

45, 57-93 Balliol Street - Zoning By-law Amendment, and Rental Housing Demolition Applications - Decision Report - Approval

Date: June 6, 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: 21 235311 STE 12 OZ

Rental Housing Demolition Application Number: 21 235317 STE 12 RH

SUMMARY

This report reviews and recommends approval of the applications to demolish 19 rental dwelling units at 57-93 Balliol Street and permit a 128.6-metre (40 storeys, excluding mechanical penthouse) residential building with 477 residential units including 19 replacement rental dwelling units. The proposal also includes a new 906 square metre open space, including 435 square metres of parkland dedication.

The existing 18-storey rental apartment building at 45 Balliol Street would be retained. A Tenant Relocation and Assistance Plan has been proposed ensuring that the existing tenants are provided with the right to return to the replacement rental units at similar rents and financial assistance to help mitigate hardship.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 569-2013, for the lands at 45, 57-93 Balliol Street, substantially in accordance with the draft Zoning By-law Amendment included as Attachment No. 5 to this report.
2. City Council authorize 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 revised engineering plans, Ground Water Certification Letters, a Complete Foundation Drainage Summary, verification of area used to determine allowable storm flows, for review and acceptance to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services; and

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.

4. City Council approve the Rental Housing Demolition application (21 235317 STE 12 RH) 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 19 existing rental dwelling units at 57-93 Balliol Street, subject to the following conditions:

a) The owner shall provide and maintain 19 replacement rental dwelling units on the subject site for a period of at least 20 years beginning from the date that each replacement rental unit is first occupied. During this period, no application may be submitted to the City for condominium registration, conversion to a non-residential rental purpose, or demolition without replacement of the rental units. The 19 replacement rental units shall collectively contain a total gross floor area of at least 2,865 square metres and be comprised of 11 four-bedroom units and 8 three-bedroom units, as generally illustrated in the plans prepared by Core Architects, submitted as Plans 'A211' and 'A212' to the City Planning Division, and dated April 6, 2023. Any revision to these plans shall be to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

b) As part of the 19 replacement rental dwelling units required in Recommendation . 4.a) above, the owner shall provide and maintain at least 1 three-bedroom replacement rental dwelling unit at affordable rent, defined as gross monthly rent inclusive of utilities that is no greater than one times the average City of Toronto rent by unit type, as reported annually by the Canada Mortgage and Housing Corporation, and 4 four-bedroom replacement rental dwelling units and 4 three-bedroom replacement rental dwelling units at mid-range rents, defined as gross monthly rent inclusive of utilities that exceeds affordable rent but is no greater than 1.5 times the average City of Toronto rent by unit type, as reported annually by the Canada Mortgage and Housing Corporation, all for a period of at least 10 years beginning from the date of first occupancy of each unit. The rents for the remaining 7 four-bedroom replacement rental dwelling units and 3 three-bedroom replacement rental dwelling units shall be unrestricted, except where an Eligible Tenant has the right to return at similar rent in accordance with the Tenant Relocation and Assistance Plan required in Recommendation 4.c) below;

- c) The owner shall provide an acceptable Tenant Relocation and Assistance Plan to all Eligible Tenants of the 19 existing rental units proposed to be demolished at 57-93 Balliol Street, addressing the right to return to occupy one of the replacement rental units at similar rents, the provision of alternative accommodation at similar rents in the form of rent gap payments, and other assistance to mitigate hardship. The Tenant Relocation and Assistance Plan shall be developed in consultation with, and to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
- d) The owner shall provide tenants of all 19 replacement rental dwelling units with access to, and use of, all indoor and outdoor amenities in the proposed development at no extra charge, and on the same terms and conditions as any other resident of the development, without the need to pre-book or pay a fee unless specifically required as a customary practice for private bookings;
- e) The owner shall provide ensuite laundry in each replacement rental dwelling unit within the proposed development at no additional cost to tenants;
- f) The owner shall provide central air conditioning in each replacement rental dwelling unit within the proposed development;
- g) The owner shall provide and make available for rent 13 vehicle parking spaces to returning tenants of the replacement rental dwelling units who previously leased vehicle parking spaces, and at similar monthly parking charges that such tenants previously paid while in their existing rental units;
- h) The owner shall provide tenants of the replacement rental dwelling units with access to all bicycle and visitor vehicular parking at no charge and on the same terms and conditions as any other resident of the proposed development;
- i) The owner shall provide and make available at least 1 storage locker to each returning tenant of a replacement rental dwelling unit at no charge until their tenancy ends;
- j) The 19 replacement rental dwelling units required in Recommendation 4.a) above shall be made ready and available for occupancy no later than the date by which 70% of the new dwelling units in the proposed development, exclusive of the replacement rental units, are made available and ready for occupancy;
- k) the owner shall continue to provide and maintain the existing 264 rental dwelling units at 45 Balliol Street as rental housing, together with the retained associated facilities and amenities of the residential rental property, for a period of at least 20 years commencing from the date the Zoning By-law Amendment comes into force and effect, with no application for demolition or conversion from residential rental use during such 20 year period, all to the satisfaction of the Chief Planner and Executive Director, City Planning, and the City Solicitor;
- l) the owner shall not apply to the Landlord and Tenant Board, or any successor tribunal with jurisdiction to hear applications made under the legislation governing

residential tenancies in Ontario, for an above-guideline increase in rent to recover any expenses incurred in completing any portion of the replacement and/or repair of the apartment balconies at 45 Balliol Street, including the removal and replacement of all existing railings and screens, repairs and replacements to slab edges and spalling concrete, and the installation of pigeon netting that were substantially completed in May 2023 at a cost, borne solely by the owner, of \$1,800,000.00, inclusive of Harmonized Sales Tax, during City Planning staff's review of this Zoning by-law Amendment application;

m) the owner shall deliver written notices to all existing 264 rental dwelling units at 45 Balliol Street, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, informing tenants that the owner commits to not apply to the Landlord and Tenant Board for an above-guideline increase in rent to recover any expenses incurred in completing any portion of the balcony replacement and repairs;

n) The owner shall enter into and register on title to the lands at 45 and 57-93 Balliol Street, an agreement pursuant to Section 111 of the City of Toronto Act, 2006 to secure the conditions outlined in Recommendation 4.a) through 5.m) above, all to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning Division.

5. City Council authorize the Chief Planner and Executive Director, City Planning Division to issue Preliminary Approval of the Rental Housing Demolition Permit under Chapter 667 of the Toronto Municipal Code pursuant to Section 111 of the City of Toronto Act, 2006 for the demolition of the 19 existing rental dwelling units at 57-93 Balliol Street after all the following have occurred:

a) all conditions in Recommendation 4 above have been fully satisfied and secured;

b) the Zoning By-law Amendment has come into full force and effect;

c) the issuance of the Notice of Approval Conditions for site plan approval by the Chief Planner and Executive Director, City Planning Division or their designate pursuant to Section 114 of the City of Toronto Act, 2006;

d) the issuance of excavation and shoring permits (conditional or full permits) for the approved development on the site; and

e) the owner has confirmed, in writing, that all existing rental dwelling units proposed to be demolished are vacant.

