

250, 252, 254, 258 Viewmount Avenue – Official Plan Amendment, Zoning By-law Amendment Applications – Appeal Report

Date: April 10, 2025

To: North York Community Council

From: Director, Community Planning, North York District

Ward: 8 – Eglinton-Lawrence

Planning Application Number: 24 185909 NNY 08 OZ

SUMMARY

On July 24, 2024, an application to amend the Official Plan and Zoning By-law was submitted and deemed complete on August 29, 2024 satisfying the City's minimum application requirements. The application seeks to permit a 40-storey residential building with 477 dwelling units at 250, 252, 254, 258 Viewmount Avenue.

On January 16, 2025, the applicant appealed the Official Plan and Zoning By-law Amendment Application to the Ontario Land Tribunal ("OLT") due to Council's failure to make a decision within the time frame in the Planning Act.

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

RECOMMENDATIONS

The Director, Community Planning North York District recommends that:

1. City Council direct the City Solicitor and appropriate City Staff to attend the Ontario Land Tribunal in opposition to the current applications regarding the Official Plan and Zoning By-law Amendment Application appeals for the lands municipally known as 250, 252, 254 and 258 Viewmount Avenue and to continue discussions with the applicant in an attempt 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, in whole or in part.
3. In the event the Ontario Land Tribunal allows the appeal, in whole or in part, then:

- a) City Council request that the owner make reasonable commercial efforts to convey off-site parkland to the City equal to the value of the on-site parkland dedication, in fulfillment of the parkland dedication requirements pursuant to Section 42 of the Planning Act, with the off-site parkland dedication to be acceptable to the General Manager, Parks and Recreation and free and clear of any above or below grade encumbrances, with the exception of any encumbrances as may be otherwise approved by the General Manager, Parks and Recreation, to be conveyed prior to the issuance of the first above grade building permit and;
 - i) In the event that the off-site parkland dedication is less than the value of the on-site parkland dedication, then the owner will pay cash-in-lieu of parkland to make up for the shortfall in parkland dedication, prior to the issuance of the first above grade building permit;
 - ii) in the event that the owner is unable to provide an acceptable off-site parkland dedication to the City, the owner will be required to satisfy the parkland dedication requirement through the payment of cash-in-lieu; and
 - iii) the value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services and payment will be required prior to the issuance of the first above grade building permit;
- b) City Council approve the acceptance of an off-site parkland dedication, subject to the owner transferring the parkland to the City free and clear, above and below grade, of all easements, encumbrances, and encroachments, in an acceptable environmental condition.
- c) City Council direct that should the cost of acquiring the land for the off-site dedication, including the purchase price, less reasonable real estate commissions of up to 5 percent, land transfer tax, and typical closing adjustments incurred, to the satisfaction of the General Manager, Parks and Recreation, be less than the value of the parks levy calculated upon the submission of an application for the first above-grade building permit, the difference will be paid as cash in lieu to the City prior to the issuance of the first above-grade building permit for the development.
- d) City Council approve a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the Owner of the Above Base Park Improvements to the satisfaction of the General Manager, Parks and Recreation (P&R). The development charge credit shall be in an amount that is the lesser of the cost to the Owner of designing and constructing the Above Base Park Improvements, as approved by the General Manager, P&R, and the Parks and Recreation component of development charges payable for the

development in accordance with the City's Development Charges By-law, as may be amended from time to time.

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.

DECISION HISTORY

A pre-application meeting was held on April 9, 2024. The current application was submitted on July 24, 2024 and deemed complete on August 19, 2024, after a further submission of required materials.

Glencairn Planning Study

At its meeting on June 28, 2022, North York Community Council adopted a staff report and recommendation to initiate a Glencairn Subway Station planning study. This study area is bounded by the south side of Lawrence Avenue West, Dalemount Avenue to the east, the York-Kay Gardiner Beltline Trail to the south, and Capitol Avenue / Corona / Times Street to the west. The purpose of the study is to develop a planning framework in order to comprehensively plan for future growth in the area in order to achieve consistency with provincial legislation and provincial policies, specifically the Provincial Planning Statement (2024).

The recommendations directed staff to engage a consultant team to undertake the planning study, and upon conclusion of the study, to bring forward planning instruments, where appropriate, to implement the findings. Furthermore, City Planning staff are directed to coordinate active development applications with the study, and to use the study to provide guidance the City's position on any development applications that are received.

The decision of the Community Council meeting and the staff report can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.NY33.25>

Following this direction, a consultant team was retained, and the study was initiated in August 2024. The site is within the study area of the Growing Glencairn Study ("Study"). The Study is underway with a staff report reporting on Phase 1 to be considered at the same North York Community Council meeting as this report, and the development of Phase 2 growth options preparations to begin in Q2 2025.

THE SITE AND SURROUNDING LANDS

Description

The site is located on lands municipally known as 250, 252, 254, 258 Viewmount Avenue, on the north side of Viewmount Avenue, to the east of the Glencairn Subway

Station and bridge that crosses over the southbound lanes of Allen Road. The site is an assembly of four lots currently consisting of single detached houses. According to the Housing Issues Report dated July 2024, of the four detached dwellings two are owner-occupied, one is used as an office and one of the dwellings is a rental unit that is currently occupied. The site has a combined frontage of approximately 66 metres on Viewmount Avenue and a depth of approximately 42 metres. It is generally rectangular in shape and has a gross site area of approximately 2,808 square metres. See Attachment 2 for the Location Map.

Surrounding Uses

North: To the north of the site are a number of single detached dwellings ranging in height of 1-2 storeys that front onto Hillmount Avenue.

South: To the south of the site, on the south side of Viewmount Avenue are a number of single detached dwellings ranging in height from 1 – 2 storeys that front onto Viewmount Avenue. The properties known as 253, 255, 259, 263 Viewmount Avenue are part of a development application with properties on Romar Crescent that is also under appeal to the OLT (Application No. 24 171220 NNY 08 OZ). To the southeast is Benner Park, a City-owned Park in the neighbourhood.

East: Immediately to the east of the site is City owned green space. To the east of this green space is the bridge over the Allen Road and the Viewmount entrance to the TTC's Glencairn subway station on Line 1.

West: To the west of the site are further single detached dwellings of 1 – 2 storeys in height. The properties at 262, 266, 270, 272, and 274 Viewmount Avenue are subject to a development application that is under review (Application No. 24 219941 NNY 08 OZ). Approximately 100 metres from the site is Marlee Avenue, a north-south street with a variety of retail and residential uses along it. At the northeast corner of Viewmount Avenue and Marlee Avenue is development application at 278-280 Viewmount Avenue (Application No. 22 241838 NNY 08 OZ) which is under appeal at the OLT.

THE APPLICATIONS

Description

The application is for a 40-storey (128 metres not including the 6.5 metre mechanical penthouse) residential building containing a total of 477 units. The total gross floor area of the building is 31,663.31 square metres. The tower is situated on top of a six-storey base building.

Density

The proposal has a density of 11.27 times the area of the lot.

Residential Component

The proposal includes 477 dwelling units, 16 studio (3%), 308 one-bedroom (65%), 105 two-bedroom (22%), and 48 three-bedroom units (10%).

Residential Amenity

The proposal includes a total of 969.04 square metres of indoor residential amenity space, provided on the first floor of the building as well as on the sixth floor. Regarding outdoor amenity space, a total 1,028.43 square metres of outdoor amenity space is proposed as a rooftop amenity space at the sixth storey as well as at grade in the north and east yards. Overall there is 1,997.47 square metres of residential amenity proposed, which is approximately 4.19 square metres per dwelling unit (2.03 square metres per dwelling unit for indoor and 2.16 square metres per dwelling unit for outdoor amenity space).

