

500 Macpherson Avenue - Official Plan and Zoning By-law Amendment Application - Decision Report - Approval

Date: May 5, 2023
To: Toronto and East York Community Council
From: Director, Community Planning, Toronto and East York District
Ward: 12 - Toronto-St. Paul's

Planning Application Number: 22 138028 STE 12 OZ

SUMMARY

This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-law to permit a 30.5-metre (8 floors plus 1 mechanical floor) residential building containing 152 units, and 103 vehicular and 153 bicycle parking spaces, at the northeast corner of Macpherson Avenue and Kendal Avenue.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan, for the lands at 500 Macpherson Avenue, substantially in accordance with the draft Official Plan Amendment included as Attachment No. 5 to this report.
2. City Council amend Zoning By-law 569-2013, for the lands at 500 Macpherson Avenue, substantially in accordance with the draft Zoning By-law Amendment included as Attachment No. 6 to this report.
3. City Council amend City of Toronto Zoning By-law 438-86 for the lands at 500 Macpherson Avenue, substantially in accordance with the draft Zoning By-law Amendment included as Attachment No. 7 to this report.
4. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and Zoning By-law Amendments as may be required.
5. Before introducing the necessary Bills to City Council for enactment, require the owner to:

a) submit a Functional Servicing and Stormwater Management Report, and Hydrological Review Summary Form for review and acceptance to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

b) enter into a Municipal Infrastructure Agreement to financially secure the construction of any improvements to the municipal infrastructure, should it be determined that upgrades and road improvements are required to support the development according to the transportation report, accepted by the General Manager, Transportation Services, and the Functional Servicing Report, accepted by the Chief Engineer and Executive Director, Engineering and Construction Services.

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 on the application, together with the application for 555 Davenport Road, located on the same block at the southeast corner of Davenport Road and Kendal Avenue, was adopted by Toronto and East York Community Council on June 29, 2022 authorizing staff to hold a Community Consultation Meeting. The Toronto and East York Community Council Decision is available here:

<https://secure.toronto.ca/council/agenda-item.do?item=2022.TE34.94>

THE SITE

Description: The corner site is rectangular in shape, with a total lot area of approximately 2,375 square metres and sloped downward from north to south. The lot frontage is approximately 60.9 metres on Kendal Avenue and 39.0 metres on Macpherson Avenue. A north-south public laneway, known as Castelo Street, abuts the east property line.

Existing Uses: The site is currently occupied by a two-storey former industrial building, previously owned by George Brown College and used for institutional purposes.

THE APPLICATION

Description: The proposal is for an 8-storey (30.5-metre, including mechanical penthouse) residential building.

Density: The proposed floor space index is 5.1 times the lot area, for a total gross floor area of 12,000 square metres.

Dwelling Units: A total of 152 units are proposed, comprising of 83 one-bedroom (55%), 54 two-bedroom (35%) and 15 three-bedroom (10%) units.

Parking and Loading: A total of 103 vehicular parking spaces (99 residential and 4 visitor) are proposed in a 2.5-level underground parking garage, accessed by the public laneway. A total of 153 bicycle parking spaces (137 long-term and 16 short-term) are proposed. An internal Type "G" loading space is also proposed to be accessed from the laneway.

Revisions: The current proposal incorporates revisions from the original application as summarized below:

- The proposed number of dwelling units has increased from 135 to 152.
- The number of bicycle parking spaces has increased from 136 to 153.
- The indoor amenity space has increased from 265 to 330 square metres.
- The outdoor amenity space has decreased from 146 to 120 square metres.
- Ground related dwelling units are now proposed to gain direct access from Kendal Avenue.
- The east portion of the Macpherson façade is recessed at the 5th floor to better relate to the streetwall height of the townhouses to the east.
- The setback from Kendal Avenue has increased to accommodate trees within the public realm.
- A 1.3-metre setback from the public laneway has been introduced.

Additional Information

See Attachments No. 1, 2, and 8 of this report for the Location Map, Application Data Sheet, and site plan of the proposal. See Attachment No. 9 for a three-dimensional representation of the proposal, together with the proposal for 555 Davenport Road. 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: www.toronto.ca/500MacphersonAve

Reasons for Application

The Official Plan Amendment is required to redesignate the site from Institutional Areas to Apartment Neighbourhoods to allow the proposed residential use.

The Zoning By-law Amendments to Zoning By-laws 569-2013 and 438-86 are required to vary performance standards including: building height, gross floor area, amenity space, setbacks; landscaping, and vehicular and bicycle parking requirements.

Site Plan Control

A Site Plan application was submitted on April 29, 2022.

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 Institutional Areas. See Attachment 3 of this report for the Official Plan Land Use Map.

Site and Area Specific Policy (SASP) 264: Applies to lands bounded by Christie Street, Spadina Road/Davenport Road, St. Clair Avenue West and the Canadian Pacific Rail Midtown Line. SASP 264 is intended to protect the distinctive characteristics of, and maintain views to and from the Nordheimer Ravine, the Lake Iroquois Escarpment, and the Casa Loma/Spadina House complex.

Zoning: The site is located within an Institutional Education Zone (IE 2.5 (x10)) under Zoning By-law 569-2013, and Mixed-Use District (Q T2.5) under City of Toronto Zoning By-law 438-86. Both Zoning By-laws limit the permitted maximum height to 14.0 metres.

Exception Section 12(1) 359 of Zoning By-law 438-86, which applies to the site and is referred to by Exception IE 10 of Zoning By-law 569-2013, permits a range of residential dwelling types including apartment buildings provided that the residential gross floor area of the building does not exceed 2 times the area of the lot, and the building or structure complies with all other requirements of Zoning By-law 438-86.

See Attachment 4 of this report for the existing Zoning By-law Map.

Design Guidelines

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

- Bathurst-St. Clair Urban Design Guidelines;
- Avenue and Mid-Rise Buildings Study, including the Performance Standards for Mid-Rise Buildings and the Addendum;
- Growing Up Guidelines: Planning for Children in New Vertical Communities; and
- Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings.

The City's Design Guidelines can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

Toronto Green Standard

The Toronto Green Standard (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/citygovernment/planning-development/official-plan-guidelines/toronto-green-standard/>

COMMUNITY CONSULTATION

Staff have corresponded and met with residents in the area on several occasions. As well, a joint virtual Community Consultation Meeting, together with the proposal for 555 Davenport Road was hosted by City staff on November 22, 2022 at which a presentation was given by City staff and the Applicant. Approximately 54 people participated, as well as the Ward Councillor's office.

