

141 Roehampton Avenue - Zoning By-law Amendment Application - Appeal Report

Date: October 27, 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 168974 STE 12 OZ

Related Application: 22 168973 STE 12 SA

SUMMARY

On June 28, 2022, a Zoning By-law Amendment application was submitted to permit a 152.0-metre (48-storey excluding mechanical penthouse) residential building containing 614 dwelling units.

On May 12, 2023, the applicant submitted updated materials revising the Zoning By-law Amendment application, increasing the proposed height of the building to 179.6 metres (58-storeys excluding mechanical penthouse), the proposed number of residential dwelling units to 809 units, and revising the built form and massing of the base building and tower.

On May 24, 2023, the applicant appealed the Zoning By-law Amendment application to the Ontario Land Tribunal (OLT) due to Council not making a decision within the time frame in the Planning Act.

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

RECOMMENDATIONS

The Director, Community Planning, Toronto and East York District recommends that:

1. City Council direct the City Solicitor and appropriate City staff to attend the Ontario Land Tribunal in opposition to the current application regarding the Zoning By-law Amendment appeal for the lands 141 Roehampton Avenue.

2. City Council direct the City Solicitor and appropriate City staff to continue discussions with the applicant in an attempt to resolve outstanding issues.

3. In the event that the Ontario Land Tribunal allows the appeal in whole or in part, City Council authorize the City Solicitor to request that the issuance of any final Orders be withheld until such time as the City Solicitor advises that:

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

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

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

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

FINANCIAL IMPACT

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

THE SITE

Description: The site is located along the south side of Roehampton Avenue, between Yonge Street and Redpath Avenue. The site is generally rectangular in shape and has an approximate area of 2,957.0 square metres, with a frontage of approximately 44.0 metres along Roehampton, and a depth of approximately 59.0 metres. The site includes an east-west laneway that extends from the south-east corner of the site to Redpath Avenue. [See Attachment 1 for the Location Map.](#)

Existing Uses: The site contains a 10-storey residential condominium building. Chapter 667 of the City's Municipal Code, the Rental Housing Demolition and Conversion By-law, does not apply to condominium units registered under section 2 of the Condominium Act. As this application proposes to demolish an existing residential condominium building, a Rental Housing Demolition Application is not required and the City's rental replacement policy does not apply.

THE APPLICATION

Description: a 179.6-metre (58-storey excluding mechanical penthouse) residential building. The tower portion of the building is situated atop a 22.4-metre (6-storey) podium that increases to 37.55 metres (11-storeys) towards the rear of the site.

Density: 16.58 times the area of the lot

Dwelling Units: The proposed 809 units includes 604 one-bedroom (75%), 124 two-bedroom (15%), and 81 three-bedroom (10%) units.

Access, Parking and Loading: Access to the 3-level underground garage, containing 117 parking spaces, is proposed from the east side of the site via a north-south driveway from Roehampton Avenue. The proposed 813 bicycle parking spaces, including 81 short-term spaces are located within the underground garage and on the ground floor. The internalized Type-C and Type-G loading spaces are proposed to be accessed by the north-south driveway.

Additional Information

See [Attachments 2, 3 and 4](#) of this report for the Application Data Sheet, a three-dimensional representation of the project in context, and a site plan of the proposal, respectively. Detailed project information including all plans and reports submitted as part of the application can be found on the City's Application Information Centre at: toronto.ca/141RoehamptonAve

Reasons for Application

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

A Site Plan Control application has also been submitted concurrently with the Zoning By-law Amendment application.

POLICY CONSIDERATIONS

Provincial Land-Use Policies

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

Official Plan Designation

The site is designated Apartment Neighbourhoods in the Official Plan.

Yonge-Eglinton Secondary Plan

The Secondary Plan designates the site as Apartment Neighbourhoods and is located within the Redpath Park Street Loop Character Area and Secondary Zone of the Transit Node associated with the Eglinton Subway Station. The Redpath Park Street Loop Character Area is planned to have an anticipated height range of 35 to 50 storeys.

