

## **7-11 Rochefort Drive – Zoning By-law Amendment and Plan of Subdivision Applications – Appeal Report**

Date: October 10, 2024

To: North York Community Council,

From: Director, Community Planning, North York District

Ward: 16 - Don Valley East

**Planning Application Numbers:** 21 239141 NNY 15 OZ and 21 239142 NNY SB

### **SUMMARY**

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On December 1, 2021, Zoning By-law Amendment and Draft Plan of Subdivision applications were submitted to permit three buildings having tower heights of 30 storeys (98.6 metres), 41 storeys (132.2 metres) and 46-storeys (147.2 metres) with a total of 1,322 residential dwelling units. The existing two residential buildings and 128 rental units on the subject site are proposed to be demolished.

On June 3, 2024, the applicant appealed the Zoning By-law Amendment and the Draft Plan of Subdivision Applications to the Ontario Land Tribunal (OLT) due to Council not making a decision within the time frame prescribed in the Planning Act.

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

### **RECOMMENDATIONS**

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The Director, Community Planning, North 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 applications regarding the Zoning By-law Amendment and Draft Plan of Subdivision appeals for the lands at 7-11 Rochefort Drive and to continue discussions with the applicant in an attempt to resolve outstanding issues.
2. In the event that the Ontario Land Tribunal allows the 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-law and Draft Plan of Subdivision conditions are satisfactory to the City Solicitor and the Executive Director, Development Review;
- b) the owner has addressed all outstanding issues raised by Engineering and Construction Services as they relate to the applications to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
- c) the owner has addressed all outstanding issues raised by Transportation Services, as they relate to the applications, to the satisfaction of the General Manager, Transportation Services;
- d) the owner has provided a Functional Servicing Report and Stormwater Management Report, including the Foundation Drainage Report (the "Engineering Reports") to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, and the General Manager, Toronto Water;
- e) the owner has designed and provided financial securities for any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Engineering Reports, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water, should it be determined that improvements or upgrades are required to support the development, according to the accepted Engineering Reports;
- f) the owner has addressed all outstanding issues raised by Urban Forestry, Tree Protection and Plan Review as they relate to the applications, to the satisfaction of the Supervisor, Tree Protection and Plan Review;
- g) the owner has provided revised plans and revised sun shadow and pedestrian level wind studies with recommendations implemented as part of Zoning By-law Amendment and the City has advised that any building envelope changes to address the findings of the studies have been made, to the satisfaction of the Executive Director, Development Review;
- h) the owner has entered into an agreement with the city for the fee simple conveyance of the on-site parkland dedication requirement and at no cost to the city, with such conveyance to occur prior to the issuance of the first above grade building permit, to the satisfaction of the General Manager, Parks, Forestry and Recreation;
- i) the agreement referred to in h) above shall include terms requiring the conveyance of the parkland 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; and

j) City Council has approved the Rental Housing Demolition Application 21 239145 NNY 15 RH in accordance with Chapter 667 of the Toronto Municipal Code pursuant to Section 111 of the City of Toronto Act, 2006, to permit the demolition of the 128 existing rental dwelling units at 7-11 Rochefort Drive, and the owner has entered into, and registered on title to the lands, one or more agreements with the City, to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor, securing all rental housing-related matters necessary to implement City Council's decision including:

- i) Replacement of the existing 128 rental housing units, including the same number of units, bedroom type and size and with similar rents; and
- ii) An acceptable Tenant Relocation and Assistance Plan addressing the right for existing tenants to return to a replacement rental unit.

3. Should the Ontario Land Tribunal approve the Zoning By-law Amendment application, City Council approve a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the applicant of the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry and Recreation; such development charge credit shall be in an amount that is the lesser of the cost to the applicant 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.

4. Should it be determined that upgrades are required to the infrastructure to support the development according to the accepted Functional Servicing Report and/or the Transportation Impact Study, City Council direct the City Solicitor and appropriate City staff to request of the Ontario Land Tribunal that a Holding provision (H) be included in the final form of the site-specific Zoning By-law Amendment, not to be lifted until such time as the owner has made satisfactory arrangements, including entering into appropriate agreement(s) with the City, for the design and construction of any improvements to the municipal infrastructure and the provision of financial securities to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and General Manager, Transportation Services.

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

## **FINANCIAL IMPACT**

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The Development Review 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**

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The Applications for Zoning By-law Amendment and Draft Plan of Subdivision were determined to meet the complete application submission requirements of the Planning Act and the Toronto Official Plan as of December 1, 2021.

A Preliminary Report was adopted by North York Community Council on February 23, 2022, recommending that staff schedule a Community Consultation Meeting, together with the Ward Councillor. The preliminary report can be found here:

<https://www.toronto.ca/legdocs/mmis/2022/ny/bgrd/backgroundfile-198827.pdf>

A Community Consultation Meeting took place on May 16th, 2022. Additional information on issues raised at the Community Consultation meeting is located in further sections of this report.

In June 2020, the City Planning Division initiated the Growth Plan Conformity and Municipal Comprehensive Review ("MCR"), which includes the delineation of approximately 180 potential Major Transit Station Areas (MTSAs) to meet Provincial minimum intensification requirements. A subset of MTSAs will be identified as Protected Major Transit Station Areas (PMTSAs), where the Council-approved inclusionary zoning policy framework can be implemented. The report can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.PH14.4>

On March 25, 2022, the Planning and Housing Committee approved for consultation 97 MTSA/PMTSAs, of which Aga Khan Park & Museum station was identified as a MTSA with a proposed minimum density target of 200 people and jobs per hectare. The report can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.PH32.7>

## **THE SITE AND SURROUNDING AREA**

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Description: The site is located at the south-east corner of Don Mills Road and Rochefort Drive. The site is irregular in shape and has an approximate area of 14,644 square metres. The site has a frontage of approximately 223 metres along Rochefort

Drive, a depth of approximate 42 metres at the east property limit and a depth of approximately 60 metres at the west property limit.

Existing Uses: Two 4-storey apartment buildings that contain 128 rental dwelling units.

Surrounding uses include:

North: Immediately north of the site is Rochefort Drive. The north side of Rochefort Drive includes an existing 22-storey office building, conference facility and surface parking area. There is an active application to redevelop this site with four towers with a height range between 45 and 60-storeys (File No. 22 184087 NNY 16 OZ). That application is currently under appeal. Further north are more high-rise towers and Eglinton Avenue East beyond.