Access, Parking and Loading

The proposal includes a total of 161 vehicular parking spaces, comprised of 154 residential and 7 visitor vehicular parking spaces in three levels of underground parking. Of the 154 residential vehicular parking spaces, 10 are proposed to be designed and sized to be accessible (barrier-free) parking spaces. In addition, three grade level pick-up/drop-off (PUDO) spaces and one car share parking space is also provided on the ground floor. The proposal includes a total of 536 bicycle parking spaces, comprised of 430 resident bicycle parking spaces located in the mezzanine level and the P1 underground parking level, as well as 106 visitor bicycle parking spaces, 96 of which are located in the mezzanine and 10 located on the ground floor.

The proposal also includes two loading spaces, one Type-G and one Type-C loading space. The Type-G loading space is located internal to the building, while the Type-C loading space and car share and drop off spaces are located external to the building on the ground floor, but are covered under the base building's floors 3-6 which cantilevers over the driveway and parking area. Driveway access to the site is from the western side of the site along Viewmount Avenue.

Additional Information

See the attachments 1, 2, 5, 6, and 7 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/250ViewmountAve

Reasons for Application

The Official Plan Amendment application is required to redesignate the lands from *Neighbourhoods* to the *Apartment Neighbourhoods* designation in order to permit a tall building.

The Zoning By-law Amendment Application proposes to amend Zoning By-law 569-2013 to rezone the site to the Residential Apartment zone category and to include site specific zoning performance standards for matters including but not limited to building height, building setbacks, floor space index, amenity space, and parking space

requirements. Additional amendments to the Zoning By-law may be identified as part of the ongoing application review.

APPLICATION BACKGROUND

A pre-application consultation (PAC) meeting was held on April 9, 2024. The Planning Application Checklist Package resulting from the PAC meeting is available on the Application Information Centre. The reports and studies submitted in support of this application are available on the Application Information Centre www.toronto.ca/250ViewmountAve.

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 Residential Detached (RD (f15.0; a550) (x5) under Zoning By-law 569-2013. The Residential Detached zoning category permits the residential uses of single detached houses, duplexes, triplexes and fourplexes. The maximum permitted height is 10 metres, and the maximum permitted lot coverage is 35% of the area of the lot. 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
- Growing Up Guidelines for Children in Vertical Communities
- 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 November 4, 2024, a community consultation meeting took place. The virtual community consultation meeting was held in conjunction with the community consultation meeting for the development application at 253, 255, 259, 263 Viewmount Avenue and 12, 14, 16, 18 Romar Crescent (Application No. 24 219941 NNY 08 OZ). Approximately 83 people attended the meeting, as well as the Ward Councillor. Following a presentation by City staff and the Applicant, the following comments and issues were raised:

- proposal will cause more traffic, exacerbating existing traffic issues;
- height of the proposed development is too tall;
- proposal is too dense;
- existing character of Viewmount Avenue is of a low rise, quiet street, this proposal seems out of place;
- questioned the existing infrastructure in the area to support this new development, e.g., school and water capacities;
- lack of compatibility with the existing neighbourhood;
- coordination with the ongoing Study, and,
- lack of green space 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

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 PPS (2024). In the opinion of Staff, the proposal has not demonstrated consistency with the PPS (2024).

Policies 2.4.1 (2) and (3) of the PPS directs that strategic growth areas should be planned to support the achievement of complete communities and sets out considerations for planning authorities, such as identifying the appropriate type and scale of development in

strategic growth areas (including MTSA's) and the transition of built form to adjacent areas. Policies 2.4.2 (1) and (2) requires planning authorities to delineate the boundaries of *major transit station areas* through a new official plan or official plan amendment that defines an area within an approximately 500-800 metre radius of a transit station and within *major transit station areas* plan for a minimum density target of 200 residents and jobs combined per hectare for those that are served by subways.

As noted in the preceding section of this report, the City is presently undertaking a land use study of the Glencairn Subway station area (the Study) in part to satisfy the requirements in section 2.4.2 regarding identifying MTSA's and planning for their growth. The Study is intended to look at the area comprehensively and determine the appropriate level of intensification and redevelopment within this area and ensure that other supporting elements such as infrastructure, public service facilities and development standards are in place to support this future community. The subject site is within the Study area. The existing built context of the area immediately surrounding the subject site is designated *Neighbourhoods* and predominately low rise in nature. As such, the proposal needs to be carefully considered. In phase 1 of the Study, extensive background review, analysis and public engagement has informed the creation of an Emerging Vision and Draft Guiding Principles for the Study which will be used to develop growth options in Phase 2. The Emerging vision and Draft Guiding principles recognizes the area is changing and that such changes should support and reinforce the existing public networks, improve the public realm while accommodating for a range of land uses and housing options. The development of growth options is emerging and underway.

Furthermore, policy 3.1 (1) of the PPS directs that planning for infrastructure and public service facilities shall be coordinated with land use planning and growth management so that they are available to meet current and projected needs. It has not yet been demonstrated that the proposed development can be accommodated by existing municipal services.

Additional PPS policies may be further identified through the OLT process.

Official Plan Policies and Design Guidelines

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

Land Use

The subject site is designated *Neighbourhoods* in the Official Plan. Neighbourhoods are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. While residential uses are permitted in the *Neighbourhoods* designation, the proposed 40 storey residential building exceeds the height permission of the Official Plan *neighbourhoods* designation.

The application is proposing to redesignate the subject lands to *Apartment Neighbourhoods*. The Official Plan states that development in *Apartment Neighbourhoods* will contribute to the quality of life by locating and massing new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of this Plan, through means such as providing setbacks from, and/or a stepping down of heights towards, lower-scale *Neighbourhoods*. At present, the lands to the north and west of the site are designated *Neighbourhoods* and the proposal has not demonstrated that there is sufficient transition between these two areas of different development scale and intensity.

The Official Plan requires that where significant intensification of land is proposed adjacent to *Neighbourhoods*, Council will determine, at the earliest point in the process, whether a broader area review and possible area specific policies are appropriate, to be created in consultation with the local community. The Growing Glencairn Study responds to this Official Plan direction and may identify potential land use changes and other matters in addition to the delineation of the PMTSA.

Housing

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.

According to Housing Issues Report, one of the units proposed for demolition is an occupied Rental Dwelling Unit. However, staff have not been able to arrange a site visit with the applicant to confirm existing conditions.

In accordance with Official Plan Policy 3.2.1.12, the applicant is required to provide a Tenant Relocation and Assistance Plan to lessen hardship for existing tenants. In the event that the OLT allows the Official Plan and Zoning By-law amendment application appeals in whole or in part, the final order should be withheld until the Chief Planner or their designate has approved the rental housing demolition application and the owner has entered into an agreement to secure a Tenant Relocation and Assistance Plan that is consistent with the City's current practices and will support tenants to access alternative accommodation within the neighbourhood.

The provision of 105 (22%) two-bedroom units and 48 (10%) three-bedroom units supports the unit mix objectives of the Growing Up guidelines Official Plan housing policies. However, zero units are proposed that support the unit size objectives of the Growing Up guidelines to accommodate within new development a broad range of households, including families with children. Three of the 48 three-bedroom units (6%) are proposed three-bedroom units larger than 100 square metres that support the unit size objectives of the Growing Up guidelines to accommodate within new development a broad range of households, including families with children.