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

7. City Council authorize the Chief Building Official and Executive Director, Toronto Building Division to issue a Residential Demolition Permit under Section 33 of the Planning Act and Chapter 363 of the Toronto Municipal Code for 57-93 Balliol Street after the Chief Planner and Executive Director, City Planning Division has given the Preliminary Approval referred to in Recommendation 5 above, which may be included in the Rental Housing Demolition Permit under Chapter 667 pursuant to section 6.2 of Chapter 363, on condition that:

a) the owner removes all debris and rubble from the site immediately after demolition;

b) the owner erects solid construction hoarding to the satisfaction of the Chief Building Official and Executive Director, Toronto Building Division;

c) the owner erects the proposed building no later than 3 years from the date on which the demolition of the existing rental dwelling units commences, subject to the timeframe being extended to the discretion of the Chief Planner and Executive Director, City Planning Division; and

d) should the owner fail to complete the proposed building containing the 19 replacement rental dwelling units within the time specified in Recommendation 7c) above, the City Clerk shall be entitled to enter on the collector's roll, as with municipal property taxes, an amount equal to the sum of \$20,000.00 per dwelling unit for which a demolition permit is issued, and that such amount shall, until payment, be a lien or charge upon the land for which the Residential Demolition Permit is issued.

8. Prior to Notice of Approval Conditions for Site Plan Control, City Council require the owner to develop a Construction Mitigation and Tenant Communication Plan to mitigate the impacts of construction of the development on the tenants of 45 Balliol Street, all to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

9. City Council authorize the appropriate City officials to take such actions as are necessary to implement City Council's decision, including execution of the Section 111 Agreement and other related agreements.

10. City Council accept an on-site parkland dedication of 435 square metres, composed of the statutorily required parkland dedication as per Section 42 of the Planning Act, to be dedicated to the City with Base Park completed, prior to the earlier of three years following the issuance of the first above-grade building permit or condominium registration.

11. City Council approve the acceptance of on-site parkland dedication, subject to the owner transferring the parkland to the City free and clear, above and below grade, of all easements, encumbrances, and encroachments, in an acceptable environmental condition; the owner may propose the exception of encumbrances of tiebacks, where such an encumbrance is deemed acceptable by the General Manager, Parks, Forestry and Recreation, in consultation with the City Solicitor; and such an encumbrance will be

subject to the payment of compensation to the City, in an amount as determined by the General Manager, Parks, Forestry and Recreation and the Executive Director, Corporate Real Estate Management.

12. City Council approve a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the owner of the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry and Recreation. The development charge credit shall be in an amount that is the lesser of the cost to the owner of designing and constructing the Above Base Park Improvements, as approved by the General Manager, Parks, Forestry and Recreation, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time.

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, was adopted by Toronto and East York Community Council on February 16, 2022. The Toronto and East York Community Council Decision is available here: <https://secure.toronto.ca/council/agenda-item.do?item=2022.TE31.36>

THE SITE

Description: The site is rectangular in shape with a frontage of 77.3 metres on Balliol Street, and a depth of 59 metres, totalling 4,350.5 square metres in size. The site is generally flat and contains 22 trees in a well-landscaped setting and four trees within the public boulevard.

Existing Uses: The existing 18-storey rental apartment building containing 264 rental dwelling units at 45 Balliol Street, would be retained on a severed land parcel the subject of the Consent to Sever approval dated October 27, 2021 (Application No. B0059/21TEY).

A total of 19 two-storey rental townhouses occupy 57-93 Balliol Street. All the townhouses are occupied and have a unit mix and rent classification as follows:

Table 1: Existing Rental Townhouse Units by Bedroom Type and Rent Classification

Unit Type	Rent Classification			
	Affordable	Mid-range	High-End	Total
Three-bedroom	1	4	3	8
Four-bedroom	0	4	7	11
Total	1	8	10	19

THE APPLICATION

Description: A 40-storey (128.6-metre, excluding mechanical penthouse) residential building containing 477 residential units, 19 of which are rental replacement units. A 906-square metre open space is proposed, inclusive of a 435-square metre parkland dedication (“The Park”).

Density: The floor space index is 7.8 times the lot area, for a total gross floor area of 34,000 square metres.

Dwelling Units: A total of 477 units are proposed, comprising 19 replacement rental dwelling units and 458 new residential dwelling units. The proposed unit breakdown for the proposed building consists of 177 studio (37%), 82 one-bedroom (17%), 200 two-bedroom (36%) and 48 three-bedroom (10%) units.

Replacement Dwelling Units: The application proposes to replace all 19 existing rental dwelling units proposed to be demolished at 57-93 Balliol Street by their respective bedroom types, at comparable unit sizes, and at similar rents to those in effect at the time of application.

Tenant Relocation and Assistance Plan: The Tenant Relocation and Assistance Plan is for all tenants who resided in the rental townhouses at 57-93 Balliol Street at the time of the application (November 8, 2021). The plan would assist tenants in finding and securing alternative accommodation while the proposed development and replacement rental townhouse units are being constructed. The plan consists of the following for each tenant:

- The right to return to a replacement rental unit of the same bedroom type and a similar unit size, and at similar rent, as the rental unit currently occupied;
- At least six months' notice before having to vacate their existing dwelling unit;
- Financial compensation equivalent to three months' rent or an alternative rental unit acceptable to the tenant, as required under Section 52 of the RTA;
- Financial compensation, above and beyond that required under the RTA, in the form of a rent gap payment, where the rent gap would be calculated as the difference between the rent paid by a tenant on the date their tenancy is terminated and the most recent average rent for vacant private rental apartments by unit type in CMHC Rental Market Survey (RMS) Zone 3 – Toronto (North), which encompasses the development site, over a 36-month period. In the event the proposed development took longer than 36 months to complete, the owner would provide each tenant with

additional monthly rent gap payments until the replacement rental units are ready for occupancy;

- Two moving allowances to cover expenses for moving into alternative interim accommodation and then from the interim accommodation into a replacement rental townhouse unit;
- Special needs compensation, as determined by the Chief Planner and Executive Director, City Planning; and
- Upon request, make a rental leasing agent available to the eligible tenant to provide them with a list of rental vacancies in the neighbourhood, co-ordinate referrals and references from the current landlord, and provide additional assistance to the tenant.

Tenants who moved into their units after the Zoning By-law Amendment application was submitted would receive the following:

- At least six months' notice before having to vacate their existing dwelling unit; and
- financial compensation as required by the RTA.

Parking and Loading: A total of 103 vehicular parking, including 13 retained parking spaces are proposed in a 2-level underground parking garage, accessed from Balliol Street. A total of 497 bicycle parking spaces are proposed. Type "C" and Type "G" loading spaces are also proposed. Vehicular access for parking and loading will be from a shared 7-metre driveway between 45 Balliol Street and 57-93 Balliol Street.

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

- The 435-square metre onsite parkland dedication incorporated into a 906 square metre open space;
- The north-south midblock connection relocated from the west to the eastern portion of the site;
- The tower setback from the base building facing Balliol Street has increased from 1.5 to 2.5 metres;
- The base building now incorporates terracing toward the proposed park from the 7th storey;
- The number of units has decreased from 507 to 477;
- The number of bicycle parking spaces has decreased from 496 to 477; and
- The number of storeys increased from 39 to 40

Additional Information

See Attachments No. 1, 2, and 6 of this report for the Location Map, Application Data Sheet, and Site Plan of the proposal. See Attachment No. 7 and 8 for a three-dimensional representation and elevations of the proposal. 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: toronto.ca/45BalliolSt

Reason for Applications

An amendment to Zoning By-law 569-2013 is required to vary performance standards including: building height, gross floor area, amenity space, setbacks; landscaping, and vehicular and bicycle parking requirements.

The Rental Housing Demolition application is required as the proposal would require the demolition of 19 rental dwelling units.

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.

Rental Housing Demolition and Replacement: Section 3.2.1 of the Official Plan contains the City's policies pertaining to the provision, maintenance, and replacement of rental housing. Chapter 667 of the Toronto Municipal Code requires an applicant to obtain approval from the City to permit the demolition of the existing rental housing units. Chapter 363 of the Toronto Municipal Code requires Council approval of any demolition of a residential property that contains six or more dwelling units (irrespective of whether any are rental) before the Chief Building Official can issue a demolition permit under the Building Code Act, 1992.