East: Immediately east of the site is a low-rise residential neighbourhood which includes a 2-storey townhouse complex owned and operated by the TCHC along with a low-density subdivision development on the north side of Rochefort Drive. Further east is Deauville Lane with low-rise apartment buildings.

South: Immediately south of the site is an existing 9-storey residential building in an “S” shape with frontage on St. Dennis Drive to the south. Further beyond are more tall slab-style residential apartment buildings.

West: Immediately west of the site is Don Mills Road. The west side of Don Mills Road includes a surface parking area and the Ontario Science Centre with T.E. Seaton Park further west.

## **PROPOSAL**

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In December 2023, following several workshop meetings with City Staff, the applicant submitted a revised Zoning By-law Amendment application. The applicant submitted a revised draft Plan of Subdivision in February 2023.

### **Description**

The application proposes to redevelop the site with three residential buildings comprised of 46-storeys (Tower A), 41-storeys (Tower B), and 30-storeys (Tower C). The proposed towers have overall heights of 147.2 metres, 132.2 metres and 98.6 metres, excluding mechanical penthouses. A total of 1,364 residential dwelling units including the replacement of 128 rental dwelling units are proposed. The existing rental apartment buildings will be demolished. The proposal includes a shared internal courtyard.

**Residential Gross Floor Area:** 97,474 square metres

**Non-Residential Gross Floor Area:** 199 square metres

**Density:** 6.74 times the area of the lot.

### **Dwelling Units**

The proposed 1,364 dwelling units, includes 128 rental replacement units. The overall unit mix includes 593 one-bedroom (48%), 511 two-bedroom (42%), and 132 three-bedroom (10%) units.

### **Access, Parking and Loading**

Access to the site is from a driveway along Rochefort Drive which provides vehicular access to a shared ramp leading to a two-level underground parking garage for all three towers. Loading spaces have been internalized into the podium of the buildings. A total of 444 parking spaces are provided in the shared underground parking garage, including 58 visitor spaces.

The proposed 1,379 long-term bicycle parking spaces and 273 short-term bicycle parking spaces are located in the ground floor and mezzanine levels of the buildings.

### **Parkland Dedication**

The applicant proposes to convey approximately 1,420 square metres of land at the eastern portion of the site fronting onto Rochefort Drive for on-site public parkland purposes.

### **Right-of-Way Dedication**

The application proposes to dedicate a 10 metres width of land to the City along the east property line as a block (Block 3 on Attachment 3) on the Plan of Subdivision. The block would form a portion of a new future north/south public street that would ultimately extend from Ferrand Drive to St. Dennis Drive in the south. The completion of this road would require future land dedications from abutting properties. This portion of the site is currently used as soft landscaping and a driveway providing surface parking for the subject site and access for the abutting neighbour to the south to their loading area.

### **Additional Information**

See Attachments 1, 2, 3, 5 and 8 of this report for a location map, three-dimensional representation of the project in context, a site plan of the proposal, a north elevation and the Application Data Sheet, 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=Sre6gtmGaPWeR6syXL14tg%3D%3D>

### **Reasons for the Application**

The Zoning By-law Amendment application proposes to amend Zoning By-law 569-2013 to vary performance standards including: gross floor area; building height; building setbacks; and other zoning requirements.

### **Plan of Subdivision**

A Plan of Subdivision application has been submitted to create blocks for the future public right-of-way, the development block that would contain the three proposed

buildings, the public park block, and secure the construction of municipal infrastructure, such as sanitary and sewer.

### **Rental Housing**

The Applicant submitted a related Rental Housing Demolition application (File No. 21 239145 NNY 15 RH) under Chapter 667 of the Toronto Municipal Code for the demolition of the existing rental housing units, as the subject lands contain six or more residential units, of which at least one is rental. All existing 128 rental dwelling units within the two buildings will be demolished and replaced in the redevelopment proposal. The Rental Housing Demolition application is currently under review, pending resolution of the Zoning By-law Amendment application appeal.

### **Site Plan Control**

The application is subject to Site Plan Control (File No. 23 120642 NNY 15SA). A Site Plan Control application has been submitted and has not been appealed to the OLT.

## **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 (2020) (PPS (2020)), and shall conform to provincial plans including A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (Growth Plan (2020)), the Greenbelt Plan and others.

On October 20, 2024 the Provincial Planning Statement (2024) comes into effect and combines the PPS (2020) and the Growth Plan (2020) into a single policy document. As of October 20, 2024, all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS (2024) and shall conform to provincial plans including the Greenbelt Plan (2017) and others.

### **Official Plan Designation**

The site is designated *Apartment Neighbourhoods* in the Official Plan. See Attachment 6 of this report for a land use map.

### **Zoning**

The site is zoned Residential Zone RM (f21.0;a925;d0.85) in Zoning By-law 7625 which permits apartment buildings to a maximum height of 12.0 metres.

See Attachment 7 of this report for the existing Zoning By-law Map. The City's Zoning By-law 569-2013 can be found here: <https://www.toronto.ca/zoning>.

## **Design Guidelines**

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

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

The City's Design Guidelines can be found here:

<https://www.toronto.ca/city-government/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/citygovernment/planning-development/official-plan-guidelines/toronto-green-standard/>

## **COMMUNITY CONSULTATION**

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A virtual Community Consultation Meeting was held on May 16th, 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 format meeting. Comments and questions provided by the attendees included:

- Concerns over existing rental unit replacement, including relocation process, compensation, replacement unit size, utility costs, and parking space allocation;
- Concerns over lack of schools to support growth including existing school capacity;
- Concerns over proposed height and density;
- Concerns over lack of improvements to existing infrastructure with new population density increase; and
- Concerns over construction phasing and materiality of proposed buildings.

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



## COMMENTS

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### **Provincial Policy Statement, Provincial Planning Statement and Provincial Plans**

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 (2020), the Provincial Planning Statement (2024), and conformity with the Growth Plan (2020).

The proposal is not consistent with PPS policies and does not conform to Growth Plan policies as it relates to planning for sewage and water services as further investigation is required to determine if there is adequate capacity in the existing and proposed infrastructure for stormwater runoff, sanitary flow, and water supply demand.

