

464 Royal York Road – Official Plan Amendment and Zoning Amendment Application – Appeal Report

Date: January 30, 2025

To: Etobicoke York Community Council

From: Acting Director, Community Planning, Etobicoke York District

Ward: 3 - Etobicoke-Lakeshore

Planning Application Number: 24 113800 WET 03 OZ

SUMMARY

On February 9, 2024, the applicant submitted an application to amend the Official Plan and Zoning By-law to permit a 12-storey purpose-built rental residential building with 112 dwelling units totaling 11,267 square metres of residential gross floor area. A total of 61 parking spaces are proposed. A publicly accessible area is proposed at the south end of the site, which would include a new pedestrian walkway connection to the north-south public laneway and Royal York Road.

On November 28, 2024, the applicant appealed the application to the Ontario Land Tribunal ("OLT") citing City Council's failure to make a decision on the application within the 120-day time frame in the *Planning Act*.

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

RECOMMENDATIONS

The Director, Community Planning, Etobicoke 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 Official Plan Amendment and Zoning By-law Amendment application appeal for the lands at 464 Royal York Road, and to continue discussions with the applicant to resolve outstanding issues.
2. City Council authorize the City Solicitor and City staff to take any necessary steps to implement City Council's decision including requesting any conditions of approval that would be in the City's interest, in the event the Ontario Land Tribunal allows the appeal is allowed, in whole or in part.

FINANCIAL IMPACT

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.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the information as presented in the Financial Impact Section.

DECISION HISTORY

A pre-application consultation meeting (PAC) was held on August 3, 2022, with no subsequent submission. A mandatory pre-application consultation (PAC) meeting was held on January 30, 2024. The current application was submitted February 29, 2024 and deemed complete as of July 24, 2024. Staff conducted a Community Consultation Meeting for the application on September 5, 2024. Community consultation is summarized in the Comments section of this Report.

THE SITE AND SURROUNDING LANDS

Description

The site is comprised of one property fronting Royal York Road to the east and Oxford Street to the north. The site has an area of approximately 2,440 square metres and is generally rectangular in shape, with frontages of 33.9 metres along Oxford Street, and 75.35 metres along Royal York Road.

Oxford Street terminates with a cul-de-sac to the north of the property. A north-south public laneway abuts the west lot line of the property, and connects Oxford Street at the north and Evans Avenue to the south. The Royal York Road bridge, which crosses above the Gardiner Expressway, directly abuts the east property line.

The Royal York Road bridge, which crosses above the Gardiner Expressway, directly abuts the east property line and establishes a steep grade separation for a majority of the site. Despite having a Royal York Road address, currently no fully accessible access to Royal York Road is available from the site. Due to the grade separation between the site and the top of the bridge, the site is experienced in its totality from the west adjacent low-rise Neighborhoods, more so than Royal York Road to the east.

Existing Uses: 464 Royal York Road is occupied by a one-storey brick industrial building.

See Attachment 2 for the Location Map.

Surrounding Uses

North: The Gardiner Expressway runs east-west directly north of the site, beyond Oxford Street.

East: The Royal York Road bridge overpass abuts the site. The east side of Royal York Road is designated *Neighbourhoods*, and consists of low-rise one- to three-storey dwellings, inclusive of single unit dwellings and multiplexes. Southeast of the site, a block of three-storey townhouses fronts Royal York Road, on the east side of the street.

South: Lands are designated *Neighbourhoods* directly south of the site, and consist of five two- to three-storey multiplexes. Lands south of Evans Avenue, which front Royal York Road, are designated *Mixed Use Areas*.

West: A public lane directly abuts the site, and connects Oxford Street to Evans Avenue. Lands are designated *Neighbourhoods* directly west of the site, and consist of one- to three-storey residential dwellings, inclusive of single unit dwellings and multiplexes.

THE APPLICATION

Description

The application proposes a 12-storey (36.7 metres, plus a 4.5-metre mechanical penthouse above) purpose-built rental residential building.

Staff note, a resubmission was made on November 22, 2024, to address comments received in the first circulation. The summation of the main changes reflected in the resubmission, which are not to be taken as a fulsome list, include:

- Amend the Official Plan to redesignate the land from *Neighbourhoods* to *Apartment Neighbourhoods*, instead of *Mixed Use Areas* as previously proposed.
- Rezone the lands to from Class 1 Industrial (I.C1) to Residential Apartment (RA), instead of Commercial Residential (CR) as previously proposed.
- A reduction in unit count from 113 to 112.
- Relocating one vehicular parking garage entrance from the western building face via the public laneway to the north building face via the Oxford Street cul-de-sac.
- An increase in visitor parking spaces from zero to eight.
- A removal of projecting balconies and supporting columns at parts of the south and southeast building face.
- Shifting the 10th floor outdoor amenity area further away from the Gardiner Expressway.
- New tree planting locations.
- Technical revisions and report updates in response to Engineering Review, Bridges and Structures, and Transportation Services.

The resubmission is not of substantive difference to the original submission, and Staff remain opposed to the key issues identified within the Comments section of the report.

Gross Floor Area

Total of 11,267 square metres of residential gross floor area.

Density

The proposal has a density of 5.12 times the area of the lot, net of land conveyances, and a density of 4.62 times the area of the lot prior to conveyances.

Residential Component

The proposal includes 112 rental dwelling units; 0 studio (0%), 48 one-bedroom (43%), 53 two-bedroom (47%), and 11 three-bedroom units (10%).

Non-Residential Component

The proposal includes no non-residential uses.

Access, Parking and Loading

Vehicular access to the site is proposed at two locations. The at-grade vehicle parking spaces would be accessed via an at-grade driveway from the north side of the property, adjacent to the residential building entrance. The below grade parking level would be located at the south end of the site, and would be accessed via the public laneway. The Type G loading space is proposed as an external layby area on the west side of the building, which would be accessed from the public laneway.

The proposal includes a total of 61 vehicular parking spaces, of which 53 are residential spaces and eight are visitor spaces, within one level of underground parking and one level of at-grade parking enclosed within the building. Two accessible vehicular spaces are proposed. A total of 85 bike parking spaces are proposed, of which 77 would be long-term spaces and eight would be short-term spaces, located at the below grade and at-grade parking levels. An additional 10 public bike parking spaces are proposed at-grade adjacent to north building entrance. A private bicycle room is proposed at the south end of the building, with a direct connection to the proposed POPs. One external Type G loading space is proposed.

A 2.95-metre road widening is required along the west side of the property to achieve a six-metre-wide public lane. A 0.8-metre-wide triangular road widening is required along the Royal York Road frontage to achieve the planned right-of-way width of 27 metres under the Official Plan.

A pedestrian walkway, with a slope of 5.6%, is proposed along the south property line to connect the public laneway to Royal York Road. A pedestrian clearway easement, or public access easement, is required to permit public access over this walkway.

Additional Information

See the attachments of this Report for the Application Data Sheet, Location Map, a site plan, elevations, and 3D massing views 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/464RoyalYorkRd.

Reasons for Application

The Official Plan amendment is to redesignate the lands from *Neighbourhoods*, which only permits four-storey buildings, to *Apartment Neighbourhoods*. The applicant submitted a Site and Area Specific Policy (SASP) amendment, as an additional layer of policy to the *Apartment Neighbourhoods* designation for the proposed height and density of the proposal.

The Zoning By-law amendment is to rezone the lands from Class 1 Industrial (I.C1), under the former Etobicoke Zoning By-law 11,737 to the Residential Apartment Zone (RA), and propose site-specific development standards to implement the development.

