

72 Perth Avenue – Zoning By-law Amendment Application – Decision Report – Approval

Date: April 11, 2025

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Ward: 9 - Davenport

Planning Application Number: 25 108495 STE 09 OZ

SUMMARY

This application proposes to amend the Zoning By-law to permit an 18 storey residential building (plus an amenity and mechanical penthouse level) with 19,485 square metres of residential gross floor area (“GFA”) and 262 residential units, including 13 affordable rental housing units at 72 Perth Avenue.

This report reviews and recommends approval of the application to amend the Zoning By-law. Staff are on the opinion that the proposed development is an appropriate built form for the existing and planned context. It also supports the need for additional housing through the provision of both market and affordable housing units.

RECOMMENDATIONS

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

1. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 72 Perth Avenue substantially in accordance with the draft Zoning By-law Amendment included as Attachment 5 to this report.
2. Before introducing the necessary Bills to City Council for enactment, City Council require the owner to:
 - a. Submit additional information requested by Engineering Review in their memo dated February 25, 2025, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, in consultation with the General Manager, Toronto Water.
3. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

4. City Council allow the owner of 72 Perth Avenue (the "site") to design, construct, finish, provide, and maintain on the site thirteen (13) affordable rental housing units as part of the development, to the satisfaction of the Chief Planner and Executive Director, City Planning, the Executive Director, Development Review, and the Executive Director, Housing Secretariat, as an in-kind contribution pursuant to subsection 37(6) of the Planning Act; all in accordance with the following terms (the "in-kind contribution"):

- a. the in-kind contribution shall have a total of three (3) studio units, five (5) one-bedroom units, four (4) two-bedroom units, and one (1) three-bedroom unit (the "affordable rental housing units");
- b. the average unit size of the affordable rental housing units shall be no less than the average unit size of all the market units, by unit type, in each phase of the proposed development;
- c. the minimum unit size of the affordable rental housing units shall be no less than the minimum unit sizes of all market units, by unit type, in each phase of the proposed development;
- d. the affordable rental housing units shall be provided in contiguous groups of at least six (6) rental dwelling units if the remainder of the building is condominium in tenure;
- e. the general configuration, location, and layout of the affordable rental housing units in the development shall be to the satisfaction of the Chief Planner and Executive Director, City Planning;
- f. tenants of the affordable rental housing units shall be provided with access to, and use of all indoor and outdoor amenities in the development at no extra charge; access to, and use of, these amenities shall be on the same terms and conditions as any other resident of the building without the need to pre-book or pay a fee, unless specifically required as a customary practice for private bookings;
- g. all affordable rental housing units will be provided with ensuite laundry facilities and central air conditioning at no extra charge;
- h. tenants of the affordable rental housing units will be provided with access to resident and visitor bicycle parking/bicycle lockers in accordance with the Zoning By-law and on the same basis as other units within the development;
- i. the initial rent (inclusive of utilities) charged to the first tenants of and upon turnover of the affordable rental housing units shall not exceed Affordable Rent as defined in the Official Plan for a minimum of 25 years, beginning with the date each such unit is first occupied (the "Affordability Period"). During the Affordability Period, increases to initial rents charged to tenants occupying any of the affordable rental housing units shall be in accordance with the

residential Tenancies Act and shall not exceed the Provincial rent guideline, regardless of whether the Provincial rent guideline applies to the Affordable Rental Housing Units under the Residential Tenancies Act;

- j. the owner shall provide and maintain the affordable rental housing units as rental dwelling units at the rents identified in (i) above for the duration of the Affordability Period. The affordable rental housing units shall not be registered as a condominium or any other form of ownership, such as life lease or co-ownership, which provide a right to exclusive possession of a dwelling unit, and no application for conversion for non-rental housing purposes, or application to demolish any affordable rental housing unit shall be made for the duration of the Affordability Period; upon the expiration of the Affordability Period, the owner shall continue to provide and maintain the affordable rental housing units as rental dwelling units, unless and until such time as the owner has applied for and obtained all approvals necessary to do otherwise;
- k. the owner will use the City's Centralized Affordable Housing Access System to advertise and select tenants for the affordable rental housing units, provided it is in place, unless otherwise agreed to by the Executive Director, Housing Secretariat; and at least six (6) months in advance of any affordable rental housing unit being made available for rent, the owner shall develop and implement an Access Plan which will outline how the affordable rental housing units will be rented to eligible households in consultation with, and to the satisfaction of, the Executive Director, Housing Secretariat; and
- l. the affordable rental housing units shall be made ready and available for occupancy no later than the date by which seventy percent (70%) of the new dwelling units erected on the site as are available and ready for occupancy.

5. City Council authorize the Chief Planner and Executive Director, City Planning to enter into an agreement pursuant to subsection 37(7.1) of the Planning Act (the "In-Kind Contribution Agreement") to address the provision of the in-kind contribution identified in Recommendation 4 above, to the satisfaction of the Chief Planner and Executive Director, City Planning, the Executive Director, Development Review, and the City Solicitor, with such agreement to be registered on title to the lands, which agreement shall be evidence of arrangements for the provision of the in-kind contribution that are satisfactory to City Council.

6. City Council attribute a value to the in-kind contribution set out in Recommendation 4 above, equal to 100 percent of four percent of the value of the land (net of any exclusions or exemptions authorized under the Community Benefits Charge By-law), as determined the day before the day the building permit is issued in respect of the development and direct staff to advise the owner of such valuation.

7. City Council approve that in accordance with Section 42 of the Planning Act prior to the issuance of the first above grade building permit, the owner shall convey to the City an on-site parkland dedication, having a minimum size of 134 square metres, to the satisfaction of the General Manager, Parks and Recreation, and the City Solicitor.

8. City Council accept the remaining deficiency of parkland dedication as cash-in-lieu of parkland dedication, the value of which to be appraised by Corporate Real Estate Services upon the submission of an application for the first above-grade building permit.

9. City Council approve the acceptance of on-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.

10. In the event the owner elects to design and construct Above Base Park Improvements, 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. 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, Parks and Recreation, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time.

11. City Council authorize the City Solicitor to take all necessary actions to implement City Council's decision.

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.

Community Benefits Charge

This report requests Council approval of a Community Benefits Charge ("CBC") in-kind contribution of 13 affordable rental housing units. The estimated value of the proposed CBC in-kind contribution is 100 percent of the four percent value of the land that is the subject of the development or redevelopment in accordance with the CBC By-law. The percentage ascribed to the in-kind contribution will not be a direct CBC payment to the City.

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

DECISION HISTORY

On March 9, 2022, through Item TE31.5, City Council approved a Zoning By-law Amendment permitting a ten-storey residential building with 108 residential units at 72 Perth Avenue. City Council's decision is available at the following link:
<https://secure.toronto.ca/council/agenda-item.do?item=2022.TE31.5>.

On April 21, 2022, through Item TE32.60, City Council approved an amendment to Permit Parking Area 2 to exclude the development located at 72 Perth Avenue. City Council's decision is available at the following link:
<https://secure.toronto.ca/council/agenda-item.do?item=2022.TE32.60>.

On November 2, 2022, the Committee of Adjustment approved a minor variance application (Application A0892/22TEY) that proposed an 11 storey residential building with 128 residential units. The application also proposed the incorporation of a geothermal heating and cooling system into the design of the building.