### **Land Use**

The subject site is designated *Apartment Neighbourhoods* in the City of Toronto Official Plan as noted in Attachment 6. *Apartment Neighbourhoods* are areas of the City which can accommodate some growth. The proposed land use is residential in a high-rise form which complies with the land use policies of the Official Plan.

### **Site Organization and Public Realm**

The proposal includes a 46-storey building (Tower A) with frontage on Don Mills Road and a 41-storey building (Tower B) with frontage on Rochefort Drive. Tower A and B have a shared 6-storey podium. A shared driveway is located east of Tower B which provides access to the shared underground parking garage ramp and internal courtyard to the south for all three towers on the subject site. The internal courtyard provides pedestrian connections from the proposed Privately-Owned Publicly Accessible Space (POPS) along Don Mills Road through the subject site to the proposed public park on the eastern portion of the subject site. East of the shared driveway is a 30-storey building (Tower C) with a 6-storey podium which steps down to 4-storeys adjacent to the proposed public park.

The eastern portion of the site includes a new public park and a block on the plan of subdivision that would form a portion of a new future north/south public street that would ultimately extend when built in the future from Ferrand Drive to St. Dennis Drive in the south. The completion of this road would require future land dedications from abutting properties.

In accordance with the Public Realm policies of the Official Plan, appropriate building setbacks and active uses at grade have been incorporated into the proposed redevelopment. Staff have no concerns with the public realm as currently proposed.

## **Built Form, Height, and Massing**

The proposed building heights exceed the maximum permitted height in Zoning By-law 569-2013 with a height range between 30 and 46-storeys. The proposed heights are consistent with other existing and recently approved building heights in the surrounding area.

The podium along Don Mills Road is setback between 15.5 metres and 22 metres with Tower A stepping back approximately 3.0 metres. Tower A includes a 3.8 metre stepback along the southern façade with an additional 4.8 metre stepback at the top of the podium level. Tower A also provides for a combined 3.8 metre stepback along the eastern façade. The podium along Rochefort Drive has a sawtooth setback to accommodate at-grade townhouse units with setbacks between 1.3 and 3.2 metres. Tower B has a 6.2 metres stepback from the podium. The rear (southern) façade along Tower B has a combined stepback of 4.9 metres at the podium level. The podium for Tower C facing the proposed public park is setback 5.0 metres. The podium along the Rochefort Drive frontage has a combined stepback of 5.8 metres which mimics the sawtooth setback for the podium for Towers A and B along Rochefort Drive. The remainder of Tower C has stepbacks of 2.7 and 2.4 metres for the western and eastern facades, respectively, and a stepback of 5.3 metres for the rear (south) façade.

All three proposed towers meet the minimum tower separation distance in the Tall Buildings Guidelines of 25.0 metres. Tower A and Tower B have a tower separation distance of 28.2 metres while Tower B and Tower C have a separation distance of 25.8 metres. Each tower has a maximum floor plate size of approximately 800 square metres gross construction area.

City Planning and Community Planning staff have reviewed the proposed built form, including height, and massing, against the policies of the Official Plan as well as relevant design guidelines. City Staff have no concerns with the proposed built form.

## **Parkland and Privately-Owned Publicly Accessible Open Space (POPS)**

The proposal includes an approximate 1,420 square metres on-site public parkland dedication on the east side of the subject site. In addition, the development proposal includes a 1,160 square metres POPS along Don Mills Road. Staff are supportive of the on-site parkland dedication size and location along with the proposed POPS.

## **Sun, Shadow, Wind**

The Official Plan identifies that new development should adequately limit shadow impacts on properties in adjacent lower-scale neighbourhoods, particularly during the spring and fall equinoxes and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces. The Official Plan also identifies that where development includes, or is adjacent to a park or open space, the building(s) should be designed to provide good transition in scale to the parks or open spaces to provide access to direct sunlight and daylight.

This application has been reviewed against the Official Plan policies. The sun/shadow study submitted in support of the rezoning application shows moderate incremental shadows on the lands to the east in the late afternoon for both September/March. The proposed towers shadow the adjacent *Neighbourhoods* to the northeast for a one hour duration only. Shadows produced by the proposed towers do not extend to Ferrand Drive Park to the east; however, the proposed park is shadowed in the late afternoon due to proximity to the development proposal.

The Official Plan identifies that new development should limit and mitigate pedestrian level wind impacts. Wind conditions should be suitable for walking and standing, with higher standards applied to spaces designed for sitting, play structures and sports activities. The Pedestrian Level Wind Study submitted with the rezoning application identified wind issues resulting from the originally proposed development. Modifications were made to the built form and massing to improve wind conditions on the site and surrounding area.

Given the existing and planned context for the subject site and the surrounding area, the built form context and resultant sun/shadow and wind impacts are acceptable to City staff.

### **Transportation, Parking, Loading and Servicing**

Parking and ramps have been consolidated and will be shared through an underground parking garage ramp incorporated into the podium of Tower B. The parking ramp is screened from the Rochefort Drive frontage and provides access to the two level of underground parking garage below. One Type "C" loading space is provided on P1 of the underground parking garage for the non-residential use in the podium adjacent to Tower A, fronting onto Don Mills Road.

A shared Type "G" loading space is located adjacent to the underground parking garage ramp and is shared by Tower A and Tower B. Tower C has a separate Type "G" loading space incorporated into the podium, which is also screened from the Rochefort Drive frontage.

The final Order of the OLT should be withheld pending technical requirements being addressed to the satisfaction of Engineering and Construction Services.

### **Future Public Road**

The application proposes to convey to the City a minimum 10 metres wide parcel of land along the east property line for future municipal right-of-way purposes to connect Rochefort Drive with St. Dennis Drive (Block 3 on Attachment 3). The completion of this road would require future land dedications from abutting properties. A portion of Block 3 is being used as a driveway providing access for garbage collection and service vehicles for the abutting neighbour to the south at 10-12 St Dennis Drive. The application does not disclose a registered property interest over the subject site in favour of 10-12 St. Dennis Drive for the purpose of this access. Access to the adjacent

property at 10-12 St. Dennis Drive through the subject site will need to be addressed between the two landowners.