The issues raised by the Community relate to the following:

- The proposed building heights and densities, and their appropriateness for the sites;
- The applicability of the Performance Standards for Mid-Rise Buildings to the proposals;
- The potential ground contamination of the sites as a result of the former industrial use;
- The potential heritage value of 555 Davenport Road;
- The provision of affordable housing through the use of community benefits;
- The loss of views from the surrounding area;
- The adequate provision of soft landscaping and new trees;
- The loss of vehicular parking for George Brown College, and proposed number of vehicular parking spaces;
- The sufficiency of the number of bicycle parking spaces proposed;
- The architectural design;
- The physical and visual connection with the Lake Iroquois escarpment and Casa Loma woodlot;
- Traffic congestion on the laneway;
- The realignment of Bridgman Avenue at Macpherson Avenue and Kendal Avenue;
- The narrowing of Kendal Avenue from four lanes to two;
- The sufficiency of the setbacks, and the public realm along Kendal Avenue, Davenport Road and Macpherson Avenue; and
- The shadow and noise impacts on adjacent properties and the surrounding area.

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 PPS, and conformity with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan). The proposal is consistent with the PPS and conforms with the Growth Plan.

Land Use

The site was declared to be surplus by the former land owner, George Brown College, to the operation of their Casa Loma Campus and subsequently sold to the applicant.

While the current Official Plan designation for the site is Institutional Areas, the Zoning By-law permits an apartment building. Redesignating the site from Institutional Area to Apartment Neighbourhoods is appropriate for the site and area, and conforms with the applicable Official Plan policies. The Apartment Neighbourhoods designation is compatible with the adjacent Neighbourhoods designation to the east and north.

Public Realm

The proposal conforms with the applicable public realm policies of the Official Plan. The Official Plan states that new development will provide amenity for adjacent streets to make these areas attractive, interesting, comfortable and functional for pedestrians. The proposal will provide a sidewalk width of 4.9 metres along Kendal Avenue and a sidewalk width of 5.9 metres along Macpherson Avenue providing space for an appropriate pedestrian clearway, new street trees and street furniture. The final landscaping plan will be determined and secured as part of Site Plan Control.

Tree Preservation

An arborist report was submitted indicating that three street trees located along Macpherson Avenue and one private tree located on the site will be impacted by the proposal, requiring a permit to remove under the City of Toronto Municipal Code, Chapter 813, the Tree Protection By-law.

The applicant will be required to submit a Tree Planting Security Deposit to ensure the planting and survival of replacement street trees. The planting of three (3) new private trees will also be required as replacement of the private tree removal. If not physically possible, the payment of cash-in-lieu of replacement tree planting will be required.

The final number and location of replacement trees will be determined as part of Site Plan Control to the satisfaction of the General Manager, Parks, Forestry and Recreation.

Sun and Shadow

The proposal adequately limits shadow impacts on adjacent streets and Neighbourhoods designated properties, and are acceptable. The applicant submitted a shadow study showing the shadow cast by the proposed building on the spring and fall equinox (March 21 and September 21) and the summer solstice (June 21). The shadow cast across the Kendal Avenue right-of-way will be gone by the afternoon in the spring, summer and fall. On both equinoxes, incremental shadow will be cast over the private courtyard of the property to the north, 155 Kendal Avenue. The courtyard will be shadowed by both the proposal and the existing building at 155 Kendal Avenue. The shadow cast on the properties to the east will not begin until after 3:00 P.M on both equinoxes and the summer solstice.

Wind

A Pedestrian Level Wind Study and an addendum reflecting the proposed building was submitted. The study indicates that all areas, specifically wind conditions over the

surrounding sidewalks, the transit stop located on the west side of Kendal Avenue, and the areas around the access points of the building are considered acceptable for the intended pedestrian uses throughout the year. Additionally, wind conditions within the common amenity terraces of the building are predicted to be calm and suitable for the intended use of the space throughout the year.

Protected Views

The scale of the proposed development protects the distinctive characteristics of, and maintains views to and from the Nordheimer Ravine and the Lake Iroquois Escarpment, including the Casa Loma/Spadina House complex, in accordance with SASP 264, the Bathurst-St. Clair Urban Design Guidelines and the public realm policies of the Official Plan.

City Planning staff has considered views to and from Casa Loma and Spadina House, as well as from the Baldwin Steps, in the summer and winter, when leaves were on and off the trees. Staff have also considered the View Study that was submitted by the applicant (See Attachment No. 10). The proposed development will not impact the views from Casa Loma, including from the south terrace, of the downtown/financial district skyline. The view of the downtown/ financial district skyline, including the CN Tower, is located to the east of the development site. The proposal will be concealed by the existing, heavy tree canopy of the Casa Loma property, even in the winter when the leaves are off the trees.

The view of Casa Loma, particularly its towers, from the east side of the intersection of Dupont Street and Spadina Road will not be impacted by the proposed development as the development site is located further west than Casa Loma.

Unit Mix

The architectural plans for the proposal demonstrate that 152 residential dwelling units are proposed, including 54 two-bedroom (35%) and 15 three-bedroom (10%) units, which is consistent with the Growing Up Guidelines. The unit mix of the proposal meets the policy direction of the Official Plan to provide a full range of housing.

Built Form

The proposal is compatible with the surrounding context, and conforms with the applicable Official Plan policies with respect to built form, massing and transition to the adjacent Neighbourhoods designated property to the east. The proposal meets the intent of the Mid-rise Building Performance Standards for this site located on a Major Street.

The planned rights-of-way of Kendal Avenue and Macpherson Avenue, both Major Streets, is 20 metres. While the proposed building height of 30.5 metres is greater than a 1:1 ratio of building height to street width, the building terraces back from Kendal Avenue and Macpherson Avenue, and down towards the Neighbourhoods designated properties to the east, mitigating the visual impact of the proposed height from the

public realm and adjacent properties and allowing for appropriate sunlight penetration and transition.

The proposal is stepped back 5.3 metres above the ground level at the north end of the site where it abuts the central courtyard of 155 Kendal Avenue providing appropriate sunlight penetration and transition.

