

## **35 Bellevue Avenue – Zoning By-law Amendment – Decision Report – Approval**

Date: September 12, 2024

To: Planning and Housing Committee

From: Executive Director, Development Review, & Interim Chief Planner and Executive Director, City Planning

Ward: 11 - University-Rosedale

**Planning Application Number: 24 198168 STE 11 OZ**

### **SUMMARY**

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This report reviews and recommends approval of a City-initiated Zoning By-law amendment to permit a 4-storey residential apartment building with 78 new affordable rental dwelling units with supports at 35 Bellevue Avenue in the Kensington Market neighbourhood. The proposal is to replace an existing surface parking lot and add a mass timber building designed to have net zero greenhouse gas emissions, and will meet or exceed the Toronto Green Standard Version 4.

This project is one of five being delivered under a new Public Developer model, whereby the City retains ownership of its lands and is taking a more direct and intentional approach to the delivery of non-market homes that are affordable to low-and-moderate-income residents. Additionally, this project will support the City in delivering a full range of housing opportunities in line with the HousingTO 2020-2030 Action Plan ("HousingTO Plan") target of approving 65,000 rent-controlled homes, including 18,000 supportive homes, within complete communities.

Approval of the recommendations in this report will enable the City to move quickly to start construction on this project by the end of 2024 and ensure residents can move into new homes by the end of 2025. Once completed, the building will offer 78 rent-geared-to-income and supportive homes to be operated by the Kensington Market Community Land Trust (KMCLT) in partnership with St Clare's Multifaith Housing Society (St Clare's), who has been selected as the not-for-profit housing provider for the site.

### **RECOMMENDATIONS**

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The Executive Director, Development Review, and the Interim Chief Planner and Executive Director, City Planning, recommend that:

1. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 35 Bellevue Avenue substantially in accordance with the draft Zoning By-law Amendment included as Attachment 6 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.

## **FINANCIAL IMPACT**

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There are no immediate financial implications resulting from the recommendations in this report. All associated project costs are already included within the Housing Secretariat's Capital Budget, and any necessary adjustments will be addressed through the annual budget process.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial impact information.

## **DECISION HISTORY**

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On July 4, 2018, the Toronto and East York Community Council directed City Planning staff in consultation with CreateTO, the Affordable Housing Office, and other City divisions and agencies as needed, to consider City-building opportunities at 35 Bellevue Avenue in consultation with the Ward Councillor (Joe Cressy), Kensington Market Land Trust (KMCLT) and the local community. Through this exercise, the carpark site was identified as appropriate for building affordable rental housing.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.TE34.218>

On July 28, 2020, City Council declared the City-owned property at 35 Bellevue Avenue surplus and directed Housing Secretariat and Real Estate staff to find replacement parking opportunities in the vicinity and identify a non-profit developer and operator to develop affordable housing on the site.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.MM23.19>

On December 16, 2020, City Council directed the Executive Director, Housing Secretariat, to work with the Chief Executive Officer, CreateTO, on a plan to redevelop 35 Bellevue Avenue for an affordable housing use and that the General Manager, Transportation Services, work with the Acting President, Toronto Parking Authority, and the Chief Executive Officer, CreateTO, to locate replacement parking to compensate for the loss in surface parking from 35 Bellevue Avenue in connection with the redevelopment and real estate transaction associated with 105 Spadina Avenue and 363 Adelaide Street West. <https://secure.toronto.ca/council/agenda-item.do?item=2020.GL19.11>

On May 10, 2023, City Council amended Zoning By-law 569-2013 to permit the construction of a 39-storey mixed-use development that included 70 public parking spaces to be operated by the Toronto Parking Authority to compensate for the loss of

surface parking spaces at 105 Spadina Avenue, 363 Adelaide Street West, 35 Bellevue Avenue and 15 Denison Avenue. <https://secure.toronto.ca/council/agenda-item.do?item=2023.TE4.8>

On November 8, 2023, City Council directed the Deputy City Manager, Development and Growth Services to advance a City-led development model to provide affordable housing at five 'housing ready' sites, including 35 Bellevue Avenue. <https://secure.toronto.ca/council/agenda-item.do?item=2023.EX9.3>

## **EQUITY IMPACT STATEMENT**

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The City of Toronto recognizes that housing is essential to the inherent dignity and well-being of a person and to building healthy, equitable, sustainable, and livable communities. Residents' quality of life, the city's economic competitiveness and its social cohesion, all depend on current and future residents being able to access and maintain adequate, safe, and affordable homes.

The City of Toronto's existing housing policies and action plans seek to improve housing outcomes for a range of residents and to support equity and climate resilience. Specifically:

- The HousingTO Plan is centred on a human rights-based approach to housing and envisions a city in which all residents have equal opportunity to develop to their full potential. It is focused on increasing the supply of new affordable homes that is part of a complete community with equitable access to a range of opportunities for residents to live, work, learn, and play; and
- The City's Official Plan contains policies relating to the provision of diverse range of housing supply and choice that provides a full range of housing form, tenure, and affordability.

Council's approval of the recommendations in this report will support delivery of the City's HousingTO Plan and Official Plan objectives, and help to create more inclusive, equitable, sustainable and complete communities. It will also help increase affordable housing options for vulnerable and marginalized individuals, including Indigenous Peoples, racialized people, seniors, women, people with disabilities, and 2SLGBTQIA+ persons.

