

REPORT FOR ACTION

73, 77, 79 and 83 Woodbine Avenue and 3 Buller Avenue – Official Plan and Zoning By-law Amendment Application – Decision Report – Approval

Date:	June 21, 2024
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Ward:	19 - Beaches-East York

Planning Application Number: 22 128942 STE 19 OZ and 23 168340 STE 19 OZ

SUMMARY

This report reviews and recommends approval of the applications to amend the Official Plan and Zoning By-law to permit a six-storey residential apartment building with 86 condominium units at 73 to 83 Woodbine Avenue and 3 Buller Avenue.

The proposed development is consistent with the Provincial Policy Statement (2020) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). The proposal also conforms to the City's Official Plan. The residential apartment building is an appropriate scale for the site, compatible with surrounding context, and fits with the with character of the neighbourhood.

RECOMMENDATIONS

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

1. City Council amend the Official Plan, for the lands at 73, 77, 79 and 83 Woodbine Avenue and 3 Buller Avenue, substantially in accordance with the draft Official Plan Amendment included as Attachment 5 to this report.

2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 73, 77, 79, and 83 Woodbine Avenue and 3 Buller Avenue substantially in accordance with the draft Zoning By-law Amendment included as Attachment 6 to this report.

3. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and/or draft Zoning By-law Amendments as may be required.

4. Before introducing the necessary Bills to City Council for enactment, require the owner to:

a. Submit a revised Functional Servicing and Stormwater Management Report, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services; and

b. Make satisfactory arrangements to financially secure the construction of any improvements to the municipal infrastructure in connection with the accepted Stormwater Management and Site Servicing Report by the Chief Engineer and Executive Director, Engineering and Construction Services, should it be determined that improvements to such infrastructure are required.

5. City Council request the General Manager, Transportation Services, to review and report back on the feasibility of amending Schedule B of the City of Toronto Municipal Code Chapter 925, Permit Parking, to exclude the development located at 73-83 Woodbine Avenue & 3 Buller Avenue from Permit Parking.

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

On January 19, 2016, City Council adopted By-laws 104-2016 and 105-2016 (2016.TE13.9, application 13 153946 STE 32 OZ) to permit 11 three-storey townhouses with private integral garages, having a residential gross floor area of up to 2,800 square metres, on a shared private driveway. City Council's decision can be found here: http://app.toronto.ca/tmmis/viewAgendaltemHistory.do?item=2016.TE13.9.

A site plan agreement was entered into with then owners and final site plan approval was granted in 2017 under Site Plan Control Application No. 13 153955 STE 32 SA.

A pre-application meeting was held March 30, 2021 to permit a four-storey apartment building with a height of 14.7 metres consisting of 67 units on the site. The application was submitted March 31, 2022 and deemed complete May 16, 2022. At their meeting on June 29, 2022, Toronto and East York Community Council adopted TE34.103, 73-83 Woodbine Avenue and 3 Buller Avenue - Zoning Amendment Application - Preliminary Report authorizing staff to conduct a community consultation meeting. The Toronto and East York Community Council decision can be found here:

https://secure.toronto.ca/council/agenda-item.do?item=2022.TE34.103

In January of 2023, staff conducted an informal pre-application meeting to permit a six storey apartment building which triggered an Official Plan Amendment, a Type "G" loading space and no underground parking. City staff conducted a Community

Consultation Meeting for this application on February 13, 2023. The outcome is summarised in the Comments section of this report.

THE SITE

Description

The site is rectangular in shape and located on the east side of Woodbine Avenue, north of Lakeshore Boulevard East. The site's primary frontage is on Woodbine Avenue; 3 Buller Avenue also has frontage on the site's north-eastern edge. The site has a total area of 2,130 square metres with frontage of 28 metres along Woodbine Avenue and a depth of 70 metres.

Existing Use

The site currently contains four single and semi-detached dwellings that range from one to two storeys that are currently vacant.

THE APPLICATION

Description

The application proposes a six-storey residential apartment building with a height of 23.4 metres (including elevator and stair overruns), with 86 residential units and 5,756 square metres of residential gross floor area. A mid-block connection is proposed on the northern side of the site to connect Woodbine Avenue and Buller Avenue.