The proposal has a 5-storey streetwall height at the northwest corner along Kendal Avenue, which is in keeping with the height and massing of the adjacent 5-storey building at 155 Kendal Avenue. The proposal has a 4-storey streetwall height at the southeast corner along Macpherson Avenue, which is in keeping with the height and massing of the 4-storey townhouses to the east.

To the east, the building will be setback a minimum of 1.3 metres from the laneway and landscaped planters will be provided along the east terraces at the 4th and 5th floors to mitigate overlook and privacy issues.

Traffic Impact, Access, Parking and Loading

A Transportation Impact Study was submitted to assess the traffic impact, access, parking and loading arrangements for this development. The proposed number of parking spaces and Type "G" loading space satisfies the Zoning By-law requirements for parking and loading.

Revisions may be required to the streetscape as it relates to the potential installation of all-way stop controls at the Kendal Avenue and Macpherson Avenue intersection.

Road and Lane Widening

To satisfy the Official Plan requirement of a 20-metre right-of-way for Kendal Avenue, a 2.38-metre road widening is required. There is no road widening requirement for Macpherson Avenue.

A 0.5-metre laneway widening is required along the rear (east) property line, to satisfy the requirement of a 6.0-metre wide lane right-of-way.

The widenings will be conveyed to the City through Site Plan Control.

Parkland

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through a cash-in-lieu payment. The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services and payment will be required prior to the issuance of the first above grade building permit.

Servicing

Engineering and Construction Services staff have reviewed the submitted materials and have identified several outstanding items requiring revision, resubmission and acceptance of the Functional Servicing and Stormwater Management Report, and Hydrological Review Summary Form to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

Should it be determined that upgrades and road improvements are required to support the development, the owner should be required to enter into a Municipal Infrastructure Agreement to financially secure the construction of any improvements to the municipal infrastructure.

Both of these matters must be addressed prior to the enactment of the Zoning By-laws.

Community Services and Facilities

The Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Community services and facilities are the building blocks of our neighbourhoods and include matters such as recreation, libraries, childcare, local schools, public health, and human and cultural services. Providing for a full range of community services and facilities in areas that are inadequately serviced or experiencing growth is a shared responsibility.

Toronto Green Standard

The applicant is required to meet Tier 1 of the TGS. The site specific zoning by-law, and future site plan agreement, will secure performance measures for various development features. The applicant is encouraged to achieve Tier 2 or higher to advance the objectives of the City for resilience and to achieve net-zero emissions by 2040 or sooner.

CONTACT

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SIGNATURE

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

ATTACHMENTS

City of Toronto Data/Drawings

Attachment 1: Location Map

Attachment 2: Application Data Sheet

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 Amendment to Amend Zoning By-law 569-2013

Attachment 7: Draft Zoning By-law Amendment to Amend Zoning By-law 438-86

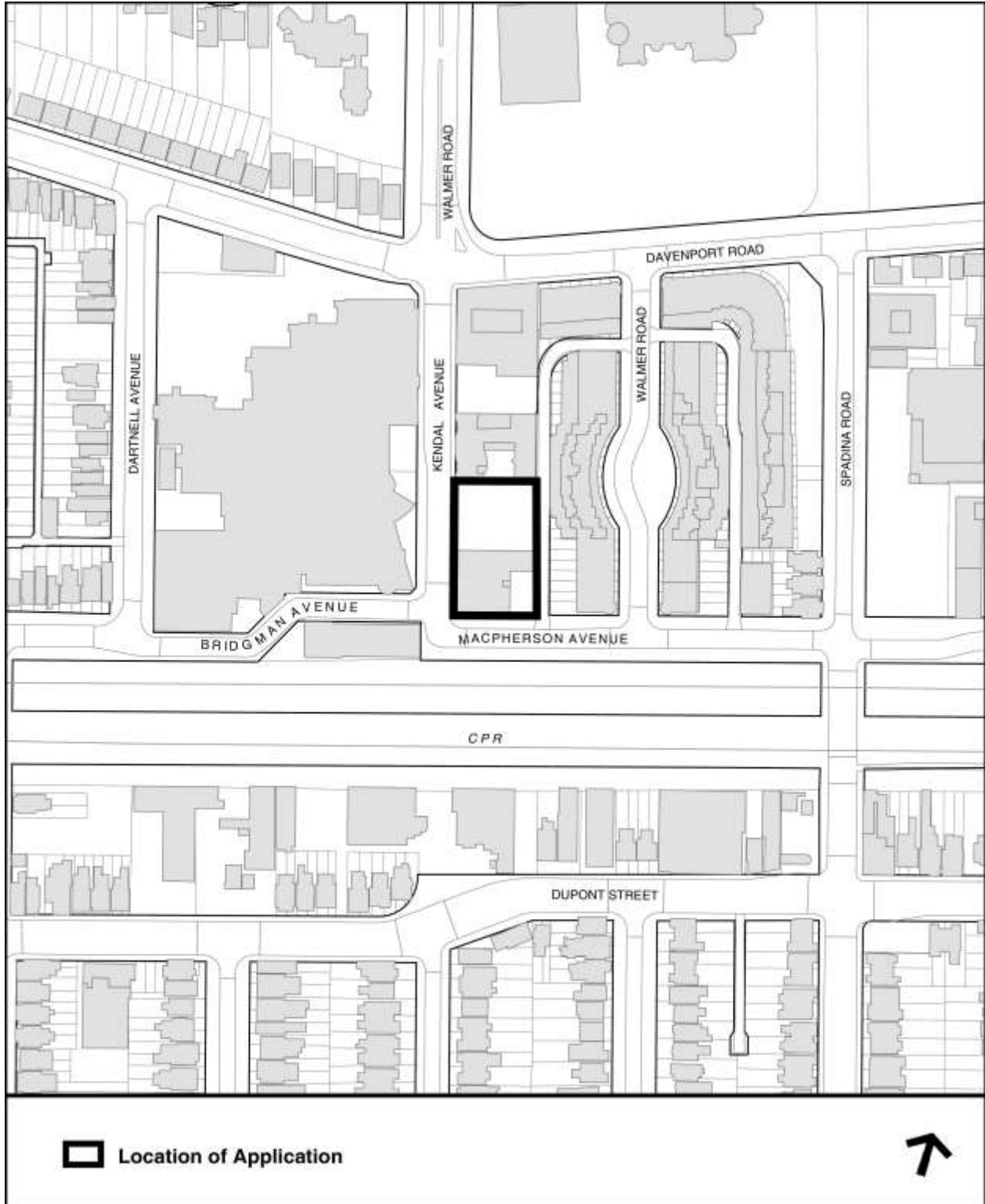
Applicant Submitted Drawings/Images

Attachment 8: Site Plan

Attachment 9: 3D Model of Proposal in Context

Attachment 10: View Study of Downtown/Financial District Skyline from Casa Loma

Attachment 1: Location Map



Attachment 2: Application Data Sheet

Municipal Address: 500 Macpherson Avenue **Date Received:** April 29, 2022

Application Number: 22 138028 STE 12 OZ

Application Type: Official Plan & Zoning By-law Amendment

Project Description: an 8-storey residential building.