Zoning

The site is zoned Residential R (d2.0) (x912) with a height limit of 38.0 metres under Zoning By-law 569-2013. The maximum permitted density is 2.0 times the area of the lot. The Residential zoning category permits a range of residential building types, including apartment buildings.

See [Attachment 6](#) 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

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.

COMMUNITY CONSULTATION

Site Walk and Working Session

A Community Site Walk and Working Session was hosted by City Planning staff in collaboration with the Republic Residents' Association on November 28, 2022. The walk was focused on the north east quadrant of the Yonge Street and Eglinton Avenue East intersection, with the applicants of various development proposals in the area also in attendance to orient the group towards their sites and development proposals.

The subsequent working session involved break out groups with discussions focused on the themes of connections, green space/landscaping/parks and open space, and land uses. The meeting was held at the ground floor event room at 70 Roehampton Avenue and was attended by approximately 40 people. The group was generally in consensus about the following priorities related to development along Roehampton Avenue and in the greater Yonge-Eglinton area:

- Focus on the public realm and streetscape;
- Securing more public parkland, green space, and open space; and

- Securing midblock pedestrian connections and prioritizing pedestrian movement and safety.

Community Consultation

A Virtual Community Consultation Meeting was hosted by City Planning staff on February 8, 2023 for three separate Zoning By-law Amendment applications along Roehampton Avenue, including the subject site at 141 Roehampton Avenue. Approximately 75 people participated, as well as a representative from the Ward Councillor's office. Following a presentation by City staff and the Applicant, the following comments were made:

- Concerns about the proposed density;
- Construction management, including noise, safety, damage to sidewalks, and dirt and debris;
- Increases to traffic, congestion, and related safety issues;
- Concerns regarding the proposed number of parking spaces;
- Concerns about the potential of increased delivery and ride-share vehicles; and
- Shadow and wind impacts.

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

COMMENTS

Provincial Framework

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

Built Form

The proposal does not conform to the Official Plan or the Yonge-Eglinton Secondary Plan, and is not in keeping with the Tall Building Guidelines. Key issues include the base building height, insufficient setbacks to the west and south property lines, the step back of the tower above the base building along Roehampton Avenue, an excessive tower floor plate size, and insufficient tower setback to the east property line. The proposed massing, including setbacks, step backs, tower separation distances, floor plate size, building footprint, and heights are not acceptable in their current form.

Midblock Connection

The Yonge-Eglinton Secondary Plan identifies the requirement for a new north-south midblock pedestrian connection through this site. The application does not propose a midblock connection through the site.

Public Realm and Open Space

The proposed building is set back 7.5 metres from the north property line (along Roehampton Avenue), 10.0 metres from the east property line, 1.0 metre from the south property line, and 1.5 metres from the west property line. While the proposal conforms with the Midtown Public Realm Implementation Strategy's Park Street Loop concept for a 7.5 metre landscaped setback from Roehampton Avenue, the side and rear building setbacks are insufficient and do not allow for adequate open space and landscaping on the site.

Tree Preservation

The proposal is subject to the provisions of the City of Toronto Municipal Code. An Arborist Report and Tree Inventory and Preservation Plan prepared by The Planning Partnership and dated November 9, 2021, were submitted by the applicant. The applicant proposes to remove 9 privately-owned trees regulated by the Private Tree Bylaw. The proposal does not provide adequate replacement of large growing native shade trees and is not acceptable in its current form. Urban Forestry staff request an additional private tree to be proposed at the front of the building.

Servicing

A Functional Servicing and Stormwater Management Report and associated plans have been submitted for the site and have been reviewed by Engineering and Construction Services. A number of revisions and additional information are required. In the event that the OLT allows the Zoning By-law Amendment appeal in whole or in part, the final Order should be withheld pending the confirmation of water, sanitary and stormwater capacity from the Chief Engineer and Executive Director, Engineering and Construction Services, or the determination of whether holding provisions are required in the Zoning By-law amendment.