Density

The proposal has a density of 2.7 times the area of the lot.

Dwelling Units

The proposal contains 86 residential dwelling units with 58 one-bedroom (67%), 19 twobedroom (22%) and 9 three-bedroom (10%) units.

Access, Bicycle Parking, Vehicle Parking and Loading

The vehicular and pedestrian access for the proposed development is from Woodbine Avenue. A drive aisle is proposed on the northern edge of the site. A mid-block connection for pedestrians will be located north of the drive aisle, providing access through the site to Buller Avenue in the east.

The proposal includes a total of 40 vehicular parking space stackers at grade; 98 bike parking spaces are proposed to be provided, with 80 spaces for long-term bicycle parking located in an outdoor bicycle storage area at the rear and southern sides of the

site along and 18 short-term spaces also located in the rear yard. One type "G" loading space is proposed to be internalized within the northern part of the building.

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 (AIC) at: <u>www.toronto.ca/73Woodbine</u>

Reasons for Application

The Official Plan Amendment is required for the proposal to exceed the four-storey height limitation in a Neighbourhoods-designated area within the Official Plan. The draft Official Plan Amendment is included as Attachment 5 to this report.

The Zoning By-law Amendment application is required to amend Zoning By-law 569-2013 to create appropriate performance standards for building height, depth, building setbacks, and soft landscaping. All amendments to the By-law can be found in the draft Zoning By-law, included as Attachment 6 to this report.

APPLICATION BACKGROUND

Application Submission Requirements

The following reports/studies were submitted in support of the application:

- Arborist Report;
- Construction Management Plan;
- Geotechnical Study;
- Hydrogeological Report
- Hydrological Report;
- Landscape and Lighting Plans
- Planning Rationale;
- Public Consultation Strategy Report;
- Servicing Report;
- Stormwater Management Report;
- Sun/Shadow Study;
- Transportation Impact Study;
- Transportation Operations Assessment; and
- Tree Preservation Plan.

Agency Circulation Outcomes

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City Divisions. Responses received have been used to

assist in evaluating the application and to formulate appropriate Official Plan amendments and Zoning By-law standards.

POLICY AND REGULATION 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 (2020), and shall conform to provincial plans, A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020), the Greenbelt Plan, and others.

Official Plan

The Official Plan Map 3, Right of Way Widths Associated with Major Streets identifies the site as being located on a Major Street. The Official Plan land use designation for the site is Neighbourhoods. See Attachment No. 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: <u>https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/</u>

Zoning

The site is zoned as Residential R (d0.6) (x17) under Zoning By-law 569-2013 with a maximum height limit of 13.25 metres. The maximum permitted density is 0.6 times the area of the lot. The residential zone category permits a range of residential building types including apartment buildings. The exemption to the Zoning By-law relates to the previous Zoning By-law Amendment approval in 2016, permitting a gross floor area of 2,800 square metres with 15 percent of the lot area being landscaping among other performance standards. 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:

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

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

Site Plan Control

The site is subject to Site Plan Control. A Site Plan Control application has been submitted and is under review.

Toronto Green Standard

The Toronto Green Standard is a set of performance measures for green development. Applications for Zoning By-law Amendment and Site Plan Control applications and are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard.

COMMUNITY CONSULTATION

City Planning, in consultation with the Local Councillor, held a virtual Community Consultation Meeting on February 13, 2023. Approximately 38 residents joined the virtual meeting along with the applicant's team. At the meeting, City staff and the applicant team gave presentations on the site and surrounding area, existing planning policy framework, and proposed development. Following the presentations, City staff led a question-and-answer format discussion. Comments and questions included:

- Traffic impacts and speeding;
- Privacy and overlook onto adjacent properties;
- Construction management, particularly related to noise and impact to residents;
- Transition in height to Buller Avenue;
- Process around tree removal, preservation and replacement;
- Opportunities for affordable housing; and
- Providing additional soft landscaping.

The comments have been taken into consideration through further review and discussion with the applicant.