APPLICATION BACKGROUND

A pre-application consultation (PAC) meeting was held on August 3, 2022, with no subsequent submission. An additional mandatory PAC meeting was held on January 30, 2024, because the original Planning Application Checklist expired.

The Planning Application Checklist Package resulting from the January 30, 2024 PAC meeting is available on the Application Information Centre.

The current application was submitted February 29, 2024, and deemed complete as of July 24, 2024, satisfying the City's minimum application requirements. The reports and studies submitted in support of this application are available on the Application Information Centre www.toronto.ca/464RoyalYorkRd.

Application Requirements

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

- Arborist Report
- Air Quality Study
- Block Context Plan
- Bridge Impact Memos
- Compatibility and Mitigation Study
- Draft Official Plan Amendment
- Draft Zoning By-law Amendment
- Functional Servicing Report
- Geotechnical Report
- Hydrological Report
- Noise Impact and Vibration Study
- Pedestrian Level Wind Study

- Phase 1 and 2 Environmental Site Assessment
- Planning Rationale
- Public Consultation Strategy Report
- Shadow Study
- Stormwater Management Report
- Transportation Impact Study.

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.

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

Official Plan

The [Official Plan](#) designates the subject site as *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.

Zoning

The subject site is zoned Class 1 Industrial (I.C1) under the former Etobicoke Zoning By-law 11,737. The I.C1 zoning category permits a range of non-residential uses, and a limited permission for residential uses. See Attachment 4 of this Report for the existing Zoning By-law Map.

Design Guidelines

The following [design guidelines](#) have been used in the evaluation of this application:

- Tall Building Design Guidelines.
- Mid-Rise Building Performance Standards and Addendum and the updated Mid-Rise Building Design Guidelines.
- Growing Up Guidelines for Children in Vertical Communities.
- Design Guidelines for Privately Owned Publicly Accessible Spaces (POPS).
- Pet Friendly Design Guidelines for High Density Communities.
- Toronto Accessibility Design Guidelines.

Toronto Green Standard

The Toronto Green Standard (TGS) is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the TGS. Tiers 2 and above are voluntary, higher levels of performance with financial incentives (partial development charges refund). Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

PUBLIC ENGAGEMENT

Community Consultation

On September 5, 2024, Community Planning staff held a Virtual Community Consultation meeting. A total of five members of the public attended, as well as staff from the Ward Councillor's office. Following a presentation by City staff and the applicant, the following comments and issues were raised by the public:

- Concerns for the lack of community services and amenities in the area to support additional density.
- Concerns about the potential impact to the transportation network, in particular traffic on Royal York Road and on-street parking in the residential areas.
- Concerns the proposed built form is too tall and dense for the area.
- Concern about construction impacting the existing above grade hydro lines along the public laneway.
- Concerns about snow removal responsibility of the laneway.
- Concern about affordable housing not included in the proposal.

The issues raised through the community consultation process have been considered through the review of the application and commented on as necessary in the body of this Report.

COMMENTS

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 have reviewed the current proposal for consistency with the Provincial Planning Statement (2024) (PPS 2024). Staff find the proposal to be inconsistent with the PPS (2024).

The PPS states that Municipal Official plans are the most important vehicle for implementation of the PPS and for achieving comprehensive, integrated and long-term planning. Official plans shall identify provincial interests and set out appropriate land use designations and policies. Official plans shall provide clear, reasonable and

attainable policies to protect provincial interests and facilitate development in suitable areas.

The proposed development does not achieve an appropriate built form and site organization for the area as planned for in the Official Plan. Development shall not be designed with negative impacts to surrounding uses from the perspective of height and density. The proposed site organization fails to implement policies of the Official Plan to achieve safe, accessible, and transit supported development. Further, the proposed built form does not appropriately utilize the Mid-Rise Building Performance Standards and Addendum and the updated Mid-Rise Building Design Guidelines, as tools to achieve policies of the PPS and Official Plan through an appropriately scaled building.

Among policies in the PPS, improving accessibility for people of all ages and abilities, and improving social equity and overall quality of life for people of all ages and abilities shall be implemented in development.

The accessible needs for those of all ages and abilities are not achieved as the proposed accessible pedestrian walkway exceeds the maximum slope requirement of 5% under the Accessibility for Ontarians Disabilities Act (AODA).

Further, the proposed outdoor layby Type G loading space at the southwest corner of the building for waste removal and alternative loading necessities may cause harm to all potential users of the site such as pedestrians, cyclists accessing the proposed bicycle facilities, building maintenance staff, residents, pets, and vehicles accessing or exiting the underground parking garage. The applicant's proposal demonstrates that the Type G loading space may utilize Evans Avenue for forward movements, however, due to insufficient lane width of three metres this would not be acceptable.

Significant on-site vehicular and pedestrian conflicts may occur over the long-term should the development be constructed as proposed and the site organization remain in its current form.

The PPS plans for development to use land and resources efficiently, optimize existing and planned infrastructure and public service facilities, supports active transportation, and are transit-supportive.

The proposed development proposes a vehicular parking supply of 61 spaces, inclusive of residential and visitor spaces. To achieve 61 vehicular parking spaces, the applicant proposes one level of below grade parking and one level of at-grade parking within the building's footprint. This is not the most efficient use of land and resources, as it requires the building to increase in size, which emphasizes the prioritization of single occupancy use vehicles. A reduction to the vehicular parking supply can lead to a more efficient use of land, in particular building scale and site organization, to resolve issues raised above, further support active transportation, and utilize existing transit options given the site's proximity to the Mimico GO Transit Station (11+- minute walk or four+- minute bicycle ride), Royal York Road cycling infrastructure, and 10-minute TTC bus service on Royal York Road.

In consideration of the above, and further reasoning in the Official Plan Policies section of this report, the subject application is not consistent with the PPS. As proposed, the development does not result in good planning given multiple site organization, built form, accessibility, and public realm issues remain.

Official Plan Policies and Design Guidelines

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

Official Plan Section 3.1.3, amongst others, consists of policies for appropriate built form. Site Organization and Location policy 3.1.3.1 states that development will be located and organized to fit with its existing and planned context. It will frame and support adjacent streets, lanes, parks and open spaces to promote civic life and the use of the public realm, and to improve the safety, pedestrian comfort, interest and experience, and casual views to these spaces from the development. Policy 3.1.3.4 ensures that development will locate and organize vehicle parking, vehicular access and ramps, loading, servicing, storage areas, and utilities to minimize their impact and improve the safety and attractiveness of the public realm, the site and surroundings.

The proposed development's organization has an overall lack of cohesion and efficient functionality, in particular, but not limited to, pedestrian/vehicular access and egress which consists of multiple vehicular access points abutting key on-site pedestrian areas instead of consolidating vehicular accesses to the public lane. The location of the residential entrances lack prominence from the public street. Policy directs development to limit above-ground parking structures, and instead encourages active uses and attractive building facades fronting onto public streets and sidewalks. The proposed ground floor uses are predominantly comprised of vehicular parking, a bicycle parking room with maintenance, a garbage room, and alternative storage, with only a minor area dedicated for the residential lobby and mail room.

The proposed external layby Type G space, for functions such as waste removal and heavy day-to-day loading activities, abuts a prominent vehicle, pedestrian, cyclist, accessible, and pet area location of the proposal where an increased potential for dangerous vehicle conflicts with all users of the site exists.