Indoor/Outdoor Amenity Space

Zoning By-law 569-2013 requires a combined amenity space of 4.0 square metres per unit. The application proposes 1,184 square metres (1.46 square metres per unit) of indoor amenity space and 1,197 square metres (1.48 square metres per unit) of outdoor amenity space. The proposed amenity space in its current form is unacceptable.

Parking and Loading

Vehicle and loading access for the site is proposed to be provided from a north-south driveway from Roehampton Avenue, along the east side of the site. A total of 117 vehicle parking spaces are proposed in a 3-level below-grade parking garage. 813 bicycle parking spaces, and Type-G and Type-C loading spaces are also proposed. While the proposed parking rate, loading spaces, and traffic impact assessment is generally acceptable to Transportation Services, the location of the proposed driveway

should be shifted to the west side of the site to accommodate the planned mid-block connection along the east side of the site.

Further Issues

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

CONTACT

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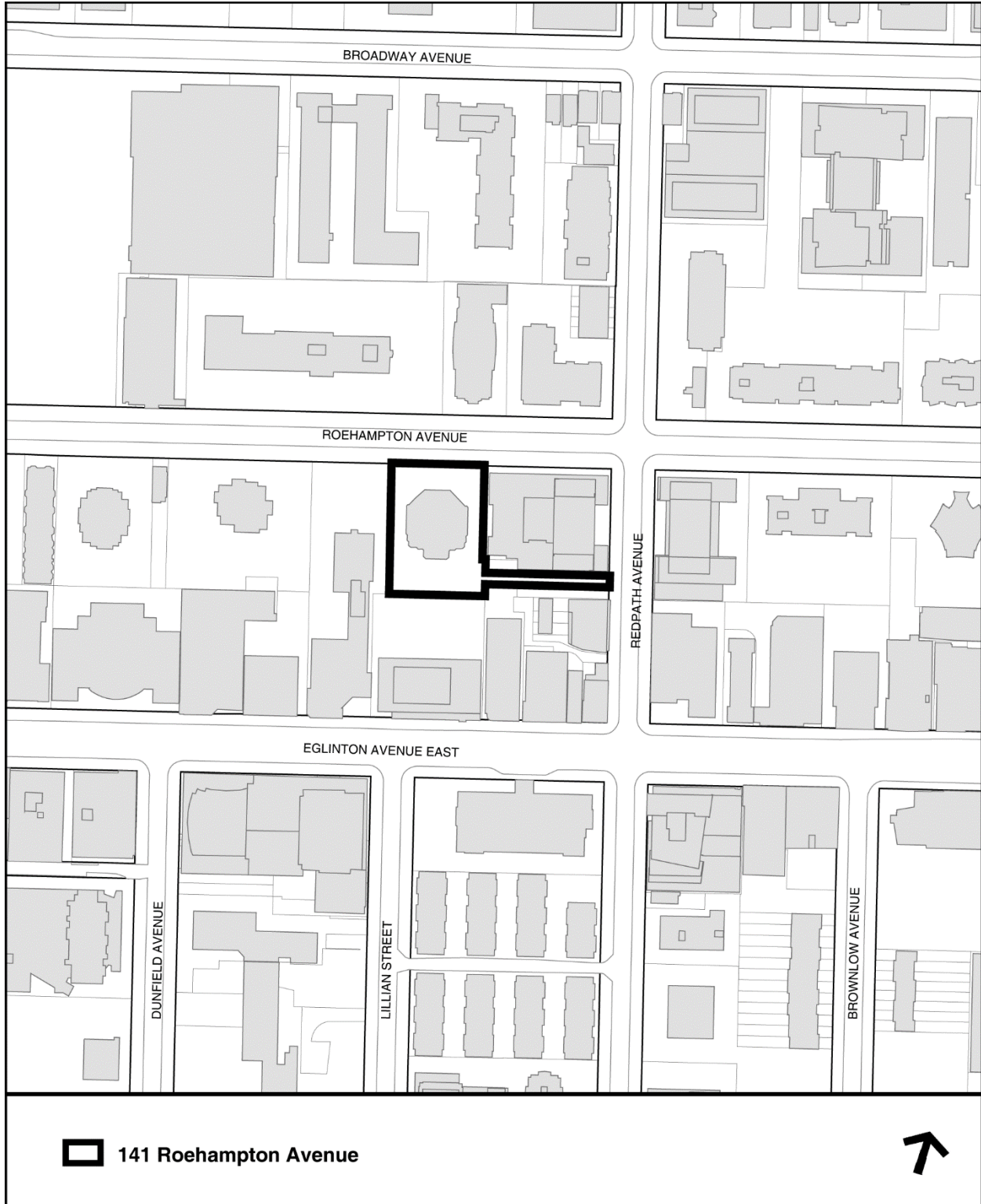
SIGNATURE

