

## **24-26 Imperial Street - Zoning By-law Amendment Application – Decision Report - Approval**

Date: May 5, 2023

To: Toronto and East York Community Council or City Council

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

Ward: 12 - Toronto-St. Paul's

**Planning Application Number:** 19 238226 STE 12 OZ

### **SUMMARY**

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This report reviews and recommends approval of the application to amend the Zoning By-law to permit a 9-storey (31.0-metre, plus an additional 5.0-metre mechanical penthouse) residential building at 24-26 Imperial Street. The building is proposed to contain 30 dwelling units totaling 4,000 square metres of gross floor area and 8 parking spaces in a single level underground parking garage.

### **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. City Council amend Zoning By-law 569-2013 for the lands at 24-26 Imperial Street substantially in accordance with the draft Zoning By-law Amendment included as Attachment No. 5 to this report.
2. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment, as may be required.
3. Before introducing the necessary bills to City Council for enactment, require the owner to:
  - a) submit a Functional Servicing and Stormwater Management Report and Servicing Report Groundwater Summary 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 of Transportation Services and the Functional Servicing Report accepted by the Chief Engineer and Executive Director of Engineering and Construction Services.

## **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.

## **THE SITE**

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**Description:** The subject site is located on the north side of Imperial Street, west of Yonge Street and east of the subway corridor. The irregularly shaped site has an approximate area of 800 square metres, with a frontage of 16.94 metres on Imperial Street and a depth of 51.08 metres. There is an existing public laneway located adjacent to the eastern boundary of the subject site which provides access to a rear parking area servicing the subject site and the properties fronting along Yonge Street (1970-1984 Yonge Street).

To the immediate west of the subject site is 28 Imperial Street, a 1-storey detached dwelling on a triangular shaped lot that directly abuts the adjacent subway corridor. As a result of the neighbouring property's triangular shape, the rear portion of the subject site extends to the subway corridor.

**Existing Use:** At 24 Imperial Street, there is a 2½-storey detached dwelling. At 26 Imperial Street, there is a 2½-storey house form building with office uses. The northern portions of both properties contain a surface parking area that is accessed by a public laneway to the east.

## **THE APPLICATION**

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**Description:** A 9-storey (31.0-metre) residential building.

**Density:** 4.71 times the area of the lot.

**Dwelling Units:** The proposed 30 dwelling units includes 6 one-bedroom (20%), 14 two-bedroom (47%), 10 three-bedroom units (33%).

**Parking and Loading:** A total of 8 vehicle and 32 bicycle parking spaces are proposed. Vehicular access is from the public laneway to the east of the site. The public laneway leads to a covered service area with access to a visitor parking space and a car elevator leading to 7 vehicular parking spaces in one level of underground parking, and 30 bicycle parking spaces. No dedicated loading space is proposed for the development.

**Additional Information:** See Attachments 1, 2, 6, and 7 of this report for the project in context, Application Data Sheet, a site plan of the proposal, and three-dimensional representation, 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=TwbrO216A7a6DAmqgCZ%2BZw%3D%3D>

**Reasons for Application:** The Zoning By-law Amendment application proposes to amend Zoning By-law 569-2013 to vary performance standards including: building height; building setbacks; gross floor area; and parking requirements.

## Revisions

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

- Relocated two ground-related townhouse units to the rear of the property to relocate the residential lobby and indoor amenity space to the Imperial Street frontage;
- Reduced indoor amenity space from 118.3 to 62.7 square metres;
- Reduced outdoor amenity space from 207.2 to 107.4 square metres;
- Decreased underground parking from two to one level;
- Decreased vehicular parking spaces from 21 to 8 spaces;
- Increased bicycle parking spaces from 31 to 32 spaces;
- Increased ground level setback to Imperial Street from 1.55 to 3.4 metres, resulting in Levels 2-4 cantilevering above the ground floor by 2.1 metres;
- Increased residential gross floor area from 3,635 to 4,000 square metres;
- Increased density from 4.54 to 4.71 times the area of the lot;
- Increased one-bedroom units from 5 to 6;
- Decreased two-bedroom units from 15 to 14;

**Site Plan Control:** A Site Plan Control application has not yet been submitted.

## POLICY CONSIDERATIONS

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**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, and shall conform to provincial plans.

**Official Plan:** Mixed Use Area. See Attachment 3 of this report for the Official Plan Land Use Map.

**Yonge-Eglinton Secondary Plan (OPA 405):** Mixed Use Area "C". This designation includes commercial main streets characterized by continuous at-grade narrow-frontage retail, service and institutional uses with office, other commercial and residential uses above. A mix of residential, retail and service, office, institutional, entertainment and cultural uses are permitted.