The final Order of the OLT should be withheld pending resolution of technical requirements being addressed related to access to the abutting lands and conveyance of Block 3, with any agreements as necessary through draft Plan of Subdivision conditions, to the satisfaction of Engineering and Construction Services, in consultation with City Legal.

### **Servicing and Stormwater Management**

Per the memo from Engineering and Construction Services (ECS) dated April 11, 2024, the applicant is required to provide a revised Functional Servicing and Stormwater Management Report and associated plans, and a revised Transportation Impact Study. Staff have determined that the existing sanitary sewers are deficient in capacity and will require upgrades. The applicant has not provided a solution to address the servicing capacity concerns.

In the event that the OLT allows the Zoning By-law Amendment application appeal in whole or in part, the final Order should be withheld pending the confirmation that ECS matters in the memorandum have been addressed and that the Functional Servicing and Stormwater Management Report has been revised to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and it is demonstrated that the municipal water, waste, sanitary and storm sewer systems can support the proposed development and any required upgrades or improvements of the existing municipal infrastructure are secured. Draft Plan of Subdivision conditions will also have to be prepared in order to implement any future construction, conveyance and financial obligations.

### **Housing Issues**

Official Plan Policy 3.2.1.6 requires new development that would result in the loss of six or more rental dwelling units to replace at least the same number, size, and type of rental units at similar rents to those in effect at the time of application. The policy also requires the Applicant to provide an acceptable tenant relocation and assistance plan, addressing the right of existing tenants to return to the replacement units at similar rents and other assistance to lessen hardship.

In accordance with the Official Plan, the current application is proposing to replace all 128 existing rental dwelling units with new rental units of the same type and of similar size. The Applicant has also been working with Staff to develop a tenant relocation and assistance plan to lessen hardship to existing tenants and address the right to return to occupy the replacement units at similar rents.

Should the OLT allow the appeals in whole or in part, City staff recommend that the City Solicitor request that the Tribunal withhold its final Order until it has been advised that the owner has entered into appropriate agreements to secure the rental replacement to the satisfaction of the Chief Planner and Executive Director of City Planning.

## **Dwelling Unit Mix**

In addition, the provision of 511 (41%) net new two-bedroom units and 132 (11%) net new three-bedroom units supports the unit mix objectives of the Growing Up guidelines, Official Plan housing policies, and the Growth Plan's growth management and housing policies to accommodate within new development a broad range of households, including families with children.

The project statistics indicate that two and three-bedroom units range in size from 67 square metres to 93 square metres and 76 square metres to 111 square metres, respectively. The proposal is providing some mix of units that support the unit size for larger units in the Growing Up Guidelines.

## **Plan of Subdivision**

Staff have not completed their review and finalized draft plan conditions. Pursuant to subsection 415-18.1.A. of the Toronto Municipal Code, the authority to instruct the City Solicitor on what position to take at an Ontario Land Tribunal hearing is delegated to the Chief Planner and his or her representatives in respect of the approval of a plan of subdivision and the conditions of approval of a plan of subdivision. Accordingly, the Director of Community Planning, North York District will instruct the City Solicitor on the subdivision appeal.

## **Toronto Green Standard**

Council has adopted the four-tier Toronto Green Standard (TGS). 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. 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 required to meet Tier 1 of the TGS. 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 2050 or sooner.

The proposed development currently does not meet Toronto Green Standard requirements for Tree Planting Areas and Soil Volume (EC 1.1) and Trees Along Street Frontages (EC1.2). Urban Forestry staff require revised information in order to ensure conformance with specifications as detailed in the City's Development Guide and Terms of Reference. The final Order of the OLT should be withheld pending technical requirements being addressed to the satisfaction of the Supervisor, Tree Protection and Plan Review.

## **CONCLUSION**

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The proposal has been reviewed against the policies of the Provincial Policy Statement (2020), the Provincial Planning Statement (2024), A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020), and the Official Plan. The proposal is not consistent with PPS policies and does not conform to Growth Plan policies as it relates to planning for sewage and water services as further investigation is required to determine if there is adequate capacity. Further, the proposal conforms to the Official Plan, particularly as it relates to built form, public realm improvements, parkland dedication, sun/shadow conditions, wind conditions, and rental replacement. This report recommends that the City Solicitor, with appropriate staff, attend the OLT in opposition of the application in its current form, as it relates to unresolved servicing capacity issues and land conveyance for a future public road, and to continue to work with the applicant in an attempt to resolve outstanding issues.

## **CONTACT**

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Michelle Charkow, Senior Planner  
Tel. No. 416-338-7542  
E-mail: [Michelle.Charkow@toronto.ca](mailto:Michelle.Charkow@toronto.ca)