Density, Height, Massing

Staff have reviewed the proposed built form, including building height and transition, against the policies of the Official Plan as well as relevant design guidelines. As noted above, the lands within the immediate context of the subject lands are predominately

designated *Neighbourhoods*. Transition to *Neighbourhoods* is guided by the Official Plan and Tall Building Guidelines, which amongst others provide for an appropriate separation distance. The proposal provides for a 12.5 metre separation distance to the north which is the typical application to achieve a tower to tower separation of 25 metres. This assumes the surrounding lands to the north would be redesignated to accommodate a tower development. The proposal also provides for a tower separation of 11 metres to the east which assumes the adjacent lands to the east will be redesignated and relies on the adjacent lands to provide for additional tower separation. Tower separation is intended to be proportionately achieved on the development site and not rely on adjacent lands. In advance of any findings from the Growing Glencairn Study, the proposed tower form is much higher than what exists on adjacent properties designated *Neighbourhoods* and should provide greater building separation and transition to these areas.

Should the redesignation be appropriate, the base building setbacks should be increased to provide sufficient built form transition, access to light, sufficient space for tree planting and soft landscaping along Viewmont Avenue, and to ensure that windows on the building base are appropriately separated from adjacent properties from the side and rear lot lines.

Furthermore, the proposed tower floor plate is approximately 781 square metres which is greater than the recommended size of 750 square metres in the Tall Building Design Guidelines. Where greater tower floor plates are desired, greater tower separation, setbacks, and stepbacks should be provided proportionate to increases in tower floor plate size. Greater tower separation, setbacks, or stepbacks have not been provided to justify a larger tower floorplate.

The proposal has not demonstrated that the proposed building adequately responds to the existing context, can provide appropriate setbacks and separation distances from the neighbouring properties, conforms to built form policies in the Official Plan and meet the intent of the Tall Buildings Design Guidelines.

Public Realm

As noted above, additional setbacks, including along the Viewmont Avenue frontage would provide additional space for soft landscaping and tree planting, a wider sidewalk, and improved transition between the proposed development and the public realm. Tree planting along Viewmont Avenue is important to contribute to the public realm, site sustainability, and Toronto Green Standard requirements. The proposal has not demonstrated that it conforms to the public realm policies in the Official Plan and meet the intent of the Tall Buildings Design Guidelines.

Shadow Impact

A sun/shadow study, prepared by Kirkor Architects and Planners and dated June 26, 2024 was submitted with the application. Shadows are observed on the Benner park extension lands (the lot immediately adjacent to the east of the site on the north side of Viewmont Avenue) on March/September/June 21st starting 2:18pm and continue to 6:18pm and on December 21st starting at 1:18pm. On March/September 21st, no other

surrounding parks are impacted. Benner Park on the south side of Viewmount Avenue as well as Viewmount Park on the east side of Allen Road are only observed to have some shadow June 21st at 6:18pm.

Wind Impact

The Pedestrian Level Wind Study prepared by Theakston Environment and dated June 26, 2024, identifies the site and surrounds are predicted to be generally suitable for standing or sitting throughout the year, with localized walking conditions. However, the at-grade amenity space along the north façade and the outdoor amenity on the 6th level to the west of the tower require further mitigation due to wind conditions that are not favorable in peak seasons. Massing changes to the proposed building can improve overall site wind conditions and should be investigated. Comfortable wind conditions should be provided for sitting in outdoor amenity areas, while maintaining appropriate sight lines and access to adjacent sidewalks and walkways. In the event the proposal is approved in principle, the applicant would be required to submit an updated wind study with wind tunnel testing to the satisfaction of the Executive Director, Development Review, with any mitigation measures secured in the implementing zoning bylaw or site plan approval, as appropriate.

Servicing

Engineering Review Staff have reviewed the Functional Servicing and Stormwater Management Report (FSR), prepared by Schaeffers Consulting Engineering, dated July, 2024, the Sanitary Capacity Analysis, prepared by Schaeffers Consulting Engineering, dated June, 2024 and associated plans and require further revisions to the reports and drawings. At present, the applicant has not demonstrated that sufficient capacity is available to support the development. Engineering Review Staff have recommended that should the application be approved, a holding (H) symbol be enacted in the final form of the zoning by-law, not to be lifted until the following matters are satisfied:

1. the owner or applicant submits a revised FSR and Sanitary Capacity Analysis to demonstrate that the existing sanitary sewer system and watermain and any required improvements to them, have adequate capacity and supply to accommodate the development of the lands to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
2. should any new municipal infrastructure or upgrades to existing municipal infrastructure to support the development be required, that the owner or applicant has secured the design, construction, and provision of financial securities identified, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services or that the required new municipal infrastructure or upgrades to existing municipal infrastructure to support the development are constructed and operational, all to the satisfaction to the Chief Engineer and Executive Director, Engineering and Construction Services; and

3. that all necessary approvals or permits are obtained, where required all to the satisfaction to the Chief Engineer and Executive Director, Engineering and Construction Services.

Mobility Network Impact

Transportation Review Staff have reviewed the Transportation Impact Study (TIS) dated June 30, 2024 by BA Group and associated plans. The TIS estimates that the proposed development will generate approximately 215 and 200 two-way vehicle trips during the weekday AM and PM peak hours, respectively. The site is forecast to generate 105 two-way vehicle trips during the weekday morning and afternoon peak hours. At present, Transportation Review staff request a number of revisions to the TIS and associated drawings and do not accept the traffic impact conclusions of the report. Several revisions to the report, including revisions to the on-site signage and wayfinding plan, queuing analysis and vehicle maneuvering diagrams are requested.

As noted above, the City is undertaking the Growing Glencairn Study which will identify improvements to the mobility network that are required to support the growth in the Study area. The application should protect for mobility improvements within the public street network and throughout the site.

In the event the proposal is approved in principle, the applicant would be required to demonstrate to the satisfaction of the General Manager, Transportation Services that the proposed development can meet the City's access, TGS, and transportation operations requirements.

Transportation Demand Management (TDM)

A TDM plan was included as part of the applicant's Transportation Impact Study. The TDM plan specified considerations such as awareness via a travel information package to new residents of the existing and planned transit services, walkways and sidewalks, and a bicycle repair station, among others to reduce the single occupancy auto vehicle trips generated by the proposed development. Transportation Planning staff have requested additional TDM measures for this site to address site related vehicular traffic issues and to satisfy the requirements in the Toronto Green Standard. Consideration should be given to TDM measures such as pre-loaded transit passes provided to each residential unit upon occupancy at the value of a TTC monthly pass and a funding contribution to Bike-Share for provisions of two bike share stations.

Access, Vehicular and Bicycle Parking, Loading

Transportation Review Staff have reviewed the Transportation Impact Study dated June 30, 2024 by BA Group and associated plans and require further revisions to the reports and drawings. At present, the applicant has not demonstrated the adequacy of the proposed pick-up/drop off facilities for the intended uses and further assessment is required before Transportation Review can accept the proposed parking supply. Additional matters such as safe site circulation and the provision of a functional plan also need to be further refined.

Regarding vehicular parking, the application proposes a minimum parking rate for residential use at 0.30 per unit, which is acceptable to Transportation review staff, however 2 small car parking spaces are also proposed which are substandard parking spaces and are not counted towards the overall parking space requirements for the site. Transportation Review staff require that the application include appropriate clauses in all offers of purchase and sale explicitly advising prospective purchasers of the small car parking spaces and that said spaces are intended for the use of compact vehicles only.

With respect to loading, the proposed location of the Type C loading space requires adjustment or a relocation. The provided Loading Vehicle Manoeuvring Diagram (VMD) depicts the waste collection truck encroaching upon the Type C loading space, which is not acceptable to Transportation Review staff and needs to be revised and/or relocated.

In the event the proposal is approved in principle, the applicant would be required to satisfy the access, vehicular and bicycle parking and loading comments and concerns, to the satisfaction of the General Manager, Transportation Services.

Parkland

In the context of a rapidly growing city, the importance of public parkland being available to enhance and expand the amount of park spaces provided to residents and visitors alike becomes ever more relevant. The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded.