Oren Tamir
Director, Community Planning
Toronto and East York District

ATTACHMENTS

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

Attachment 1: Location Map



Attachment 2: Application Data Sheet

Municipal Address: 141 Roehampton Avenue Date Received: June 28, 2022

Application Number: 22 168974 STE 12 OZ

Application Type: Rezoning

Project Description: Rezoning Application for a 58-storey residential building. The building would consist of a 6-storey podium and 52-storey tower element.

| | | | |
|---------------------------------|-----------------|--------------------|--|
| Applicant | Agent | Architect | Owner |
| Lifetime 141 Roehampton Inc. | Bousfields Inc. | Wallman Architects | Metropolitan Toronto Condominium 631 |

EXISTING PLANNING CONTROLS

| | | | |
|----------------------------|----------------------------|--------------------------|--|
| Official Plan Designation: | Apartment Neighbourhood | Site Specific Provision: | OPA 405 - Redpath/Park Street Loop Apartment Neighbourhood |
| Zoning: | R (d2.0) (x912) | Heritage Designation: | N |
| Height Limit (m): | 38.0 | Site Plan Control Area: | Y |

PROJECT INFORMATION

Site Area (sq m): 2,957 Frontage (m): 44 Depth (m): 59

| Building Data | Existing | Retained | Proposed | Total |
|-----------------------------|----------|----------|----------|--------|
| Ground Floor Area (sq m): | 675 | | 1,331 | 1,331 |
| Residential GFA (sq m): | 6,723 | | 49,033 | 49,033 |
| Non-Residential GFA (sq m): | | | | |
| Total GFA (sq m): | 6,723 | | 49,033 | 49,033 |
| Height - Storeys: | 10 | | 58 | 58 |
| Height - Metres: | | | 179 | 179 |

Lot Coverage Ratio (%) : 45.01 Floor Space Index: 16.58

| | | |
|--------------------------|--------------------|--------------------|
| Floor Area Breakdown | Above Grade (sq m) | Below Grade (sq m) |
| Residential GFA: | 48,733 | 300 |
| Retail GFA: | | |
| Office GFA: | | |
| Industrial GFA: | | |
| Institutional/Other GFA: | | |

| | | | | |
|--------------------------------|----------|----------|----------|-------|
| Residential Units by Tenure | Existing | Retained | Proposed | Total |
| Rental: | | | | |
| Freehold: | | | | |
| Condominium: | 36 | | 809 | 809 |
| Other: | | | | |
| Total Units: | 36 | | 809 | 809 |

Total Residential Units by Size

| | | | | | |
|--------------|-------|----------|-----------|-----------|------------|
| | Rooms | Bachelor | 1 Bedroom | 2 Bedroom | 3+ Bedroom |
| Retained: | | | | | |
| Proposed: | | | 604 | 124 | 81 |
| Total Units: | | | 604 | 124 | 81 |