On April 30, 2024, the Committee of Adjustment approved, on condition, a further minor variance application (Application A0199/24TEY) that proposed a 15 storey residential building (plus an amenity and mechanical penthouse level) with 211 residential units. Approval of the application was conditioned on the delivery of 12 affordable housing units with a minimum affordability term of 25 years; the provision of all new residential dwelling units of the site as rental tenure for a period of at least 20 years or a cash contribution of \$350,000.00 to be directed towards affordable housing and/or park improvements in Ward 9; a \$100,000.00 cash contribution to be directed towards affordable housing and/or park improvements in Ward 9; and the incorporation and maintenance of a geothermal heating and cooling system within the development.

THE SITE AND SURROUNDING LANDS

Description

The site is located on the west side of Perth Avenue, south of Bloor Street West. The site is generally rectangular in shape and has a size of 1,818 square metres, a frontage of 55.6 metres along Perth Avenue, and a depth that ranges between 31.9 and 33.5 metres.

Surrounding Uses

North: Abutting the site to the north is a vacant property, at 1439 Bloor Street West. The properties at 1423-1437 Bloor Street West and 278 Sterling Road, on the east side of Perth Avenue on Bloor Street West, were subject to a Zoning By-law Amendment application (Application 21 139658 STE 09 OZ) and a subsequent minor variance application (Application A0605/23TEY) to permit a 20-storey mixed-use building.

South: Abutting the site to the south, at 12-68B Perth Avenue, are 32 three storey townhouses that were developed through a larger Official Plan and Zoning Bylaw Amendment application that included the conversion of employment lands.

East: To the north and south of the site, on the east side of Perth Avenue, are predominantly two-storey residential buildings on narrow lots with some commercial uses interspersed.

West: Abutting the site to the west is the West Toronto Rail Path (the “WTRP”), a multi-use path that serves as an active transportation link that runs along the Metrolinx Kitchener GO/UP Express rail corridor.

THE APPLICATION

Description

The application proposes an 18 storey (plus an amenity and mechanical rooftop level) residential building with a height of 64.3 metres. A total GFA of 19,485.4 square metres is proposed, which is comprised entirely of residential space. An on-site parkland dedication of 134 square metres is proposed along the western limit of the site, which is intended to support the widening of the WTRP.

Density

The proposed development has a density of approximately 10.7 times the area of the gross site.

Residential Component

The proposed development includes 262 dwelling units, comprised of 26 studio units (10%), 118 one-bedroom units (45%), 92 two-bedroom units (35%), and 26 three-bedroom units (10%). Of the 262 residential dwelling units, 13 units will be provided as affordable rental housing units.

Access, Parking and Loading

The residential lobby entrance is located centrally along the site’s Perth Avenue frontage. Three at-grade residential units are also proposed along Perth Avenue.

Vehicular access is proposed towards the northern limit of the site, which would provide access to one Type ‘G’ loading space and parking on the ground floor as well as access to one level of underground parking. Due to the site’s adjacency to the rail corridor, a portion of the ground floor is comprised of parking and servicing areas to ensure the required separation between the rail corridor and sensitive uses.

A total of 41 vehicular parking spaces are proposed, comprised of 36 resident, one resident car-share, and four residential visitor spaces. A total of 264 bicycle parking spaces are proposed, comprised of 237 long-term and 27 short-term spaces. Bicycle parking spaces and a bicycle repair station are located on the second floor, which is accessible by elevator.

Additional Information

See the attachments of this report for the Application Data Sheet, Location Map, 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/72PerthAve.

Reasons for Application

A Zoning By-law Amendment application is required to permit the proposed height, density, and setbacks, among other modifications to the performance standards.

APPLICATION BACKGROUND

Following the Committee of Adjustment's approval of a 15 storey residential building in April of 2024, the applicant presented a further revised development concept to staff that proposed an 18 storey (plus amenity and mechanical penthouse level) residential building with 262 residential dwelling units in November of 2024. The additional height and density contemplated was noted by the applicant as being required to deliver a rental housing development under a rental housing program supported by the Canada Mortgage and Housing Corporation ("CMHC"). On November 26, 2024, Community Planning staff issued a Planning Application Checklist identifying the submission requirements for a new Zoning By-law Amendment application.

The current application was submitted on January 24, 2025 and deemed complete on February 18, 2025, satisfying the City's minimum application requirements. The reports and studies submitted in support of this application are available on the Application Information Centre at: www.toronto.ca/72PerthAve.

Agency Circulation Outcomes

The application has been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Zoning By-law standards.

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) (the “PPS (2024)”), and shall conform to provincial plans.

Official Plan

The Official Plan designates the site as Mixed Use Areas. See Attachment 3 of this report for the Official Plan 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 site is zoned Commercial Residential through site-specific By-law 182-2022, which amended City of Toronto Zoning By-law 569-2013. Site-specific By-law 182-2022 permits a 10 storey (33.5 metres) residential building with a maximum residential GFA of 9,700 square metres and a maximum of 108 residential dwelling units, of which a minimum of 30 percent must be two-bedroom dwelling units and a minimum of 10 percent must be three-bedroom dwelling units. By-law 182-2022 also requires 35 vehicular parking spaces for residents, 10 vehicular parking spaces for visitors, and one Type ‘G’ and one Type ‘C’ loading space. See Attachment 4 of this Report for the existing Zoning By-law Map.

Bloor Street Study: St. Helen’s Avenue to Perth Avenue Planning Framework

The site is located within the City-initiated Bloor Street Study. On July 14, 2021, City Council endorsed the Study's Planning Framework and directed staff to review all current and future development applications against the Planning Framework.

The Planning Framework includes a vision for a diverse, complete, and connected community that integrates properties identified as having potential cultural heritage value into plans for its future; provides a coordinated public realm network for new and enhanced parks, open spaces and connections; outlines the urban structure and built form of the identified character areas; and identifies emerging needs related to community services and facilities. The Planning Framework complements the policies of the Official Plan and provides clarity related to the appropriate locations for built form and public realm improvements.

Design Guidelines

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

- Mid-Rise Building Performance Standards;
- Growing Up Guidelines for Children in Vertical Communities;
- Pet Friendly Design Guidelines for High Density Communities; and
- Toronto Accessibility Design Guidelines.

Toronto Green Standard

The Toronto Green Standard (the “TGS”) is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the TGS.

PUBLIC ENGAGEMENT

Community Consultation

A virtual community consultation meeting was held on March 5, 2025 by Community Planning staff and was attended by ten members of the public, the applicant, their consultant, and a representative from the office of the local Ward Councillor. Community Planning staff presented information related to the applicable planning policies and development review process, while the applicant presented details of the proposal. A moderated question and answer discussion was held after the presentations, where questions and comments related to the following matters were raised:

- Concern with the increase to the proposed building height from 15 to 18 storeys and concerns that further increases to the building height could be sought in the future;
- A comment that the proposed development is under-ambitious given the need for housing and the scale of developments in the surrounding area (specific reference was made to 2440 Dundas Street West);
- Questions related to the timing of construction and concerns related to future construction impacts including parking for construction workers;
- Concerns related to the availability of parking in the surrounding area and concerns with the availability of on-street permit parking spaces;
- Concerns with the recently installed traffic signal at Perth Avenue and Bloor Street West resulting in a request for an area-wide traffic study; and
- Concerns that noise from the overhead garage door to the parking and loading area of the proposed development will create noise and disturb adjacent properties.

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.

Statutory Public Meeting Comments

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

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 has reviewed the current proposal for consistency with the PPS (2024) and find the proposal consistent with the PPS (2024).

Official Plan Policies and Design Guidelines

This application has been reviewed against, and conforms to, the Official Plan policies and planning studies and meets the intent and purpose of the design guidelines described in the Policy and Regulation Considerations section of this report.