Further, the Building Shape, Scale, and Massing section of the Official Plan, specifically, but not limited to, policies 3.1.3.5 and the Mid-Rise Building Policies 3.1.4.4, ensure that development will be located and massed to fit within the existing and planned context, define and frame the edges of the public realm with good street proportion and have heights generally no greater than the width of the adjacent right-of-way. While staff support mid-rise intensification of the subject lands, the proposed building height does not maintain a proportionally scaled relationship to Royal York Road. Due to the unique grading relationship along the right-of-way, additional building height greater than 27 metres can be accommodated, however, the proposed height up to 12 storeys (36.7 metres), plus mechanical penthouse is of concern.

The Improving the Public Realm Through Building Design Section of the Official Plan, particularly, but not limited to, policies 3.1.3.9 and 3.1.3.10 are to consider the scale, proportion, materiality and rhythm of the facade by breaking up long facades in a manner that respects and reinforces the existing and planned context and ensures grade relationships provide direct access and views into and from the public realm. Further, these policies ensure development promotes civic life and provides amenity for pedestrians in the public realm to make areas adjacent to streets attractive, interesting, comfortable, and functional.

As proposed, the 12-storey development, does not appropriately break up the long building facade to respect and reinforce the existing and planned context as required under current policy, Mid-Rise Building Performance Standards and the draft Mid-Rise Building Guidelines

Staff recognize the constraints demonstrated by the Royal York bridge substructure, which requires a five-metre setback where no structures, above or below grade, or trees can be located inside of. A large area between the east building face and the existing bridge remains unprogrammed with limited visual overlook for safety. While staff are understanding of this constraint, the prioritization of vehicular parking along this interface is impacting the ability to deliver a safe and attractive, site condition.

The applicant proposes a Privately Owned Publicly Accessible Space (POPS) at the south end of the site, which is inclusive of a pedestrian walkway connection to the proposed private bicycle room, a bench and one tree. The remainder of the south side of the site is dedicated to a two-lane reverse slope driveway to the underground garage, access to the layby loading, all of which is planned for within a 10.3-metre ground floor setback to the south property line. Staff recommended the applicant to relocate the underground garage ramp entrance to the west or the north. This change could lead to a more expansive POPS area, a stronger, safer, and attractive relationship to the public realm, and achieve an AODA compliant (2% to 5% slope) accessible walkway connection between the public laneway and Royal York Road.

The Private and Shared Amenity Spaces section of the Official Plan, specifically policy 3.1.3.13 states outdoor amenity should be located at or above grade, and provide comfortable wind, shadow, and noise conditions. The applicant has provided updated plans shifting the proposed 10th floor outdoor amenity further south away from the Gardiner Expressway and includes a noise barrier around the amenity space. A third-party Peer Review would be required to confirm if the proposed amenity space relocation and the building, with associated mitigation measures, is satisfactory.

Land Use

Staff are not opposed to the redesignation of the subject lands to *Apartment Neighbourhoods*. Further assessment of the submitted Compatibility Mitigation Study will be necessary to determine any site specific mitigation measures should the OLT allow the appeal, or if conversations between the applicant and staff continue.

Density, Height, Massing

As noted in the previous section, the subject application has not demonstrated it is of appropriate height, density, massing and scale, given its place within the urban structure.

Policy 4.2.2 a) and c) of the Official Plan, among others, ensures development within *Apartment Neighborhoods* has appropriate regard for the massing of new buildings and to maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets. Further regard to adequately limit shadow impacts on public space and to ensure wind conditions are comfortable for pedestrians in adjacent streets.

Further to the above, the proposed development is much greater than the planned right-of-way of Royal York Road, which is 27 metres. Intensification of these lands must be done in a way that has appropriate regard for policies of the Official Plan, inclusive of appropriate mid-rise height, massing, and scale, and effectively demonstrate that current design guidelines are being utilized to implement the vision of the Official Plan.

The applicant should reduce the height and density of the proposed development or implement specific building articulations to break up the long slab like massing and mitigate the impacts of the proposed 12-storey rear (west) streetwall which is present for a majority of the west building face, plus the continuous MPH above.

Doing so can mitigate impacts of shadows, and adverse wind conditions, establishing a better pedestrian scale experience from surrounding public areas, and help frame future development along the street with an appropriate contextually sensitive urban form.

Public Realm

Further to comments and policies listed above, the proposal influences how the public realm is experienced, which is a critical component of building a successful city.

The Public Realm Section of the Official Plan, 3.1.1, speaks to designing buildings and public spaces together. These elements form a well-connected, walkable, attractive, safe, functional, and accessible network which supports communities at a range of scales and characters.

Policy 3.1.1.1 states the public realm is comprised of all public and private spaces to which the public has access. It is a network that includes, but is not limited to, streets and lanes, parks and open spaces, and the parts of private and public buildings that the public is invited into.

The proposed development includes an expansion to the public laneway system, a new walkway connection from the lane to Royal York Road, and a POPS area. Policy 3.1.1.2, among others, has regard to providing a comfortable, attractive and vibrant, safe and accessible setting for civic life and daily social interaction. The public realm is also to encourage opportunities for passive and active recreation.

As proposed, the south side of the site is confined due to the amount of space dedicated to accessing the underground garage. There remains a high potential for

conflicts between vehicles, pedestrians, cyclists, and all other users of the site. The applicant's proposed POPS area lacks functionality, programming, and utility for the public. More attention should be brought to this area of the site to enhance the public realm, by making the space more attractive, safe, and accessible.

Policy 3.1.1.10 acknowledges that lanes form part of the public realm, and that lanes will be public and opportunities for lane enhancements should be identified as part of the development approval process. Where appropriate, lanes should be designed with consideration for safe, accessible and comfortable pedestrian and cyclist movement.

The southwest area of the site is highly congested with multiple vehicular uses, including outdoor loading and waste removal, access to the underground garage, as well as the movement of vehicles between Oxford Street to the north and Evans Avenue to the south. This abuts the proposed accessible walkway which has not achieved a maximum 5% slope, and the walkway connecting to the proposed bicycle room. The current design does not foster a safe, accessible, and comfortable experience for both pedestrians and cyclists.

Further to Public Realm policies of the Official in Section 3.1.1, the *Apartment Neighbourhoods* designation has development policies that also directly relate to protecting and establishing a safe, functional, green, and accessible public realm experience. Policies 4.2.2, specifically, but not limited to, e), g), and h), are not implemented within this proposal.

The outdoor layby loading space has adverse impacts to public space and publicly accessible private space. The at-grade parking garage is a limited use that does not foster a safe and engaging environment at a site that is already constrained between a highway, public lane, a bridge structure with significant grade differences. Finally, the proposed pedestrian connection between the public lane and Royal York Road does not achieve a maximum slope of 5%, which does not meet AODA compliance, so a proposal does not achieve universal design.

For the multiple reasons listed above, the proposed public realm experience, both on public property and private property with public access, does not form a well-connected, walkable, attractive, safe, functional and accessible network to support the community and the residents of the proposed building.

Shadow Impact

The applicant provided a Sun/Shadow Study, prepared by Vincent J. Santamaura, Architect Inc., dated July 3, 2024, and revised version November 15, 2024, within the architectural plan set. The submitted studies demonstrated that the proposed built form and building heights cast shadows on the east adjacent Royal York Road sidewalk, and the *Neighbourhoods* areas to the east of Royal York Road. Further, the study requires revisions to inform the full analysis. Staff have concerns with the resultant shadow impacts from the proposed overall building height and street proportion.