Applicant	Agent	Architect	Owner
500 Macpherson Avenue Holdings Ltd.		Architects Alliance	500 Macpherson Avenue Holdings Ltd.

EXISTING PLANNING CONTROLS

Official Plan Designation:	Institutional Areas	Site Specific Provision:	SASP 264
Zoning:	IE 2.5 (x10)	Heritage Designation:	N
Height Limit (m):	14	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 2,375 **Frontage (m):** 39 **Depth (m):** 61

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	1,154		2,137	2,137
Residential GFA (sq m):			11,116	11,116
Non-Residential GFA (sq m):	2,300			
Total GFA (sq m):	2,300		11,116	11,116
Height - Storeys:	2		8	8
Height - Metres:			30.5	30.5

Lot Coverage Ratio (%): 89.98 **Floor Space Index:** 4.68

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

Residential GFA: 11,116
 Retail GFA:
 Office GFA:
 Industrial GFA:

Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			152	152
Other:				
Total Units:			152	152

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			83	54	15
Total Units:			83	54	15

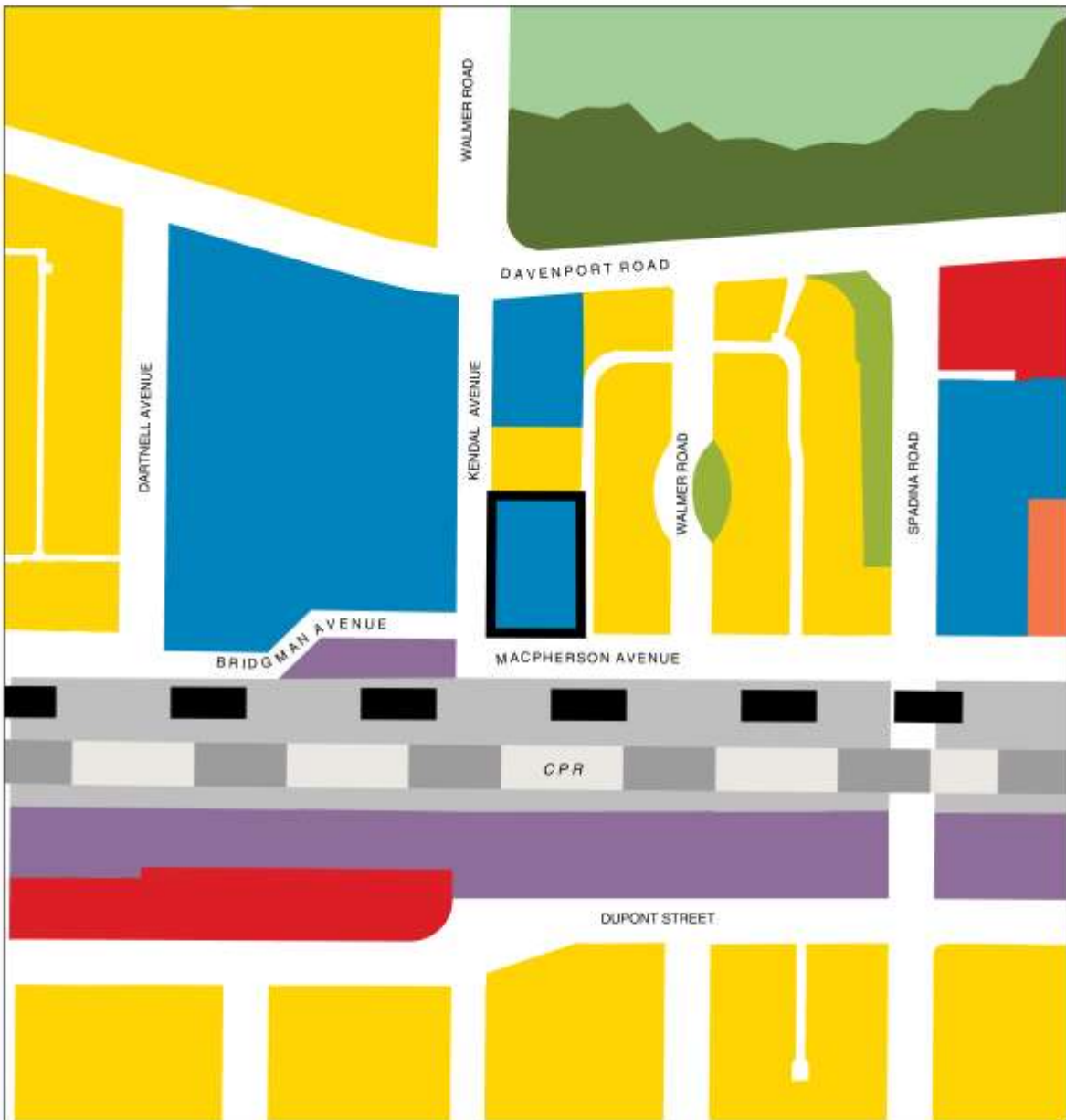
Parking and Loading

Parking Spaces: 103 Bicycle Parking Spaces: 153 Loading Docks: 1

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Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #17