In accordance with Section 42(3) of the Planning Act, the applicable alternative rate for on-site parkland dedication is 1 hectare per 600 net residential units to a cap of 10 percent of the development site as the site is less than five (5) hectares, with the non-residential uses subject to a 2 percent parkland dedication rate. The total parkland dedication requirement is 280.9 square metres.

In this instance and as per the Toronto Municipal Code Chapter 415-26, Parks & Recreation would accept the conveyance of lands off-site that would expand an existing park or create a new park as the required parkland dedication. The off-site dedication shall comply with Policy 3.2.3.8 of the Toronto Official Plan. The size and location of the off-site conveyance would be subject to the approval of the General Manager, Parks & Recreation and would be subject to this Division's conditions for conveyance of parkland prior to the issuance of the First Above Grade Building Permit. The Owner shall provide confirmation to Parks Development if they would be agreeable to pursuing an off-site parkland dedication.

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. Should the value of the off-site dedication not fulfill the value of the on-site dedication, the remaining value shall be provided in cash-in-lieu, prior to the issuance of the First Above Grade Building Permit. If the Owner has demonstrated, to the satisfaction of the General Manager, Parks & Recreation, that the pursuit of an off-site parkland dedication has not been successful, payment of cash-in-lieu of parkland will be required.

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, Soil Volume Plan, Landscape and Planting Plan, and Public Utility Plan were submitted in support of the development. Urban Forestry Staff have reviewed the submitted materials and requested a number of revisions to address matters such as deficient soil volume space to support the planting of large-growing shade trees.

The applicant is proposing to remove twenty-two (22) by-law regulated trees, of which eighteen (18) healthy trees are being proposed for removal. Urban Forestry does not support the development in its current form because it does not adequately consider the preservation or enhancement of the urban forest. Urban Forestry requests a resubmission that, among other matters, addresses the provision of dedicated and unencumbered space on the subject site and along the City road allowance for the planting of large-growing shade trees and their supporting infrastructure. Revisions to the above- and below-ground footprint and design will be required to ensure new and existing trees can be adequately accommodated.

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. Standards for matters such as waste collection and sorting, bicycle parking rates, erosion & sediment control, stormwater retention & reuse and total suspended solids.

In the event that the OLT allows the appeals in whole or in part, the final Order should be withheld pending confirmation that the owner has submitted an updated complete Toronto Green Standards (TGS) Checklist and Statistic Template, to the satisfaction of the Executive Director, Development Review.

Community Services and Facilities

The Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Community services and facilities are the building blocks of our neighbourhoods, foundational to creating complete communities and include matters such as recreation, libraries, childcare, schools, public health, and human and cultural services. Providing for a full range of community services and facilities in areas that are inadequately serviced or experiencing growth is a shared responsibility.

City's staff review identified the following growth-related Community Services and Facilities needs and priorities in the area of the proposed development include:

- Investment in Priority/need towards childcare in the vicinity.

- Investment in Priority/need towards the planned expansion of the Barbara Frum district library branch as identified in the TPL FMP.
- Investment in Priority/need towards the Lawrence Heights Community Centre replacement facility as identified in the PFR FMP and Implementation Strategy.

The applications are not proposing any in-kind benefit on site.

Schools

The Toronto Lands Corporation (TLC)/Toronto District School Board has advised that there may be insufficient capacity to accommodate students from new residential developments at Glen Park Public School and Ledbury Park Elementary and Middle School by the time this development is occupied.

The status of local elementary school accommodation should be communicated to new and existing residents to inform them that students from new development will not displace existing students at local schools. As such, the TDSB may request conditions as part of the site plan approval process including the installation of a notice sign on the development site and warning clauses in all agreements of purchase and sale/lease/rental/tenancy agreements. Site plan conditions may also include a requirement to provide estimated occupancy dates and a commitment for periodic updates on expected occupancy to provide the TLC and TDSB with information for enrolment projections. TLC's conditions may change as this application progresses through the planning process.

The Toronto Catholic District School Board (TCDSB) has advised that at this time, the local schools may not be able to accommodate additional students from the development as proposed. The TCDSB has advised that should the development proceed, that warning clauses be included in the conditions of approval and subsequently within any conditions of purchase and sale to notify potential purchasers that it may be necessary for students from this development be accommodated in facilities outside of the community depending on availability of space.

Noise and Vibration

A Noise and Vibration Feasibility Study dated June 30, 2024 was submitted by the applicant in order to determine whether there are any impacts on the proposal from the TTC subway as well as the Allen Road and other local streets. Should the OLT approve the application, staff recommends that a peer review of the approved design be conducted and paid for by the applicant, and that any issues that arise through the review which are applicable to the Official Plan Amendment and/or Zoning By-law Amendment be addressed prior to the final order by the OLT.

Further Issues

Development Review 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, Staff may continue to refine or identify further issues or supplement the

reasons provided in this Report. Where substantive changes to the proposal are made by the applicant, Staff may report back to City Council as necessary.

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:

- a) The final form and content of the draft Official Plan Amendment is to the satisfaction of the City Solicitor and the Executive Director, Development Review;
- b) the final form and content of the draft Zoning By-law is to the satisfaction of the City Solicitor and the Executive Director, Development Review, which among other matters may include a holding (H) provision for matters including but not limited to:
 - i. the owner or applicant, at their sole cost and expense has submitted a revised Functional Servicing and Stormwater Management Report and Sanitary Capacity Analysis to demonstrate that the existing sanitary sewer system and watermain and any required improvements to them, have adequate capacity and supply to accommodate the development of the lands to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services; and
 - ii. if the Functional Servicing and Stormwater Management Report and Sanitary Capacity Analysis accepted and satisfactory from (i) above require any new municipal infrastructure or upgrades to existing municipal infrastructure to support the development, then either:
 - a) the owner or applicant has secured the design, construction, and provision of financial securities for any new municipal infrastructure, or any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Functional Servicing and Stormwater Management Report and Sanitary Capacity Analysis, to support the development, in a financial secured agreement, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services; or,
 - b) the required new municipal infrastructure or upgrades to existing municipal infrastructure to support the development in the accepted and satisfactory Functional Servicing and Stormwater Management Report and Sanitary Capacity Analysis in (i) above are constructed and operational, all to the satisfaction to the Chief Engineer and Executive Director, Engineering and Construction Services; and
 - iii. all necessary approvals or permits arising from (ii)(a) or (ii)(b) above are obtained, where required all to the satisfaction to the Chief Engineer and Executive Director, Engineering and Construction Services.
 - iv. the City has received, reviewed and accepted the updated Transportation Impact Study, to the satisfaction of the General Manager, Transportation Services;

- c) The owner has arranged a site visit with City Planning staff to confirm existing conditions, including the number of rental dwelling units on the subject property.
- d) the Owner has provided a legal undertaking to the City, to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning, to secure the required Tenant Relocation and Assistance Plan pertaining to the existing rental dwelling unit(s) proposed to be demolished.
- e) the owner has satisfactorily addressed the Transportation Services and Engineering and Construction Services matters in the Engineering and Construction Services Memorandum dated September 19, 2024, and any outstanding issues arising from the ongoing technical review (including provision of acceptable reports and studies), as they relate to the Official Plan and Zoning By-law Amendment application, to the satisfaction of the General Manager, Transportation Services and Chief Engineer and Executive Director, Engineering and Construction Services;
- f) the owner has satisfactorily addressed matters from the Urban Forestry, Tree Protection and Plan Review, Memorandum dated September 17, 2024, or any outstanding issues raised by Urban Forestry arising from the ongoing technical review (including provision of acceptable reports and studies), as they relate to the Official Plan and Zoning By-law Amendment application, to the satisfaction of the Executive Director, Environment, Climate and Forestry.
- g) the owner has submitted a revised Travel Demand Management Plan to the satisfaction of the Chief Planner and Executive Director, City Planning and the General Manager, Transportation Services;
- h) the owner has provided a revised wind study including a wind tunnel test, and any with mitigation measures secured in the zoning bylaw and site plan to the satisfaction of the Executive Director, Development Review
- i) the owner has submitted architectural plans reflecting the proposal as approved in whole or in part, to the satisfaction of the Executive Director, Development Review;
- j) the owner has, at its sole cost and expense, facilitated the City undertaking a peer review of the submitted Noise and Vibration Assessment, and secured any recommended mitigation measures in the amending by-law, all to the satisfaction of the Executive Director, Development Review; and,
- k) the owner has submitted an updated and complete Toronto Green Standard (TGS) Checklist and Statistics Template, to the satisfaction of the Executive Director, Development Review.