Bloor Street Study: St. Helen's Avenue to Perth Avenue Planning Framework

The site is located towards the southwestern limit of the Bloor Street Study area where Council endorsed a Planning Framework to guide future development and ensure that growth occurs in a well-planned and coordinated manner.

The Planning Framework identifies sites within Character Area D as appropriate sites for gradual intensification, as the Mixed Use designation permits opportunities for taller buildings. Within Character Area D, the permitted height of buildings is limited to satisfying minimum separation distances and transition is to be provided towards low-scale residential areas. Sites within Character Area D should also provide open space opportunities and connections that lead to the WTRP.

Staff are of the opinion that the application advances the objectives of the Framework. The proposal is of an appropriate height and scale and applies appropriate transition measures to limit impact on the lower-scale residential areas, including the incorporation of setbacks and stepbacks. These push the upper levels of the proposed building away from the lower-scale residential area and towards the adjacent rail corridor.

While the Planning Framework's public realm network plan does not direct specific improvements as part of the development of the site, the proposed development advances the objectives of the character area analysis and the public realm network plan through the widening of the WTRP. It also enhances the Perth Avenue public realm, ensuring its design is in keeping with the evolving character of Perth Avenue and is coordinated with the adjacent properties.

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. The proposed development would result in a residential building that delivers both market units and affordable rental housing units, with a unit mix that meets the direction of the Growing Up Guidelines.

As part of the proposed 18 storey building, the applicant has agreed to provide a minimum of 13 affordable rental housing units through an in-kind Community Benefit Charge contribution pursuant to subsection 37(6) of the Planning Act. The affordable rental housing units will be provided on-site and maintained for a period of 25 years, where the total monthly rent, inclusive of all utilities, will not exceed the Official Plan definition of affordable rent by unit type. Staff are supportive of the proposed affordable housing contribution and have listed the terms associated with the affordable housing units in the Recommendations section of this report. An In-Kind Contribution Agreement will be used to secure the proposed affordable rental housing units.

Density, Height, Massing

In assessing the appropriateness of the proposed development, the Official Plan directs consideration of the existing and planned context. The Official Plan also directs that development within Mixed Use Areas locate and mass new buildings to provide transition between areas of different development intensity and scale through means such as setbacks and stepbacks.

The site is located in close proximity to lands designated Neighbourhoods. The site is also close to existing transit infrastructure and abuts a rail corridor. The Planning Framework further assessed the existing and planned context through the character analysis. As a result of the site's locational attributes and size and the incorporation of specific design considerations, staff are of the opinion that an 18 storey residential building is appropriate.

The proposed building consists of three main elements: a base building, a middle, and an amenity and mechanical penthouse level. The base building is four storeys or 15.6 metres tall, responding to the established physical character of the neighbourhood. The proposed base building height is reflective of surrounding developments, including the existing three-storey townhouses immediately south of the site and the low-scale neighbourhood on the east side of Perth Avenue.

The incorporation of stepbacks above the base building along the east and south building elevations achieves an appropriate transition in scale to the taller building elements. The stepbacks at the 14th and 17th storeys pushes the massing towards the rail corridor, articulates the building, and has the effect of reducing the scale and visual impact of the taller building elements from Perth Avenue.

Above the 18th storey, an amenity and mechanical penthouse level is proposed, which resembles the form of a typical mechanical penthouse and is set back over 9 metres from the eastern building elevation. The incorporation of geothermal energy as part of the proposed development created an opportunity to recoup space within the mechanical penthouse level to provide both indoor and outdoor amenity space.

Public Realm

The proposed development would advance the Official Plan's Public Realm and Built Form policy objectives through improvements to the Perth Avenue pedestrian realm and an on-site parkland dedication that would support the widening of the WTRP.

The ground floor of the proposed building would be set back 3.35 metres from the eastern property line, resulting in a 7.6 metre wide public realm on Perth Avenue measured from the curb to building face. This setback aligns with the setback of the townhouses to the south of the site and provides sufficient growing space to accommodate four trees. There are three at-grade units proposed within this portion of the building. The lobby entrance and residential units at-grade would animate and bring visual interest to this portion of Perth Avenue. The proposed public realm would be keeping with the evolving character of Perth Avenue and would be an improvement from the existing condition.

Staff are satisfied with the interface of the proposed development on the public realm, including the widening of the WTRP through the on-site parkland dedication, and an improved pedestrian condition along Perth Avenue.

Shadow Impact

A detailed sun and shadow study was submitted in the support of the proposed development, which outlines the shadows cast by the proposed 18 storey building and compares the shadows cast by the approved 15 storey building in the months of March, June, September, and December.

The incremental shadow cast by the proposed building adds minimally to the shadow cast by the previously approved building. The shadows of the proposed 18 storey building have been mitigated through the incorporation of a series of intentional design considerations that push the upper volume of the building towards the rail corridor and away from the adjacent low-scale neighbourhood.

Wind Impact

A Pedestrian Level Wind Study was submitted in support of the proposed development, which assesses pedestrian wind conditions within, and surrounding, the site to ensure wind comfort and safety.

The Wind Study found that most grade-level areas within, and surrounding, the site were predicted to experience acceptable conditions for the intended pedestrian uses throughout the year, inclusive of nearby public sidewalks, the WTRP, the on-site parkland dedication, and in the vicinity of the building's access points. Additional design considerations to further respond to potential wind impacts will be considered through the site plan review process.

Servicing

Engineering Review staff have provided comments on the Functional Servicing and Stormwater Management Report submitted in support of the development application and have requested additional information in relation to foundation drainage for the site. The applicant has submitted the additional information requested, which has been circulated to Engineering Review staff. Staff are recommending that this matter be addressed prior to the enactment of the zoning bill by City Council.

Traffic Impact

An Urban Transportation Considerations Report was submitted in support of the proposed development, which estimates the new site traffic generated based on data collected from similar sites in terms of context and scale.

The proposed development is projected to generate 115 and 130 two-way person trips during the morning and afternoon peak hours, respectively. Based on the modal split data for the area, the vehicular trip generation was estimated to be 30 and 40 two-way trips during the morning and afternoon peak hours, respectively. As part of the traffic analyses, the report also documents the various model calibrations undertaken to assess current and future road conditions accurately. The report notes that the signalized intersections in the area are projected to have some constrained movements during the peak operational hours under future conditions (for example, the eastbound and southbound left-turns at Bloor Street West/Symington Avenue/Sterling Road). However, the roadway capacity and levels of service are projected to be adequate.

Given the expected trip generated and the results of the traffic analyses, the report concludes that the projected traffic generated by the development will have minimal impacts on area intersections and can therefore be accommodated on the adjacent road network.

Access, Vehicular and Bicycle Parking and Loading

The location and design of the site driveway is acceptable. One Type 'G' loading space as required is proposed on the ground floor of the proposed development. Vehicle manoeuvring diagrams have been provided, illustrating the forward motion of a truck entering the site, using the proposed loading space, and exiting into the Perth Avenue right-of-way in a forward motion. The configuration of the loading space is acceptable.

The proposed development incorporates an overall vehicular parking supply of 41 spaces, which includes five accessible parking spaces, whereas seven accessible parking spaces are required. The proposed parking supply exceeds the minimum resident parking requirement and meets the residential visitor requirement but is short on the number of accessible parking spaces. Given the overall parking supply proposed and the design of the underground garage, Transportation Review staff will accept the five accessible parking spaces.

The proposed development incorporates an overall bicycle parking supply of 264 spaces, which includes 27 short-term spaces, whereas 53 short-term spaces are required. The proposed development must either be revised to provide the minimum short-term bicycle parking spaces or alternatively, the applicant can apply for a payment-in-lieu of bicycle parking during the site plan application process for up to 50 percent of the short-term bicycle requirement. Should the applicant opt for payment-in-lieu of bicycle parking, the required payment is to be paid prior to the issuance of a building permit.