Official Plan Designation: The site is designated *Apartment Neighbourhoods*. See Attachment 3 of this report for the Official Plan Land Use Map.

Secondary Plan Designation: The site is designated *Apartment Neighbourhoods in the Yonge-Eglinton Secondary Plan, with an anticipated height range of 25-40 storeys*. *Apartment Neighbourhoods* consist of predominantly residential communities oriented along major streets or areas with clusters of rental and condominium apartment buildings. Residential uses and local institutional and cultural uses are permitted.

Zoning: The site is located within a Residential Zone (R (d2.0) (x917)) under Zoning By-law 569-2013. The By-law permits a maximum height to 38.0 metres and a maximum density of 2.0 times the area of the site.

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:

- Tall Building Design Guidelines;
- Midtown Public Realm Implementation Strategy;
- Growing Up Guidelines: Planning for Children in New Vertical Communities; and
- Pet Friendly Design Guidelines for High Density Communities

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 area residents on several occasions. A virtual Community Consultation Meeting was held on May 10, 2022. 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 session.

The issues raised by the Community about the proposal relate to the following:

- The amount of parkland dedication;
- the building height and density, and its fit for the area;
- The adequate provision of soft landscaping and soil depth for trees to grow and mature;
- Pedestrian connection improvements;
- Concern regarding comparable rents and unit sizes interim and tenants' current rental units;
- Necessary improvements to Al Green Laneway;
- The appropriateness including location of retail uses on site;
- Shadow and wind impacts on the surrounding properties, and the appropriateness of the proposed mitigation measures; and
- The provision of Electric Vehicle charging stations.

Tenant Consultation

On April 24, 2023, a meeting was held with the existing tenants of 57-93 Balliol Street to review the City's housing policies, the impact of the proposed demolition on existing tenants, and the Tenant Relocation and Assistance Plan. The meeting was held virtually and attended by 12 tenants, the applicant's planner and architect, a representative of the owner, and City Planning staff.

During the meeting, tenants asked questions and expressed concerns about:

- The timing of the demolition and estimated date by which tenants would have to provide vacant possession of their existing rental townhouse units;

- Whether tenants would have to reimburse the financial compensation that they receive under the Tenant Relocation and Assistance Plan if they opted not to return to a replacement rental dwelling unit;
- Whether the Tenant Relocation and Assistance Plan includes additional assistance for seniors;
- The sizes of the replacement rental dwelling units and how they compare to the sizes of the existing townhouses;
- Whether/how tenants would be able to find interim rental accommodation that is comparable in size to the existing rental townhouses;
- Whether the existing green space surrounding the existing rental townhouses would be replaced;
- The process for selecting and signing a new lease agreement for a replacement rental dwelling unit; and
- How monthly rent would be established upon returning to a replacement rental dwelling unit and whether rent increases would be protected.

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

Statutory Public Meeting Comments

In making their decision with regard to the applications, Council members have an opportunity to consider submissions made at the statutory public meeting held by the Toronto and East York Community Council for this application. The Community Council meeting is broadcasted live over the internet and recorded for review.

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.

Rental Housing Demolition and Replacement

In accordance with Policy 3.2.1.6 of the Official Plan, the applicant is proposing to replace all 19 existing rental dwelling units proposed to be demolished at 57-93 Balliol Street by their respective bedroom types, at comparable unit sizes, and at similar rents to those in effect at the time of application. The 19 replacement rental dwelling units collectively replace all 2,865 square metres of existing rental gross floor area, including all finished area below-grade. Both the existing and replacement rental units have an average unit size of 151 square metres.

The 19 replacement rental dwelling units would be in the base building, of which 17 would be two-storey units located either on the first and mezzanine floors, or the second and third floors. The remaining two replacement rental dwelling units would be single-storey apartment units located on the mezzanine and third floors. Of the 17 replacement rental two-storey units, 8 units would be located at grade and have individual entrances with direct access to private outdoor patios that would lead out either to Balliol Street on the north side of the building, or to the proposed park on the east side of the building. The remaining nine two-storey units would be located on the second and third floors directly above the grade-related units and would have private balconies.

The applicant has confirmed that each tenant who resided on the site at the time of application would reserve the right to return to a replacement rental unit of the same unit type and at similar rent, and that rents for the replacement rental units without returning tenants would not exceed one times average market rent by unit type for affordable units and 1.5 times average market rent by unit type for mid-range units, as applicable, for a period of at least 10 years from first occupancy. The applicant has also confirmed that existing tenants who elect to return to a replacement rental unit would be subject to annual rent increases capped by the provincial rent increase Guideline, irrespective of whether such Guideline applied to the proposed development under the Residential Tenancies Act 2006 (RTA), until their tenancy ends.

Tenant Relocation Assistance Plan

The Tenant Relocation and Assistance Plan is consistent with the City's current practices and will support existing tenants to access alternative housing within the neighbourhood until the replacement rental units are complete, and will be secured through one or more agreements with the City and to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

Staff will remain involved with the rental housing demolition application following Council's decision. Notably, staff are involved in the review of all notice forms sent to tenants, issuance of the final demolition process once all conditions have been met, the process for tenants being offered and returning to replacement units, as well as in reporting and monitoring requirements after occupancy.

Retained Rental Housing

The existing 18-storey rental apartment building at 45 Balliol Street, which is comprised of 247 rental dwelling units, would be retained as part of the development with no changes to those existing rental units. In accordance with Policy 3.2.1.5(a) of the Official Plan, the owner has agreed to maintain the existing building as rental housing for a period of at least 20 years from the date the Zoning By-law Amendment comes into force and effect.

To satisfy Policy 3.2.1.5(b), the applicant completed full-scale repairs to the apartment building's balconies while these applications were under review by the City. The repairs were substantially completed in May 2023 and included the removal and replacement of all existing railings and screens, repairs and replacements to slab edges and spalling concrete, and the installation of pigeon netting. The cost of these improvements were

approximately \$1.8 million (inclusive of HST) and the owner has agreed to not apply to the Landlord and Tenant Board for an above-guideline increase in rent to recover any expenses incurred in completing any portion of the balcony repairs/replacement.

Land Use

The proposed residential building is acceptable as it conforms with the applicable Official Plan and the Yonge-Eglinton Secondary Plan policies, located in the Apartment Neighbourhoods Designation of both Plans.

Unit Mix

The proposed architectural plans indicate that 477 residential dwelling units are proposed. The mix of units includes 177 studio (37%), 82 one-bedroom (17%), 200 two-bedroom (36%) and 48 three-bedroom (10%) units, with 10% of the units being convertible to two or three bedrooms by combining proposed one-bedroom and studio units via the use of knockout walls. The proposed unit mix is consistent with the Growing Up Guidelines, and meets the policy direction of the Official Plan to provide a full range of housing.

Site Organization

The proposed site organization meets the policies of the Official Plan, is appropriate for the site, and contributes to a complete community which integrates well into the surrounding context. The proposal includes a 906-square metre open space, inclusive of a 435-square metre parkland dedication at the eastern site boundary, with frontage onto Balliol Street accounting for approximately 20.8 percent of the site area. The intent is to design the park together with the neighbouring property at 155 Balliol Street to ensure that the park proposed on each site will read as one public park when fully constructed, with an area of 1,812 square metres.

The proposal consists of a north-south mid-block pedestrian connection to the east of the proposed building, which provides for a future connection at the site's southern boundary shared with 84 Merton Street as well as a northern connection to the Al Green Sculpture Park.