CONTACT

Valeria Maurizio, Senior Planner, Tel. No. 416-395-7052, E-mail:
valeria.maurizio@toronto.ca

SIGNATURE

David Sit, MCIP, RPP
Director, Community Planning
North 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

Applicant Submitted Drawings

Attachment 5: Site Plan
Attachment 6: Elevations
Attachment 7: 3D Massing Model

APPLICATION DATA SHEET

Municipal Address: 250 VIEWMOUNT AVE
Date Received: July 23, 2024
Application Number: 24 185909 NNY 08 OZ
Application Type: OPA / Rezoning, OPA & Rezoning
Project Description: Official Plan and Zoning By-law amendment application to permit the development of a 40-Storey (128 m) residential building. The total gross floor area (GFA) is 31, 663.31 square metres resulting in a density of 11.3 floor space index (FSI). The total residential units is 477.

Applicant	Agent	Architect	Owner
WESTON CONSULTING			DOUGLAS PARKER

EXISTING PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:
Zoning:	RD (f15.0; a550) (x5)	Heritage Designation:
Height Limit (m):		Site Plan Control Area:

PROJECT INFORMATION

Site Area (sq m):	2,809	Frontage (m):	66	Depth (m):	42
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Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			1,878	1,878
Residential GFA (sq m):	326		31,663	31,663
Non-Residential GFA (sq m):				
Total GFA (sq m):	326		31,663	31,663
Height - Storeys:			40	40
Height - Metres:			128	128
Lot Coverage Ratio (%):	66.86		Floor Space Index:	11.2

Floor Area Breakdown Above Grade (sq m) Below Grade (sq m)

Residential GFA: 31,663

Retail GFA:

Office GFA:

Industrial GFA:

Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	1			
Freehold:	3			
Condominium:			477	477
Other:				
Total Units:	4		477	477

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		16	308	105	48
Total Units:		16	308	105	48

Parking and Loading

Parking Spaces: 161 Bicycle Parking Spaces: Loading Docks: 2

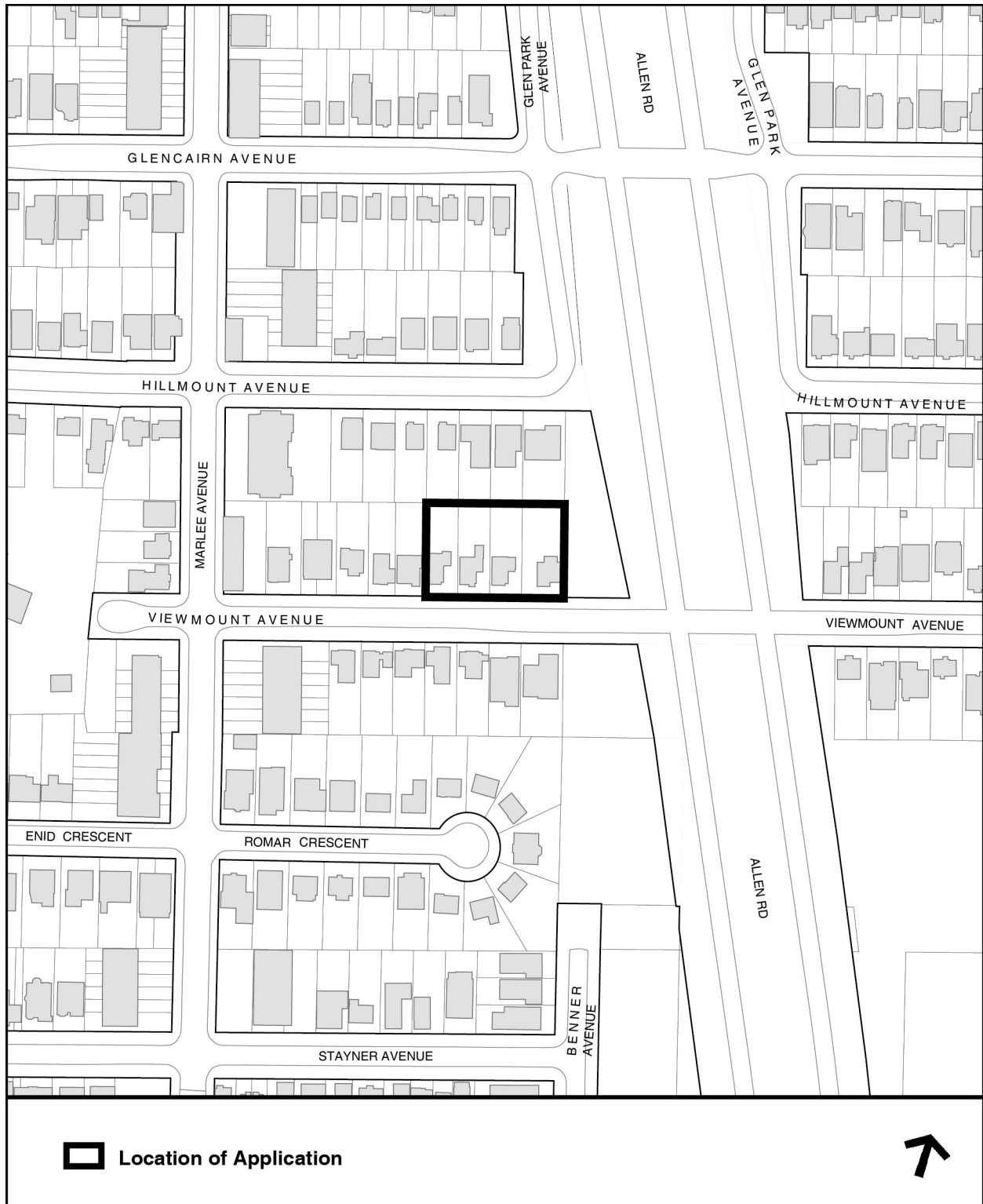
CONTACT:

Valeria Maurizio, Senior Planner, Community Planning

416-395-7052

Valeria.Maurizio@toronto.ca

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #17

250 Viewmount Avenue

File # 24 185909 NNY 08 0Z



Location of Application

Neighbourhoods

Mixed Use Areas

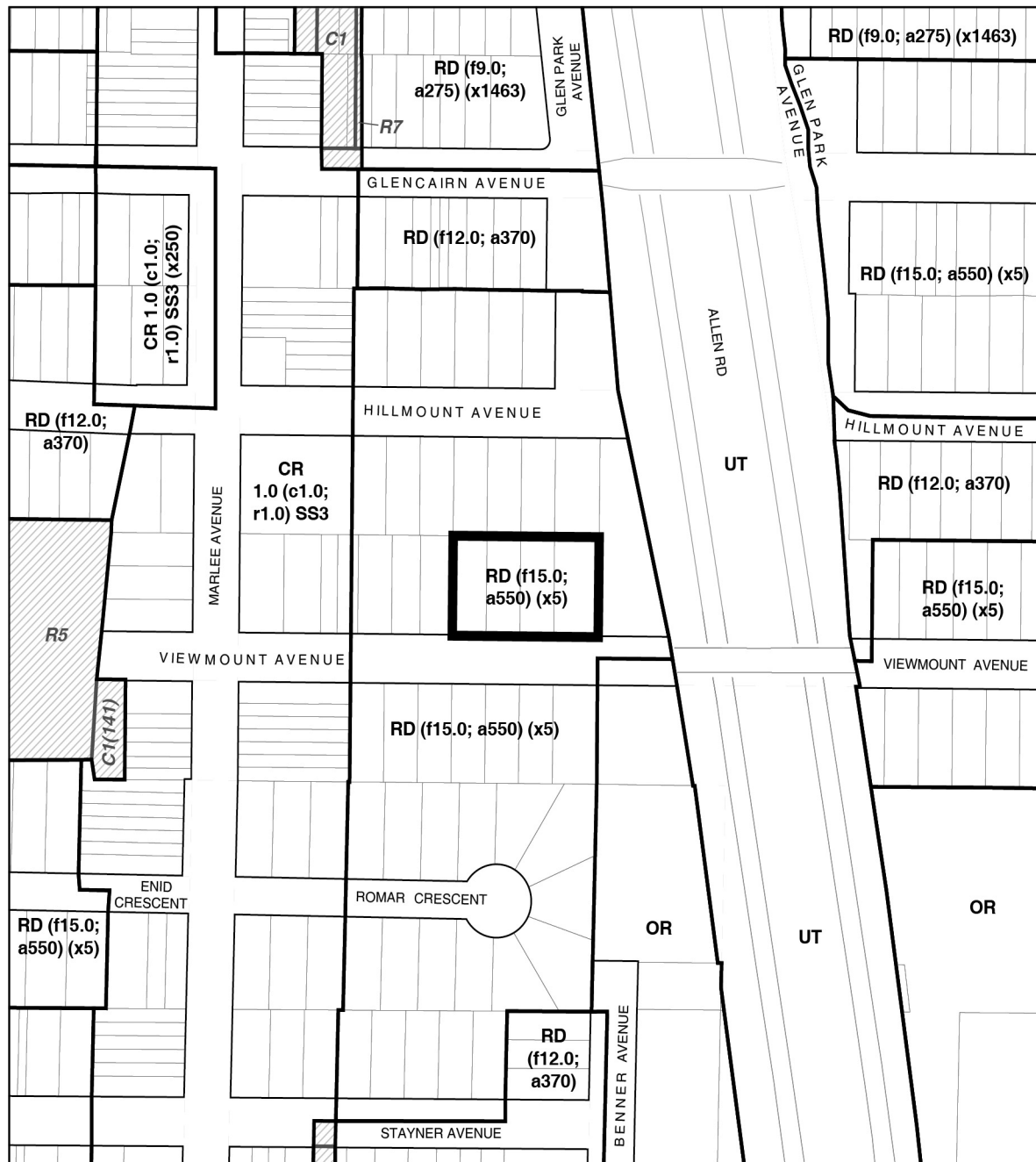


Parks



Not to Scale
Extracted: 07/29/2024

Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

250 Viewmount Avenue

File # 24 185909 NNY 08 0Z



Location of Application

RD Residential Detached
CR Commercial Residential
OR Open Space Recreation
UT Utility and Transportation