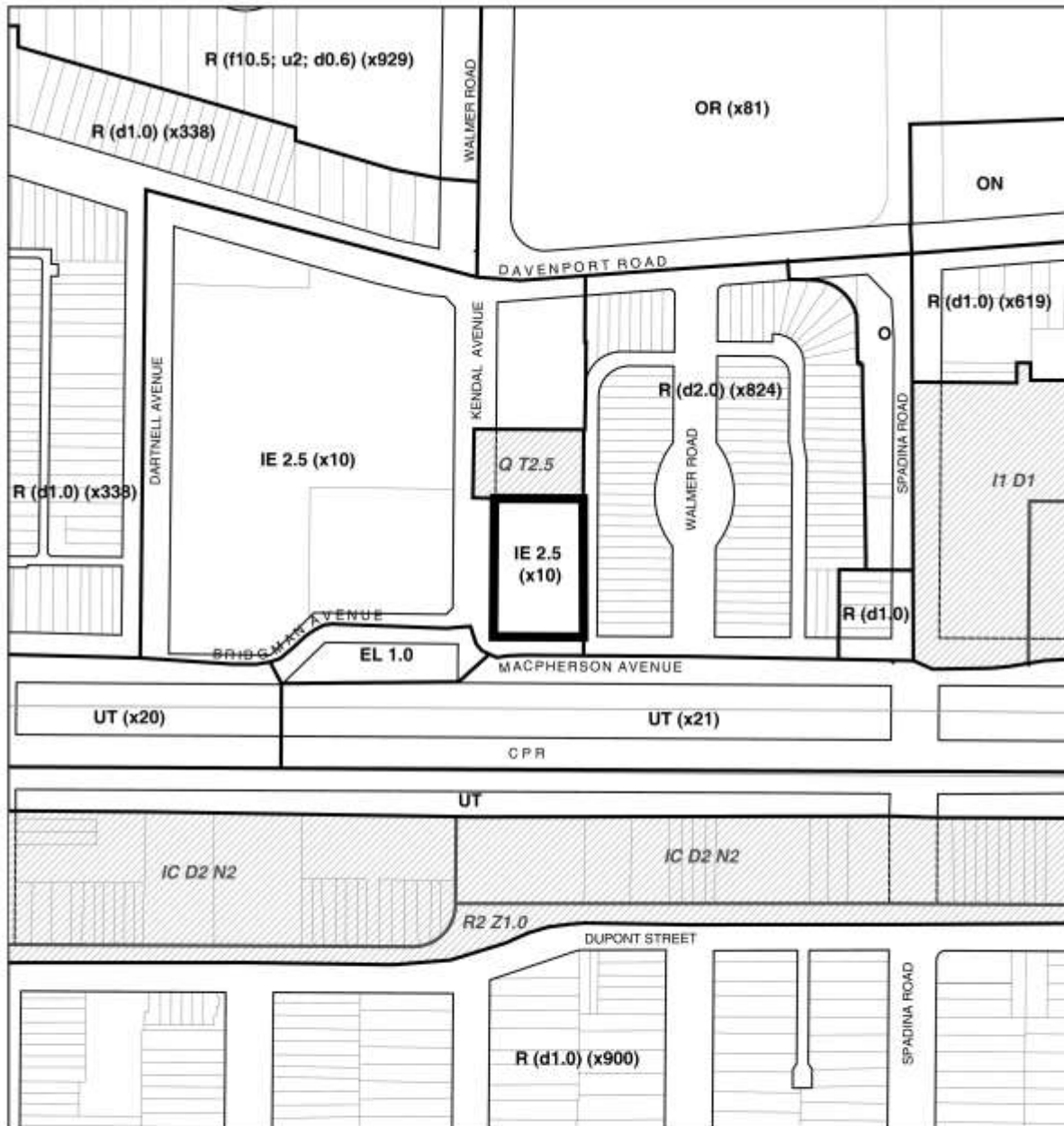
500 Macpherson Avenue

File # 22 138028 STE 12 02

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|--|--|--|
|  Location of Application |  Natural Areas |  Institutional Areas |
|  Neighbourhoods |  Parks |  Utility Corridors |
|  Apartment Neighbourhoods |  Other Open Space Areas |  General Employment Areas |
|  Mixed Use Areas | | |

↑
Not to Scale
Extracted: 06/07/2022

Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

500 Macpherson Avenue

File # 22 138028 STE 12 0Z



Location of Application

- R Residential
- EL Employment Light Industrial
- IE Institutional Education
- O Open Space
- ON Open Space Natural
- OR Open Space Recreation

UT Utility and Transportation



See Former City of Toronto By-law No. 439-86

- R2 Residential District
- MCR Mixed-Use District
- I1 Industrial District
- IC Industrial District
- Q Mixed-Use District



Not to Scale
Extracted: 05/03/2022

CITY OF TORONTO
Bill XXX
BY-LAW ###-2023

**To adopt an Amendment to the Official Plan
of the City of Toronto
respecting the lands known municipally in the year 2022, as
500 Macpherson Avenue**

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 the 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 No. 657 to the Official Plan is adopted pursuant to the Planning Act, as amended.

Enacted and passed on [month day, year].

Frances Nunziata, John D. Elvidge,
Speaker City Clerk

(Seal of the City)