To promote alternate modes of transportation on the site, the applicant will be required to submit financial contributions in the form of certified cheques and/or provide additional documentation for the implementation of a Transportation Demand Management ("TDM") plan. Based on the Urban Transportation Considerations Report submitted in support of the proposed development, the proposed TDM plan includes the following:

- One publicly accessible car-share space provided on-site;
- A payment of \$50,000 for a bike-share station on-site or in the area;
- One (1) Pre-loaded Presto card (\$150 value) per unit, provided in the first year of occupancy;
- The provision of a transit screen in a visible space on the ground floor; and
- A minimum of one (1) bike repair station provided on-site.

Parkland

In accordance with Section 42(3) of the Planning Act, the applicable alternative rate for on-site parkland dedication is 1 hectare per 600 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. In total, the parkland dedication requirement is 181 square metres.

As per City Council's adoption of item TE31.5, the on-site parkland dedication has been reduced from 156.4 square metres to 134 square metres in order to accommodate an encumbrance resulting from the emergency exit abutting the proposed parkland. The 22.4 square metres excluded from the dedication area will be added to the cash-in-lieu portion of the parkland dedication for a total of 47 square metres.

The on-site dedication of 134 square metres is proposed along the existing western property line and would be rectangular in shape. The on-site dedication would be 3.2 metres at its widest, at the northern limit of the site and would narrow to 1.6 metres at its narrowest, at the southern limit of the site. The on-site dedication will be used to support the widening of the WTRP.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813, Trees, Articles II (Trees on City Streets) and III (Private Tree Protection), commonly referred to as the 'Street Tree By-law' and the 'Private Tree By-law'. The applicant submitted an Arborist Report, Tree Declaration Form, Landscape Plans, and Engineering Plans.

The Arborist Report submitted in support of the proposed development identifies that no trees remain on site. These removals include trees within the City-owned land to the west of site that were previously required by Urban Forestry staff to be audited, assessed, and included in the Arborist Report. These trees were ultimately removed by Metrolinx as a result of construction activities along the rail corridor. In addition, Urban Forestry issued a permit on March 24, 2022 for the destruction of four trees that were in poor condition. The removal of these trees were reviewed as part of the previous development application on the site and resulted in the requirement of four replacement trees to be planted within the City-owned road allowance along Perth Avenue. The architectural and landscape plans submitted in support of the proposed development incorporate these replacement trees, to the satisfaction of Urban Forestry.

Rail Safety

The site is located east of the Metrolinx Kitchener GO/UP Express rail corridor, with the WTRP located between the site and the rail corridor. Metrolinx operates passenger train service through this corridor and Canadian Pacific and Canadian National railway retained freight operating rights when they sold the Galt and Watson Subdivision rail corridor to Metrolinx.

The applicant has submitted a Rail Safety and Development Viability Assessment which assesses the risk profile of the adjacent rail corridor to the site and summarizes the mitigation measures that are proposed to ensure compatibility between the rail corridor and the proposed development.

Arup Canada Inc. was retained by staff in 2021 to complete a peer-review of the Rail Safety Assessment associated with the proposed 10 storey residential building, at the expense of the owner. In addition to the City's third party peer-reviewer, the Rail Safety Assessment was reviewed by Metrolinx's Third Party Projects Review. In January of 2022, both the City's third party peer-reviewer and Metrolinx's Third Party Project Review accepted the proposed mitigation measures, which included the acceptance of a combined horizontal and vertical setback of 23.55 metres, measured from the rail corridor property line to the closest sensitive use on site, and a crash wall that is integrated within the building's western elevation.

The Rail Safety and Development Viability Assessment submitted in support of the proposed development increases the previously accepted setback from 23.55 metres to 24.56 metres and continues to incorporate a crash wall that is integrated within the building's western elevation. To further review and finalize details related to the applicant's approach to rail safety, particularly the review of the design of the crash wall, the City and Metrolinx will undertake a further peer-review of the Rail Safety and Development Viability Assessment, at the owner's expense, through the site plan review process.

Noise and Vibration

A Noise and Vibration Feasibility Study was submitted in support of the proposed development, which assesses noise sources in proximity to the site and summarizes the mitigation measures that are proposed to ensure acceptable sound levels. In 2021, Cambium Incorporated was retained by staff to complete a peer-review of the Noise and Vibration Feasibility Study, at the expense of the owner. Following review, the City's third party peer-reviewer agreed with the findings of the Feasibility Study and the proposed mitigation measures, which included the incorporation of STC rated windows, a 1.8 metre high acoustic barrier around the perimeter of the outdoor amenity area, and the incorporation of warning clauses in rental agreements. As for vibration impact, rail vibration was measured and found to be within the applicable criteria and additional mitigation of ground-borne vibration is not expected to be required.

The Noise and Vibration Feasibility Study submitted in support of the proposed development continues to incorporate the previously accepted mitigation measures in relation to noise. The findings of the Feasibility Study have also been accepted by Metrolinx. To ensure the proposed development is built out in accordance with the required mitigation measures related to noise, the mitigation measures will be formally secured through the site plan review process.

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.

Conclusion

It is the opinion of Development Review staff that the proposed development and implementing Zoning By-law are consistent with the PPS (2024) and conform to the Official Plan. Staff are of the opinion the proposed residential building fits within the existing and planned context for the area and the provision of 13 affordable rental housing units responds to a need for the area which was identified through a Community Services and Facilities study conducted as part of the Planning Framework.

CONTACT

Victoria Fusz, Senior Planner, Community Planning, Tel. No. 416-395-7172, E-mail:
Victoria.Fusz@toronto.ca

SIGNATURE



Carly Bowman, M.Sc.Pl., MCIP, RPP
Director, Community Planning
Toronto and East 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
Attachment 5: Draft Zoning By-law Amendment

Applicant Submitted Drawings

Attachment 6: Site Plan
Attachment 7: North and South Building Elevations
Attachment 8: East and West Building Elevations
Attachment 9: 3D Massing Model Looking Northeast
Attachment 10: 3D Massing Model Looking Southwest

Attachment 1: Application Data Sheet

Municipal Address: 72 PERTH AVE **Date Received:** January 24, 2025

Application Number: 25 108495 STE 09 OZ

Application Type: Rezoning

Project Description: Zoning By-law Amendment for a 18 storey residential building containing 262 residential units.