Wind Impact

The applicant provided a Pedestrian Level Wind Study prepared by SLR dated June 21, 2024, and revised version dated November 14, 2024. The original study identifies areas of concern relating to pedestrian comfort and safety. City staff commented on the application requesting modifications to the building massing as well as other mitigation strategies that are required to ensure safe and comfortable wind conditions.

Some of the concerning areas are:

- Uncomfortable conditions abutting the building's main entrance and abutting some secondary entrances in the winter months. All entrances must be a minimum of comfortable standing all year round as per the Terms of Reference and Guide. Wind safety is projected to be exceeding minimums in these areas.
- The amenity terrace achieves only a sitting and standing score in the summer and standing to walking in the winter months. Mitigation is required to enable a diverse programming along this space.
- The surrounding sidewalks along Royal York Road are predicted to be uncomfortable during winter months near the crest of the overpass. Wind safety criterion is predicted to be exceeded in this area.

Based on staff's review of the Wind Study, staff are not supportive of the building in its current form.

Servicing

Development Engineering staff reviewed subject file and require revisions to the Functional Servicing and Stormwater Management Report, dated November 15, 2024, prepared by Counterpoint Engineering, to determine the stormwater runoff, sanitary flow and water supply demand resulting from this development, and whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposed development. The applicant must also provide an acceptable Hydrological Investigation Report, Hydrological Review Summary Form, Servicing Report Groundwater Summary Form, and Foundation Drainage Summary Form.

As a way to address these outstanding matters, Development Engineering would require that a 'Holding' symbol to be placed on the subject property until capacity can be confirmed, and secure the design, construction, and provision of financial securities for any identified improvements that would need to be implemented. This would conform with section 5.1.2 of the Official Plan.

Road Widening

To satisfy the Official Plan requirement of a 27-metre right-of-way for this segment of Royal York Road a 0.8-metre triangular road widening along the Royal York Road frontage of the subject site would be required. Further, a 2.95-metre road widening is also required along the west property line to achieve a six-metre-wide public lane.

Traffic Impact

Transportation Review staff do not oppose the traffic related impacts generated by the proposed development.

Access, Vehicular and Bicycle Parking and Loading

Staff are not supportive of the proposed two vehicular access points, as both negatively impact site organization, public realm, accessibility, and the ability for all users to safely enjoy the site.

While staff are encouraged to see an accessible pedestrian walkway proposed, the slope of 5.6% is not supported as it is beyond the 5% AODA maximum limit.

Access to the main bicycle parking room, with the bicycle maintenance facility, would be from the south end of the site via the public laneway or from Royal York Road. Conflicts between cyclists gaining access to the bicycle room from the public laneway may occur frequently over time due to the proposed location of the external loading space and the underground garage ramp.

The applicant must revise their plans to ensure vehicular access to the site, including loading, is safe and functional. As stated within the report, the proposed access points are not supported by City staff.

A total of 61 vehicular parking spaces are proposed, of which 53 are residential spaces and eight are visitor spaces, split between one level of underground parking and one level of at-grade parking enclosed within the building. A total of six accessible parking spaces are required, whereas the applicant proposes two.

The current application prioritizes residential parking spaces in an area well-connected by public transit and where alternative modes of transportation exist, such as cycling infrastructure. The applicant can reduce the amount of vehicular parking spaces to improve upon other issues raised throughout the report.

A total of 85 bike parking spaces are proposed, of which 77 are long-term spaces and eight are short-term spaces, shared between the below grade and at-grade parking levels. An additional 10 public bike parking spaces are proposed at-grade adjacent to the north building entrance. Further information is required by Transportation Review staff to confirm the vehicular and bike parking space configurations are satisfactory. If adequate information is not provided, amendments to the applicable zoning by-law may be required.

One external Type G loading space is proposed along the west side of the building. The applicant fails to demonstrate adequate arrangements for an external loading space, and therefore, is not supported. The loading space is not permitted to be accessed from the south end of the public lane from Evans Avenue as the width is only three metres, which is insufficient for the associated loading vehicles. Waste collection must occur from the north side of the public lane using Oxford Street in a forward motion. The applicant has not demonstrated how a waste removal vehicle can access the loading space and leave the site in a continuous forward motion. Furthermore, maneuvering

diagrams show waste collection vehicles, and emergency vehicles crossing over the decorative screen, which is not acceptable.

The applicant will need to submit an updated Functional Plan and Pavement Marking and Signage Plan to conduct a fulsome analysis of onsite circulation.

Parkland

Based on the current development proposal, 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

According to the Arborist Report and Tree Protection plan, prepared by MHBC, dated January 23, 2024, a total of three bylaw protected trees are to be impacted. One tree located on private land, identified as tree number 392, and two trees located within the public right of way, identified as trees 393 and 394.

The City's Official Plan outlines objectives for the integration and balancing of environmental needs, namely tree canopy cover, while the Toronto Green Standard specifies minimum soil volume requirements that must be achieved by all new developments. As proposed, Urban Forestry does not support the development in its current form because it does not adequately consider the enhancement of the urban forest and fails to ensure compliance with the Toronto Green Standard can be achieved. Revisions to the above and below-grade footprint design, including vehicular access, will be required to ensure new trees can be adequately accommodated.

Bridges and Structures

The City's Bridges and Structures unit within Transportation Services has advised that the submitted materials for the proposed walkway connection to the City's bridge substructures have not demonstrated compliance with all City of Toronto Standards, Bridge Design Codes and Appendix S policy of the Municipal Code Requirements. All bridge related reports, with specific associated plans, were to be prepared by a bridge design specialist.

Development Engineering and Transportation Services would request that a 'Holding' symbol be placed on the subject property until the owner has secured the design, associated construction reports, and provision of financial securities for all work required for the deconstruction and/or reconstruction of the existing bridge substructure to accommodate the proposed walkway connection to support the development.

Further technical requirements requested to satisfy Bridges and Structures, and other technical review staff, can be found within the Planning Application Checklist Package on the Application Information Centre www.toronto.ca/464RoyalYorkRd.

Noise and Vibration Mitigation

The applicant submitted a Noise and Vibration Impact Study prepared by YCA Engineering Limited, dated January 2024, and revised version dated November 2024, to determine potential noise and vibration impacts on the proposed development and compliance with provincial regulations and guidelines.

Recommendations of the submitted study consist of implementing technical mitigation measures such as warning clauses, acoustic barriers at the roof terrace, upgraded building components, further investigation of the proposed mechanical equipment, and construction vibration monitoring. Should the OLT allow the appeal, the submitted studies should be subject to a third-party peer review process. Mitigation measures may be secured as a condition of approval.

Compatibility Mitigation

The applicant submitted a Compatibility Mitigation Study, including Air Quality, Dust, and Odour, prepared by SLR Consulting Canada, dated January 30, 2024, to determine potential land use compatibility, air quality, dust, and odour impacts, on the proposed development and compliance with provincial regulations and guidelines.

Staff acknowledge an updated Study was not provided with the resubmission on November 22, 2024.

Recommendations from the study consist of mitigation measures such as warning clauses, installation of central air conditioning systems, all air intakes, air conditioning units, and heat recovery units be located in low impact areas away from the Gardiner Expressway and Royal York Road. Further recommendations consist of maintaining pressurization under normal weather conditions of all occupied areas, and including carbon and/or dust filters for all air and heat related units.

Should the OLT allow the appeal, the submitted studies should be subject to a third-party peer review process. Mitigation measures may be secured as a condition of approval.

Toronto Green Standard

The applicant is required to meet Tier 1 of the TGS in force at the time of a complete application for Site Plan Control. 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 2040 or sooner.