City of Toronto By-law No. ---20~

CITY OF TORONTO
BY-LAW ###-2023

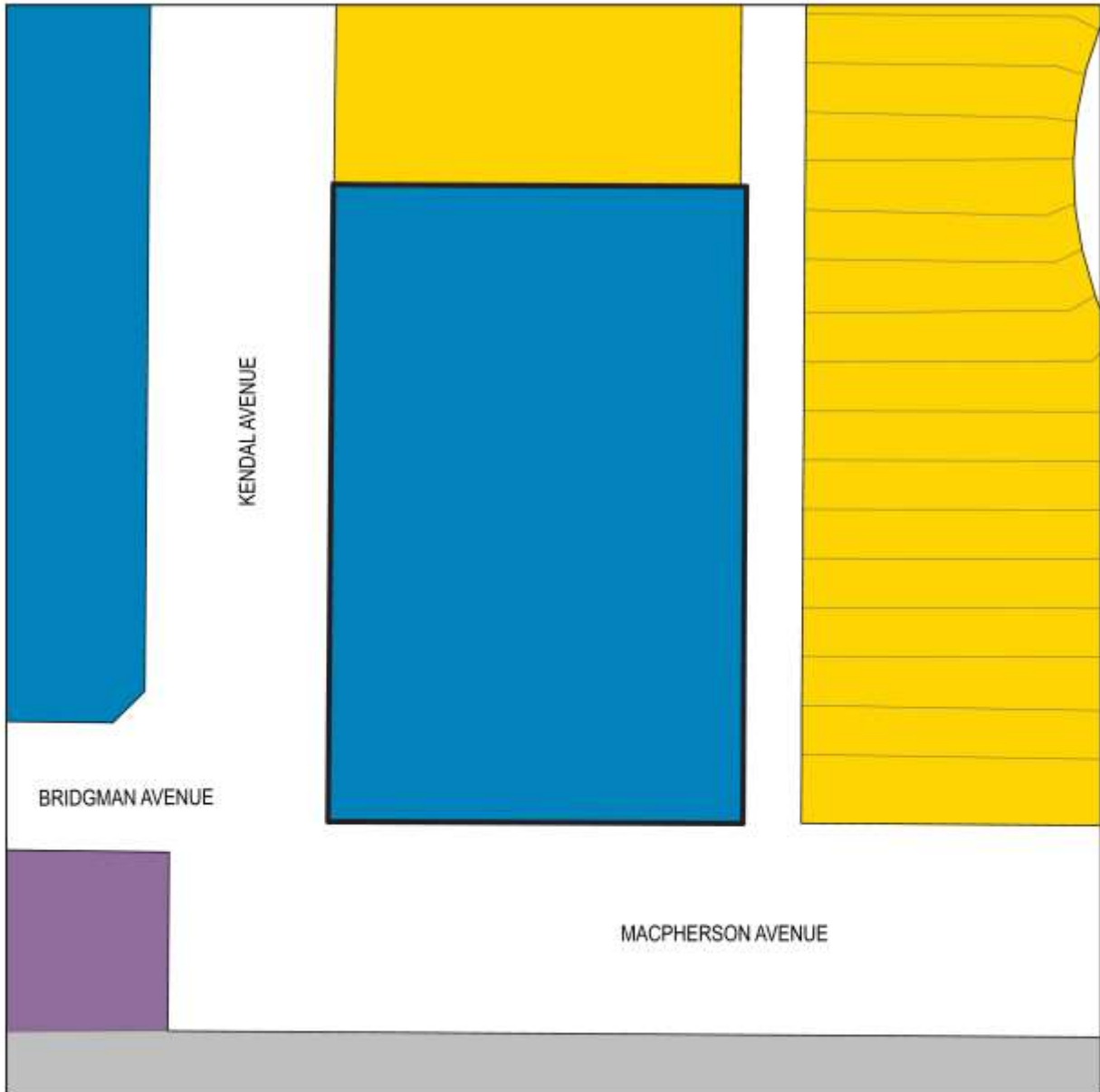
AMENDMENT NO. 657 TO THE OFFICIAL PLAN

LANDS MUNICIPALLY KNOWN IN THE YEAR 2022 AS 500 MACPHERSON AVENUE

The Toronto Official Plan is amended as follows:

1. Map 17, Land Use Plan, is amended by redesignating the lands known municipally in 2022 as 500 Macpherson Avenue from *Institutional Areas* to *Apartment Neighbourhoods*, as shown on the attached Schedule 1.

Schedule 1



Official Plan Amendment #657

Proposed revisions to Land Use Map 17 to redesignate lands from Institutional Areas to Apartment Neighbourhoods

500 Macpherson Avenue

File # 22 138028 STE 12 02

-  Lands to be Redesignated
-  Corridor
-  General Employment Areas
-  Institutional Areas
-  Neighbourhoods



05/02/2023

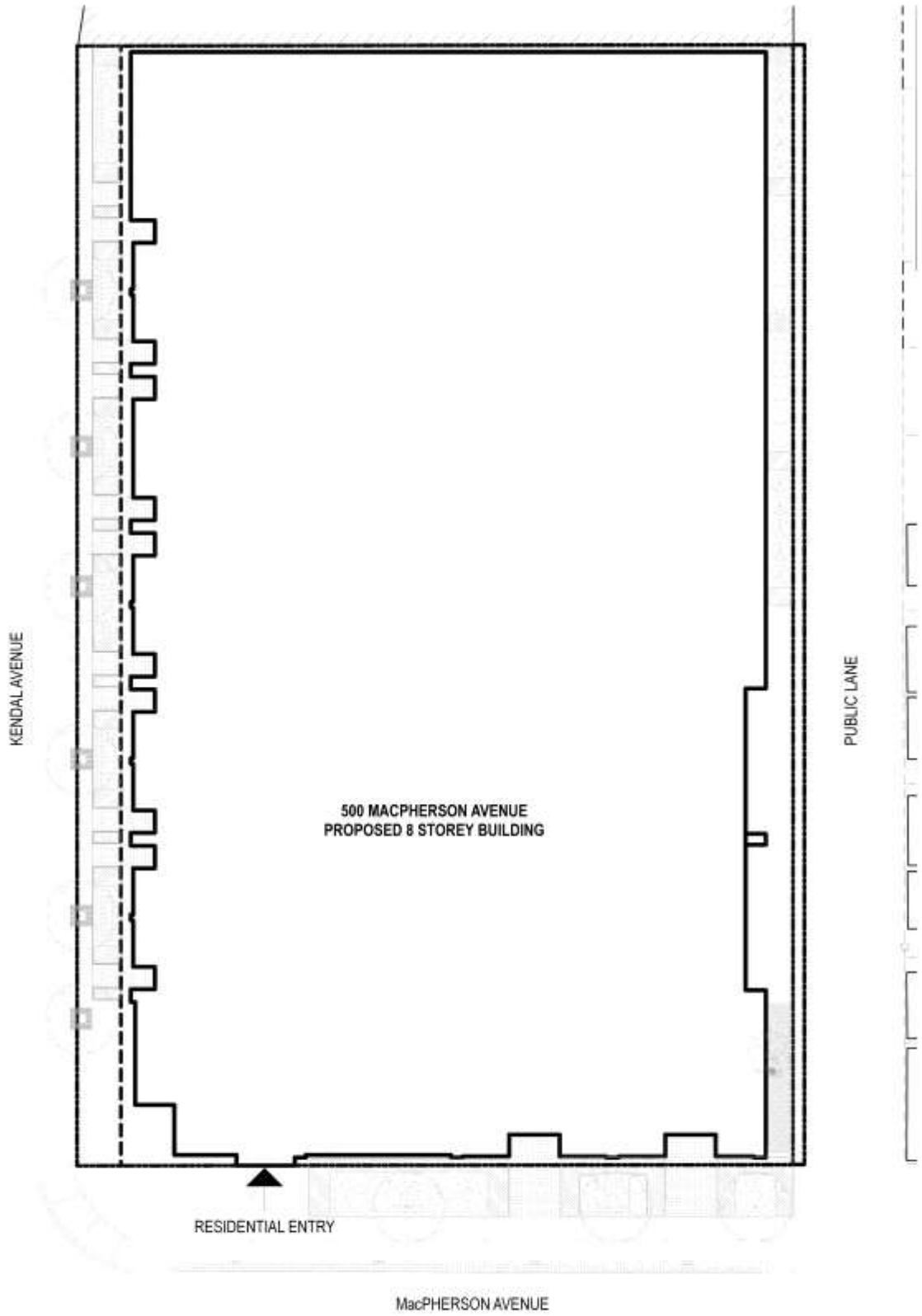
Attachment 6: Draft Zoning By-law Amendment to Ament Zoning By-law 569-2013

To be available prior to the May 24, 2023 Toronto and East York Community Council Meeting.