## **THE SITE**

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### **Description**

The City-owned site is located on the eastern side of Bellevue Avenue, south of Nassau Street and north of Bellevue Square Park in the Kensington Market neighbourhood. It is a rectangular lot with a frontage of 43.5 metres on Bellevue Avenue, a depth of 58

metres, and a total area of 2,460 square metres. A public lane at the southeast corner of the site provides access from the site to Augusta Avenue.

There is an approved development immediately north of the site at 43-45 Bellevue Avenue for a 3-storey (10.5 metre) residential building containing 12 dwelling units. The proposed building is setback 3.4 metres from the south lot line with entrances to some of the dwelling units on the south side of the building along a pedestrian walkway.

### **Existing Use**

The site is currently a surface Green P parking lot containing approximately 91 vehicular parking spaces.

### **Site Access**

The site is within close proximity of public transit, as there are four streetcar lines under 400 metres away, including the 505 Dundas, 506 College, 510 Spadina, 511 Bathurst streetcar lines. Bellevue Avenue is a one-way, single-lane street running south and there is a contra-flow bikeway immediately adjacent to the front lot line of the site that provides a cycling connection between Bloor Street West and Queen Street West. On the west side of Bellevue Avenue, there is vehicular street parking.

## **THE PROPOSAL**

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### **Description**

The proposal is for a four-storey (11.5 metres, excluding mechanical penthouse) residential apartment building. The proposed by-law amendment enables a maximum permitted height of 15 metres.

### **Density**

The proposed building has a density of 1.63 times the area of the lot.

### **Affordable Rental Dwelling Units**

The proposal is for 78 new affordable rental dwelling units, comprised of 71 studio (91%), and 7 one-bedroom units (9%). All one-bedroom units are convertible to two-bedroom units.

All units in the proposal will be provided as rent-geared-to-income homes with wrap-around support services and no household will be paying more than 30% of their income on rent.

## **Amenity Space**

The proposal includes a minimum of 4 square metres per unit of combined indoor and outdoor amenity space, including 150 square metres of indoor amenity and 370 square metres of outdoor amenity space.

## **Bicycle Parking, Vehicle Parking and Loading**

There are no vehicular parking spaces proposed on the site and a total of 87 bicycle parking spaces at grade and in an ancillary building.

There is no loading space proposed on the site.

## **Sustainability**

The proposal is for a mass timber structure consisting of a prefabricated Cross Laminated Timber (CLT) floor, roof panels, and loadbearing wall panels, and Glued Laminated Timber (Glulam) beams to reduce embodied carbon. Air source heat pumps will provide space heating and hot water, ensuring no on-site fossil fuel use. A high-performance envelope and ventilation system will minimize heat loss while delivering excellent air quality and thermal comfort. It will also include a green roof designed for future solar panel installation. The project will achieve net zero greenhouse gas emissions in alignment with the City's TransformTO Net Zero Strategy.

## **Additional Information**

See the attachments of this report for the Application Data Sheet, Location Map, a site plan, 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: [www.toronto.ca/35BellevueAveRezoning](http://www.toronto.ca/35BellevueAveRezoning)

## **POLICY & REGULATION 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 Provincial Planning Statement (2024) and shall conform to provincial plans including the Greenbelt Plan (2017) and others.

## **Official Plan**

The site is designated Neighbourhoods. See Attachment 3 of this report for the Land Use Map. The Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making. The Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

## **Downtown Plan**

The site is located in the Kensington Market - Alexandra Park District and is designated Neighbourhoods and backs onto Mixed Use Area 4. See Attachment 4 of this report for the Mixed Use Areas Map. The Downtown Plan can be found here: <https://www.toronto.ca/wp-content/uploads/2022/06/962d-cityplanning-official-plan-41-secondary-plan-downtown-plan.pdf>

## **Zoning**

The site is zoned R (f4.5; d1.0) (x847) under Zoning By-law 569-2013. The R zoning category permits residential uses and a mix of conditional commercial uses. See Attachment 5 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:

- Townhouse and Low-Rise Apartment Guidelines
- Toronto Accessibility Design Guidelines

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

## **Toronto Green Standard**

The TGS is a set of performance measures for green development. Council has directed that any affordable housing built on City land is subject to the TGS Version 4 for City Agencies, Corporation & Division-Owned Facilities, which meets and exceeds Tier 2 for Mid-to-High-Rise Residential targets. This includes the requirement that the building have net zero operational carbon and low embodied carbon. It must also be prepared for the future installation of solar panels.

The TGS for City Agencies, Corporations, and Division-Owned Facilities is available here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/toronto-green-standard/toronto-green-standard-version-4/city-agency-corporation-division-owned-facilities-version-4/>

## **COMMUNITY INFORMATION SESSION**

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City staff have initiated a multi-channel process to inform and engage residents about this proposal, including a project website, phone line, email inbox, mailed meeting

notices, and on-site signage. An in-person Community Information Session was hosted by City staff on September 9, 2024, at the Cecil Community Centre which was attended by approximately 80 people. Through the Community Information Session and email and telephone communication, some comments related to the proposal for a zoning by-law amendment were raised, including:

- Desire to increase the height and density of the project to provide more affordable housing at this location;
- Desire for a greater mix of unit types, including larger units geared toward families;
- Request for commercial or broader community uses at grade;
- Need to improve safety along the midblock connection through more activation of the ground floor, including the possibility of including ground-floor units that exit directly to the public realm and ensuring adequate lighting;
- Concern over the loss of parking and its impact on the market and surrounding neighbourhood, especially given the expansion of the Toronto Western Hospital and the impacts of the Kensington Market Safe Streets project;
- Praise for the sustainable aspects of the project and the courtyard design;
- Concern over negative impacts to adjacent properties, including privacy and overlook concerns, noise, and construction management issues;
- Need for consideration of air quality and desire for balconies to be included in the design of the building; and
- Need for more indoor amenity space;

Other comments and concerns not related to the proposal for a zoning by-law amendment were also raised. Participants expressed support for the delivery of supportive housing at the location, a desire to see it move quickly, and wished to learn more about how to access a unit. Participants also shared broader concerns in the community about safety, and a desire for more consultation.