The applicant may not be able to adhere to the TGS, as proposed, given the size of the proposed building and amount of space dedicated to vehicular activities such as loading, pickup and drop-off spaces, driveways to parking garages, and the five-metre

setback to the Royal York Road bridge substructure. With improvements to site organization, building size, and less prioritization of vehicles, the TGS should be achieved if the project moves to Site Plan Control in the future.

Toronto District School Board and Toronto Catholic District School Board

The Toronto District School Board (TDSB) schools currently assigned to this development are George R Gauld Junior School, John English Junior Middle School and Lakeshore Collegiate Institute. TDSB staff have determined that there is insufficient capacity to accommodate students from new residential developments at George R Gauld Junior School.

This development falls within the fixed attendance boundary of St Louis Catholic School. The closest Secondary schools serving this area are Bishop Allen Academy and Michael Power-St Joseph High School. To address significant enrolment pressures within central and south Etobicoke which have been triggered by; the intensity and volume of development applications, the Toronto Catholic District School Board (TCDSB) has been actively working with City Planning as well as CreateTO with respect to the Housing Now Etobicoke Centre Master Plan to identify and secure a school site. Additionally, the TCDSB has identified a need for a school site as part of the Christie Secondary Plan and is in the process of securing school accommodations as part of the proposal.

Summary of Issues to be Resolved

Based on the review of the application, the following issues have not been addressed and need to be resolved in order for redevelopment to proceed on the subject site:

- Appropriate massing, facade articulation, and fit of the development within the existing and planned context.
- Site organization, as it relates to vehicular access, loading, pedestrian and cycling connections.
- Building setbacks, including associated impacts on private property.
- Impacts to the public realm, including shadow, wind, safety, accessibility, and functionality.
- Meeting Tier 1 of the TGS.
- Confirmation of servicing capacity and associated stormwater management.
- Demonstrating land use compatibility, and noise mitigation measures.
- Submission of satisfactory plans and reports to meet code requirements for bridge infrastructure connections.

Further Issues

Development Review continues to receive additional information regarding this application as the result of ongoing review by City commenting divisions, materials submitted in support of the proposal, and through deputation made by members of the public to Community Council. Staff may also be required to evaluate supplementary or revised plans and supporting materials submitted by the applicant after the date of this report. As a result, Development Review staff may continue to identify or refine further

issues or supplement the reasons provided in this report, including alternative or additional conditions of approval should the Tribunal allow the appeal in whole or in part. Where substantive changes to the proposal are made by the applicant, staff may report back to City Council, as necessary.

Conditions to Any Tribunal Order

Should the Ontario Land Tribunal allow the appeal, in whole or in part, the following include a preliminary list of conditions that should be imposed on the issuance of any final order of the Tribunal to the satisfaction of the appropriate City Officials:

- The final form and content of the draft Official Plan Amendment.
- The final form and content of the draft Zoning By-law Amendment.
- The owner has at its sole expense:
 - Submitted a revised Functional Servicing and Stormwater Management Report, to determine the stormwater runoff, sanitary flow and water supply demand resulting from this development, and whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposed development to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.
 - Submitted revised civil drawings and bridge retaining wall construction reports to determine bridge connection specifications and whether upgrades to the municipal infrastructure are necessary to accommodate the proposed development to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Transportation Services.
- Submitted a revised Transportation Impact Study to the satisfaction of the General Manager, Transportation Review.
- Submitted a revised Functional Plan and Pavement Marking and Signage Plan to the satisfaction of the General Manager, Transportation Review.
- Submitted a revised Hydrological Investigation Report, and Hydrological Review Summary Form, Servicing Report Groundwater Summary Form, and Foundation Drainage Summary Form to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water.
- Submitted a revised Arborist Report and Tree Preservation Plan to the satisfaction of the General Manager, Parks, Forestry and Recreation.
- Submitted a revised Noise Study, and has been peer reviewed by a third-party, at the sole cost of the applicant, to the satisfaction of the Executive Director, Development Review.

- Submitted a revised Compatibility Mitigation Study, and has been peer reviewed by a third-party, at the sole cost of the applicant, and a revised to the satisfaction of the Executive Director, Development Review.
- Secured the design, construction, and provision of financial securities in respect of any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Engineering Reports, to support the development, in a financial secured agreement, 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 upgrades are required to infrastructure to support the development according to the accepted Functional Servicing and Stormwater Management Report.
- Ensured that implementation of the accepted Engineering Reports does not require changes to the proposed amending By-law or that any required changes have been made to the proposed amending By-law to the satisfaction of the Executive Director, Development Review, and the City Solicitor, including the use of a Holding ("H") By-law symbol regarding any new municipal servicing infrastructure or upgrades to existing municipal servicing infrastructure, as may be required.
- Secured the design, construction, and provision of financial securities for all work required for the deconstruction and/or reconstruction of the existing bridge substructure to accommodate the proposed walkway connection to support the development, in construction reports and drawings or other required reports, and in a financial secured agreement, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, and General Manager, Transportation Services, including the use of a Holding ("H") By-law symbol regarding any upgrades to the bridge substructure, as may be required to the satisfaction of the City Solicitor and Executive Director, Development Review.

CONCLUSION

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

CONTACT

Daniel Kolominsky, Planner, Tel. 416-394-5462, E-mail: Daniel.Kolominsky@toronto.ca

SIGNATURE

Al Rezoski, MCRP, ACIP
Acting Director, Community Planning
Etobicoke York District

ATTACHMENTS

City of Toronto Information/Drawings

Attachment 1: Application Data Sheet
Attachment 2: Location Map
Attachment 3: Official Plan Land Use Map
Attachment 4: Existing Zoning By-law Map

Applicant Submitted Drawings

Attachment 5: Site Plan
Attachment 6a: North Elevation
Attachment 6b: South Elevation
Attachment 6c: East Elevation
Attachment 6d: West Elevation
Attachment 7: 3D Massing Model Looking Southeast

Attachment 1: Application Data Sheet

Municipal Address: 464 Royal York Road **Date Received:** February 9, 2024

Application Number: 24 113800 WET 03 OZ

Application Type: Official Plan Amendment and Zoning By-law Amendment

Project Description: An application to amend the Official Plan and Zoning By-law to permit a 12-storey purpose-built rental residential building containing 112 residential dwelling units. A total of 61 parking spaces are proposed. A publicly accessible walkway connection is proposed along the south side of the property from a public lane to Royal York Road.

Applicant	Agent	Architect	Owner
Adam Layton Goldberg Group 2098 Avenue Road Toronto, ON M5M 4A8		Vincent J. Santamaura Architect Inc. 23 Parnell Crescent Whitby, ON L1R 2L4	Wycliffe Royal York Limited 34 Doncaster Ave Thornhill, ON L3T 4S1

EXISTING PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	No
Zoning:	I.C1	Heritage Designation:	No
Height Limit (m):	N/A	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq m): 2440 Frontage (m): 33.9 Depth (m): 75.35

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	956		1171	1171
Residential GFA (sq m):			11,267	11,267
Non-Residential GFA (sq m):	956			
Total GFA (sq m):	956		11,267	11,267
Height - Storeys:	1		12	12
Height - Metres:			36.7	36.7

Lot Coverage Ratio (%): 54 Floor Space Index: 4.62

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	11,267	
Retail GFA:		

Office GFA:
 Industrial GFA:
 Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:			112	112
Freehold:				
Condominium:				
Other:				
Total Units:			112	112