The site is located within the Yonge Street South Character Area, which is planned to have an anticipated height range of 8 to 15 storeys, and generally be required to have building setbacks above the seventh storey along all street frontages.

**Zoning:** At the time of the application, the property was zoned Commercial Residential CR 3.0 (c2.0; r2.5) SS2 (x2430) with a height limit of 16.0 metres under Zoning By-law 569-2013.

Zoning by-law amendment 595-2022 was adopted by City Council in June 2022 through the Midtown Zoning Review to implement the City's Yonge-Eglinton Secondary Plan. The revised zoning for the property is CR SS2 (x554) with a height limit of 46.5 metres. Zoning By-law 595-2022 does not apply for this property because the application was submitted prior to the adoption of the By-law.

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:

- Midrise Design Guidelines;
- Growing Up Guidelines Planning for Children in New Vertical Communities;

The City's Design Guidelines can be found here:

<https://www.toronto.ca/citygovernment/planning-development/official-plan-guidelines/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**

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City Planning held a community consultation meeting on March 9, 2020 at the Glebe United Church, 20 Glebe Road East. The applicant and approximately 20 members of the public attended the meeting. City staff and the applicant's consultant team presented on the planning framework, the site and area context, and the details of the proposal. The presentations were followed by a question and answer period.

The comments and concerns raised by residents with respect to the proposal were generally related to the following matters:

- Transition to lower scaled areas;
- Privacy and overlook;
- Traffic and parking infiltration into Neighbourhoods;
- Building material and fit into character of neighbourhood;
- Ensuring animation at ground level;
- Ensuring green landscaping; and
- Construction impacts on adjacent properties.

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

## **COMMENTS**

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### **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.

### **Unit Mix**

The Yonge-Eglinton Secondary Plan (OPA 405) indicates that new development should provide 10% of the total number of units as 3-bedroom units and 15% as 2-bedroom units. An additional 15% of the total number of units should be a combination of 2-bedroom and 3-bedroom units. The proposed development exceeds these requirements with the provision of 30 residential dwelling units, of which 14 are two-bedroom units (47%) and 10 are three-bedroom units (33%). Planning staff are satisfied the proposed unit mix meets the intent of the Yonge-Eglinton Secondary Plan as well as the Growing Up Guidelines.

## **Public Realm**

City staff are satisfied that the proposal conforms with the applicable public realm policies of the Official Plan. The proposed building will provide a 6.7-metre sidewalk on Imperial Street, by setting back the lower portion of the building 3.4 metres from the front lot line along Imperial Street. The building will cantilever 2.1 metres over this space at a height of 4.2 metres.

## **Tree Preservation**

One City-owned Street tree is proposed for removal to accommodate the development. Urban Forestry does not object to the removal of the City-owned Street tree due to its poor condition. No new trees are proposed within the adjacent road allowances due to space and utility constraints. Urban Forestry will require the payment of cash-in-lieu for the required replacement tree not being planted within the road allowances based on the standard compensation ratio of 1:1 for the removal of each City-owned street tree.

One privately-owned, by-law regulated tree located on the adjacent privately-owned lands to the west is proposed to be removed. Urban Forestry's standard compensation ratio for the removal of a poor condition tree is 1:1. Two new trees are proposed at the front of the property. Trees must meet Urban Forestry standards to be counted toward compensation for the removal of the privately-owned neighbour tree.

The total amount of the cash-in-lieu payments will be determined at the Site Plan stage upon issuance of Notice of Approval Conditions.

## **Shadow Impacts**

The shadow impact resulting from the proposal is acceptable. The proposal adequately limits shadow impacts on Neighbourhoods and parks, particularly during the spring and fall equinoxes.

The applicant-submitted shadow studies show the extent of the shadow from the proposed building on the spring and fall equinox (March 21 and September 21). The proposed development casts shadows on the rear yards of approximately 6 properties on Duplex Avenue at 9:18 a.m. on March/September 21 with shadows moving off of these areas by 10:18 a.m. The proposal does not shadow any Parks or Open Space areas.

The site is located in a Mixed Use Areas designation which are identified in the Official Plan as areas that will accommodate growth. Shadows cast on adjacent Neighbourhoods by new developments in Mixed Use Areas are generally considered acceptable for new buildings that fall within the height ranges prescribed in OPA 405.

## **Wind**

The Pedestrian Level Wind Study was submitted in support of the application. The report concluded that the wind conditions around the proposed development, including at entrances and on walkways, surrounding sidewalks, the nearby Fiona Nelson Parkette and on the proposed 9th floor amenity terrace would be suitable for the intended usage year-round.