The issues raised through the community information session have been considered through the review of the proposal.

### **Statutory Public Meeting Comments**

In making their decision with regard to this proposal, Council members have been given an opportunity to view the oral submissions made at the statutory public meeting held by the Planning and Housing Committee for this proposal, as these submissions are broadcast live over the internet and recorded for review.

## **COMMENTS**

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This City-led proposal for a four-storey apartment building seeks to intensify a Neighbourhoods designated site to provide deeply affordable and supportive housing. The proposal will replace a surface parking lot. City Planning and Development Review staff are supportive of increased density in low-rise forms which expand the housing options on Neighbourhoods designated sites near transit.

## **Provincial Policy Statement and Provincial Plans**

Staff's review of this proposal has had regard for the relevant matters of provincial interest set out in the Planning Act. Staff have reviewed the current proposal for consistency with the Provincial Policy Statement (2020) and conformity with the Growth Plan (2020). In the opinion of staff, the proposal is consistent with the PPS and conforms with the Growth Plan.

## **Built Form**

The proposed four-storey apartment building conforms with the applicable policies in the Official Plan and the Downtown Plan with respect to built form and massing and is appropriate for the site. Furthermore, the proposal meets the intent of the Townhouse and Low-Rise Apartment Guidelines.

Within the immediate context of the geographic neighbourhood, the proposal respects and reinforces the physical character of Bellevue Avenue, which is generally comprised of low-rise buildings with a varied front yard setback. The design of the four-storey building is U-shaped with a courtyard fronting onto Bellevue Avenue and proposed front yard setbacks ranging from 5.0 metres to 10.8 metres, including a soft landscaped knoll at the centre of the courtyard.

The building is set back sufficiently from the southern lot line to provide for a pedestrian midblock connection between Augusta Avenue and Bellevue Avenue and adequate separation and soft landscaping is provided to the north. To the rear, the building will have a minimum setback of 5.5 metres, as the lot backs on to a Mixed Use Area fronting onto Augusta Avenue and historically had laneway housing adjacent to the rear lot line.

Within the broader context of the geographic neighbourhood, the proposed building is consistent with other interspersed low-rise buildings, with respect to heights, massing, scale and density. In particular, there is a comparable six-storey apartment building complex operated by the same housing provider, containing 99 dwelling units, one block west of the site at 25 Leonard Avenue.

City staff have prepared a draft zoning by-law amendment for the proposal that accommodates the built form and massing of the project and provides some flexibility with respect to maximum height, minimum setbacks, and maximum FSI among other performance standards should the design need adjustments throughout the Site Plan process.

## **Public Realm and Streetscape**

City staff are satisfied that the proposal conforms with the applicable public realm policies of the Official Plan and the Downtown Plan.

The proposal is set back approximately 10 to 15 metres from the curb on Bellevue Avenue, which provides an opportunity for an improved public realm along the street in



comparison with the existing condition. The proposal will eliminate existing curb cuts along the frontage of the site, and include instead street trees and soft landscaping, along with an open central courtyard which will be visible from the public realm.

A midblock connection is proposed along the south side of the site, allowing for pedestrian access between Bellevue and Augusta Avenues. Staff are exploring opportunities to include a mural along the laneway to further improve and animate the midblock connection.

An ancillary structure intended for long-term bicycle parking is currently proposed in the front yard. Staff will continue to explore the design and location of the ancillary building through the site plan process to minimize the visual impact of bicycle storage on the public realm.

### **Unit Mix**

City Planning and Development Review staff are satisfied that the proposal meets the unit mix requirement in the Downtown Plan. The Downtown Plan requires larger units be provided for in developments with more than 80 new residential units, however these requirements may be reduced for social housing or other publicly funded housing. In this instance, the project is for 78 dwelling units, all of which are social housing, and therefore larger units are not required.

### **Vehicular and Bicycle Parking**

Transportation Services staff are satisfied with the proposal for no vehicular residential, visitor, or accessible parking and 87 bicycle parking spaces on the site.

In anticipation of the loss of surface parking on this site, additional public parking spaces to be operated by the Toronto Parking Authority were secured through a rezoning application to construct a 39-storey mixed-use building at 101-105 Spadina Avenue and 363 Adelaide Street West as per City Council's direction in 2020. The below-grade parking garage on that site will contain 70 public parking spaces and is within walking distance of 35 Bellevue Avenue.

The project includes electrical bike charging stations for residents.

### **Access and Servicing**

The draft zoning by-law amendment does not require any loading space on the site. Solid waste will be stored within the building and will be collected through curbside pickup. Staff will continue to explore options for curbside pickup that minimize impacts on existing streets and residences through the site plan process.