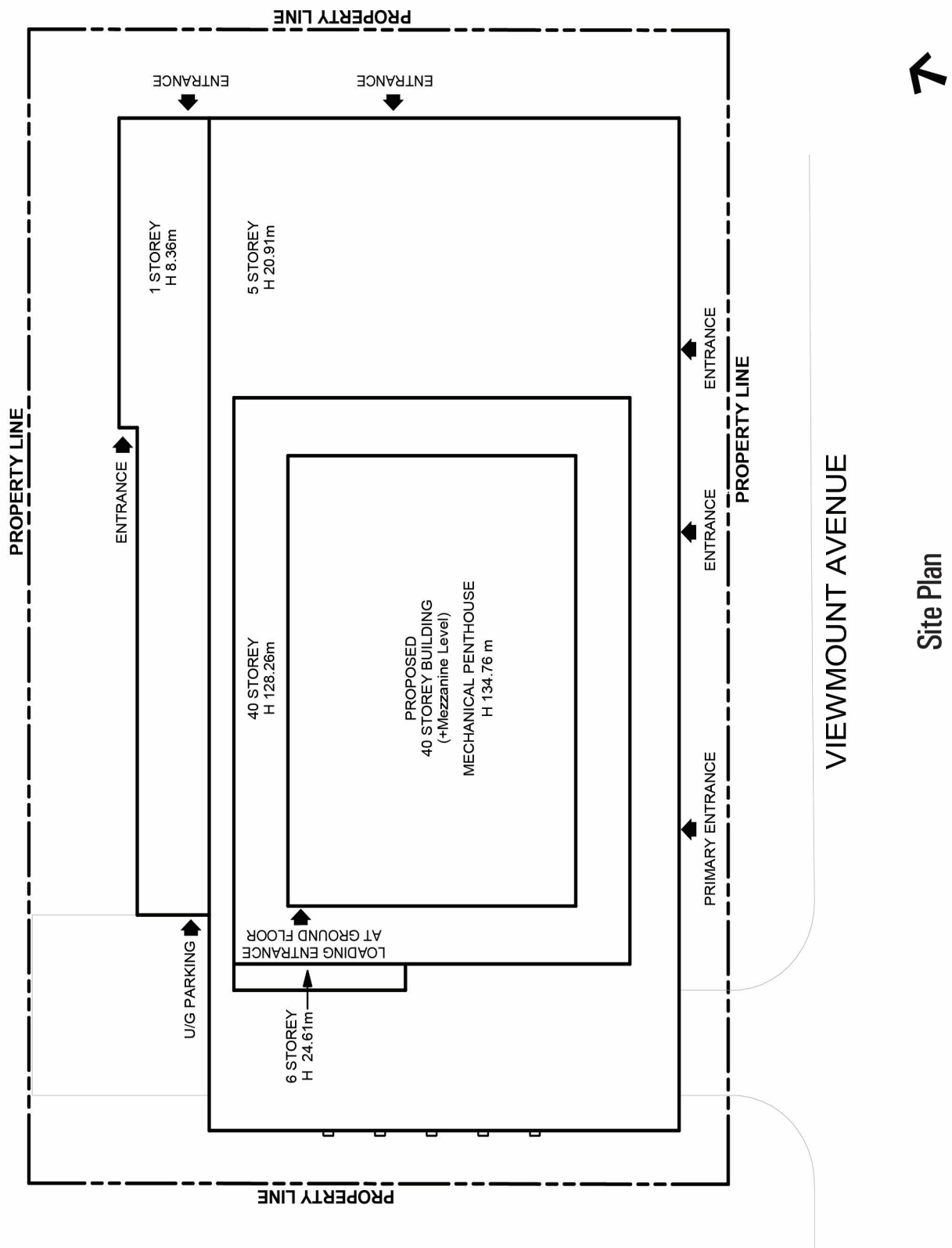


See Former City of North York By-law No. 7625

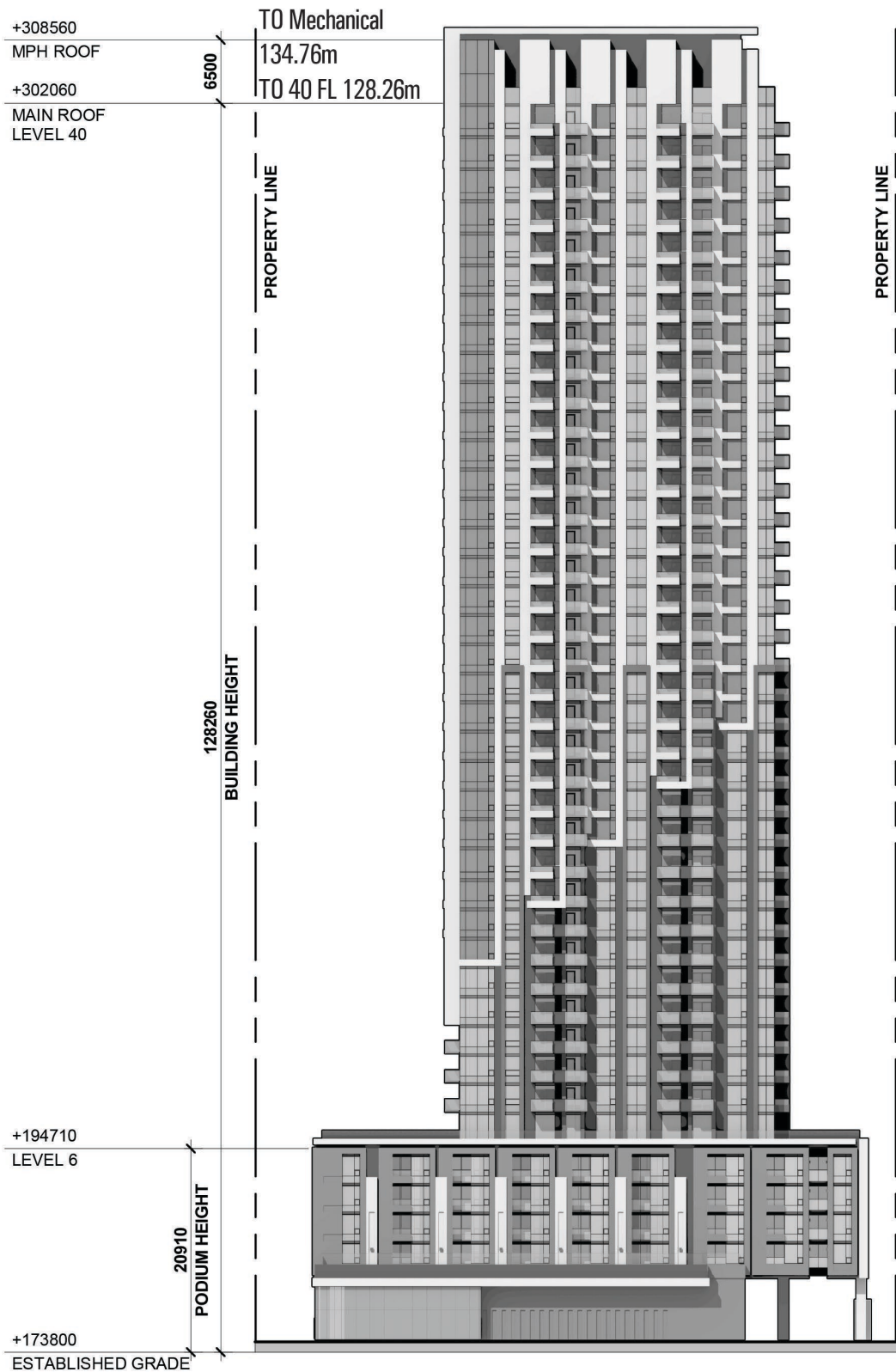
R5 One-Family Detached Dwelling Fifth Density Zone
R7 One-Family Detached Dwelling Seventh Density Zone
C1 General Commercial Zone