Applicant	Architect	Owner
SAJECKI PLANNING 227 PAPE AVE TORONTO, ON M4M 2W3	STUDIO JCI 525- 20 DE BOERS DR TORONTO, ON M3J 0H1	72 PERTH INC. 701- 180 BLOOR ST W TORONTO, ON M2S 2V6

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	N
Zoning:	CR 2.0 (c2.0; r2.0) SS2 (x1227)	Heritage Designation:	N
Height Limit (m):	—	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m):	1,818	Frontage (m):	56	Depth (m):	33
-------------------	-------	---------------	----	------------	----

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			1,472	1,472
Residential GFA (sq m):			19,406	19,485
Non-Residential GFA (sq m):	1,095			
Total GFA (sq m):	1,095		19,485	19,485
Height - Storeys:	2		18	18
Height - Metres:			60	60

Lot Coverage Ratio (%):	80.99	Floor Space Index:	10.7
-------------------------	-------	--------------------	------

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	19,344	141
Retail GFA:		
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:			262	262
Freehold:				
Condominium:				
Other:				
Total Units:			262	262

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		26	118	92	26
Total Units:		26	118	92	26

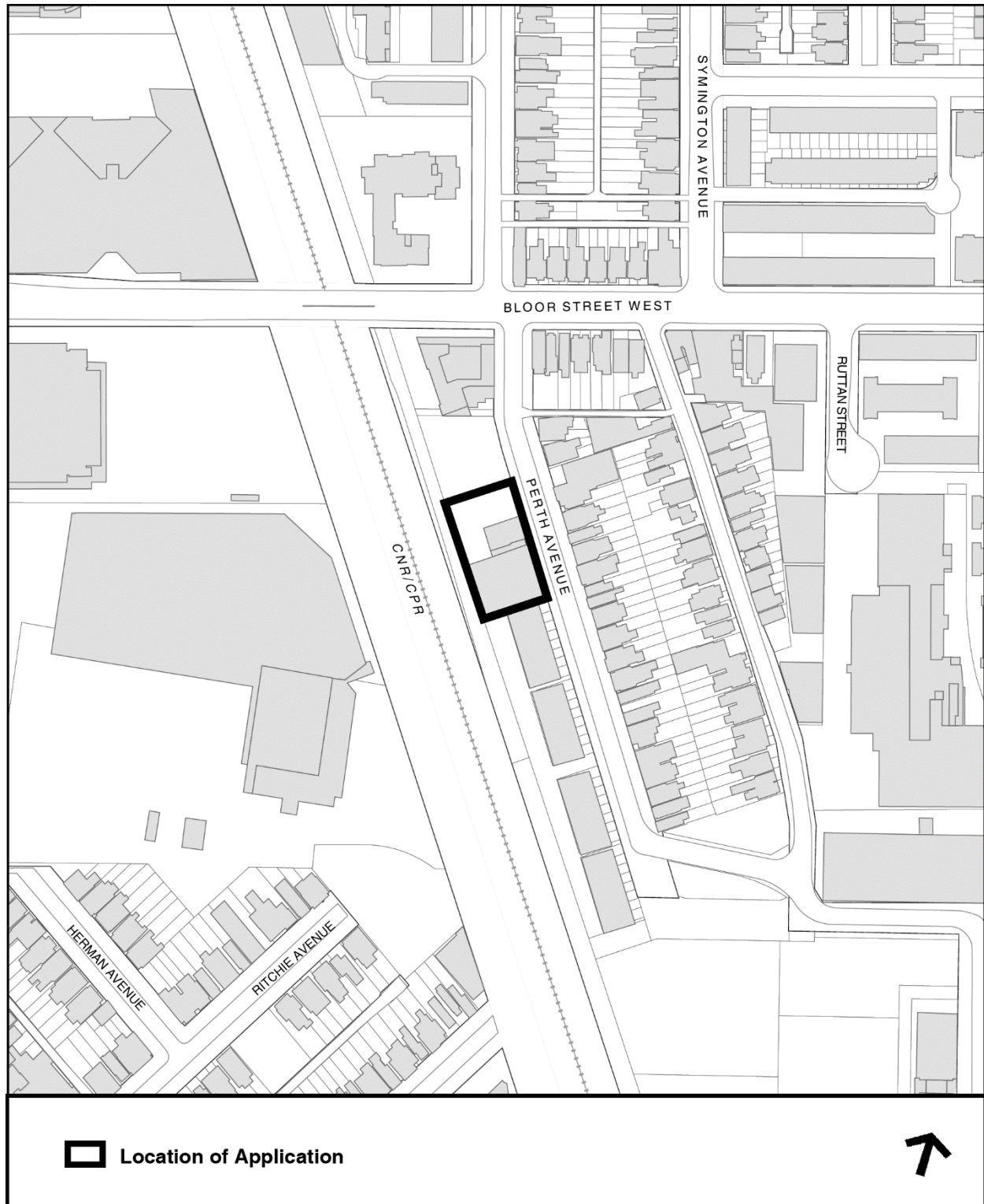
Parking and Loading

Parking Spaces: 41 Bicycle Parking Spaces: 264 Loading Docks: 1

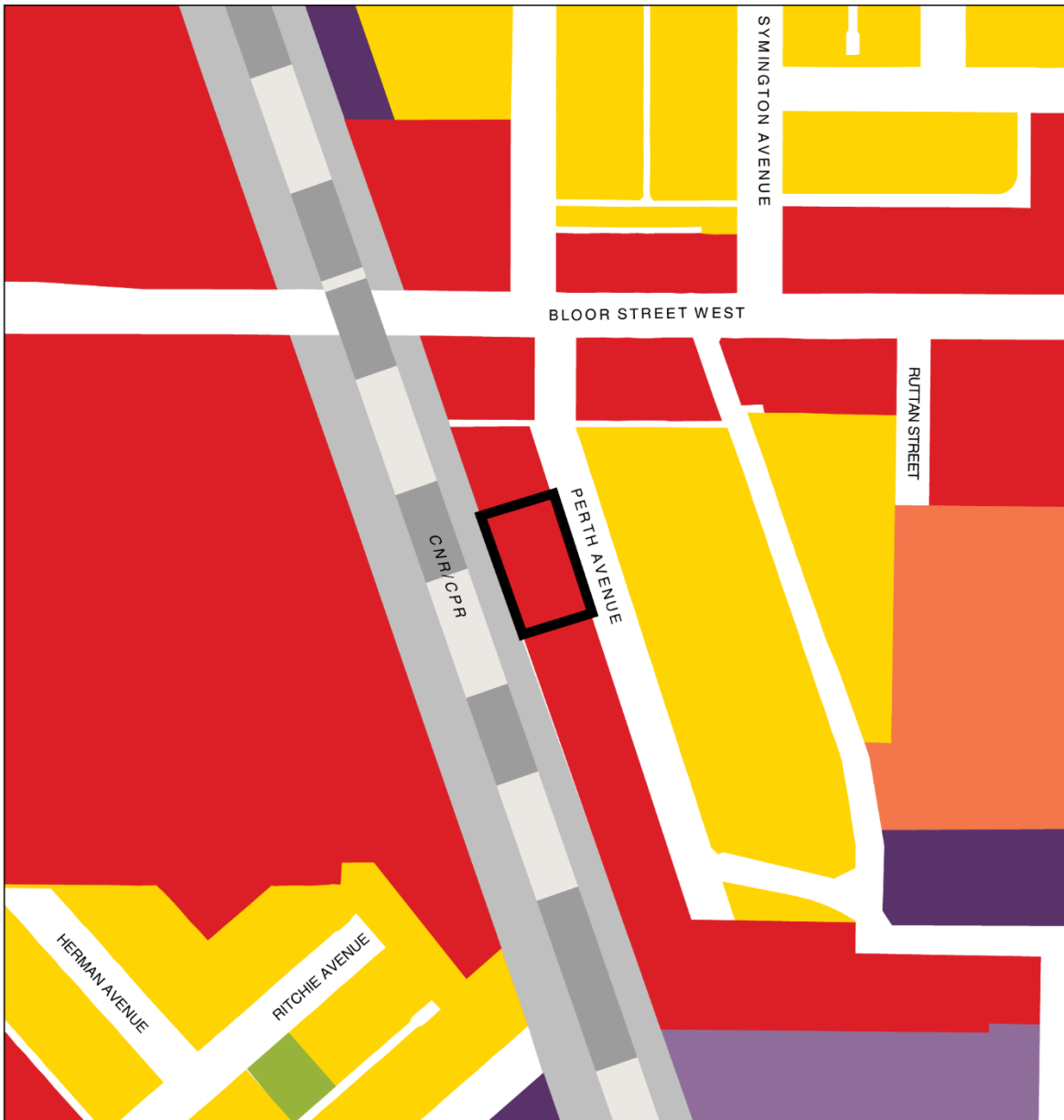
CONTACT:

Victoria Fusz, Senior Planner, Community Planning
416-395-7172
Victoria.Fusz@toronto.ca

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map 18

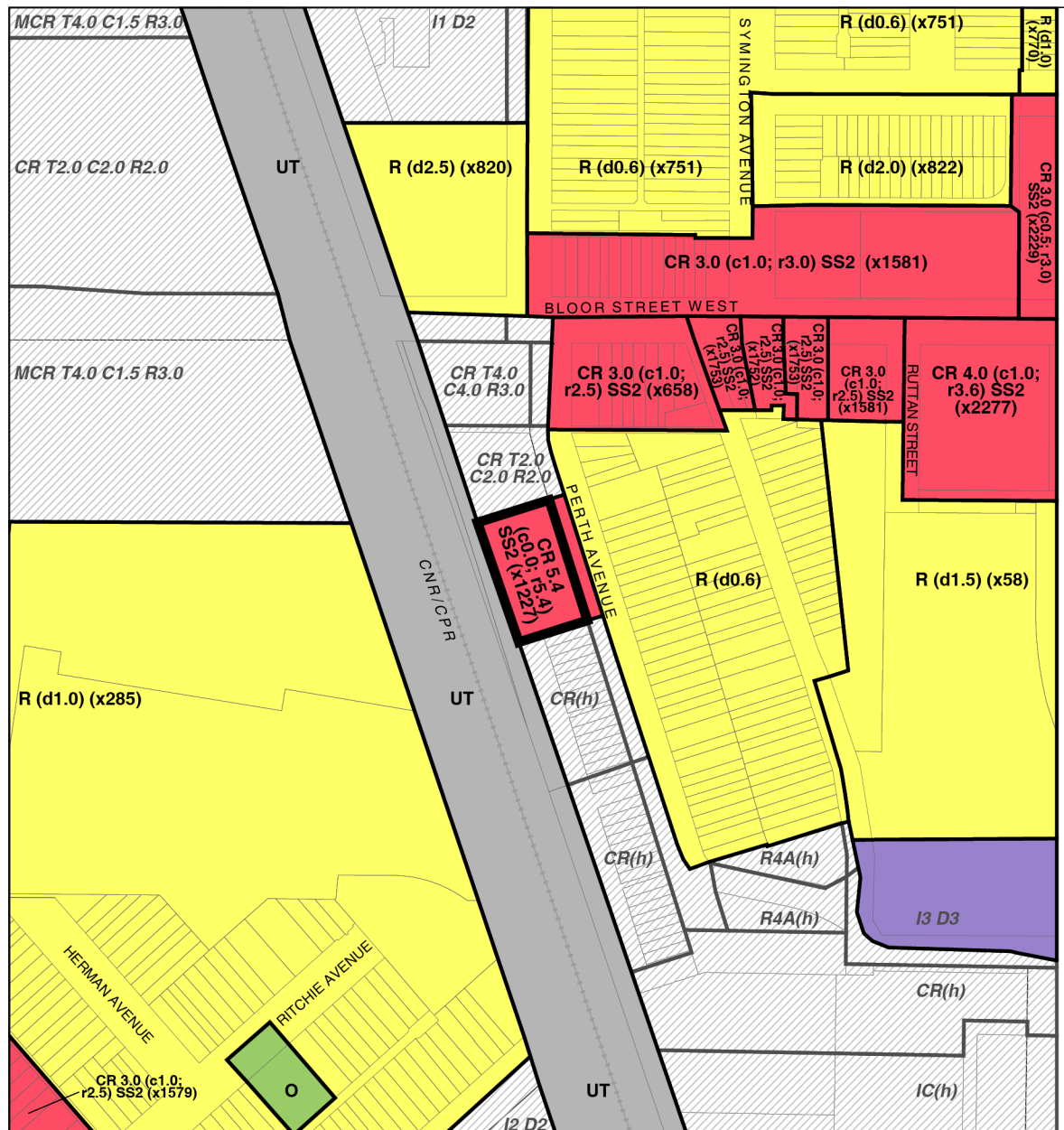
72 Perth Avenue

File # 25 108495 STE 09 02



↑
Not to Scale
Extracted: 01/27/2025

Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

72 Perth Avenue

File # 25 108495 STE 09 0Z

Location of Application

R Residential
CR Commercial Residential
E Employment Industrial
O Open Space

UT Utility and Transportation

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

R4A Residential District
CR Mixed-Use District
MCR Mixed-Use District
I1 Industrial District
I3 Industrial District

