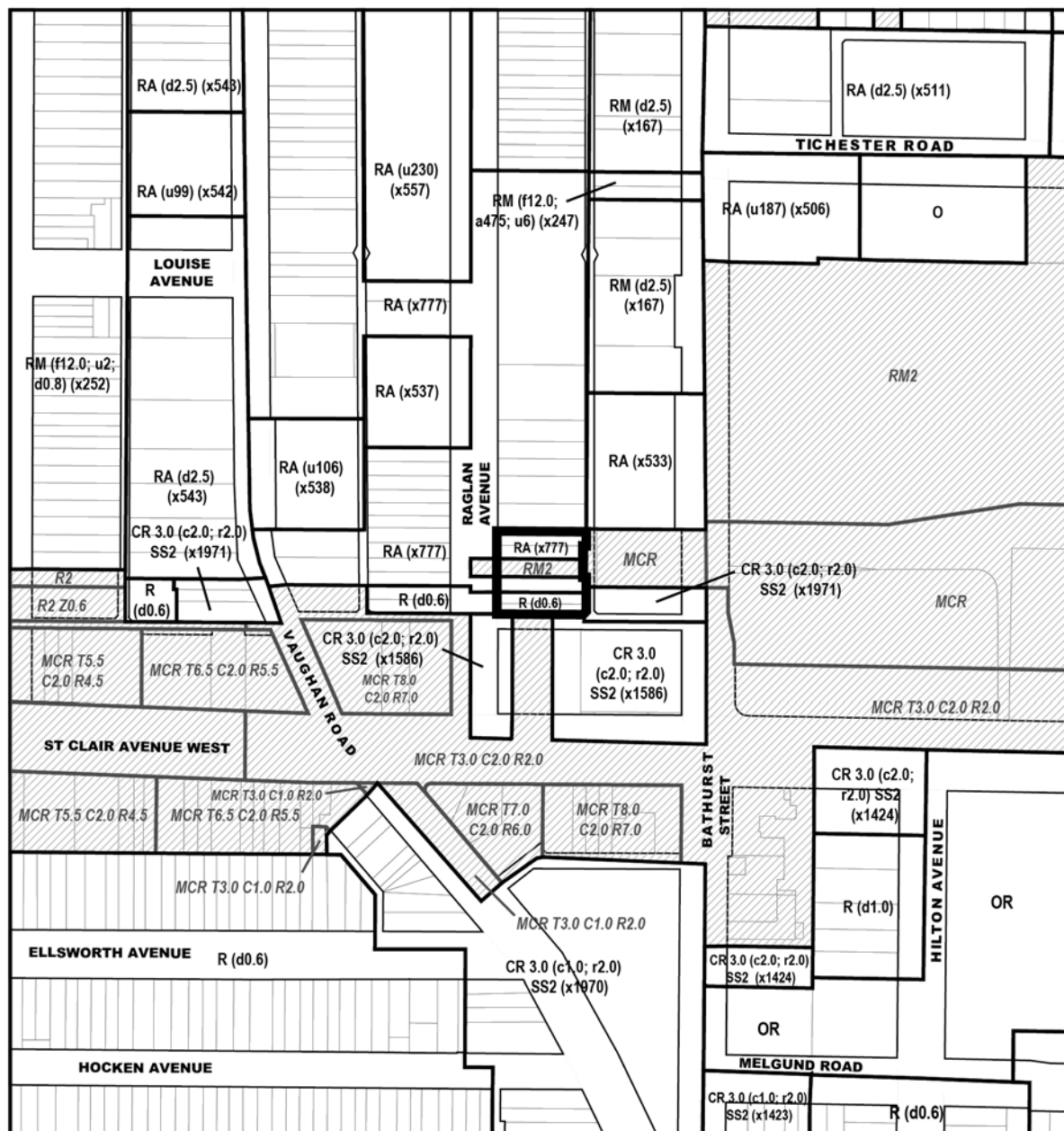
5-15 Raglan Avenue

File # 21 232980 STE 12 0Z



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Not to Scale
Extracted: 12/29/2021

Attachment 6: Zoning By-law Map



Zoning By-law 569-2013

5-15 Raglan Avenue

File # 21 232980 STE 12 02



Location of Application

R Residential
RM Residential Multiple
RA Residential Apartment
CR Commercial Residential
O Open Space
OR Open Space Recreation



See Former City of Toronto By-law No. 438-86

R2 Residential District
MCR Mixed-Use District
R2 Residential Districts
RM2 Residential Multiple Zone
MCR Mixed Commercial Residential



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Extracted: 01/08/2022