Attachment 7: Draft Zoning By-law Amendment to Ament Zoning By-law 438-86

To be available prior to the May 24, 2023 Toronto and East York Community Council Meeting.

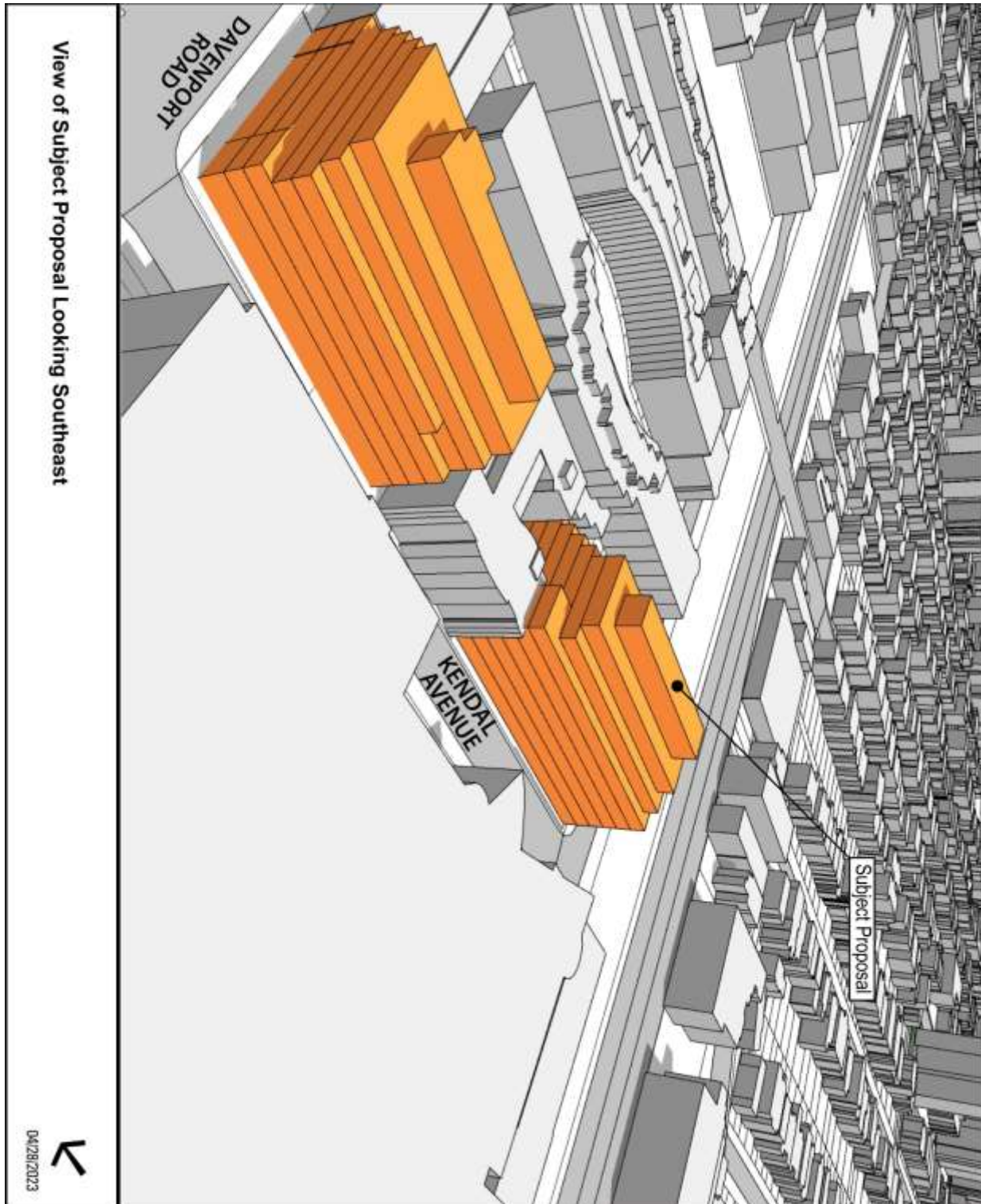
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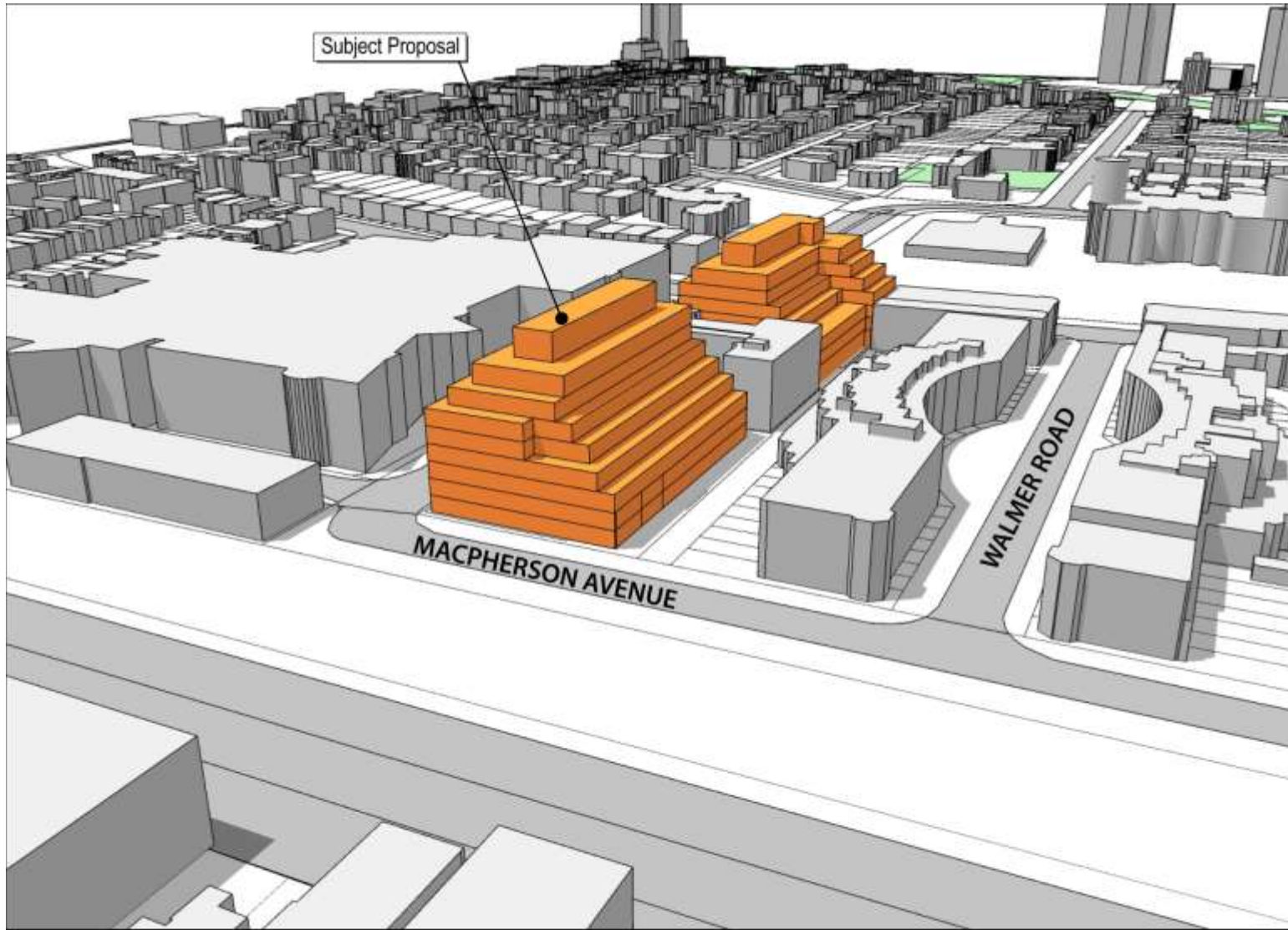