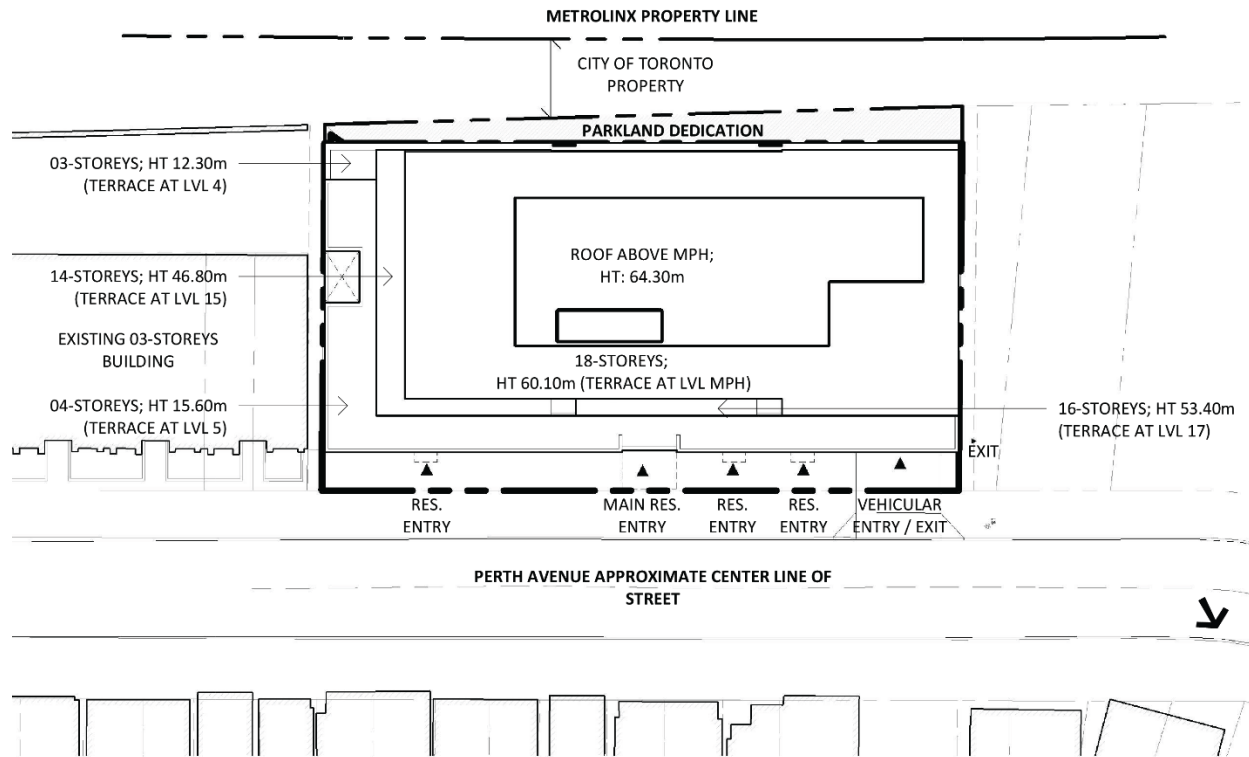


Not to Scale
 Extracted: 01/27/2025

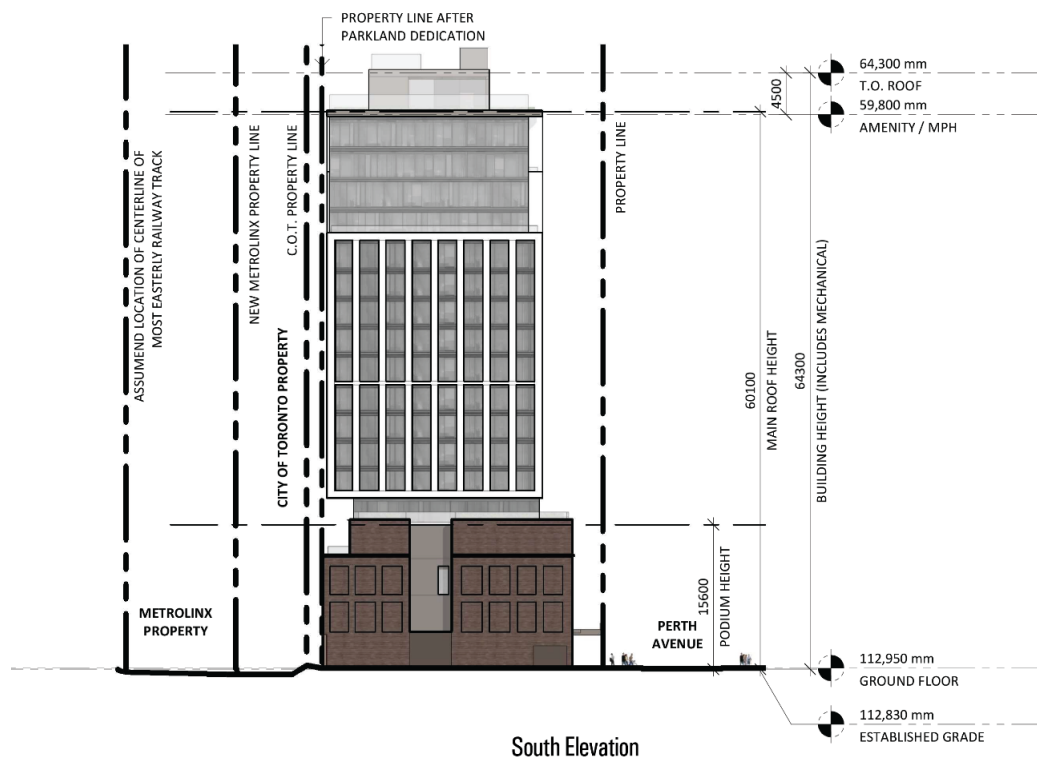
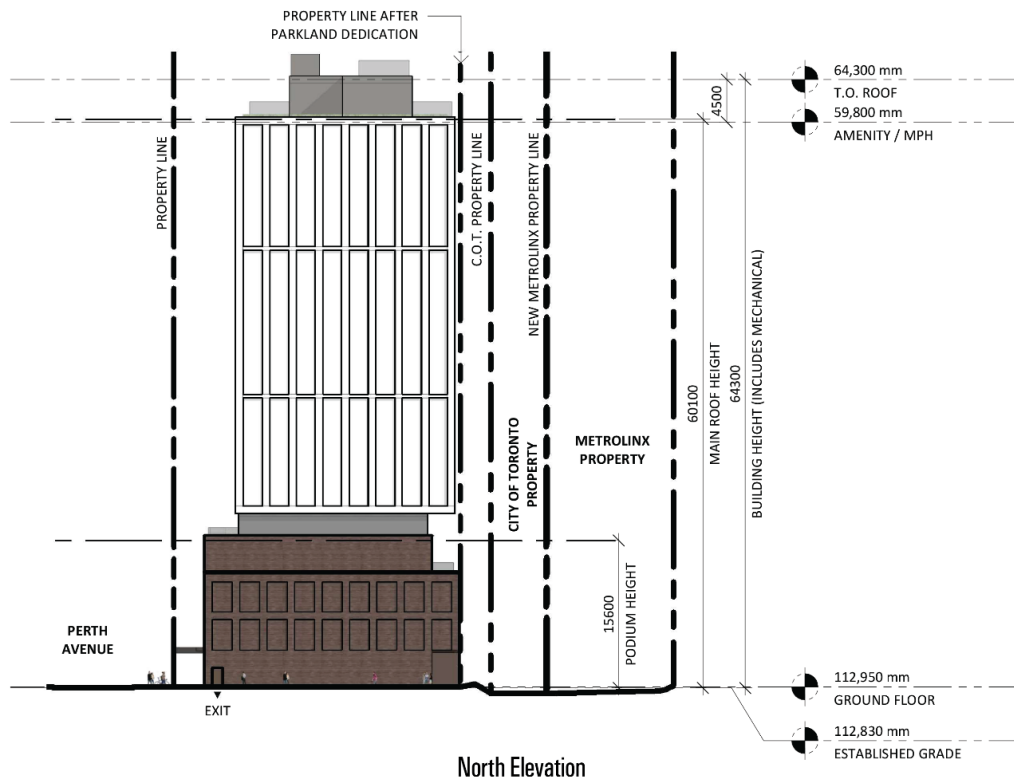
Attachment 5: Draft Zoning By-law Amendment

The draft Zoning By-law Amendment will be made available on or before the May 1, 2025 Toronto and East York Community Council meeting.