Total Residential Units by Size

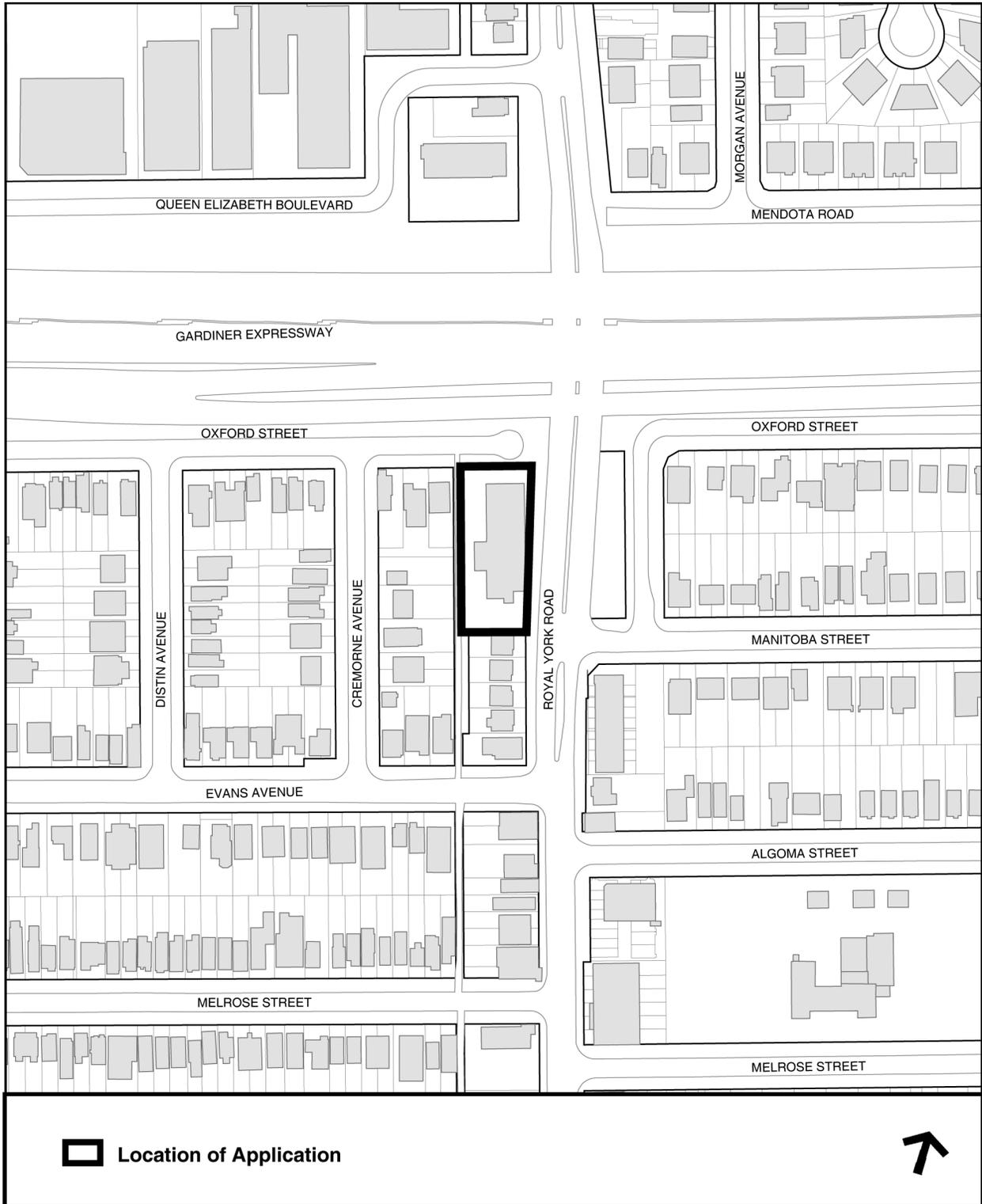
	Rooms	Studio	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			48	53	11
Total Units:			48	53	11

Parking and Loading

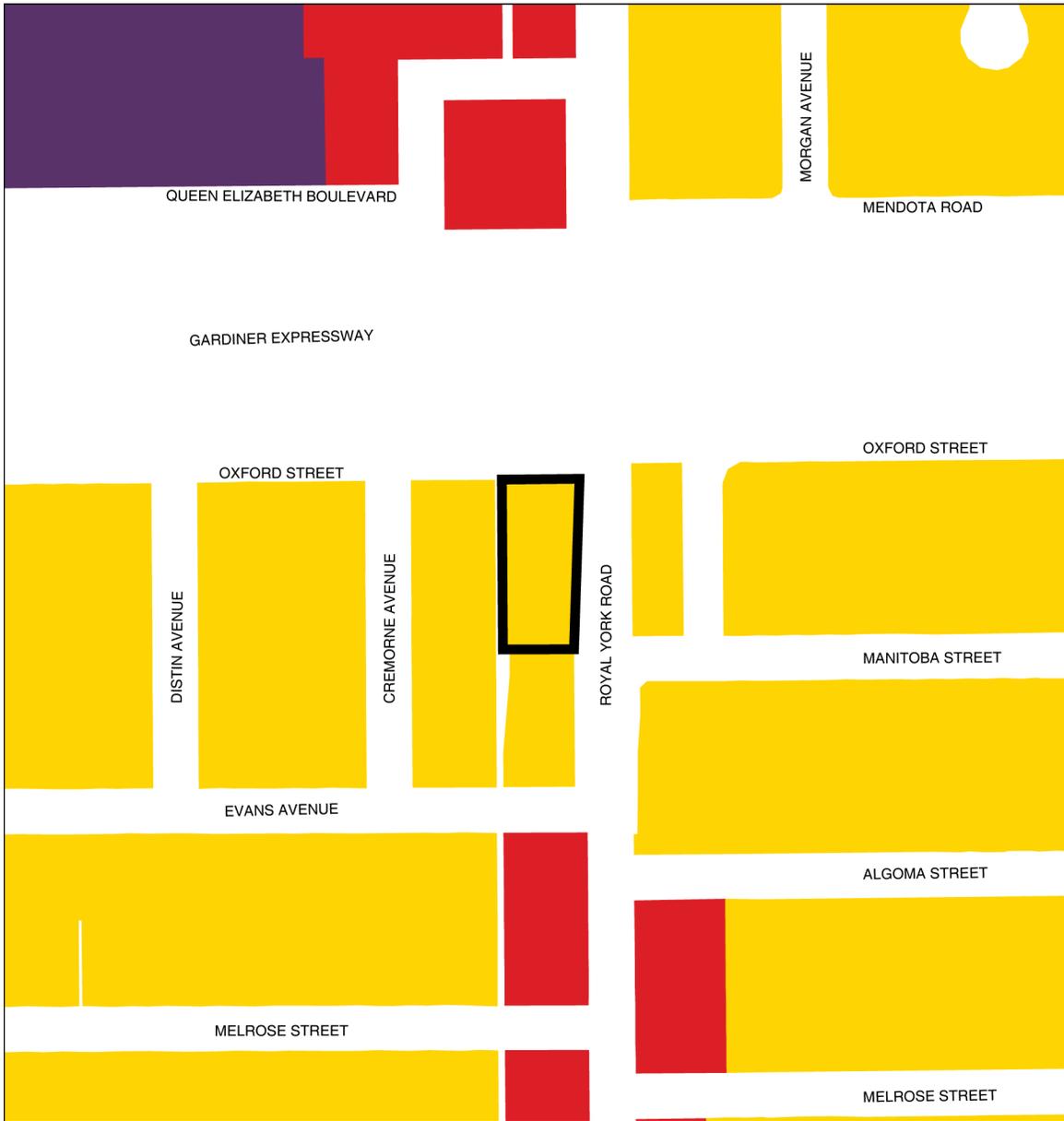
Parking Spaces: 61 Bicycle Parking Spaces: 85 Loading Docks: 1