Site Plan



Attachment 9: 3D Model of Proposal in Context



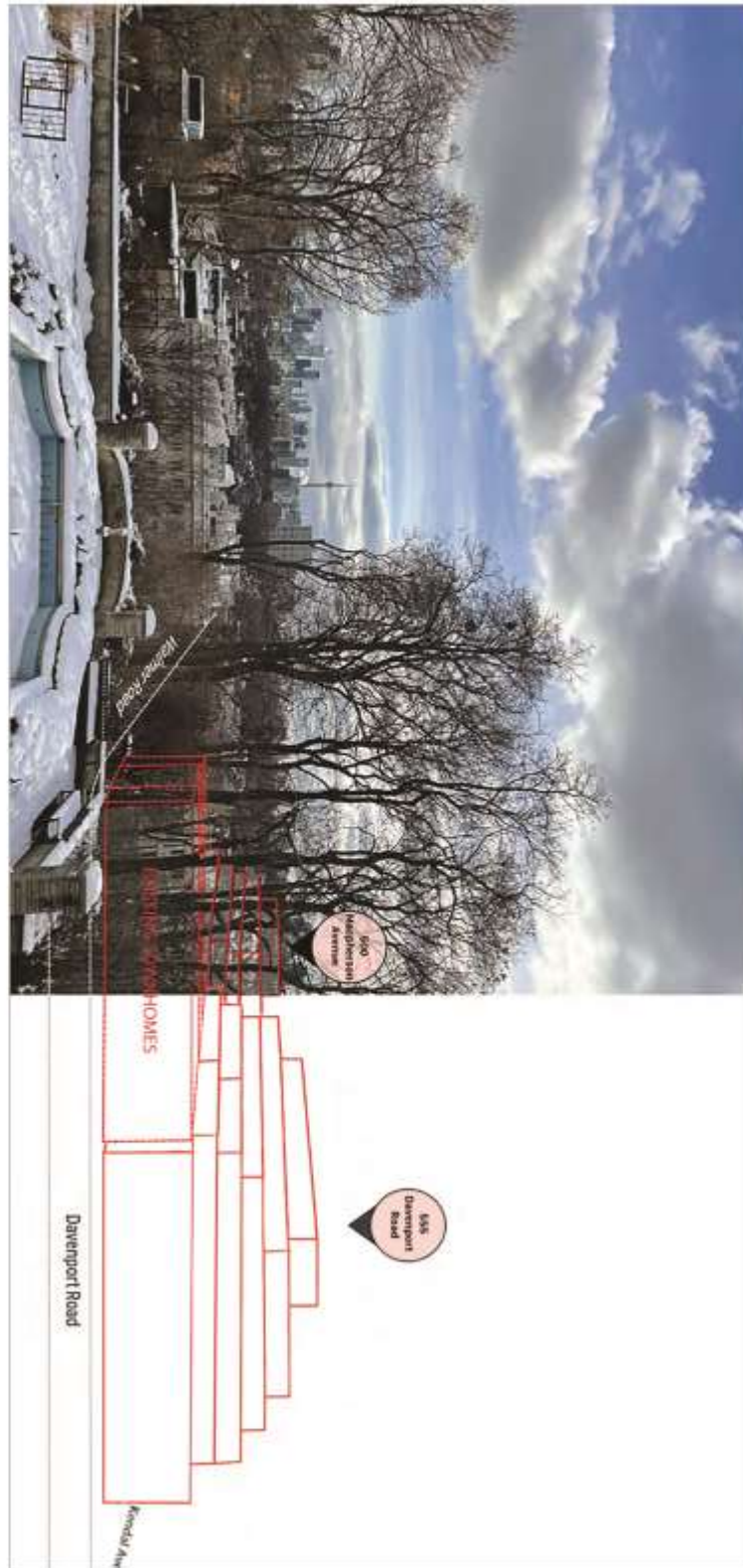


View of Subject Proposal Looking Northwest



04/28/2023

Attachment 10: View Study of Downtown/Financial District Skyline from Casa Loma



VIEW SOUTH TO DOWNTOWN/FINANCIAL DISTRICT SKYLINE FROM CASA LOMA (SOUTH TERRACE)

View South to Downtown