Statutory Public meeting Comments

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

COMMENTS

Provincial Policy 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) (PPS) 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.

Land Use

This application has been reviewed against the Official Plan policies described in the Policy and Regulations Consideration Section of the Report as well as the policies of the Toronto Official Plan as a whole. The application contemplates a more intensive form of development than would be permitted in the site's current Neighbourhoods Official Plan designation.

Staff note while the proposal does exceed the four storey height requirement in Neighbourhood designated lands, the proposed development, specifically the "t" shaped configuration, provides appropriate setbacks and stepbacks that will provide a transition to the adjacent properties.

Staff are of the opinion that the proposed development is appropriate given the context of the surrounding area and will provide a positive addition of housing units to the community.

Public Realm

This application has been reviewed against the Official Plan policies and design guidelines described in the Policy and Regulation Considerations Section of the Report.

The pedestrian clearway along Woodbine Avenue will be 2.1 metres wide, with a 4.8 metre setback from the curb along Woodbine to the building face. Amenity space will be located on the ground floor with entrances along Woodbine Avenue that will animate and maintain the character of the street.

One tree along the public boulevard on Woodbine Avenue is proposed to be removed. One deciduous tree will be replanted to replace the existing tree on the boulevard along with two new deciduous trees south of the front property line along Woodbine Avenue. Three new trees are proposed at the rear of the site with one being adjacent to Buller Avenue. In addition, five new trees are proposed on the southern side of the site adjacent to the property line. Urban Forestry has reviewed the application and are supportive of the soil volume and depth for the new trees.

A mid-block connection is proposed on the northern end of the site to provide public access from Buller Avenue to Woodbine Avenue. The connection will require an easement for public use. Staff consider the proposed mid-block connection to be a positive element of the proposal that will provide better access to the east and west of the site. Staff recommend that the easement be secured in its final design through the Site Plan Control approval process.

Built Form, Height, Massing

City Planning staff find the proposal conforms to the applicable Official Plan policies with respect to the built form and massing and meets the intent of the Mid-Rise Building Guidelines. The proposed building will be compatible with the surrounding context with respect to the built form, massing and transition to the buildings to the north, east and south.

The proposed building setbacks provide an appropriate transition to the adjacent neighbourhoods, and provide appropriate soft landscaping and space for tree growth. The building has a 'T' shape configuration with a front yard setback of 2.8 metres from the property line and side yard setbacks of 1.8 metres on both the northern and southern sides. The side yard setback increases to 5.5 metres on the north and south sides beyond a depth of 12.5 metres. The rear yard setback of 7.5 metres allows for soft landscaping, the addition of new trees and space for bicycle parking.

The height of 19.9 metres (23.4 metres with the stair and elevator overruns) is appropriate and mitigated by stepbacks on the sixth floor. Staff believe the proposed height meets the intent of the Mid-Rise Guidelines suggested height of 19.5 metres on an Avenue with a right-of-way width of 20 metres. The sixth storey has a front stepback of 1.5 metres and a 2.4 metre side yard stepback on the northern side yard and 2.2 metre stepback on the southern side for the front portion of the building. The site plan drawing in Attachment No. 7 illustrates the setbacks, stepbacks and separation distance to adjacent buildings, which allows for an appropriate side yard with soft landscaping and increased privacy.

Access, Parking and Loading

The primary pedestrian access to the residential units is along Woodbine Avenue. Elevator access is provided to all floors across from a stairwell in the middle of the building.

Vehicular access for parking is proposed by a 5.5 metre wide driveway at grade on the northern side of the site. A total of 40 stacked parking spaces are proposed, with 36 for residents and four for visitors. Of the total, three accessible parking space will be provided. A type "G" loading space will be internalized within the northern side of the building.

A total of 98 bicycle parking spaces (18 short-term and 80 long-term) are proposed. Short-term spaces are provided at grade at the rear of the building adjacent to the drive aisle on the northern end of the site. The long-term bicycle parking spaces will be located outdoors and be covered. They will be located at the at the southern side of the building at the front and south eastern side to the rear.