Planner Contact: Daniel Kolominsky, Daniel.Kolominsky@toronto.ca, 416-394-5462

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map 15

464 Royal York Road
File # 24 113800 WET 03 0Z

-  Location of Application
-  Neighbourhoods
-  Mixed Use Areas
-  Core Employment Areas


 Not to Scale
 Extracted: 02/12/2024

Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

464 Royal York Rd

File # 24 113800 WET 03 0Z

Location of Application

RT Residential Townhouse
RM Residential Multiple

CR Commercial Residential
E Employment Industrial
UT Utility and Transportation

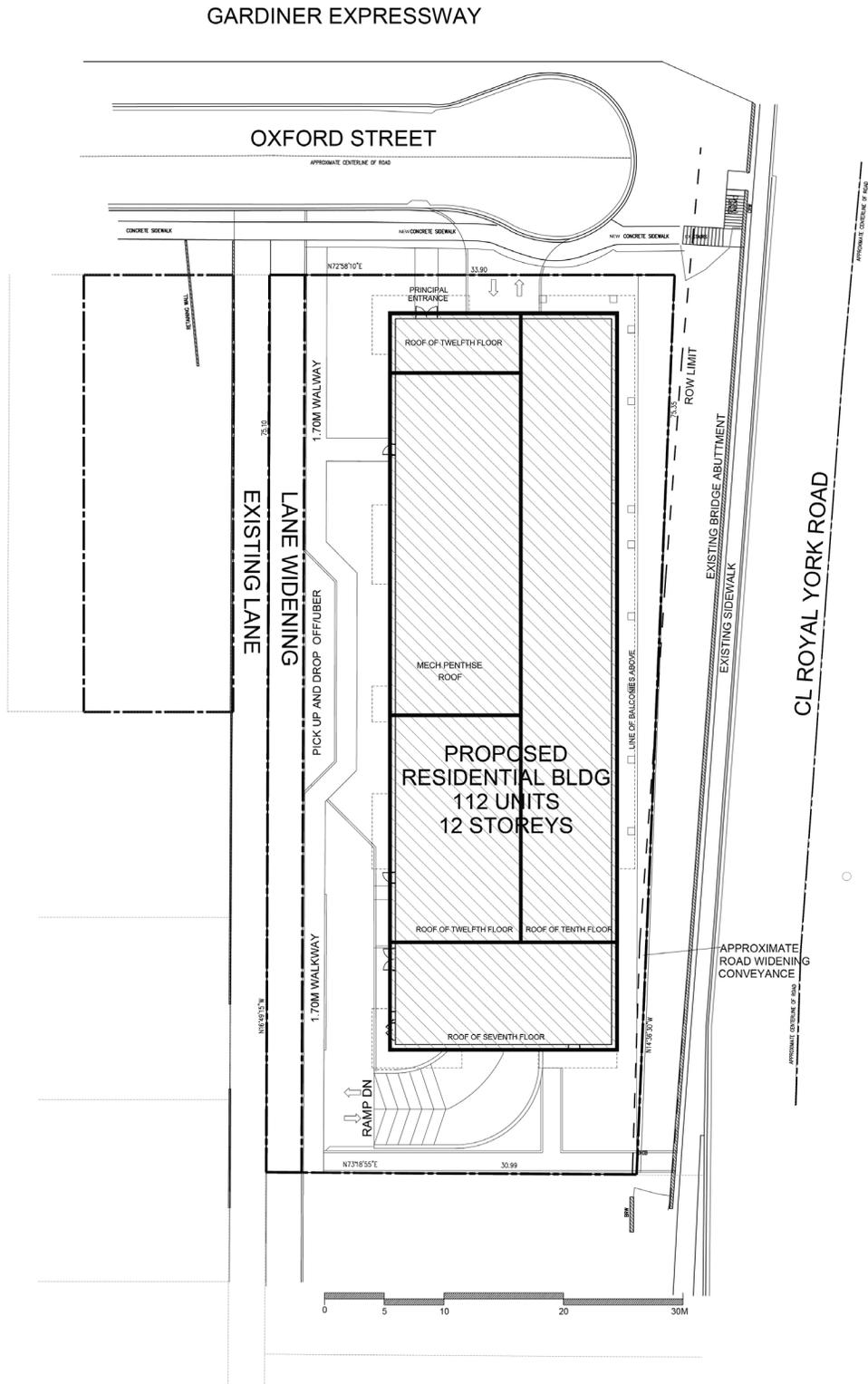
See Former City of Etobicoke By-law No. 11,737