Staff also note that the public lane at the southeast corner of the site may provide additional opportunities for accessing and servicing the site. Whereas the existing lane narrows from approximately 5 metres immediately adjacent to the site to 2.5 metres closer to Augusta Avenue, this condition may be improved through future lane widenings.

## **Toronto Green Standard**

The project is expected to meet and likely exceed the targets in the Toronto Green Standard (TGS) version 4 for City Agency, Corporation and Division-owned Facilities. The project is proposed to be energy-efficient, achieving net zero operational carbon through the production of on-site carbon-free energy and offsetting, and having low embodied carbon due to the use of a mass timber structure. The current design includes a green roof and solar-readiness with a dedicated roof top area with the structural capability for future solar panels.

The proposal will continue to be reviewed through the Site Plan process for compliance with the TGS.

## **Environmental Site Condition**

An environmental site assessment has been prepared for the property that recommends a hard capped or fill capped barrier be installed. Details of the proposed remediation will be confirmed through the site plan process.

## **Section 37 Release of Funds**

Development Review and City Planning staff are working with the local Councillor to release Section 37 funds to allocate toward the delivery of this climate-smart affordable housing project.

## **CONTACTS**

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Liam O'Toole, Senior Planner, Strategic Initiatives, Policy & Analysis, City Planning, Tel. No. 416-338-5628, Email: [Liam.OToole@toronto.ca](mailto:Liam.OToole@toronto.ca)

## **SIGNATURES**

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Valesa Faria, Executive Director  
Development Review

Kyle Knoeck, Interim Chief Planner and Executive Director

## **ATTACHMENTS**

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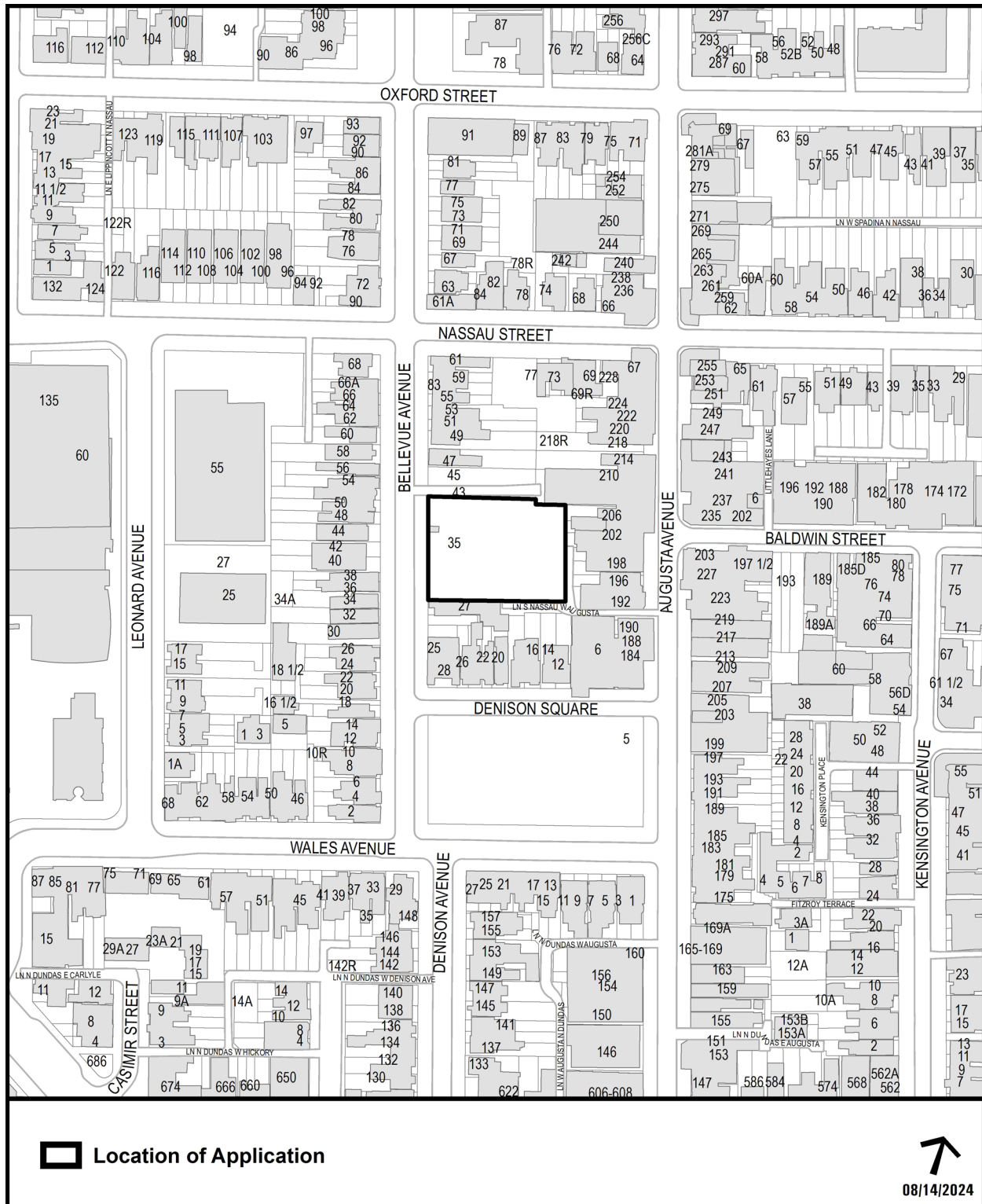
### **City of Toronto Data/Drawings**