City Planning staff have reviewed the Pedestrian Level Wind Study and are satisfied with the assessment, conclusions, and recommendations contained within the study.

## **Laneway Widening**

Land and Property Surveys staff have determined that additional lands are required for right-of-way purposes to satisfy the Official Plan requirements for public rights-of-way abutting the site. The existing public laneway abutting the subject site requires a widening of 1.17 metres along the full extent of the westerly limit to meet the required 6.0-metre width. The proposed widening has been reflected on the submitted architectural plans.

## **Built Form**

City Planning staff finds that the proposal conforms with the applicable Official Plan and OPA 405 policies with respect to built form and massing. Furthermore, the proposal meets the intent of the Mid-Rise Design Guidelines.

The proposed height of 9 storeys (36.0 metres, including mechanical penthouse) is appropriate for the site and fits within the planned context. The proposed height is within the 46.5 metre height limit implemented by Zoning By-law 595-2022.

The base building has a height of 4-storeys (14.0 metres) with the main volume of the building stepped back at each successive floor above to the 7th storey to limit the visual impact of the massing on the pedestrian realm. Along Imperial Street, the ground floor is setback 3.4 metres to allow for a wider public realm to accommodate pedestrians and streetscaping.

The proposed building is setback 0.3 metres to the west side lot line up to the 9th floor. The west elevation of the building does not contain any windows or balconies facing west towards the adjacent neighbourhood.

On the east side of the building, the northern third of the building is located 0.3 metres to the east property line and does not contain windows or balconies. The middle and southern third of the building is located 2.3 metres to the new east property line and contains windows and inset balconies. This portion of the building will provide a minimum setback of 5.5 metres from the centre line of the public lane to the east, which

meets the intent of the mid-rise building design guidelines that prescribe an 11.0-metre setback between two mid-rise buildings that contain windows.

### **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. Payment will be required prior to the issuance of the first above grade building permit.

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

A Transportation Impact Study was submitted to assess the traffic impact, access, parking and loading arrangements for this development. A total of 8 parking spaces, consisting of 7 resident parking spaces and 1 residential visitor parking space are proposed, in addition to 32 bicycle parking spaces. No dedicated loading space is proposed for the development.

Vehicular access for parking will be from the public laneway to the east. The lane leads to an internalized service area with access to a car elevator leading to 7 vehicular parking spaces in one level of underground parking, bicycle parking, and a visitor parking space at grade.

### **Servicing**

Engineering and Construction Services staff have reviewed the submitted materials and have identified several outstanding items for review, and require the Functional Servicing and Stormwater Management Report to be revised and submitted to the City for review and acceptance to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, prior to the enactment of bills.

A comprehensive stormwater management report, and site servicing and grading plans will be required and secured through the Site Plan Control process.

### **Solid Waste**

Solid Waste staff are satisfied with the proposed development. Solid Waste Management will provide curbside, multi-residential collection services with shared bins for all residents to this development for garbage, recycling and organics, provided that the development is built in accordance with the "City of Toronto Requirements for Garbage, Recycling and Organics Collection Services for New Developments and Redevelopments" and Chapter 844, Solid Waste of the Municipal Code. Collection of waste materials for this development will take place curbside on Imperial Street. Waste storage will be contained within the defined waste collection bins within the ground floor until collection day.



## **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 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. 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 encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2040 or sooner.

## **CONTACT**

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## **SIGNATURE**

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

## **ATTACHMENTS**

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**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 Zoning By-law Amendment

**Applicant Submitted Drawings**

- Attachment 6: Site Plan
- Attachment 7: 3D Model of Proposal in Context

Attachment 1: Location Map



## Attachment 2: Application Data Sheet

Municipal Address: 24-26 Imperial Street      Date Received: October 18, 2019  
 Application Number: 19 238226 STE 12 OZ  
 Application Type: Rezoning

Project Description: A 9-storey residential building.