Transportation Services staff have reviewed the Traffic Impact Assessment and Traffic Operations Assessment which concludes that the traffic generated by the development will not negatively impact the road network. In addition, the site is close to public transit and bike routes for alternative modes of transportation. Transportation Services staff are satisfied with its findings and conclusions.

Housing Issues

The Official Plan directs that a full range of housing in terms of form, tenure and affordability be provided to meet the current and future needs of residents. In addition, the Growing Up Guidelines direct that 15 percent of the total unit count should be two bedroom units and 10 percent should be three bedroom units. The development generally meets the intent of the Official Plan and Growing Up Guidelines, proposing 22 percent of the total units to be two bedroom units and ten percent to be three bedroom units.

The applicant will be subject to a Community Benefit Charge (CBC) requirement at the time of Building Permit issuance. The CBC can be satisfied by a cash payment or an inkind contribution, provided both the applicant and City agree to the proposal, and are directed towards growth-related capital facilities and matters consistent with the CBC Strategy adopted by City Council on August 15, 2022.

Amenity Space

The proposal includes a total of 351 square metres. A total of 112 square metres of indoor amenity space is located at the front of the building on the ground floor and 237 square metres of outdoor amenity space is located on the ground floor and rooftop. The proposal exceeds Zoning By-law 569-2013 standards in Residential zones of four square metres per unit.

Open Space/Parkland

In accordance with Section 42 of the Planning Act, the Owner is required to satisfy the parkland dedication requirement through cash-in-lieu. As per Toronto Municipal Code Chapter 415-29, the appraisal of the cash-in-lieu will be determined under the direction of the Executive Director, Corporate Real Estate Management. Additionally, the Toronto Municipal Code Chapter 415-28, requires that the payment be made prior to the issuance of the first above-ground building permit for the land to be developed.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees by-law) and III (Private Tree by-law). An arborist report and tree protection plan were submitted that note a total of 23 trees on and in proximity to the site. The applicant is proposing to preserve one tree in the public boulevard and remove 16 trees due to the proposed construction. As a result, the applicant will replant 11 new trees to replace the trees that will be removed. Urban Forestry staff have requested that additional private replacement trees be planted, however due to size constraints with the proposed building and the new trees, staff are open to accepting a cash in lieu option.

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 TGS. 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. Performance measures for the Tier 1 development features will be secured through the Zoning By-law.

Servicing

The applicant has submitted a Functional Servicing and Stormwater Management Report containing in support of the Zoning By-law Amendment application. Engineering and Construction Services (ECS) staff have reviewed the report in terms of compliance with the design criteria for Sewers and Watermains and the City's Sewer Capacity Assessment Guidelines to confirm there is adequate capacity to service the development. At this time, additional information is required in the form of a revised Functional Servicing and Stormwater Management Report. Should it be determined that upgrades and/or road improvements are required to support the development, the owner should be required to enter into a Municipal Infrastructure Agreement to financially secure the construction of any improvements to the municipal infrastructure.

Staff are recommending that these matters be addressed prior to the bills proceeding to City Council for the proposed development.

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020) and the Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2020) and does not conflict with the Growth Plan (2020). The proposal is in conformity with the intent of the Official Plan and City Guidelines, providing a range of dwelling units that fits within the existing low-scaled residential context.

Staff worked with the applicant and the community to address and resolve key concerns, including appropriate building setbacks, stepbacks and adequate transition to the adjacent neighbourhoods. This proposal increases housing supply and unit mix while contributing to the built form character along Woodbine Avenue. Staff recommend that Council support approval of the application.