- Attachment 1: Location Map
- Attachment 2: Application Data Sheet
- Attachment 3: Official Plan Land Use Map
- Attachment 4: Downtown Secondary Plan
- Attachment 5: Existing Zoning By-law Map
- Attachment 6: Draft Zoning By-law Amendment

### **Applicant Submitted Drawings**

- Attachment 7: Site Plan
- Attachment 8: Elevations

# Attachment 1: Location Map



## Attachment 2: Application Data Sheet

### APPLICATION DATA SHEET

**Municipal Address:** 35 Bellevue Avenue      **Date Received:** August 14, 2024

**Application Number:** 24 198168 STE 11 OZ

**Application Type:** Rezoning

**Project Description:** City-initiated Zoning By-law Amendment to construct a 4-storey residential apartment building containing 78 new affordable dwelling units.

<b>Applicant</b>	<b>Agent</b>	<b>Architect</b>	<b>Owner</b>
City Initiated	City Initiated	Montgomery Sisam Architects Inc.	City of Toronto

### EXISTING PLANNING CONTROLS

**Official Plan Designation:** Neighbourhoods      **Site Specific Provision:** Downtown Secondary Plan

**Zoning:** R (f4.5; d1.0) (x847)      **Heritage Designation:** N

**Height Limit (m):** 13      **Site Plan Control Area:** Y

### PROJECT INFORMATION

**Site Area (sq m):** 2,460      **Frontage (m):** 43.5      **Depth (m):** 57.8

<b>Building Data</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Ground Floor Area (sq m):	0		0	0
Residential GFA (sq m):	0		4,000	4,000
Non-Residential GFA (sq m):				
<b>Total GFA (sq m):</b>	<b>0</b>		<b>4,000</b>	<b>4,000</b>
Height - Storeys:	0		4	4
Height - Metres:	0		11.5	11.5

**Lot Coverage Ratio (%)**: 41%      **Floor Space Index:** 1.63

<b>Floor Area Breakdown</b>	<b>Above Grade (sq m)</b>	<b>Below Grade (sq m)</b>
Residential GFA:	4,000	0
Retail GFA:	0	
Office GFA:	0	
Industrial GFA:	0	
Institutional/Other GFA:	0	

<b>Residential Units by Tenure</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Rental:	0		78	78
Freehold:				
Condominium:			0	0
Other:				
<b>Total Units:</b>	<b>0</b>		<b>78</b>	<b>78</b>

#### **Total Residential Units by Size**

	<b>Rooms</b>	<b>Bachelor</b>	<b>1 Bedroom</b>	<b>2 Bedroom</b>	<b>3+ Bedroom</b>
Retained:					
Proposed:		71	7	0	0
<b>Total Units:</b>		<b>71</b>	<b>7</b>	<b>0</b>	<b>0</b>

#### **Parking and Loading**

Parking Spaces:	0	Bicycle Parking Spaces:	87	Loading Docks:	N/A
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## Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #18