The 40-storey building including a 6-storey base building is proposed with appropriate setbacks from all property lines. A consolidated driveway is located between the existing building at 45 Balliol Street and the proposed building to accommodate vehicular circulation and loading.

Built Form

City Planning staff accepts that the building's massing is consistent with the policies of the Yonge-Eglinton Secondary Plan which calls for stepbacks at certain heights within the Midtown Apartment Neighbourhoods area. The resulting form is also generally consistent with the Tall Building Performance Standards.

The proposed height of 40 storeys (128.6-metres excluding mechanical floor), is compatible with the scale and character of the existing and planned context for the Davisville Character Area. The proposed height is in line with the planned Davisville Apartment Neighbourhood heights range of 25-40 storeys anticipated in this Character Area under the Yonge-Eglinton Secondary Plan.

The base building is set back 6.0 metres from the Balliol Street frontage, with appropriate tower stepbacks and separation above the 3rd floor from the north, south, west and east property lines, allowing adequate access to skyview from the public realm with a stepback range of 6.2 to 14.5 metres from the proposed park. At the southern portion of the site, the base building is set back 7.2 metres from façade to the south property line. The Base building setbacks from the west, the retained 18-storey apartment building, are within the range of 12.9 metres to 15.9 metres, mitigating privacy impacts and allowing for a consolidated drive-way providing access to both the retained and proposed building.

The proposed massing provides a general base building height of 3 storeys (12.8 metres) with an acceptable setback from Balliol Street at and above grade to support adequate skyview, sunlight, landscaping and tree growth in-keeping with the Balliol Green Street policies of the Secondary Plan and Midtown Public Realm Implementation Strategy. The overall base building height varies in relation to the anticipated 1:1 ratio of the base building height to the 20.1-metre street right of way, with a 12.8-metre streetwall height, up to the 3rd storey of the building facade along Balliol Street, framing the street with good proportion. See Attachment 8 to this report.

The tower stepbacks are acceptable, with approximately 3.2 metres from the western base building face and 2.5 metres from the northern base building face along Balliol Street.

The tower is set back 5.3 metres along the southern building face, 19.5 metres from the proposed park and 12.5 metres from the south property line.

Public Realm

Staff has reviewed the application and is satisfied that the proposal conforms with the City's applicable Official Plan public realm policies. The Official Plan states that development will enhance and extend, where appropriate, a high quality public realm and support the creation of complete communities inclusive of public streets, parks and open spaces. It also anticipates sidewalks and boulevards being designed to provide safe, attractive, interesting and comfortable spaces for users of all ages and abilities.

The proposal allows for the coordination of tree planting, landscaping and utility locations within appropriate setbacks along Balliol Street, allowing for unobstructed and continuous pedestrian pathways. The Yonge-Eglinton Secondary Plan establishes the primary objectives for Midtown's public realm: (1) to maintain and enhance the green, landscaped character of the area; (2) improve and expand the parks network and open spaces; and (3) creating high quality public realm and streetscapes, continuing the area's quality of life.

The proposed building will have a 6-metre setback from building face to property line fronting onto Balliol Street, with a minimum 6.2-metre setback from the eastern building face to the proposed park. The proposed setbacks will also contribute to a continuous rhythm of buildings along Balliol Street by introducing a reconfigured above-standard sidewalk, pushed back from the curb to allow for enhanced streetscaping reflected in the character of the area and, growth of mature street trees along the curb. A total of 4 new street trees are proposed along Balliol Street.

The final landscaping plan will be determined and secured as part of Site Plan Control.

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 12-28 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 as specified in Section 42 of the Planning Act, the parkland dedication requirement is 7,850 square metres or 180% 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 435 square metres.

The proposal has a 906 square metre open space, approximately rectangular in shape, fronting onto Balliol Street, and mirroring the parkland that has been secured on the neighbouring property to the east at 155 Balliol Street. To satisfy the statutory Section 42 parkland dedication requirements, a 435 square metre on-site park will be provided, which will make up a portion of the open space. The City is in active discussions to secure the conveyance of the remaining 471-square metre over dedication of the 906-square metre open space.

The parkland conveyance will be secured via a Section 118 restriction put in place prior to the first above grade building permit and will be removed at the time the parkland is conveyed to the City.

Terms and conditions for the on-site parkland dedication, including details related to environmental assessment and park construction, will be secured as part of the Site Plan process.

Sun and Shadow

The submitted Shadow Study shows the proposal casting limited shadows on buildings immediately northwest of the proposed site before 10:18 am on March 21, while casting minimal shadow onto apartment buildings immediately north at 33 Davisville Avenue. The proposal casting new shadows northward throughout the spring equinox and summer solstice, will have limited impact on the existing privately-owned Balliol Parkette at 60 Balliol Street between 11:18 am and 3:18 pm. The Balliol Parkette is proposed for infill development through a Zoning By-law amendment application to permit a 39-storey residential building. The newly proposed park at the 57-93 Balliol Street will experience limited shadow after 3:18pm during the spring/autumn equinox and summer solstice.

Wind

A Pedestrian Level Wind Study was submitted with the application, followed by revised Study reflecting the revised proposal. The study revealed that no areas over the site were found to experience conditions that could be considered unsafe.

In the existing and proposed context, wind conditions along public sidewalks, walkways, landscaped spaces, within and surrounding the proposed development will be suitable for walking or better throughout each season.

The future mid-block connection, running north to south along the proposed park to the east will be mostly comfortable for standing throughout the year, with walking conditions towards the north portion. The south portion of the future mid-block anticipates a future connection to Merton Street. These conditions are considered acceptable.

At-grade-outdoor amenity will experience wind conditions suitable for sitting and for standing or walking further to the east. Vertical wind barriers are recommended for the north and east perimeter, if seating areas will be installed at the east side of the amenity area.

The proposed park, alongside the adjacent park dedication at 95-155 Balliol Street will be suitable for standing during the summer and walking or better throughout the rest of the year, with the exception for winter where the conditions along the north portion might be comparably less comfortable. Where seating is proposed, wind barriers are recommended to the immediate northwest and southeast.

City Planning staff has reviewed the Pedestrian Level Wind Assessment and are satisfied with the recommendations contained within the study, subject to further testing and assessment for additional mitigation strategies. The effectiveness of all proposed wind control features will be further quantified and evaluated through required wind tunnel testing as part of Site Plan Control.

Amenity Space

Amenity space for building residents is proposed at-grade and the 11th storey at a rate which is equivalent to the minimum requirement of 4 square metres of amenity space per dwelling unit (of which 2.0 square metres shall be for indoor amenity) contained in

Zoning By-law 569-2013. A total of 934.7 square metres of indoor amenity space (1.9 square metres per unit) is proposed, along with approximately 978.7 square metres of outdoor amenity space (exceeding 2.0 square metres per unit).

A pet relief area is proposed at the rear of the building at grade. Detailed design of the amenity space, including provisions for households with children (Growing Up Guidelines) and pets (Pet Friendly Design Guidelines) will be reviewed and secured through the Site Plan Control review process. Given the anticipated onsite park, the proposed amenity space is acceptable to Staff.

Tree Preservation

An arborist report was submitted indicating that 4 City-owned street trees and 19 privately-owned trees, will be impacted by the proposal. requiring a permit under the City of Toronto Municipal Code, Chapter 813, the Tree Protection By-law.

The applicant will be required to replace the trees proposed for removal. 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.

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. Transportation Services staff has reviewed the study and accepted its conclusions, subject to the proposed parking rates that have been included in the Zoning By-law Amendment.

Servicing

Engineering and Construction Services Staff has reviewed the submitted materials which reflect proposed servicing. It has been determined that there is no impact to servicing for the site. There are outstanding items requiring revision, resubmission and acceptance to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services. These matters must be addressed prior to the enactment of the Zoning By-law.