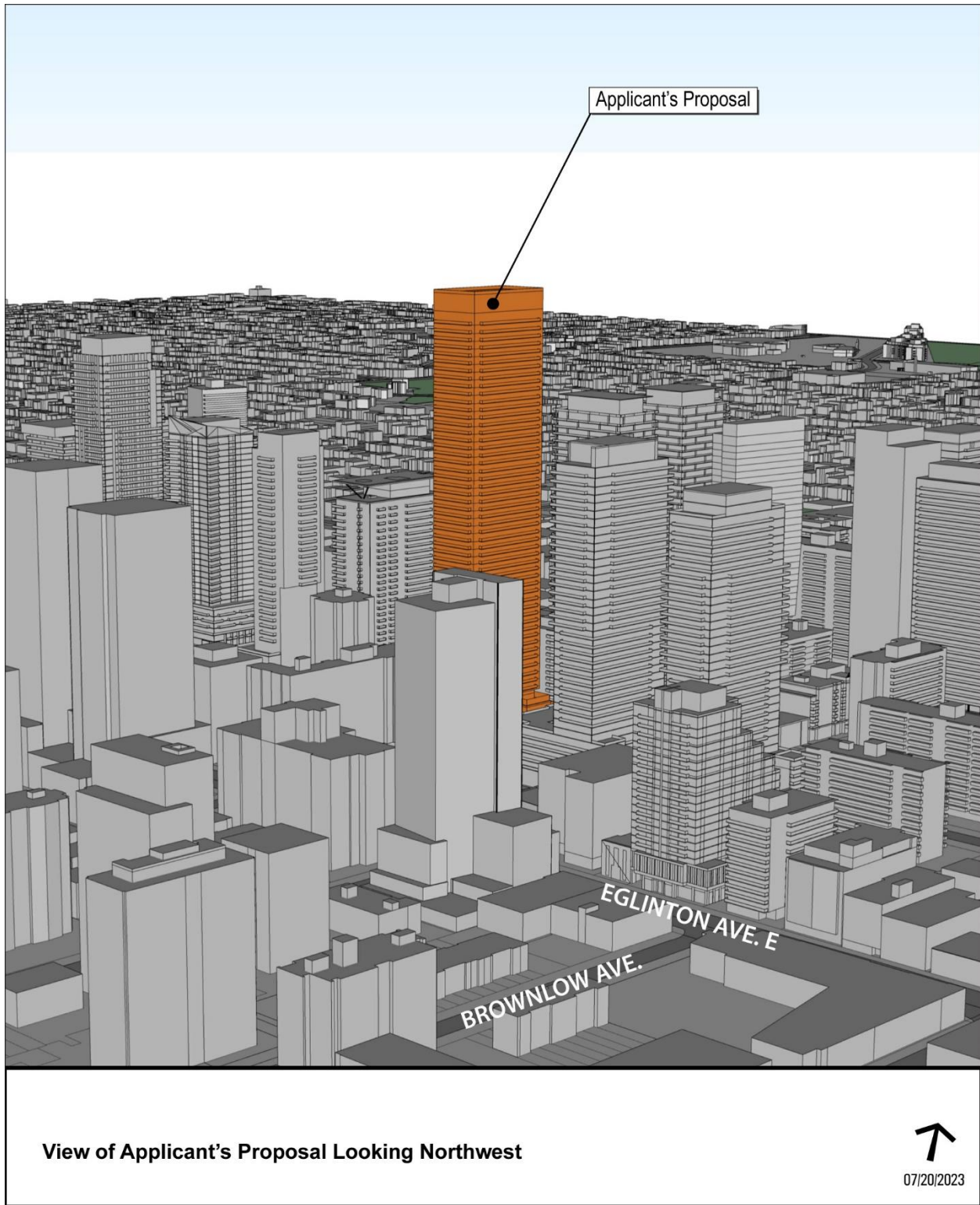
Parking and Loading

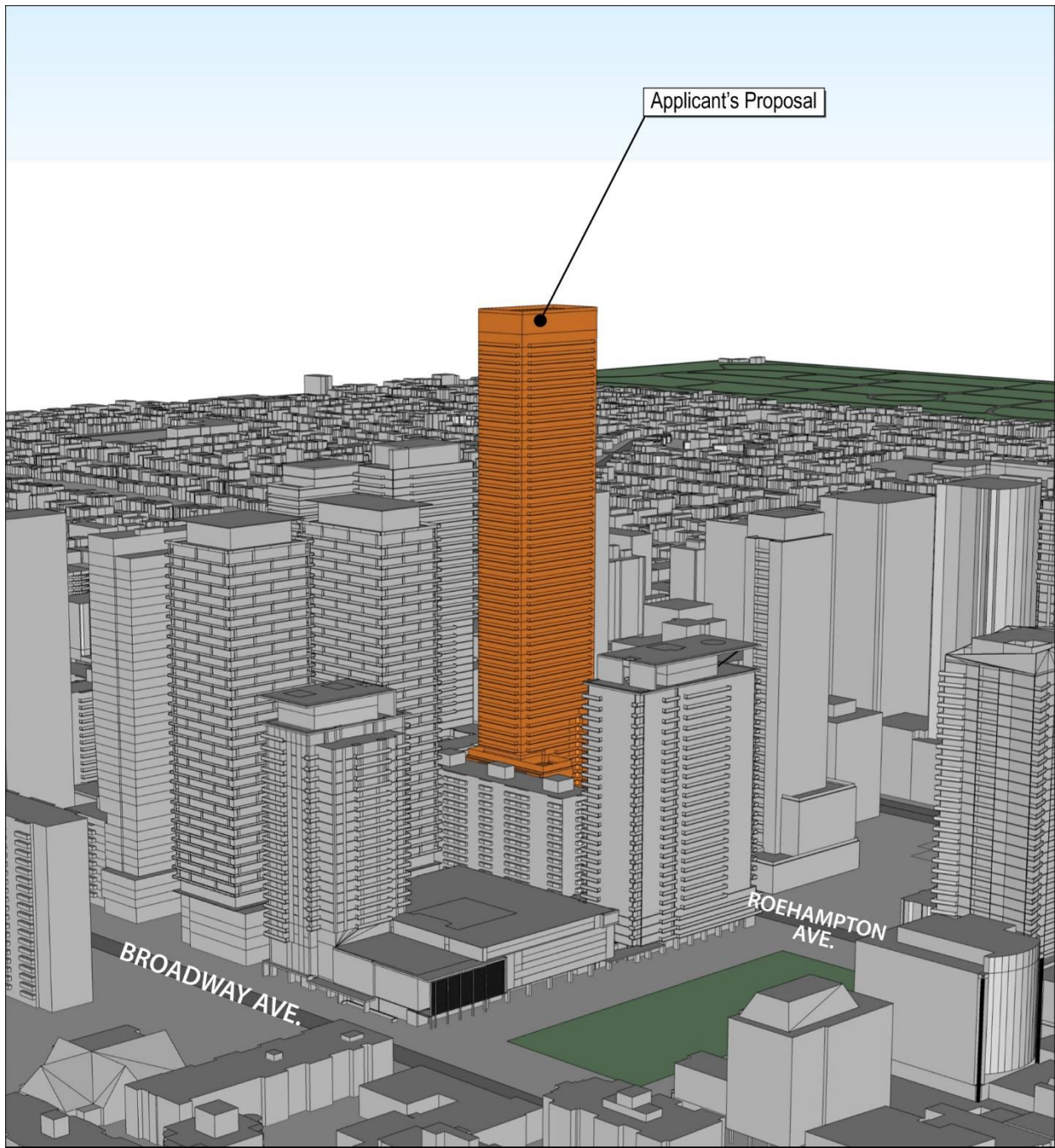
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|--------------------|-----|-------------------------|-----|----------------|---|
| Parking Spaces: | 117 | Bicycle Parking Spaces: | 813 | Loading Docks: | 2 |
|--------------------|-----|-------------------------|-----|----------------|---|

CONTACT:

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Attachment 3: 3D Models of Proposal in Context