Applicant	Architect	Owner
Walker Nott Dragicevic Associates Ltd.	Turner Fleischer Architects Inc.	Howard Freeman

### EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	N
Zoning:	CR SS2 (x554)	Heritage Designation:	N
Height Limit (m):	46.5m	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq m): 799      Frontage (m): 17      Depth (m): 51

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	281		465.9	465.9
Residential GFA (sq m):			3,765	3,765
Non-Residential GFA (sq m):				
Total GFA (sq m):			3,765	3,765
Height - Storeys:	3		9	9
Height - Metres:			30.6	30.6

Lot Coverage Ratio (%): 58.3      Floor Space Index: 4.71

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	3,765	
Retail GFA:		
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			30	30
Other:				
Total Units:			30	30

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			6	14	10
Total Units:			6	14	10

Parking and Loading

Parking Spaces:	8	Bicycle Parking Spaces:	32	Loading Docks:	0
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Attachment 3: Official Plan Land Use Map



24 & 26 Imperial Street

Official Plan Land Use Map #17

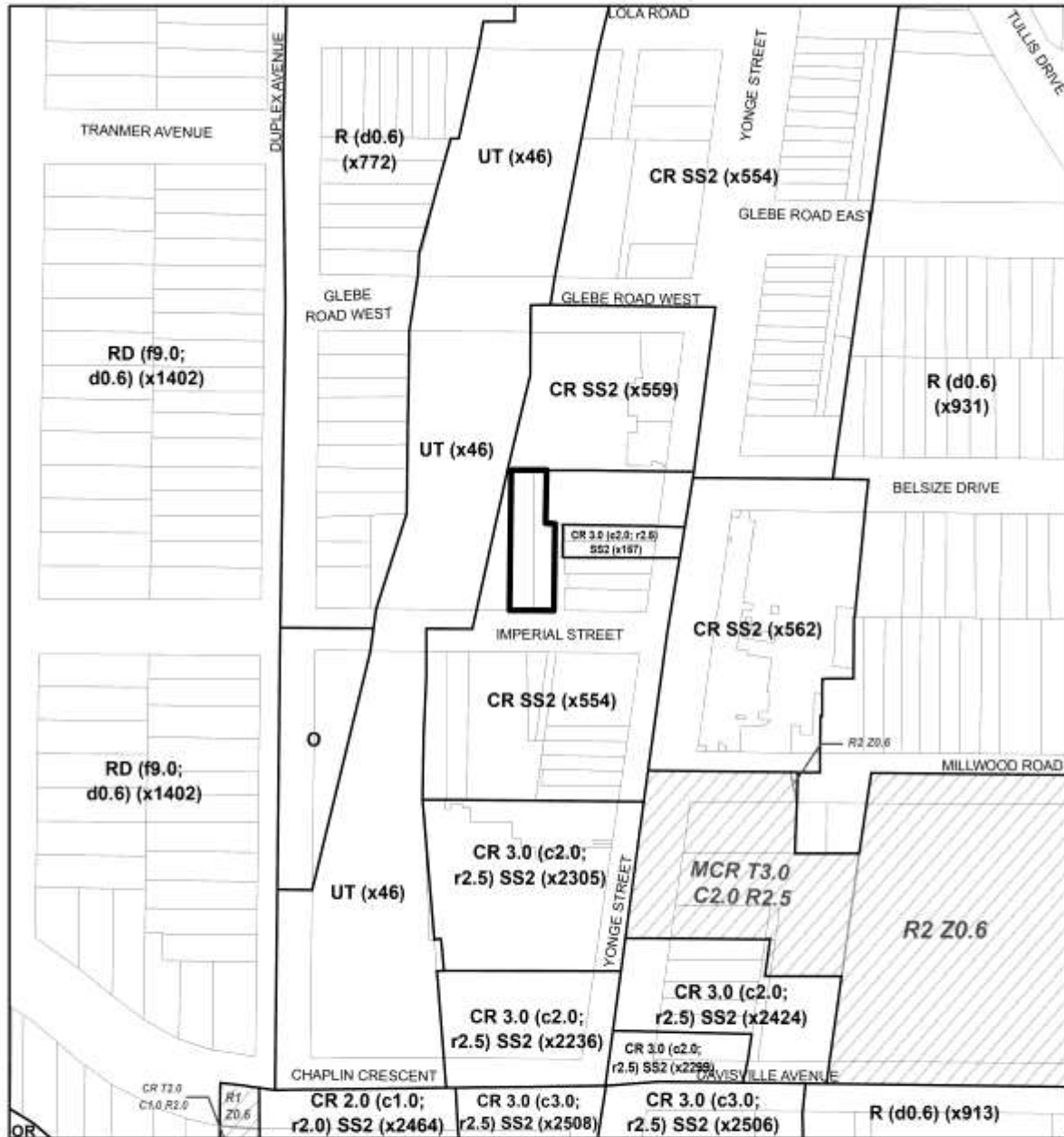
File # 19 238226 STE 12 0Z

- Location of Application
- Neighbourhoods
- Apartment Neighbourhoods
- Mixed Use Areas
- Parks & Open Space Areas
- Parks