35 Bellevue Avenue

File # 24 198168 STE 11 0Z



Location of Application



Neighbourhoods



Mixed Use Areas



Parks

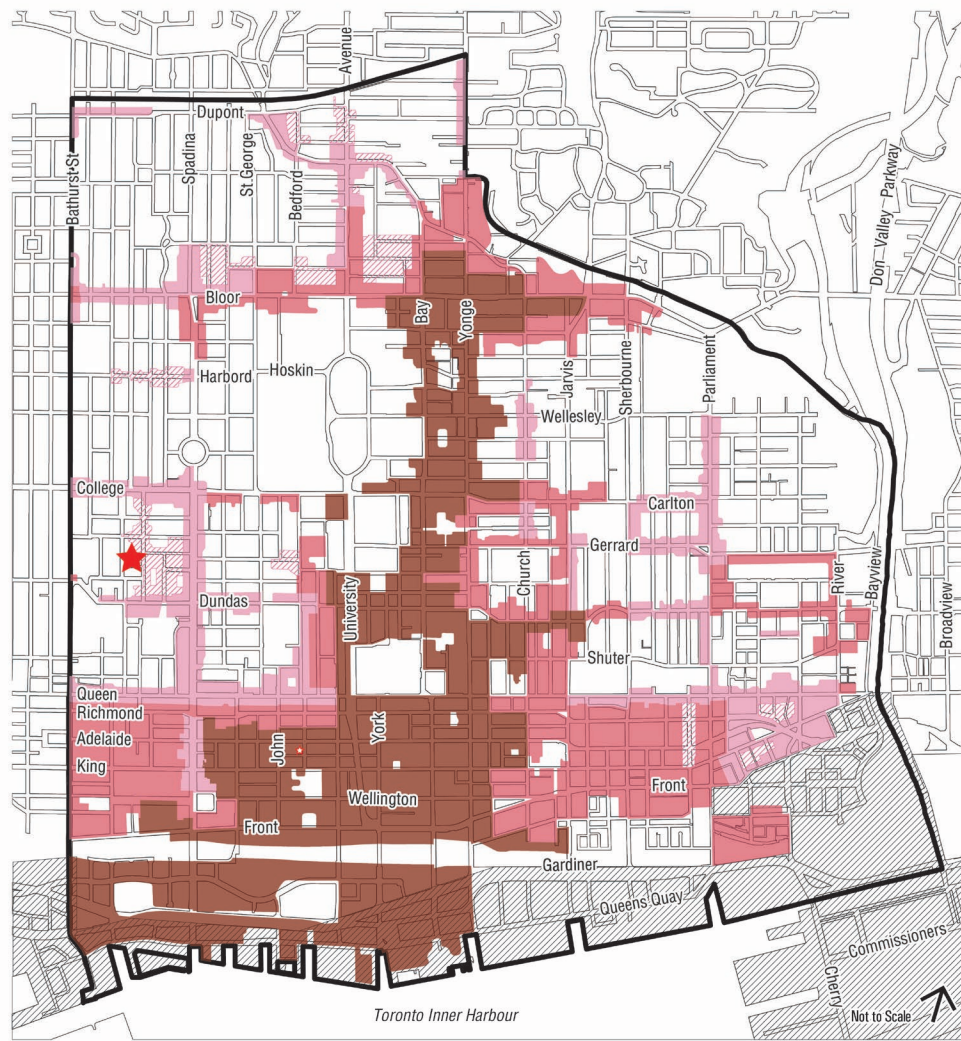


Institutional Areas



Not to Scale  
Extracted: 08/20/2024

## Attachment 4: Downtown Secondary Plan



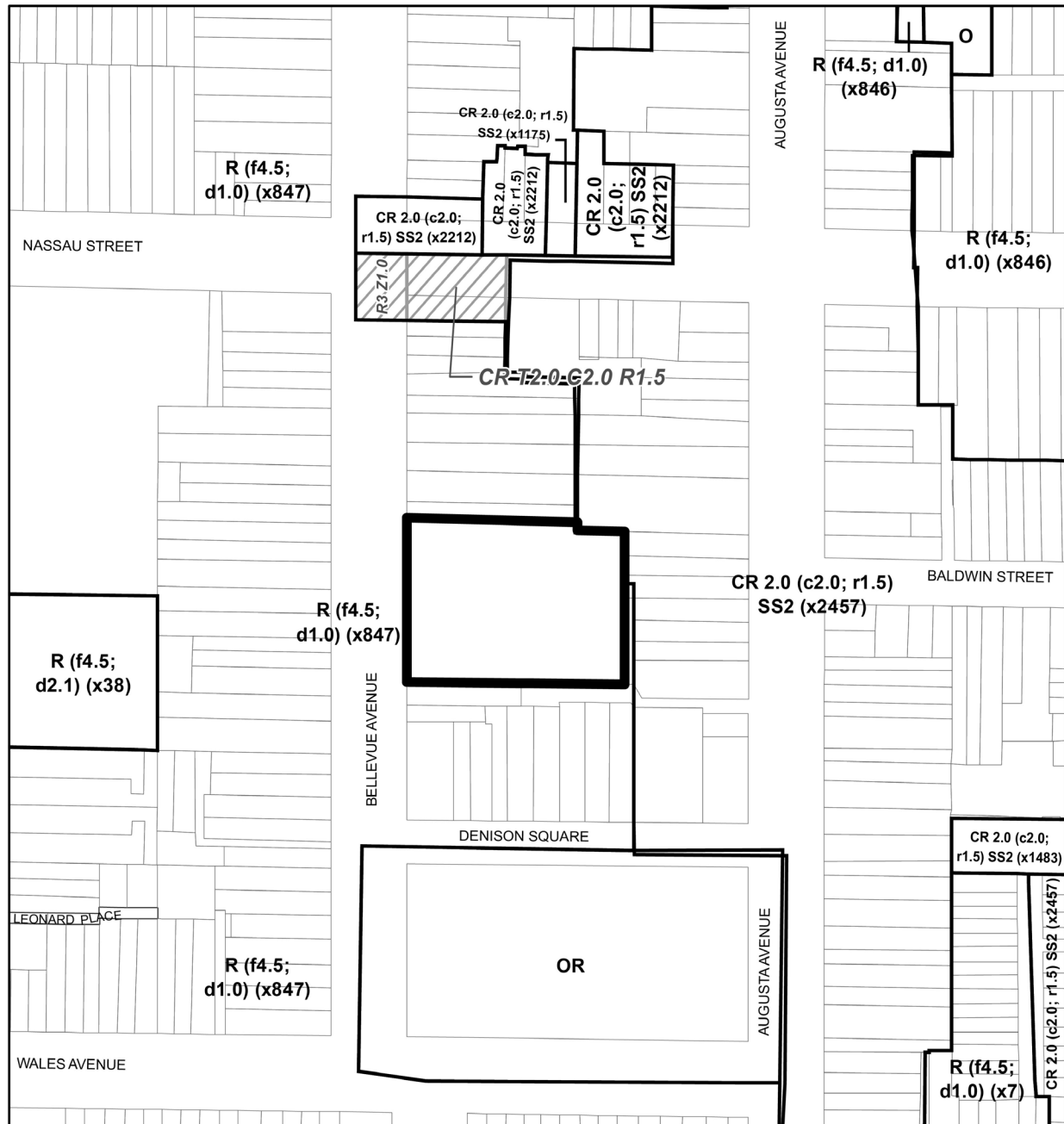
### Downtown Plan

MAP 41-3 Mixed Use Areas

- Downtown Plan Boundary
- Mixed Use Areas 1 - Growth
- Mixed Use Areas 2 - Intermediate
- Mixed Use Areas 3 - Main Street
- Mixed Use Areas 4 - Local
- Central Waterfront Secondary Plan
- Location of Application