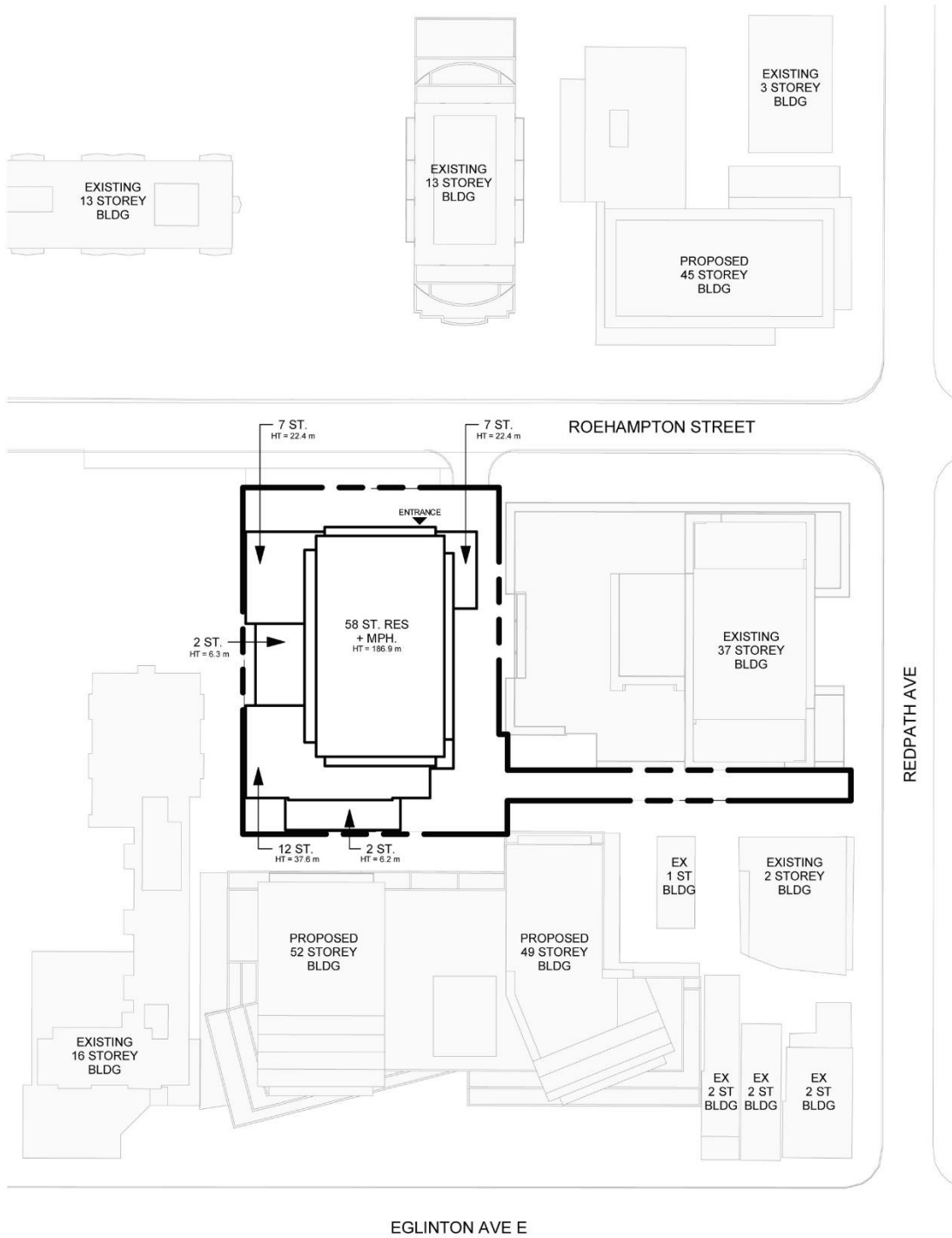


View of Applicant's Proposal Looking Southeast



07/20/2023

Attachment 4: Site Plan



Site Plan



Attachment 5: Official Plan Land Use Map



Official Plan Land Use Map #17

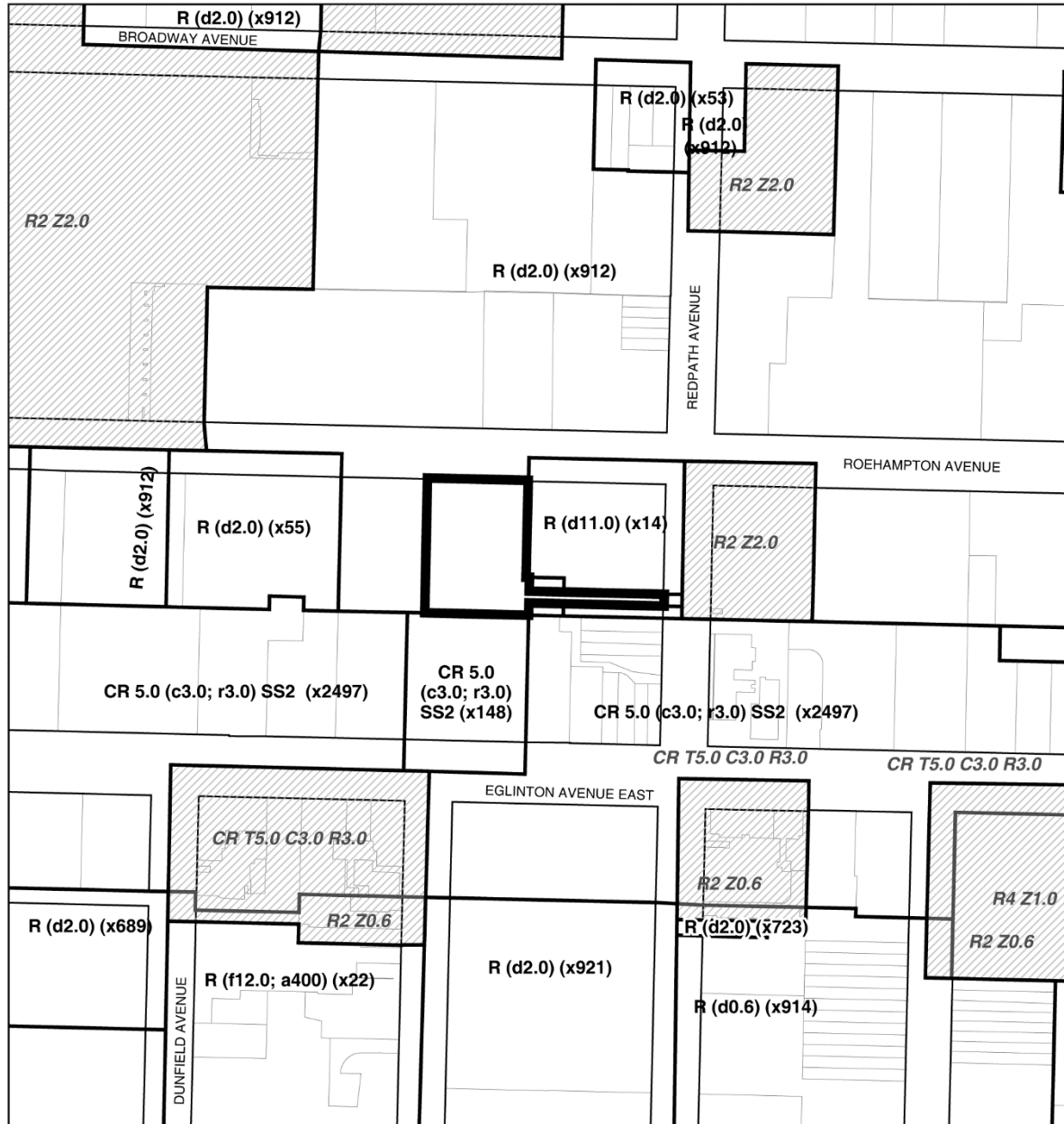
141 Roehampton Avenue

File # 22 168974 STE 12 0Z

-  Location of Application
-  Apartment Neighbourhoods
-  Mixed Use Areas


Not to Scale
Extracted: 07/13/2022

Attachment 6: Zoning By-law Map




Zoning By-law 569-2013

141 Roehampton Avenue

File # 22 168974 STE 12 0Z

 Location of Application
R Residential
CR Commercial Residential

 See Former City of Toronto By-law No. 438-86
R2 Residential District
CR Mixed-Use District


 Not to Scale
 Extracted: 07/13/2022