## **SIGNATURE**

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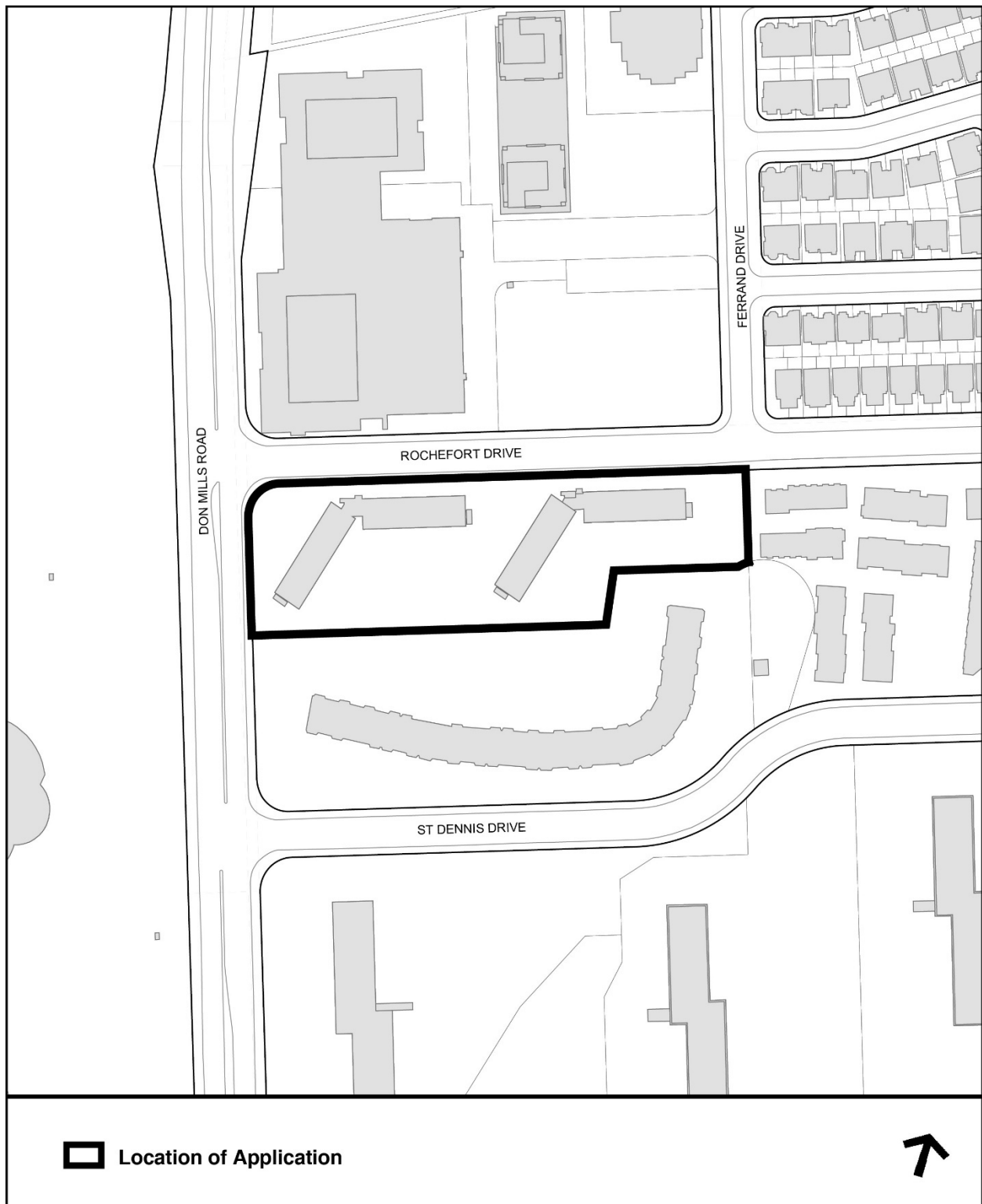
David Sit, MCIP, RPP, Director  
Community Planning, North York District

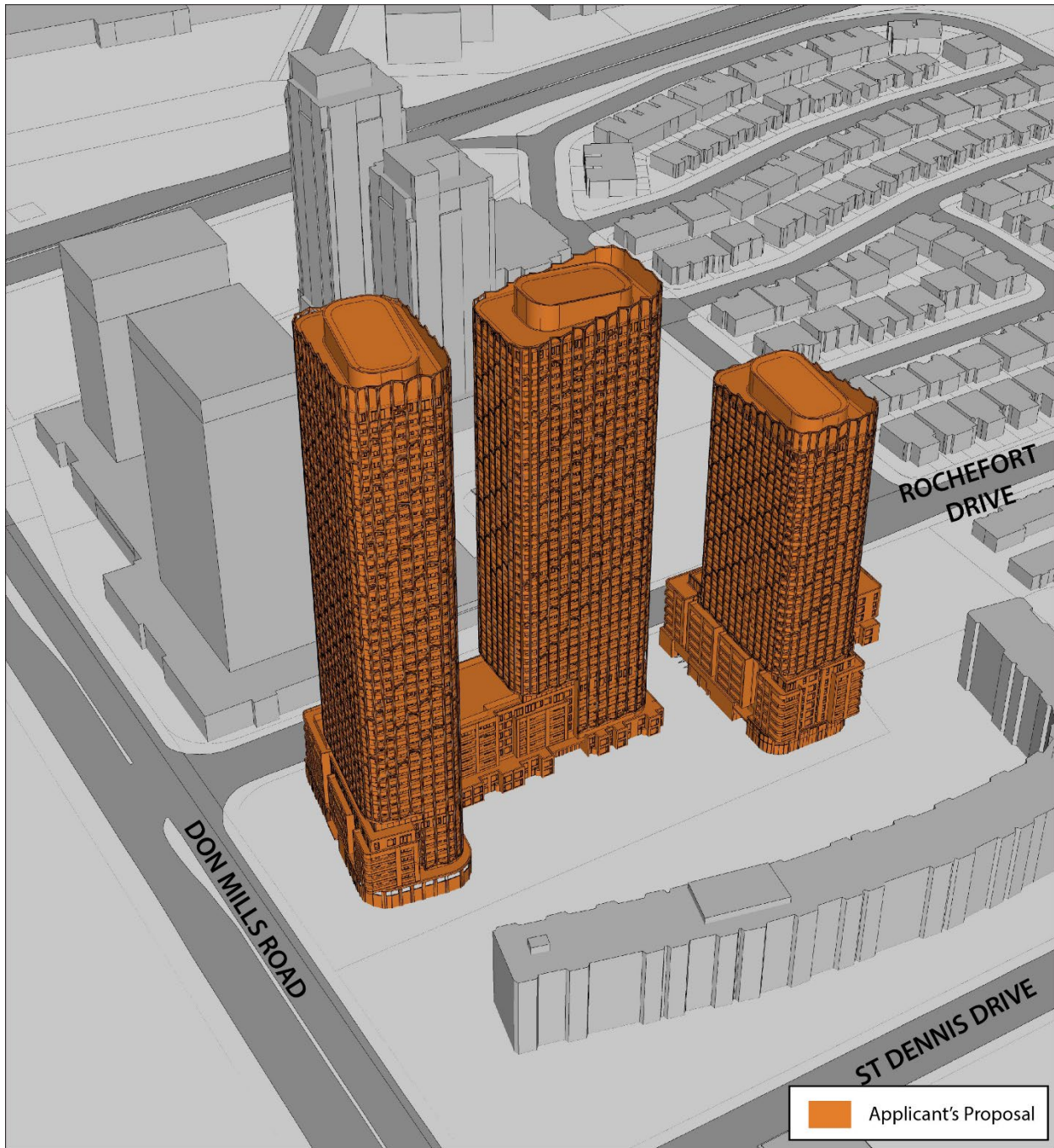
## **ATTACHMENTS**

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Attachment 1: Location Map  
Attachment 2: 3D Model of Proposal in Context  
Attachment 3: Site Plan  
Attachment 4: Draft Plan of Subdivision  
Attachment 5: North Elevation  
Attachment 6: Official Plan Map  
Attachment 7: Zoning By-law Map  
Attachment 8: Application Data Sheet