R2 Second Density Residential Zone
I.C1 Class 1 Industrial Zone



Not to Scale
Extracted: 03/21/2024

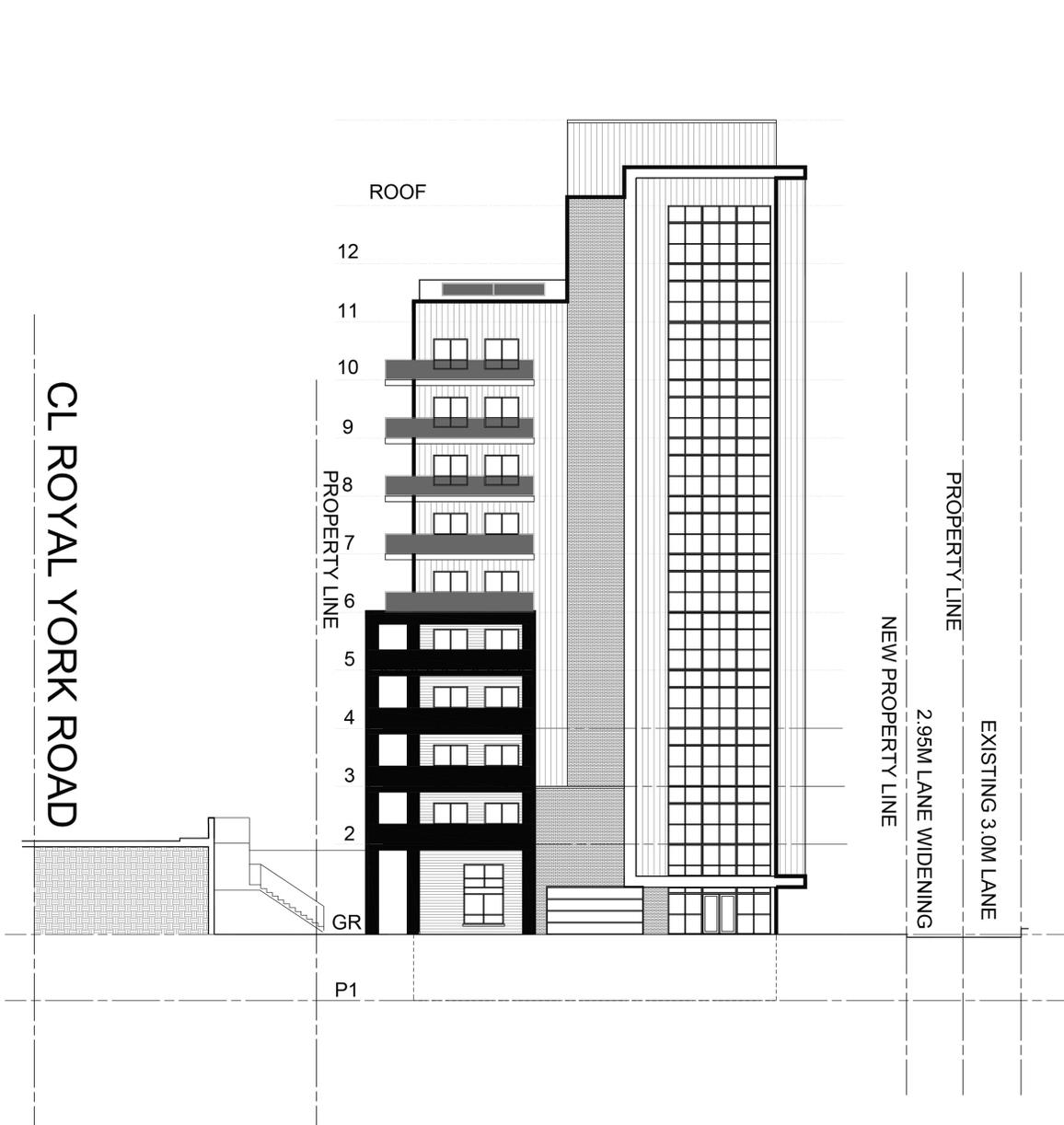
Attachment 5: Site Plan



Site Plan

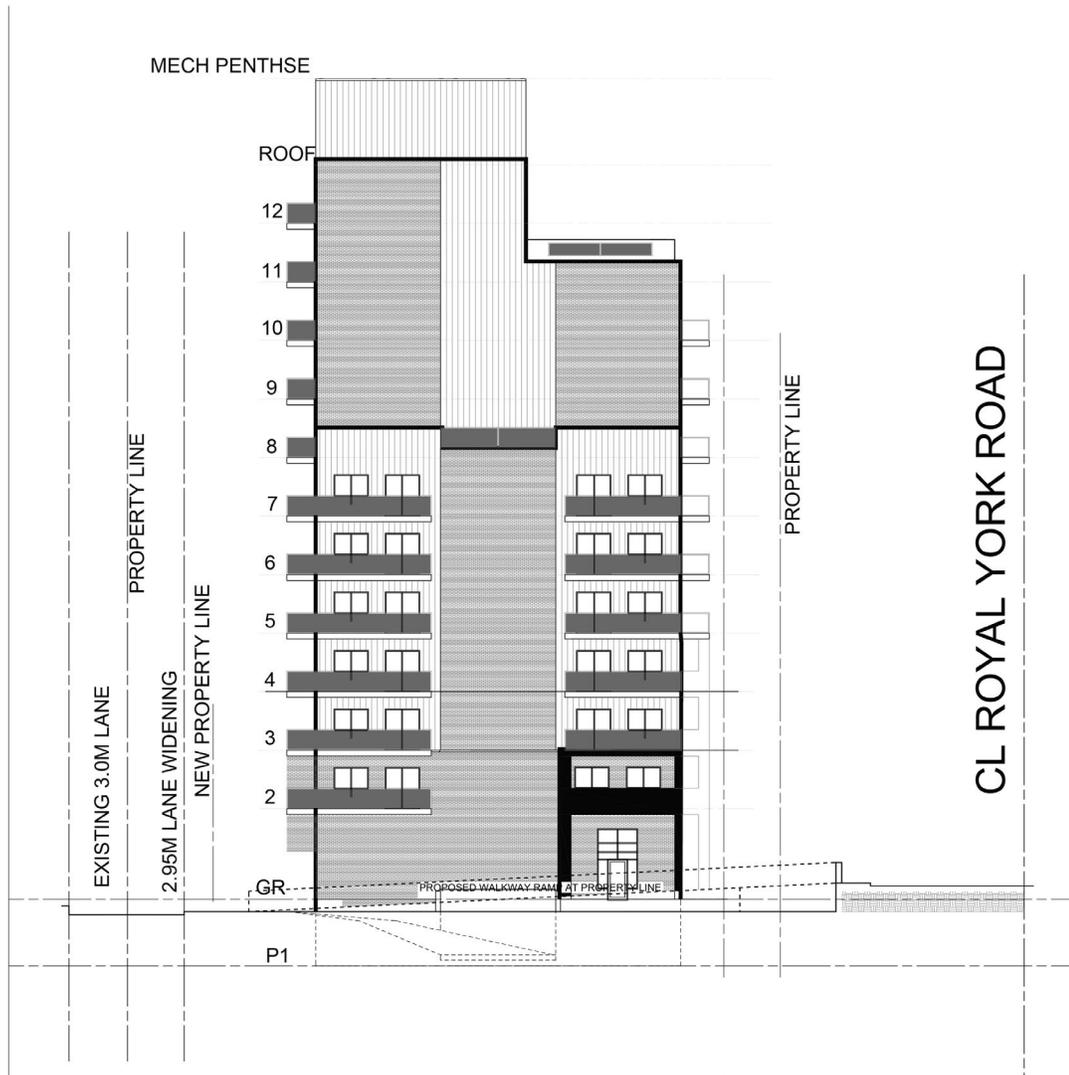


Attachment 6a: North Elevation



North Elevation

Attachment 6b: South Elevation



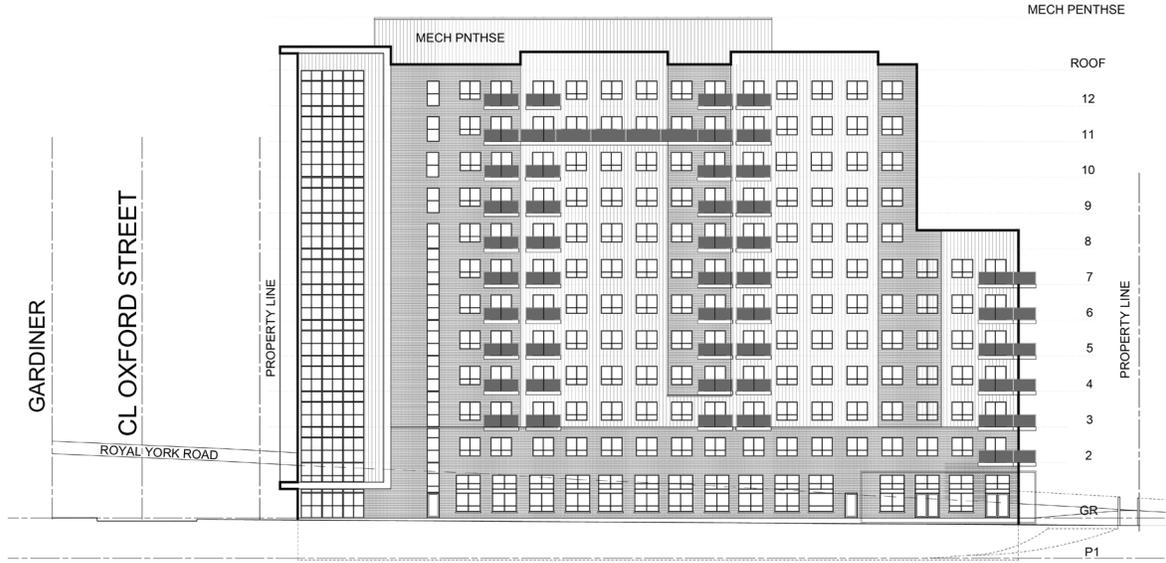
South Elevation

Attachment 6c: East Elevation



East Elevation

Attachment 6d: West Elevation



West Elevation

Attachment 7: 3D Massing Model Looking Southeast