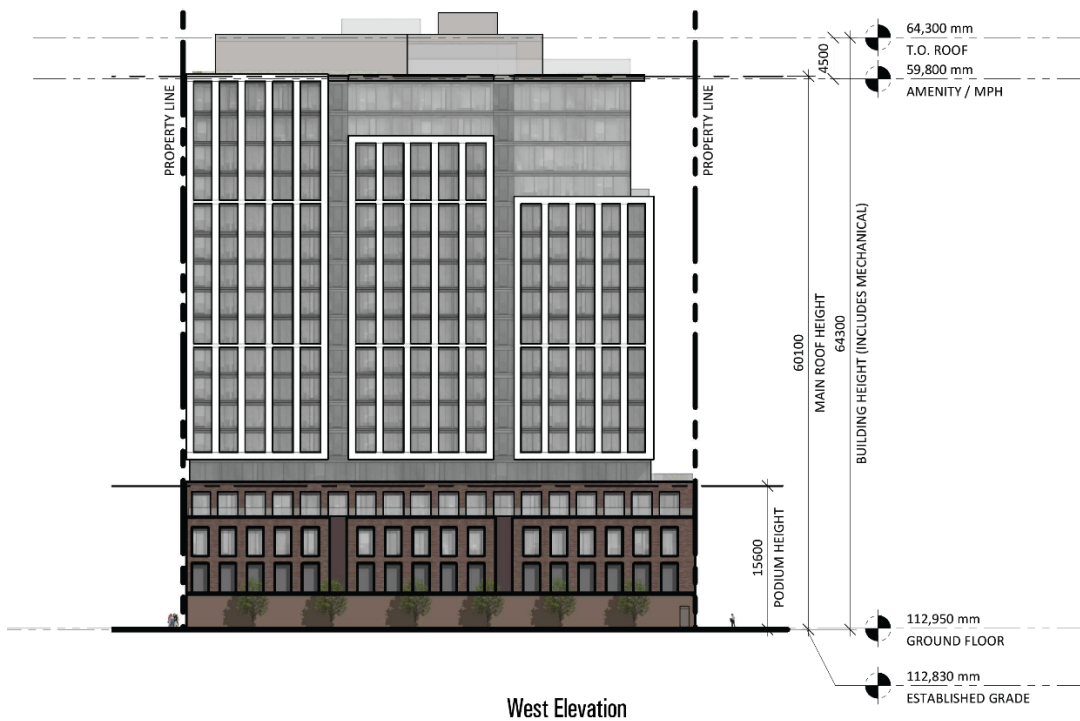
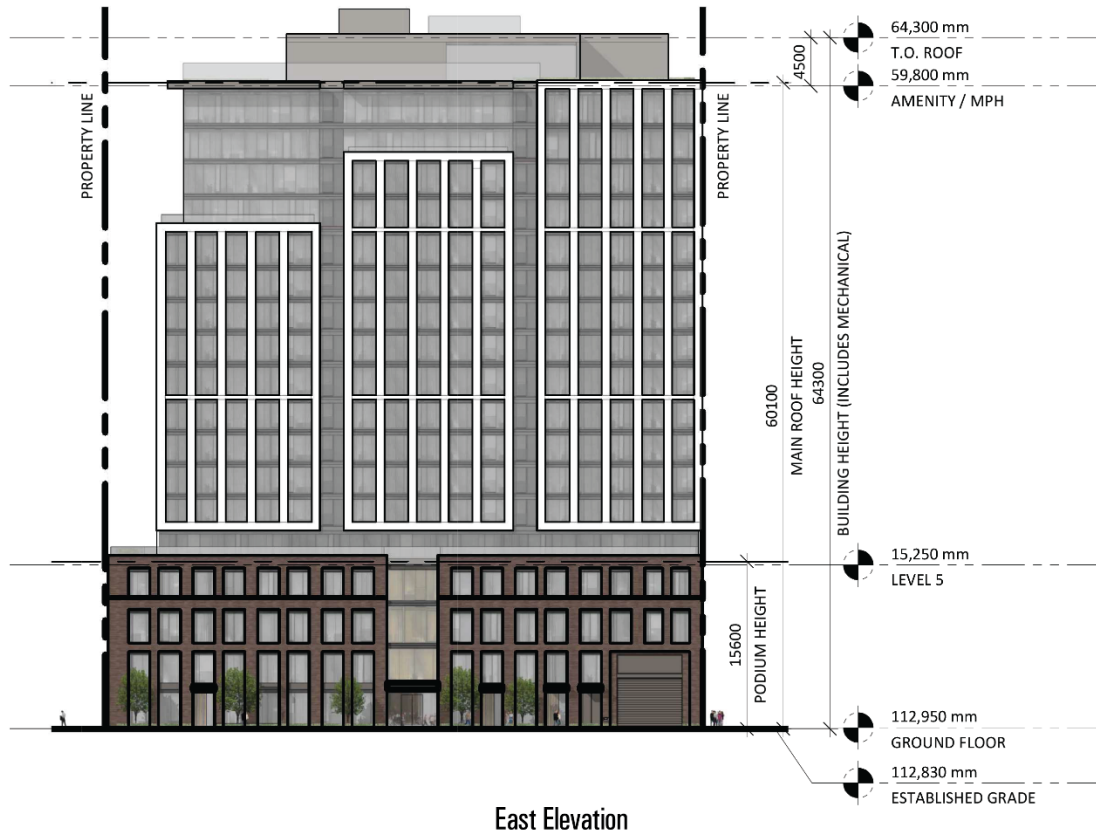
Attachment 6: Site Plan



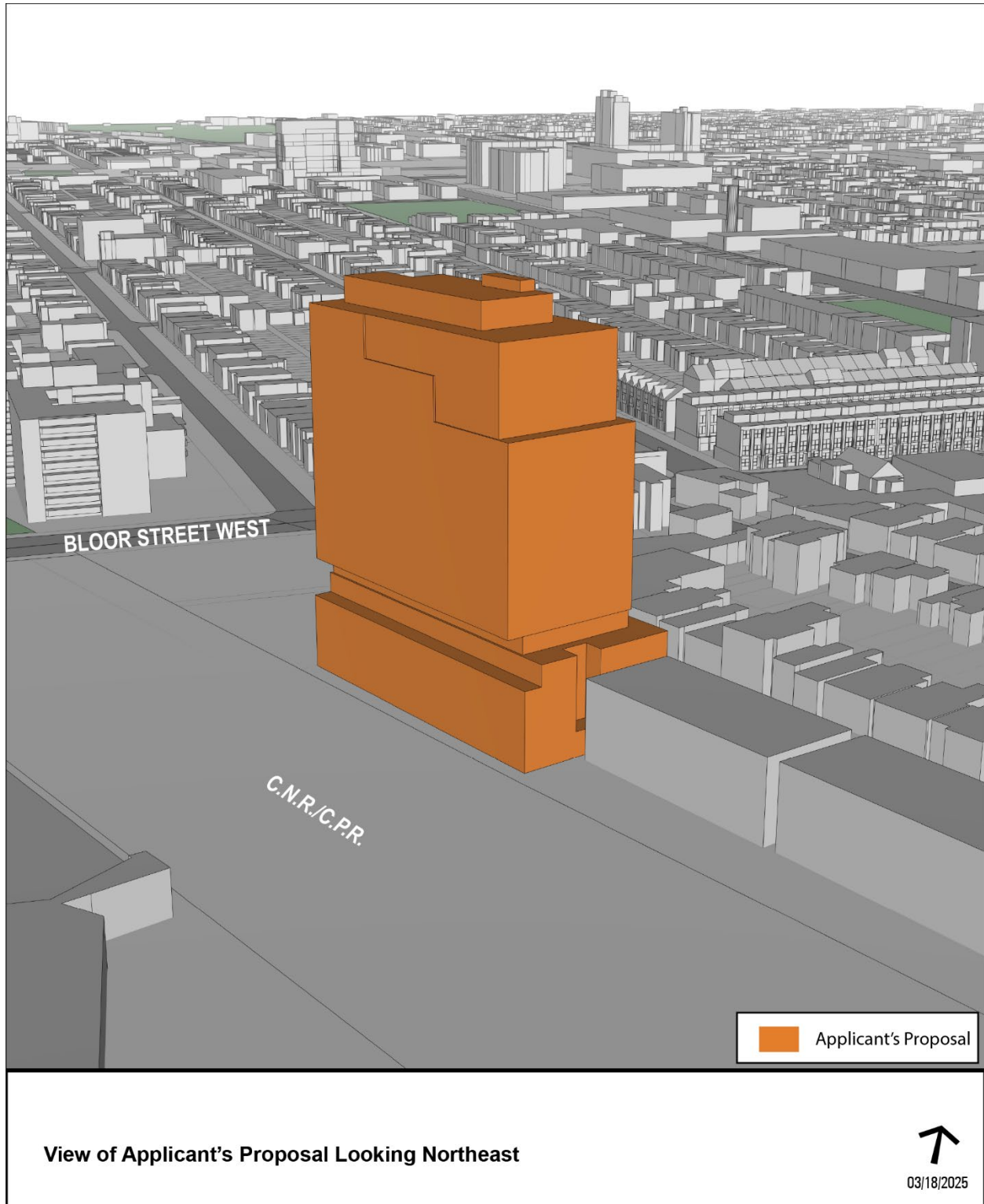
Attachment 7: North and South Building Elevations



Attachment 8: East and West Building Elevations



Attachment 9: 3D Massing Model Looking Northeast



Attachment 10: 3D Massing Model Looking Southwest