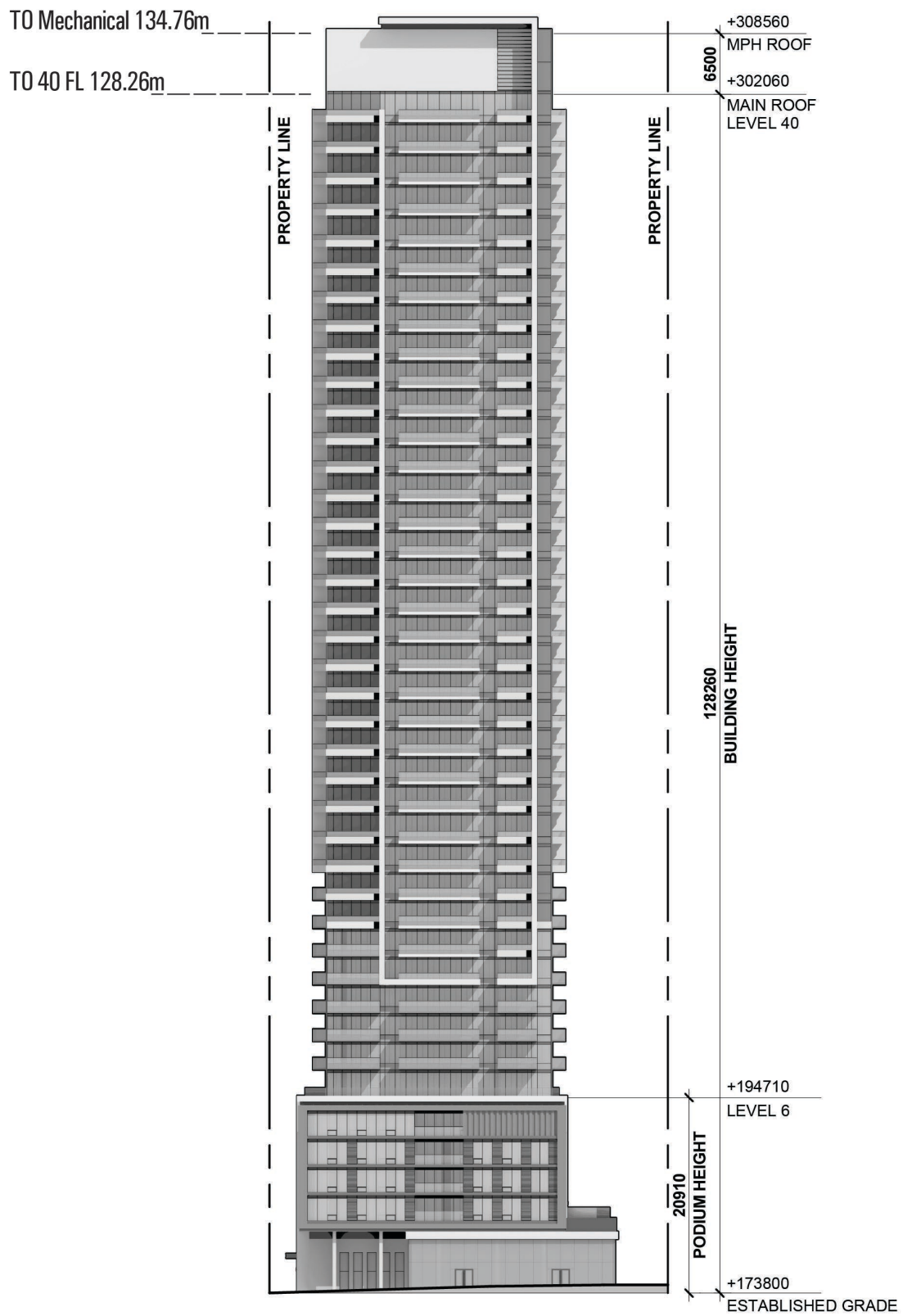
Not to Scale
Extracted: 07/29/2024



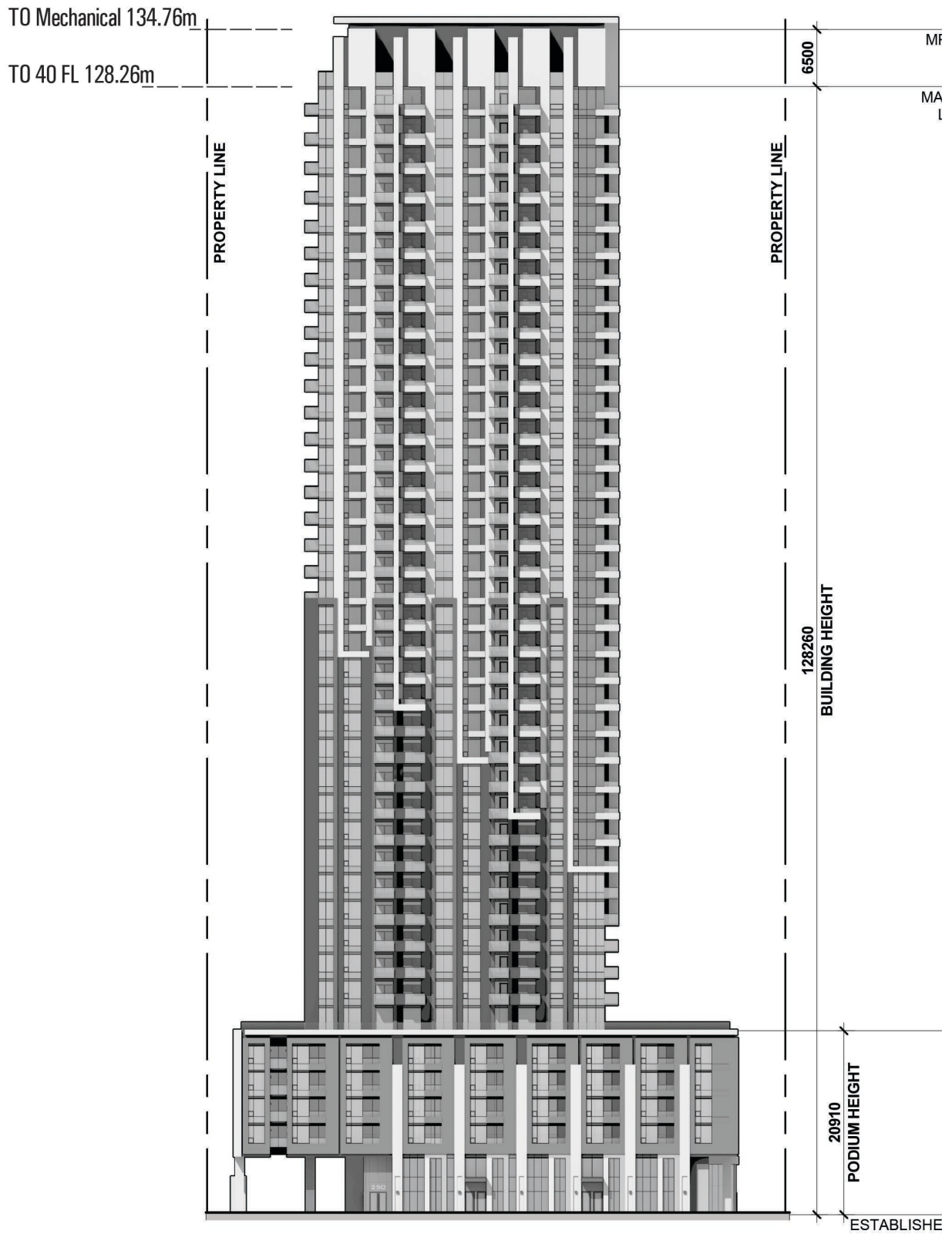
Attachment 6: Elevations



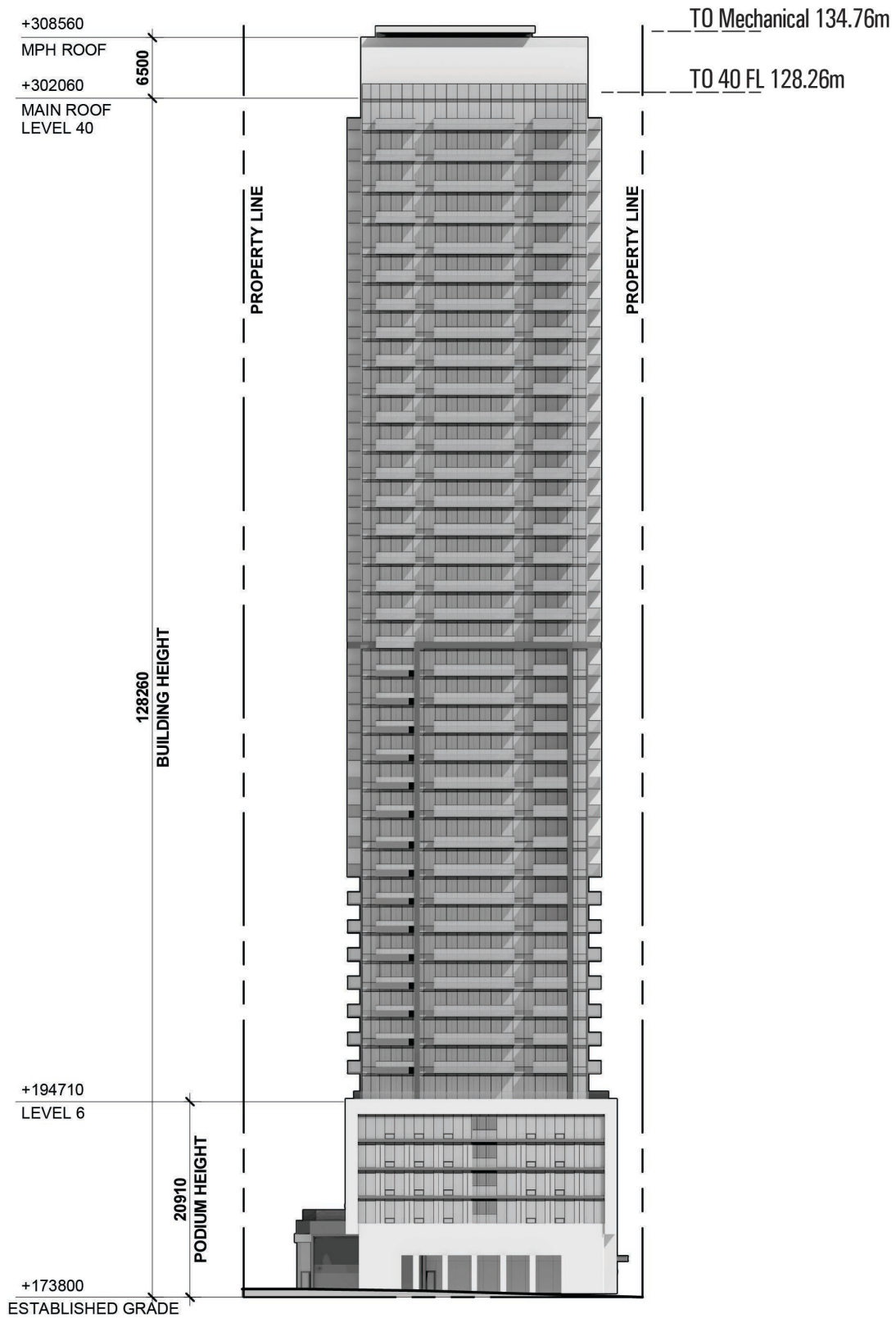
North Elevation



East Elevation



South Elevation



West Elevation

Attachment 7: 3D Massing Model