Attachment 1: Location Map





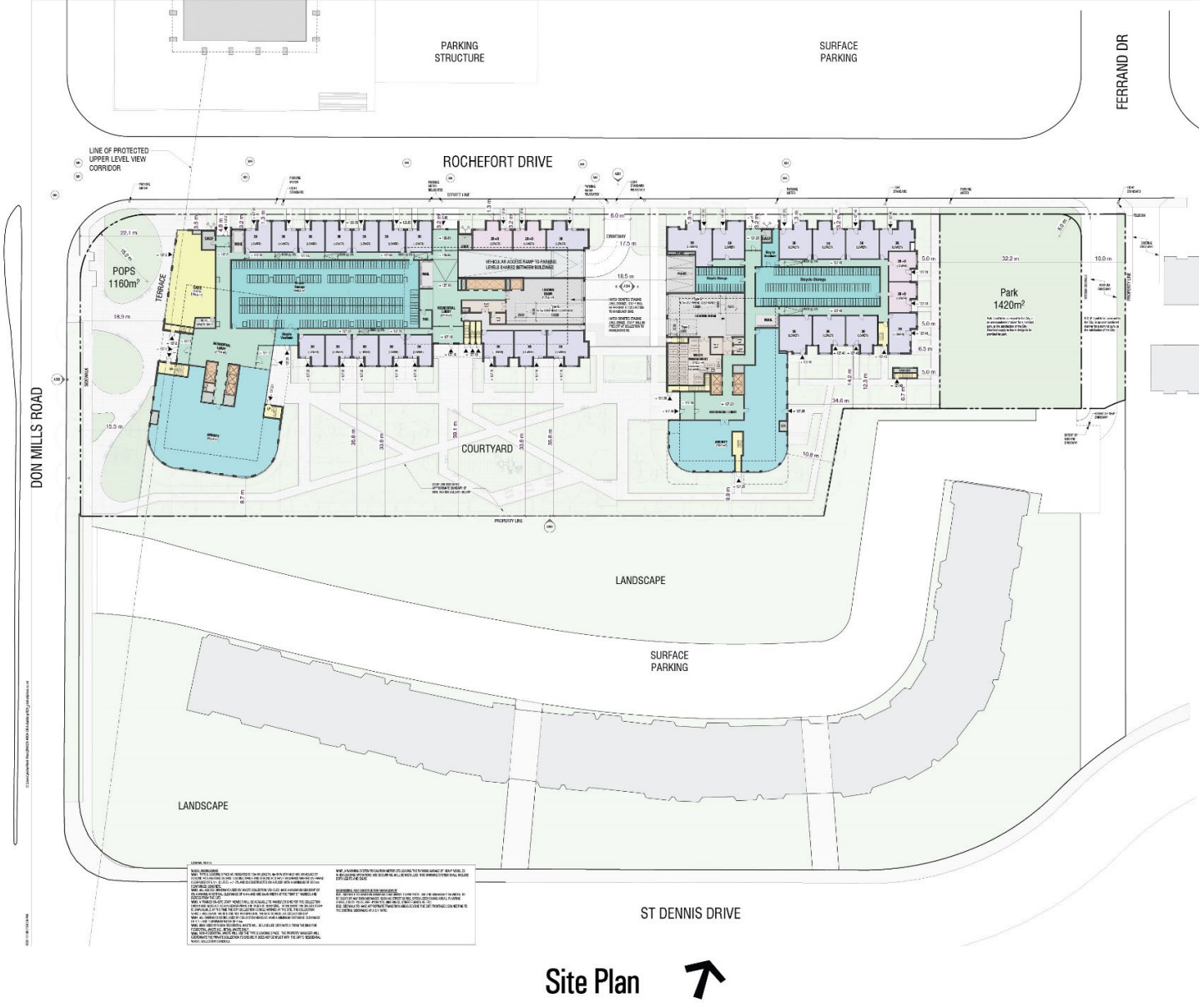
**View of Applicant's Proposal Looking Northeast**