# Attachment 5: Existing Zoning By-law Map



**Zoning By-law 569-2013**

**35 Bellevue Avenue**

**File # 24 198168 STE 11 0Z**

Location of Application

**R** Residential  
**CR** Commercial Residential  
**O** Open Space  
**OR** Open Space Recreation

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

**R3** Residential District  
**CR** Mixed-Use District

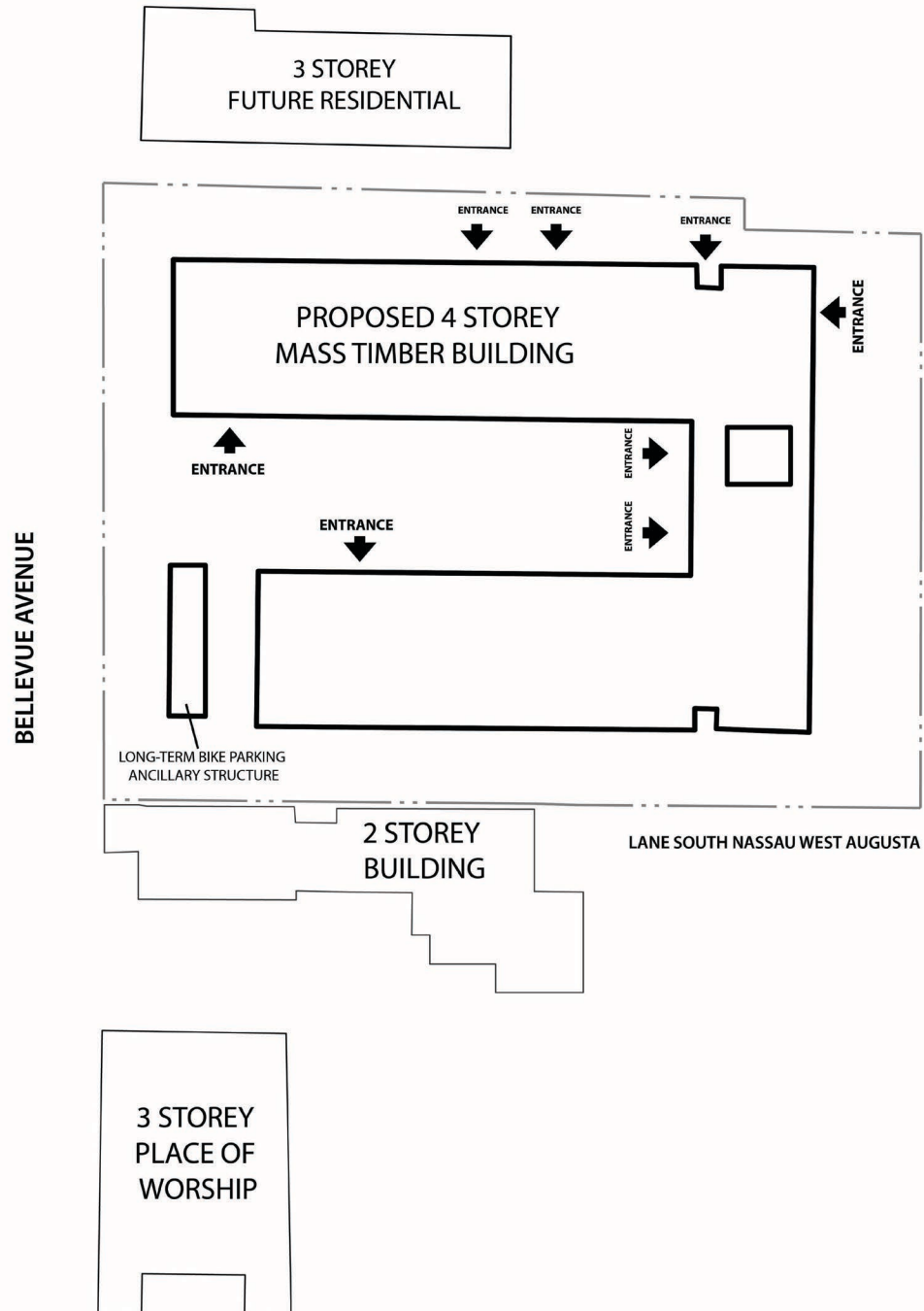


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Extracted: 08/20/2024

## Attachment 6: Draft Zoning By-law Amendment

The draft by-law amendment will be made available on or before the September 26, 2024, Planning and Housing Committee meeting.