CONTACT

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SIGNATURE

Carly Bowman, M.Sc.Pl., MCIP, RPP Director Community Planning, Toronto and East York District

ATTACHMENTS

City of Toronto Data/Drawings

Attachment 1: Application Data Sheet

Attachment 2: Location Map

Attachment 3: Official Plan Land Use Map

Attachment 4: Existing Zoning By-law Map

Attachment 5: Draft Official Plan Amendment

Attachment 6: Draft Zoning By-law Amendment

Applicant Submitted Drawings

Attachment 7: Site Plan

Attachment 8: North Elevation

Attachment 9: East and West Elevations

Attachment 10: South Elevation

Attachment 11: 3D Massing Model - North East View

Attachment 12: 3D Massing Model - South West View

Attachment 1: Application Data Sheet

Municipal Address:	73-83 WOODBINE AVE AND 3 BULLER AVE	Date Received:	March 31, 2022	
Application Number:	22 128942 STE 19 C	Z		
Application Type:	Official Plan and Zoning By-law Amendment			
Project Description:	To permit a six-storey residential apartment building with 86 units.			
Applicant	Agent	Architect	Owner	
BOUSFIELDS INC	DAVID CHARZENKO	RAW ARCHITECTS	BEACHWOOD REALTY INC	

EXISTING PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	(x17)
Zoning:	R (d0.6) (x17)	Heritage Designation:	Ν
Height Limit (m):	13.25	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 2,132	Frontag	je (m): 30	Depth (i	m): 70
Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	-	-	1,068	1,068
Residential GFA (sq m):	-	-	5,756	5,756
Non-Residential GFA (sq m):	-	-		
Total GFA (sq m):			5,756	5,756
Height - Storeys:	2	-	6	6
Height - Metres:	10	-	19.9	19.9
Lot Coverage Ratio 58 (%):		Floor Spac	e Index: 2.70	

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)	
Residential GFA:	5,765	-	
Retail GFA:	-	-	
Office GFA:	-	-	
Industrial GFA:	-	-	
Institutional/Other GFA:	-	-	

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	-	-	-	-
Freehold:	-	-	-	-
Condominium:	-	-	-	-
Other:	-	-	86	86
Total Units:			86	86

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:	-	-	-	-	-
Proposed:	-	-	58	19	9
Total Units:	-	-	58	19	9

Parking and Loading

Parking 40 Bicycle Parking Spaces: 98 Loading Docks: Spaces:	1
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Attachment 2: Location Map





Attachment 3: Official Plan Land Use Map

Attachment 4: Existing Zoning By-law Map



Attachment 5: Draft Official Plan Amendment

Authority: Toronto and East York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO Bill XXX BY-LAW XXX-2023

To adopt Amendment No. 746 to the Official Plan for the City of Toronto respecting the lands known municipally in the year 2023, as 73, 77, 79 and 83 Woodbine Ave and 3 Buller Avenue

Whereas authority is given to Council under the Planning Act, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act;

The Council of the City of Toronto enacts:

1. The attached Amendment No. 746 to the Official Plan is hereby adopted pursuant to the Planning Act, as amended.

Enacted and Passed this ~ day of ~, A.D. 20~.

Frances Nunziata,

Speaker

ULLI S. WATKISS, City Clerk

(Seal of the City)

AMENDMENT NO. 746 TO THE OFFICIAL PLAN LANDS MUNICIPALLY KNOWN IN THE YEAR 2023 AS 73, 77, 79 and 83 Woodbine Avenue and 3 Buller Avenue

The Official Plan of the City of Toronto is amended as follows:

1. Chapter 7, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy No. 887 for lands known municipally in 2023 as 73, 77, 79 and 83 Woodbine Avenue and 3 Buller Avenue, as follows:

887. 73, 77, 79 and 83 Woodbine Avenue and 3 Buller Avenue

A 6-storey apartment building is permitted on the lands and may include a structure on the roof that contains enclosed stairwells and elevators.



2. Chapter 7, Map 32, Site and Area Specific Policies, is revised to add the lands known municipally in 2023 as 73, 77, 79, and 83 Woodbine Avenue and 3 Buller Avenue shown on the map above as Site and Area Specific Policy No. 887.

Attachment 6: Draft Zoning By-law Amendment

(To be available prior to the July 10, 2024, Toronto and East York Community Council Meeting)



Site Plan

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Attachment 8: North Elevation



TO Mechanical 23.40m TO 6th FL 19.90m North Elevation

Attachment 9: East and West Elevations

TO Mechanical 23.40m TO 6th FL 19.90m



East Elevation

TO Mechanical 23.40m TO 6th FL 19.90m



West Elevation

Attachment 10: South Elevation



South Elevation