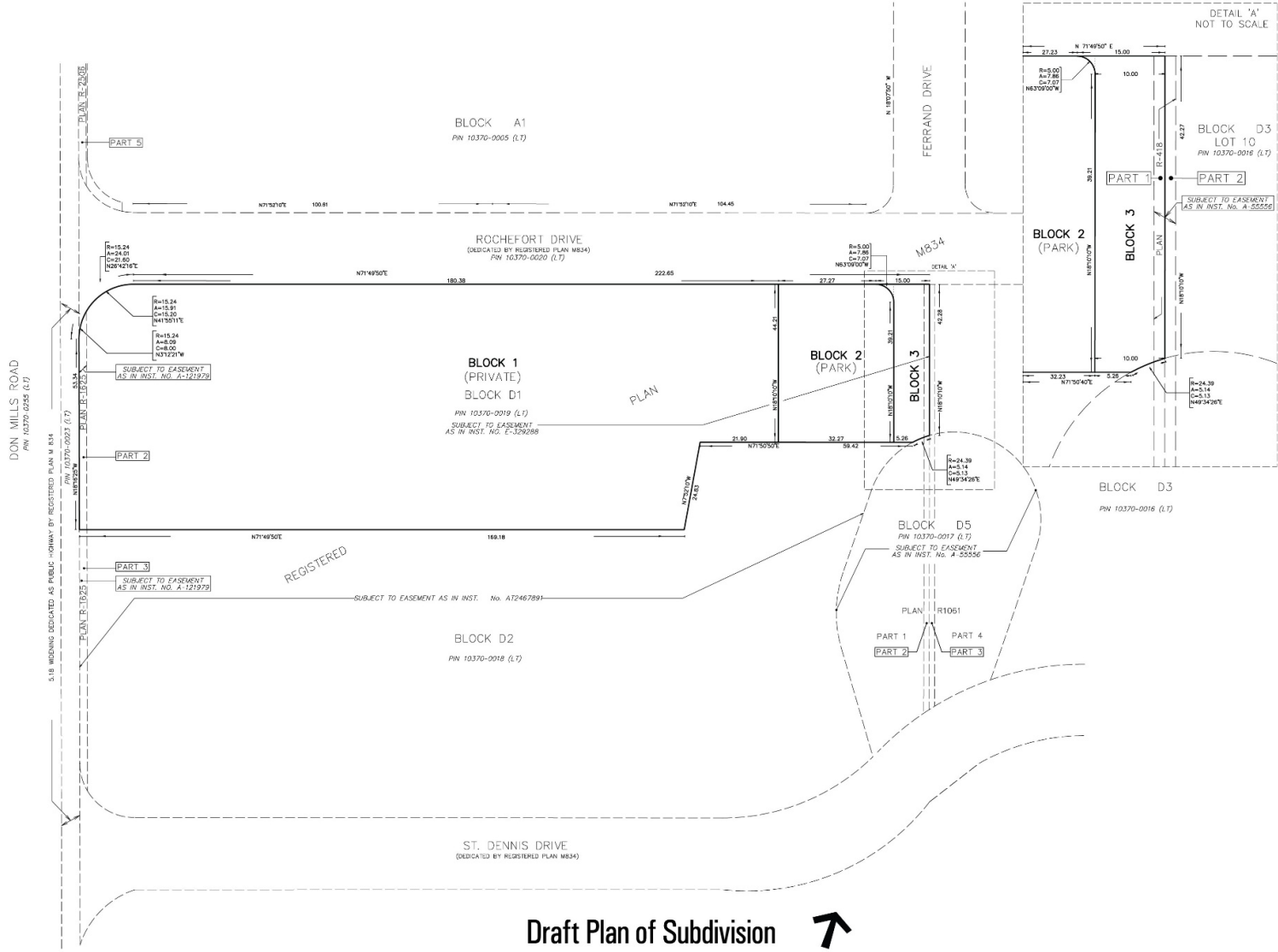
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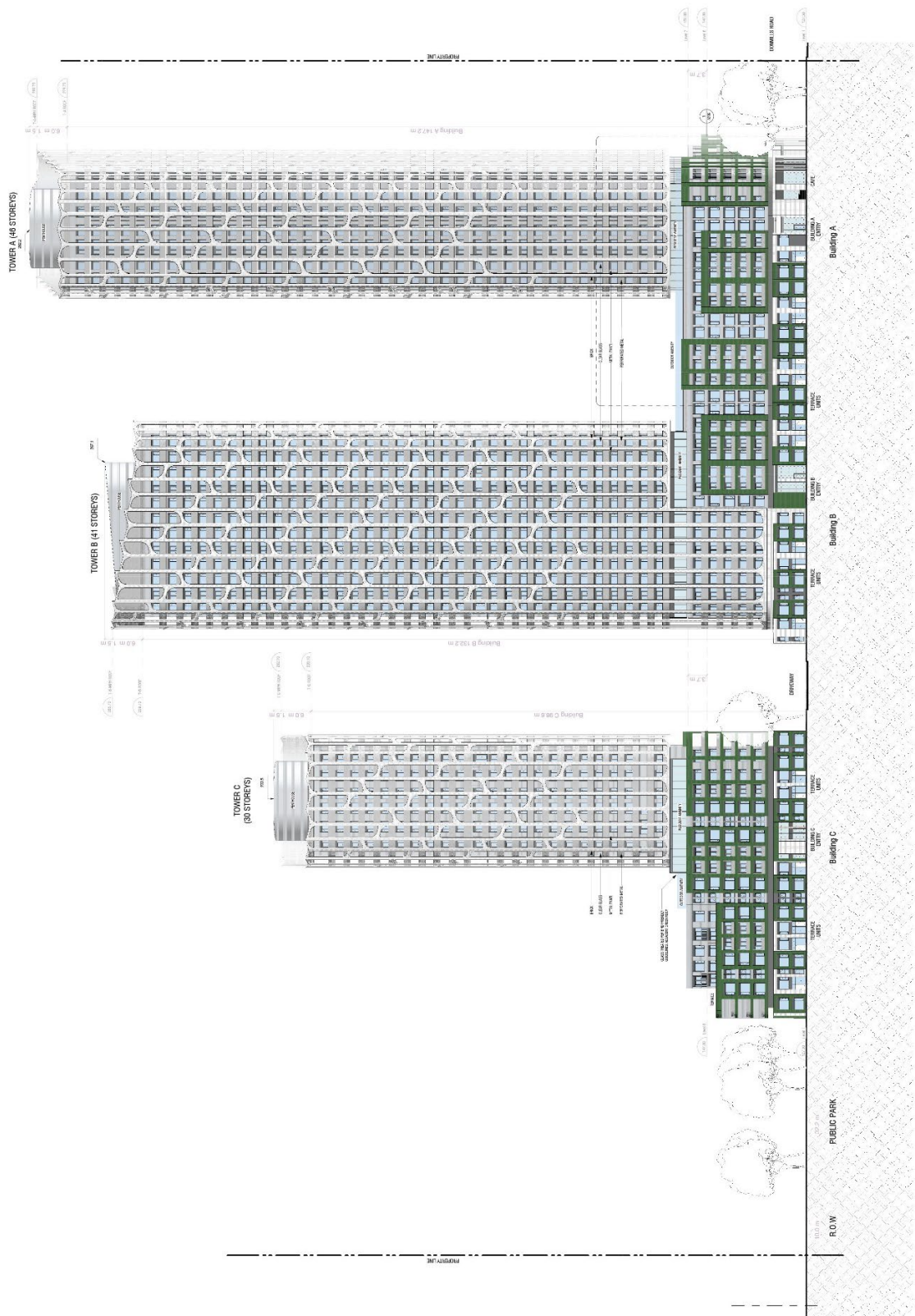
Attachment 3: Site Plan