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

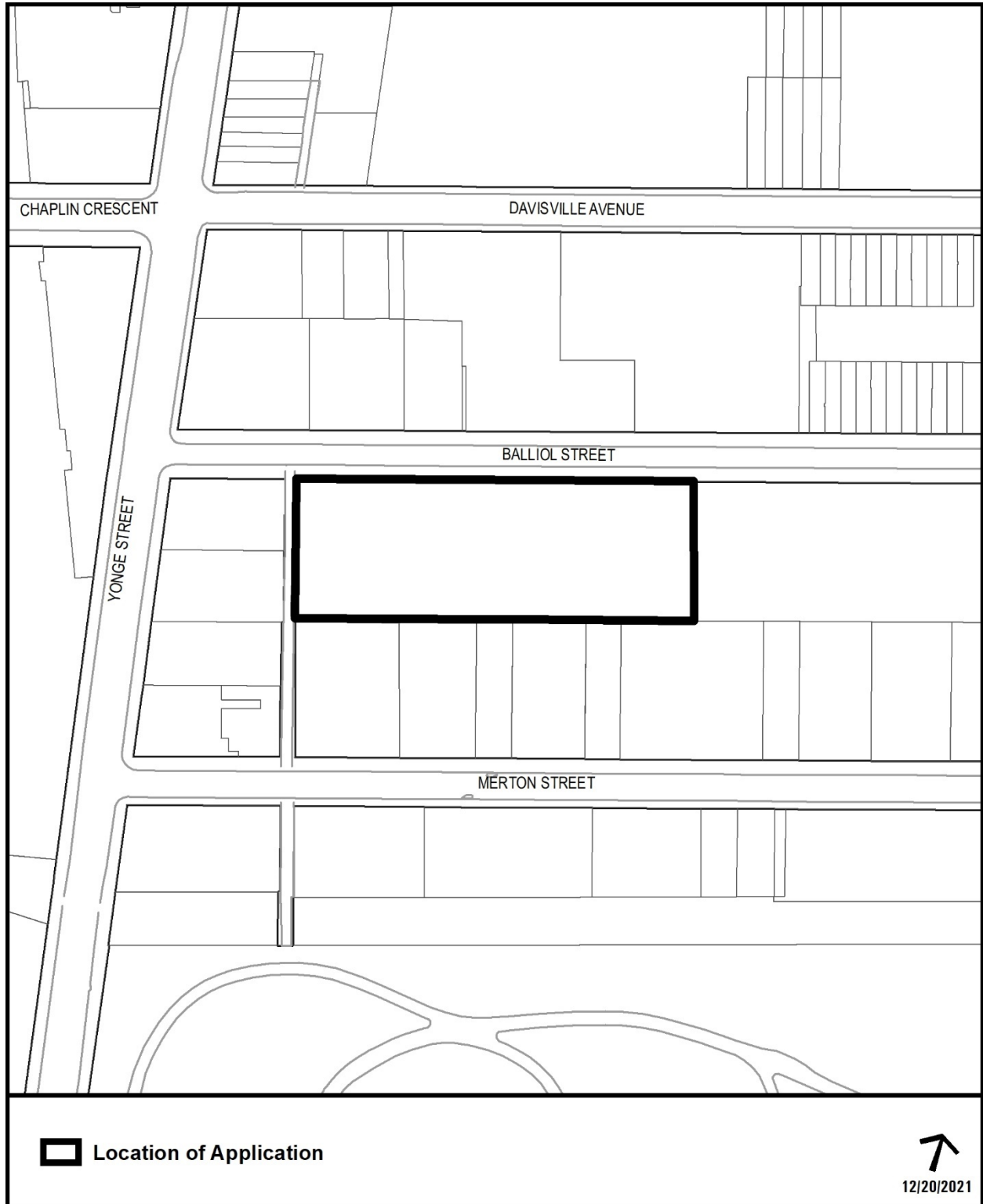
City of Toronto Data/Drawings

- 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 Zoning By-law Amendment to Ament Zoning By-law 569-2013

Applicant Submitted Drawings/Images

- Attachment 6: Site Plan
- Attachment 7: 3D Model of Proposal in Context
- Attachment 8: Elevations

Attachment 1: Location Map



Attachment 2: Application Data Sheet

Municipal Address: 45, 57-93 Balliol Street **Date Received:** November 8, 2021

Application Number: 22 138028 STE 12 OZ and
21 235317 STE 12 RH

Application Type: Zoning By-law Amendment and Rental Housing Demolition

Project Description: a 40-storey residential building.

Applicant

Walker Nott
Dragicevic Associates
Limited

Architect

Core Architects

Owner

G.R. Feldman
Investments Ltd.

EXISTING PLANNING CONTROLS

Official Plan Designation: Apartment Neighbourhood Areas **Site Specific Provision:** NONE

Zoning: R (d2.0) (x917) **Heritage Designation:** N

Height Limit (m): 38 **Site Plan Control Area:** Y

PROJECT INFORMATION

Site Area (sq m): 4,350.5 **Frontage (m):** 77.3 **Depth (m):** 58.86

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	2,450		1505.3	1505.3
Residential GFA (sq m):			33,892.9	33,892.9
Non-Residential GFA (sq m):	0		0	0
Total GFA (sq m):	2,300		33,892.9	33,892.9
Height - Storeys:	2		40	40
Height - Metres:			128.6	128.6

Lot Coverage Ratio (%):z 34.6 **Floor Space Index:** 7.63

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

Residential GFA: 33,709 184

Retail GFA:

Office GFA:

**Industrial GFA:
Institutional/Other
GFA:**

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	19	0	19	19
Freehold:				
Condominium:			477	477
Other				
:				
Total Units:			477	477

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		177	82	200	48
Total Units:		177	82	200	48

Parking and Loading

Parking Spaces: 103 Bicycle Parking Spaces: 477 Loading Docks: 2

CONTACT:

Shane Taylor, Planner
416-397-9254
Shane.Taylor@toronto.ca







Attachment 3: Official Plan Land Use Map



45, 57-93 Balliol Street

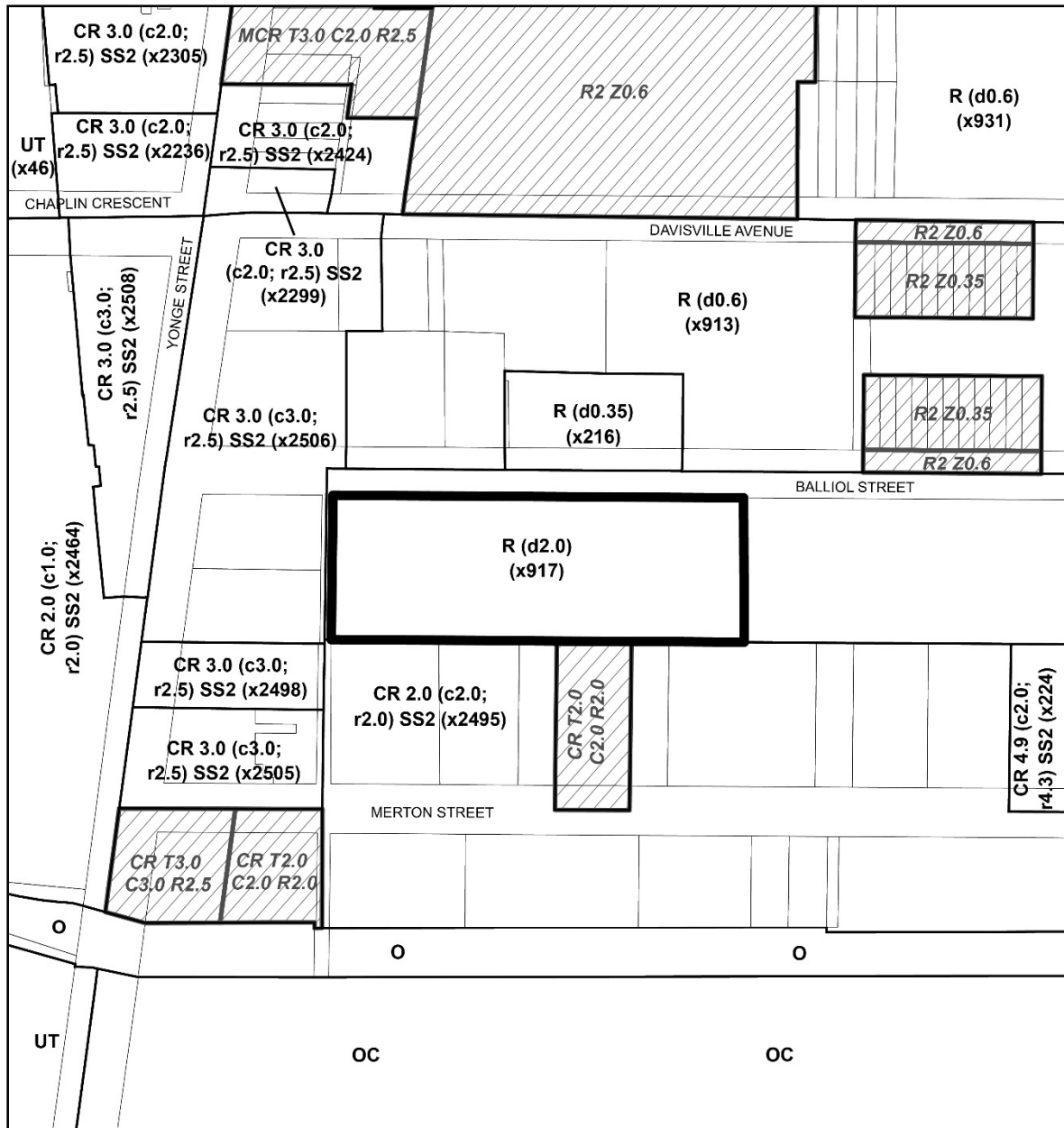
Official Plan Land Use Map #17

File # 21 235311 STE 12 0Z

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


Not to Scale
12/20/2021

Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

45, 57-93 Balliol Street

File # 21 235311 STE 12 0Z

Location of Application

R Residential
 CR Commercial Residential
 O Open Space
 OC Open Space Cemetery
 UT Utility and Transportation