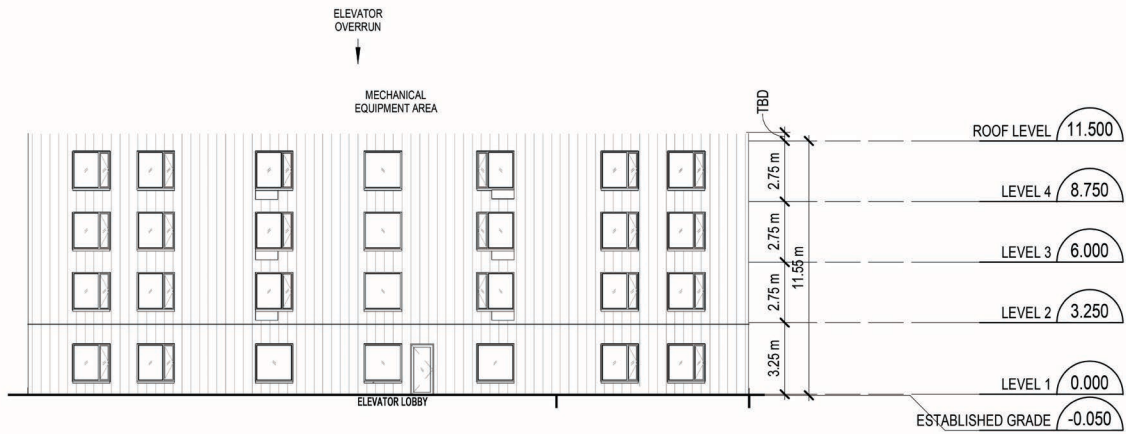
## Attachment 7: Site Plan



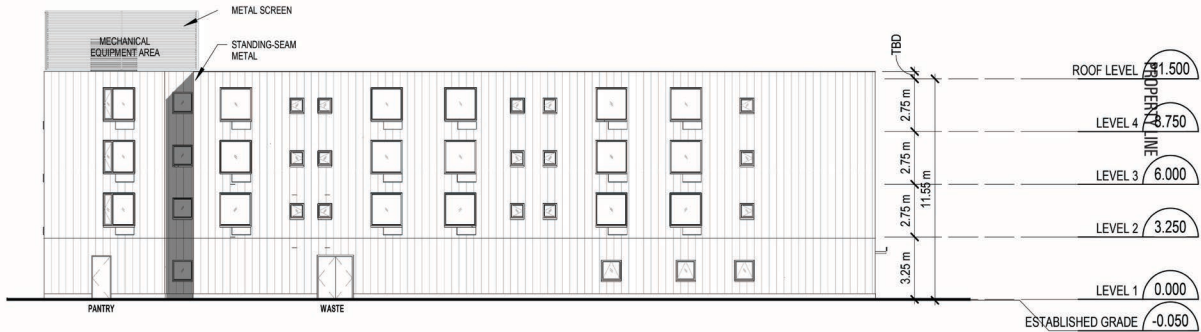
Site Plan



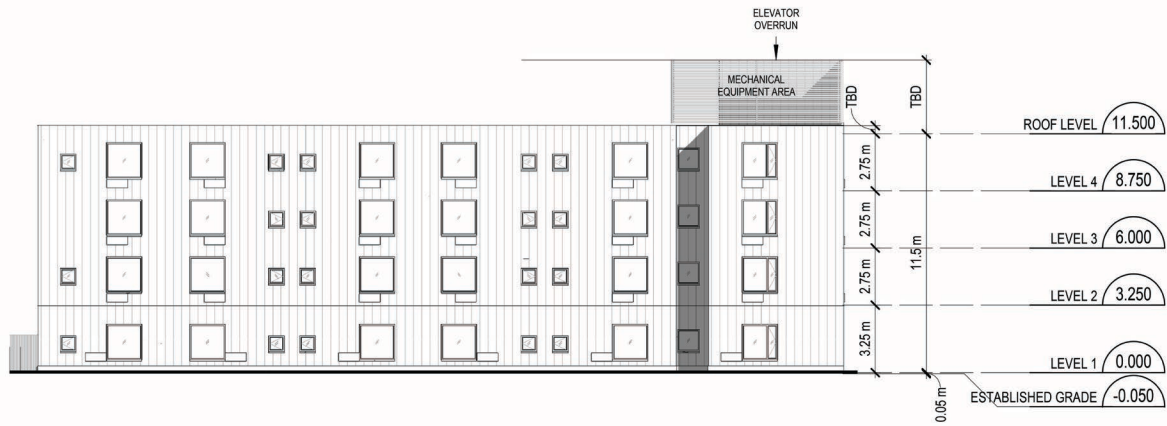
## Attachment 8: Elevations



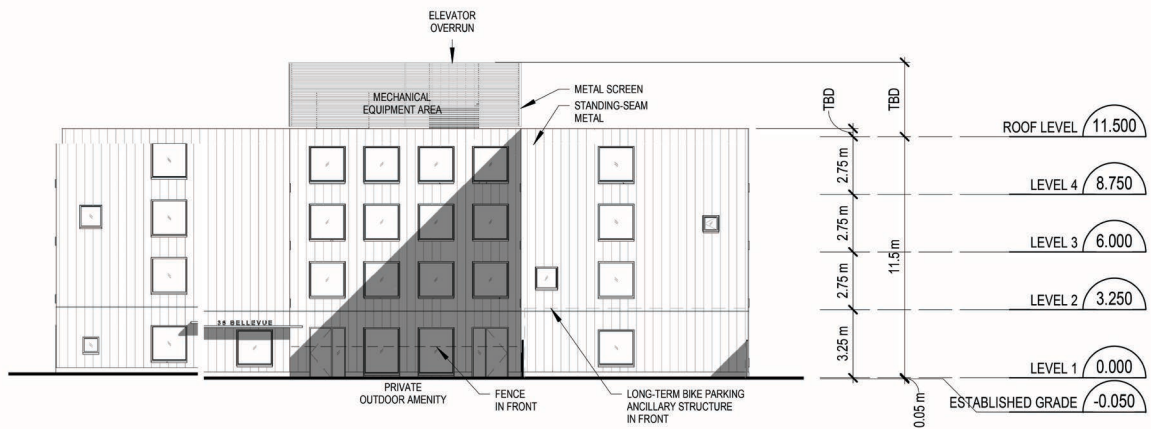
East Elevation



North Elevation



South Elevation



West Elevation