## Attachment 4: Draft Plan of Subdivision



Attachment 5: North Elevation



North Elevation

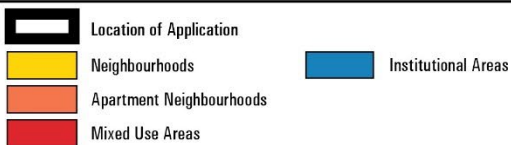
## Attachment 6: Official Plan Map



Official Plan Land Use Map #20

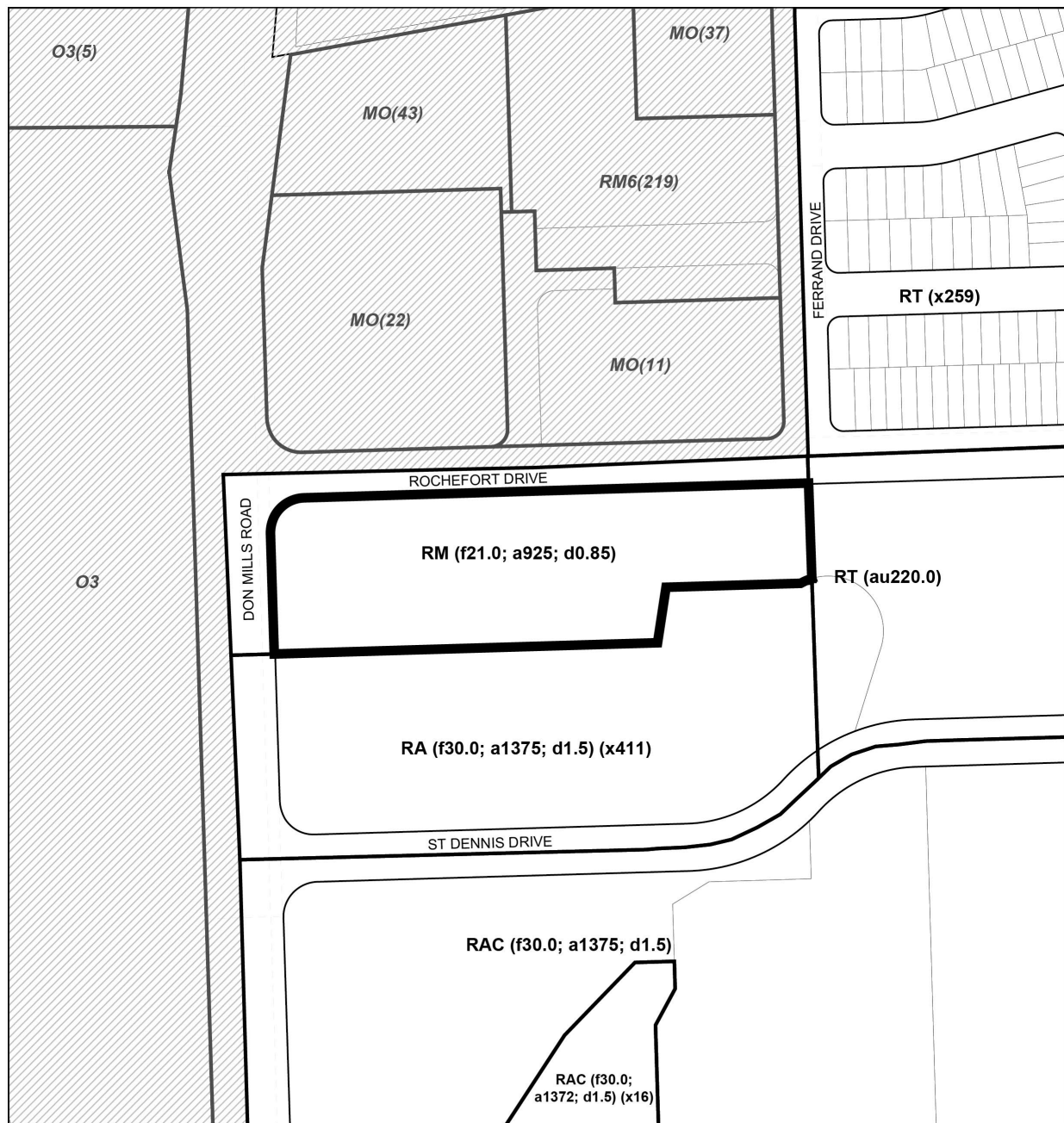
7-11 Rochefort Drive

File # 21 239141 NNY 15 0Z



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Not to Scale  
Extracted: 11/22/2021

## Attachment 7: Zoning By-law Map



**Zoning By-law 569-2013**

**7-11 Rochefort Drive**

**File # 21 239141 NNY 15 02**



Location of Application

**RD** Residential Detached  
**RT** Residential Townhouse  
**RM** Residential Multiple  
**RA** Residential Apartment  
**RAC** Residential Apartment Commercial  
**OR** Open Space Recreation



See Former City of North York By-law No. 7625  
**MO** Industrial-Office Business Park Zone  
**O3** Semi-Public Open Space Zone



Not to Scale  
 Extracted: 11/22/2021

## Attachment 8: Application Data Sheet

### APPLICATION DATA SHEET

Municipal Address: 7-11 ROCHEFORT DR Date Received: November 18, 2021

Application Number: 21 239141 NNY 15 OZ

Application Type: OPA / Rezoning

Project Description: Zoning by-law amendment application to facilitate the redevelopment of the site a mixed-use development comprised of three towers having heights of 30, 41, and 46-storeys, and having a total of 1322 residential dwelling units. The proposed non-residential gross floor area is 199 square metres, and the proposed residential gross floor area is 97,286 square metres.

Applicant	Agent	Architect	Owner
N BARRY LYON CONSULTANTS LTD			1294511 ONTARIO INC

### EXISTING PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhood RM (f21.0; a925; d0.85)	Site Specific Provision:	
Zoning:		Heritage Designation:	N
Height Limit (m):		Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq m):	14,650	Frontage (m):	226	Depth (m):	53
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Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	2,730	0	5,897	5,897
Residential GFA (sq m):	10,013	0	98,474	98,474
Non-Residential GFA (sq m):			199	199
Total GFA (sq m):	10,013	0	98,673	98,673
Height - Storeys:	4		46	46
Height - Metres:	11		147	147

Lot Coverage Ratio (%):	40.25	Floor Space Index:	6.74
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Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	98,161	313
Retail GFA:	199	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	128	0	128	128
Freehold:				
Condominium:			1,236	1,236
Other:				
Total Units:	128	0	1,364	1,364

#### Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			593	639	132
Total Units:			593	639	132

#### Parking and Loading

Parking Spaces:	435	Bicycle Parking Spaces:	1,65 2	Loading Docks:	4
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#### CONTACT:

Michelle Charkow, Senior Planner  
416-338-7542  
Michelle.Charkow@toronto.ca