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

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

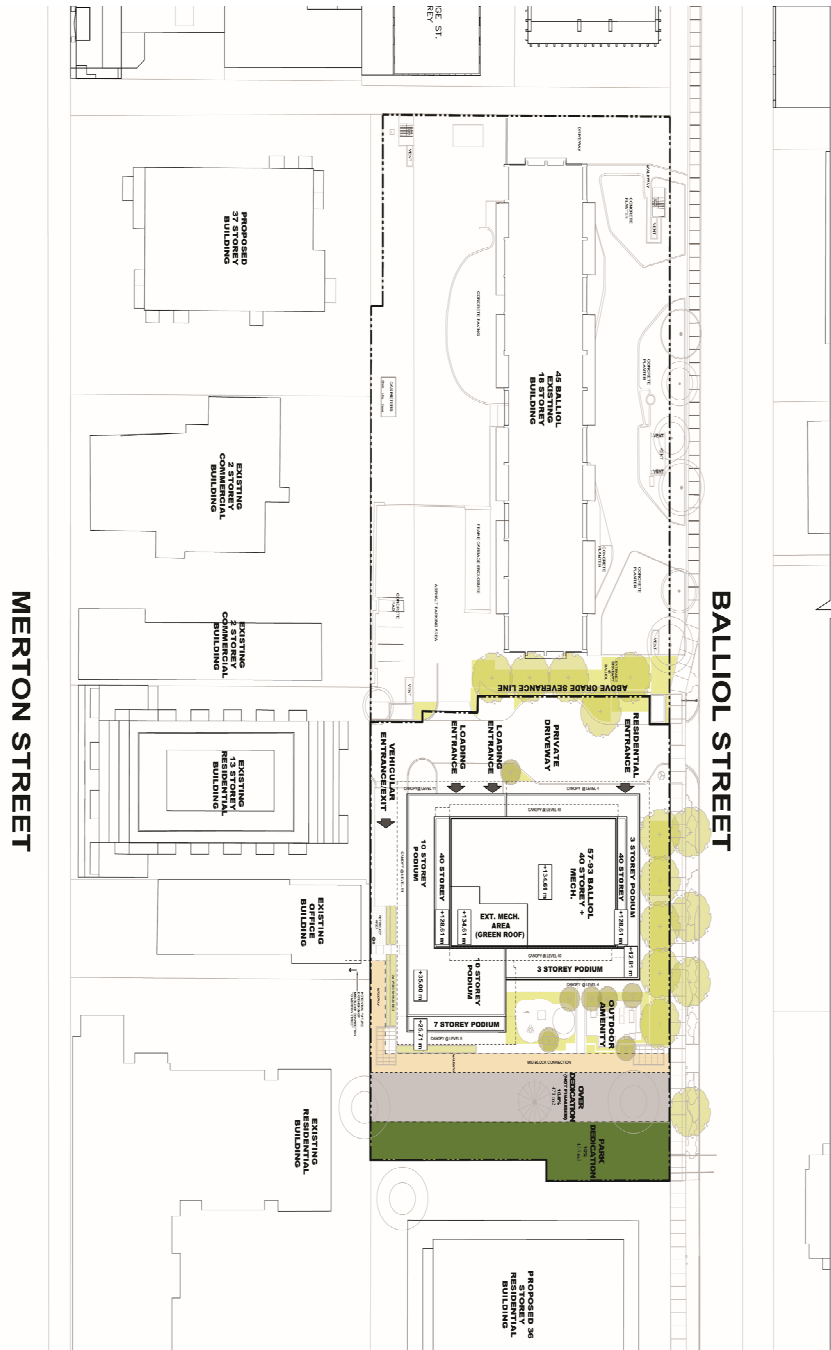


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 Extracted: 12/20/2021

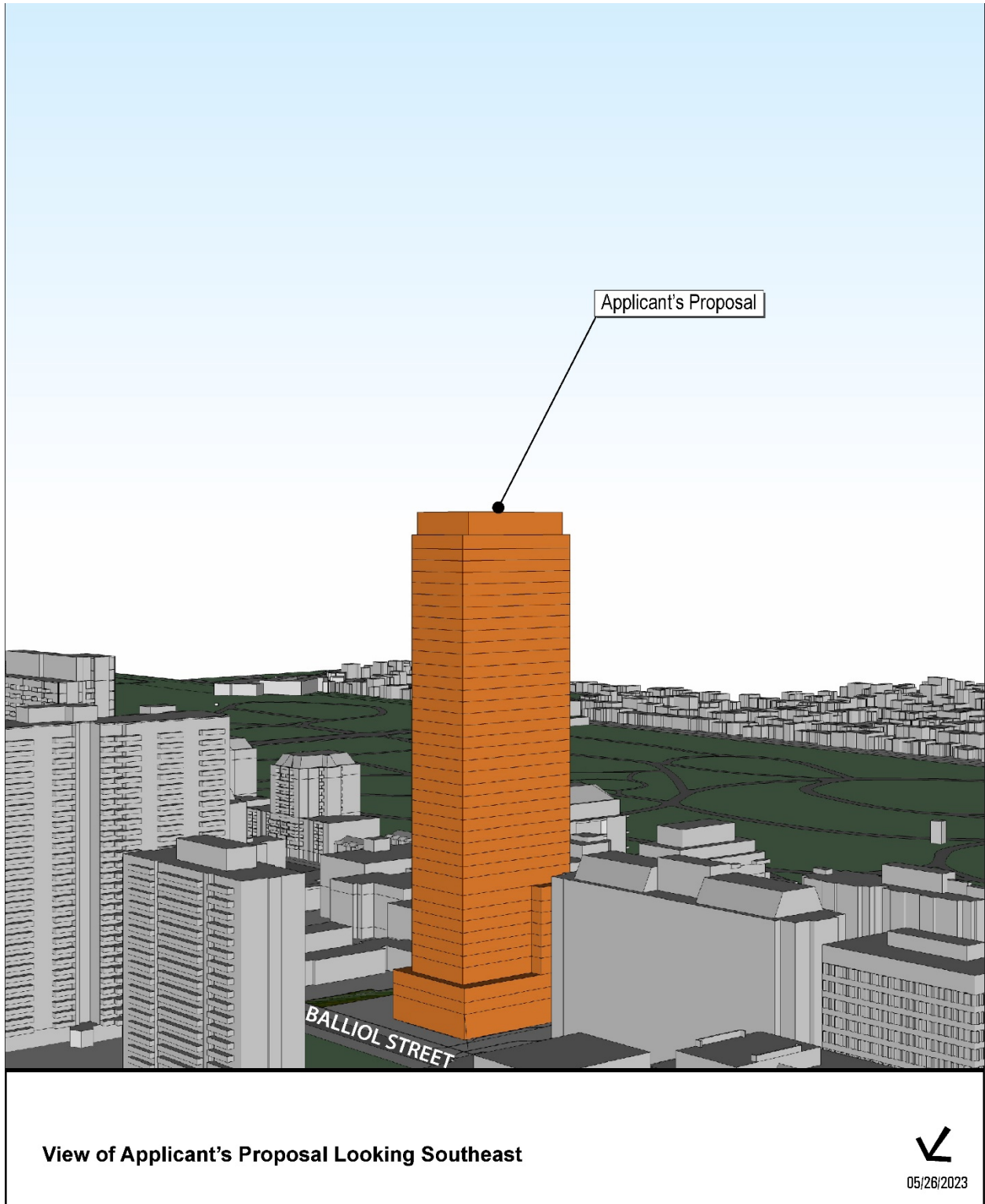
Attachment 5: Draft Zoning By-law Amendment to Amend Zoning By-law 569-2013

To be available prior to the June 22, 2023 Toronto and East York Community Council Meeting.