Not to Scale  
03/14/2023

Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

24 - 26 Imperial Street

File # 19 238226 STE 12 0Z

Location of Application

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

- R Residential
- RD Residential Detached
- CR Commercial Residential
- O Open Space
- OR Open Space Recreation
- UT Utility and Transportation

- R1 Residential District
- R2 Residential District
- CR Mixed-Use District
- MCR Mixed-Use District

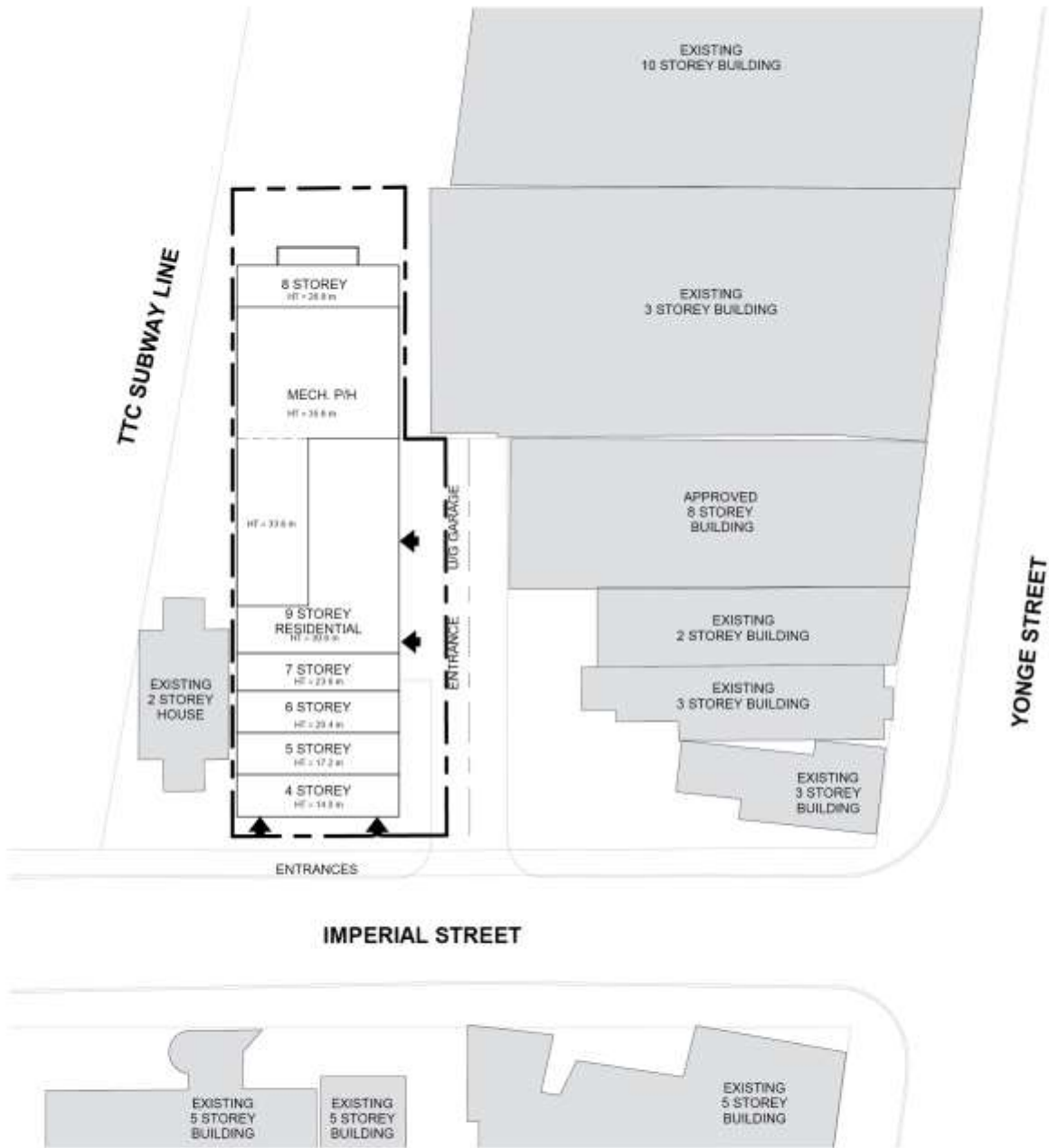
Not to Scale  
Extracted: 03/14/2023

Attachment 5: Draft Zoning By-law Amendment

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



Attachment 6: Site Plan



Site Plan



Attachment 7: 3D Model of Proposal in Context



**View of Applicant's Proposal Looking Northwest**



03/14/2023