Site Plan

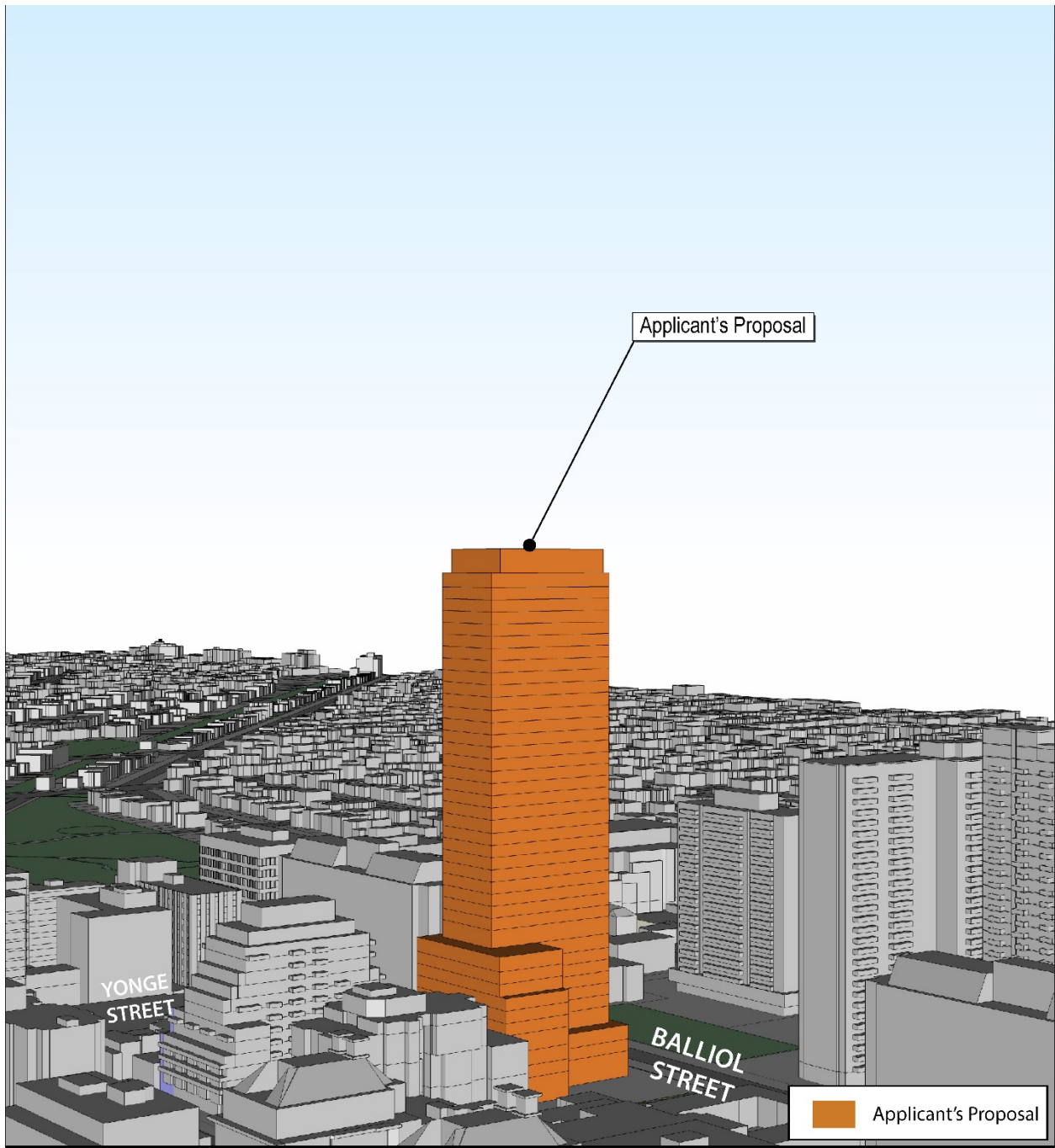


Attachment 7: 3D Model of Proposal in Context



View of Applicant's Proposal Looking Southeast

↙
05/26/2023

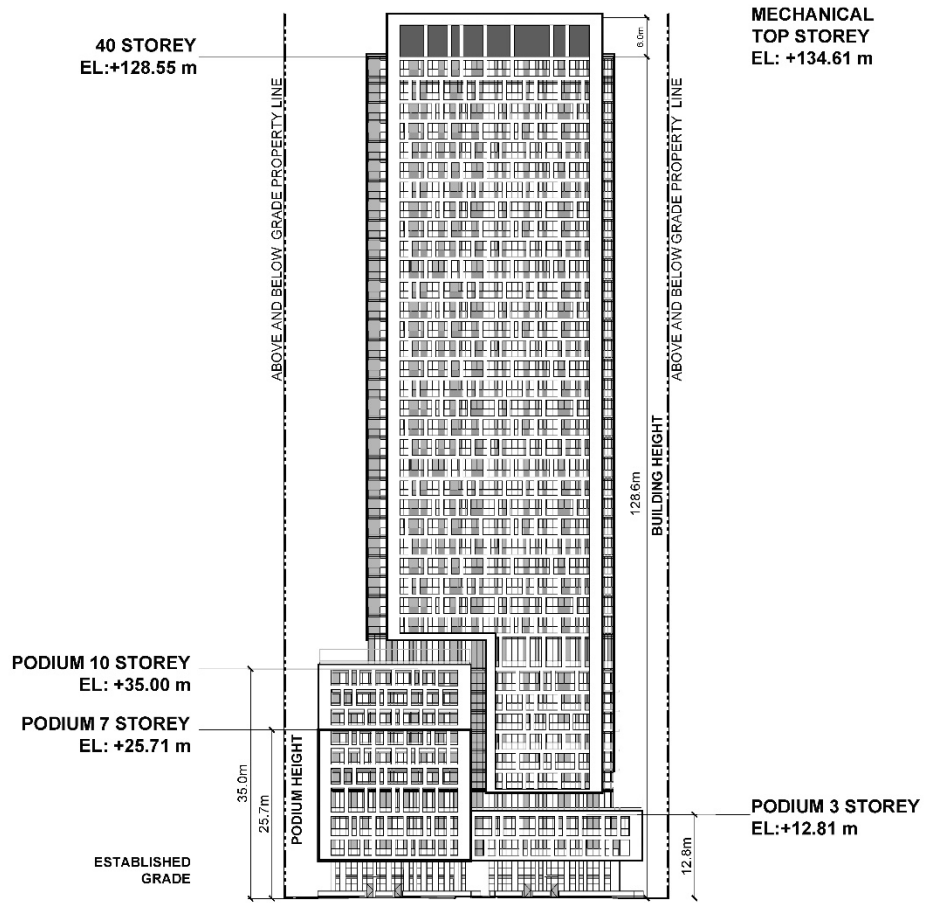


View of Applicant's Proposal Looking Northwest

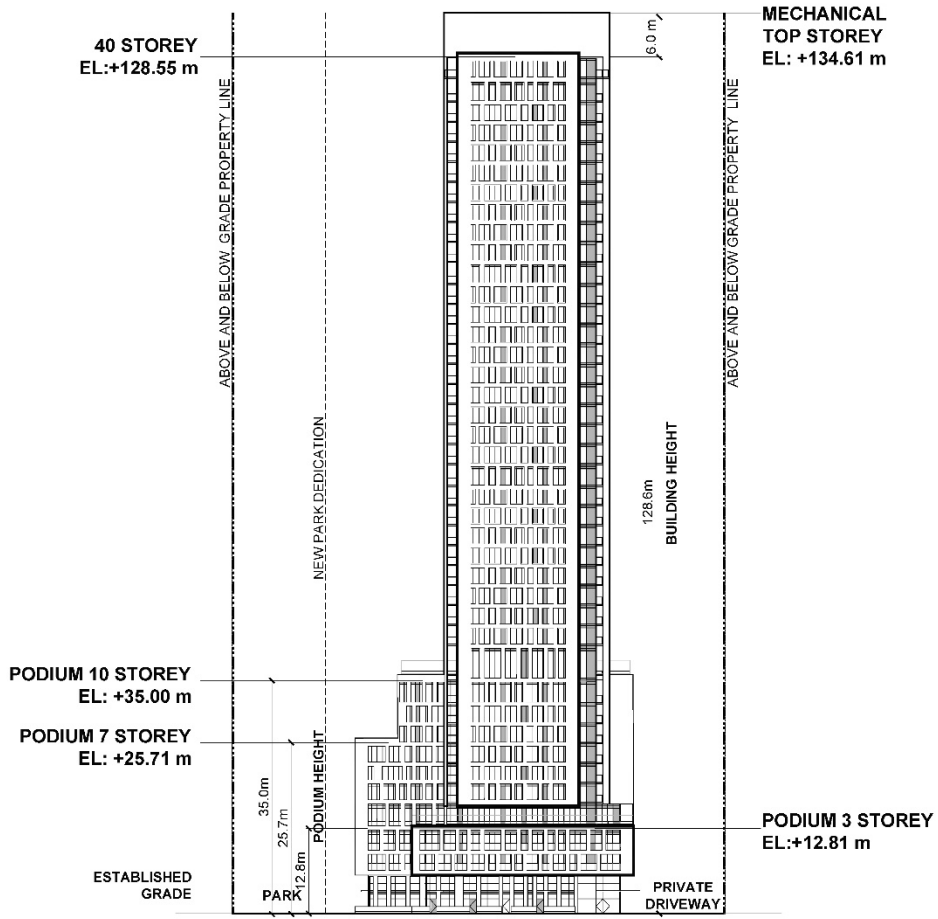


05/26/2023

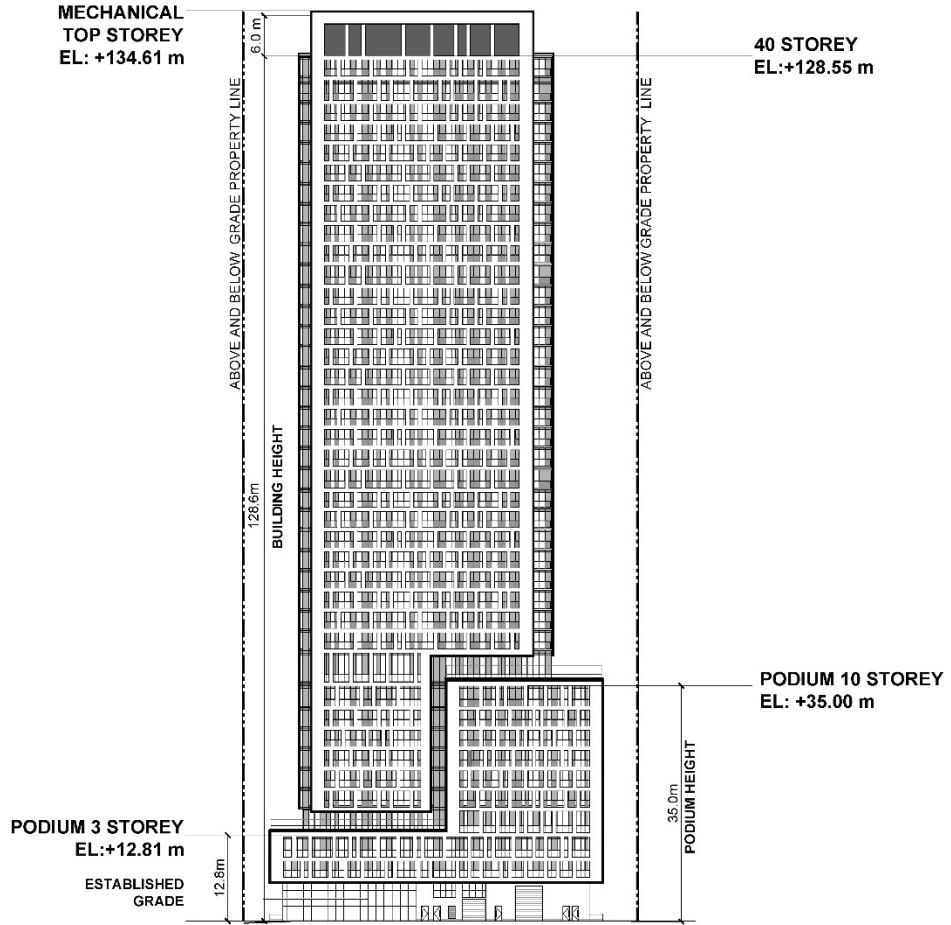
Attachment 8: East Elevation



East Elevation



North Elevation



West Elevation