

579 - 585 Lawrence Avenue West – Official Plan Amendment, Zoning By-law Amendment and Rental Housing Demolition Applications – Request for Directions Report

Date: May 2, 2019

To: North York Community Council

From: Director, Community Planning, North York District

Wards: Ward no. 8 - Eglinton-Lawrence

Planning Application Number: 17 222637 NNY 8 OZ

SUMMARY

This application proposes to amend the Official Plan and Zoning By-law at 579, 581, 583 and 585 Lawrence Avenue West to permit the construction of 12 four-storey, freehold townhouses (excluding staircase access to roof top terrace) in 2 blocks fronting Lawrence Avenue West. The total gross floor area of the proposal is 2,885 square metres which results in a density of 1.62 times the lot area. The proposed height of the buildings is 16.06 metres for Block 1 at the eastern end and 15.78 metres for Block 2 at the western end. Each unit would be provided with one integral parking space at grade in the rear of the unit and two visitor parking spaces would be provided on site to serve all 12 residential units. Vehicular access is proposed from Lawrence Avenue West with a two-way access driveway.

The applicant has appealed the proposed Official Plan Amendment and Zoning By-law Amendment applications to the Local Planning Appeal Tribunal (LPAT), citing Council's lack of decision on the applications within the time frame specified in the *Planning Act*. A Pre-Hearing Conference was held on November 29, 2018. A second Pre-Hearing Conference will be held on May 9, 2019. A Hearing has been scheduled for five (5) days commencing on November 18, 2019.

As a consequence of these application submissions and several inquiries regarding intensification on other properties along this stretch of Lawrence Avenue West, the City Planning Division has undertaken a Block Study for a total of 38 lots along the south side of Lawrence Avenue West between Shermount Avenue and Glenmount Avenue, including the subject lands, to determine an appropriate development framework for the properties within the Study Area. The study has informed the current applications and will inform other applications that City Planning staff anticipates will follow.

The City Planning Division has completed the Lawrence Avenue West Block Study and prepared a report and draft Official Plan Amendment (OPA) 433 and Site and Area Specific Policy (SASP) 559 which will be considered at the May 22, 2019 meeting of

North York Community Council. The proposed development has been reviewed against draft Block Study OPA and SASP and it has been determined that the proposal deviates in some ways from the proposed Block Study Official Plan Amendment and Site and Area Specific Policy recommendations. This report recommends that the City Solicitor, together with City Planning and other appropriate staff, attend the LPAT hearing in opposition to the site-specific Official Plan and Zoning By-law Amendment applications in their current form.

An application for Rental Housing Demolition under Chapter 667 of the Toronto Municipal Code has also been submitted to permit the demolition of 5 existing rental units at 579 – 585 Lawrence Avenue West. Staff recommend that Council withhold from making a decision on this application, as the proposed development in its current form is not supported by Planning staff. Council's decision under this statute is not appealable to the LPAT. Should the LPAT approve the Official Plan and Zoning By-law Amendment appeals in whole or in part, the Chief Planner would have the delegated authority under Chapter 667 of the Toronto Municipal Code to approve the Rental Housing Demolition permit application and impose conditions.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor, together with City Planning staff and any other City staff as appropriate, to appear before the Local Planning Appeal Tribunal (LPAT) hearing to oppose the appeal respecting the Official Plan Amendment and Zoning By-law Amendment application in its current form for the lands at 579 – 585 Lawrence Avenue West.
2. City Council authorize the City Solicitor and appropriate staff to continue discussions with the applicant and seek revisions to the application in an attempt to resolve issues outlined in the report dated May 2, 2019 from the Director, Community Planning, North York District regarding 579 - 585 Lawrence Avenue West, to the satisfaction of the Chief Planner and Executive Director, City Planning and report back to City Council on the outcome of discussions, if necessary.
3. City Council withhold from making a decision on the required associated Rental Housing Demolition application under Chapter 667 of the Toronto Municipal Code to demolish 5 existing residential rental dwelling units at 579 - 585 Lawrence Avenue West.
4. In the event that the Local Planning Appeal Tribunal (LPAT) allows the appeal in whole or in part, City Council direct the City Solicitor to request the LPAT to withhold the issuance of any Orders on the Official Plan Amendment and Zoning By-law Amendment appeal for the subject lands until such time as:

- a) The Owner has provided a satisfactory Functional Servicing Report and Stormwater Management Report to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
- b) The Owner has provided a satisfactory Arborist Report and Revised Landscape Plan to the satisfaction of the General Manager of Parks, Forestry and Recreation;
- c) The Chief Planner, under delegated authority, has dealt with the required associated Rental Housing Demolition application under Chapter 667 of the Toronto Municipal code to demolish 5 existing rental dwelling units at 579 - 585 Lawrence Avenue West; and
- d) The Local Planning Appeal Tribunal (LPAT) has been advised by the City Solicitor that the final form and content of the draft Official Plan Amendment and by-laws are satisfactory to the City Solicitor and the Chief Planner and Executive Director, City Planning in consultation with the Chief Engineer and Executive Director, Engineering and Construction Services.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

A pre-application meeting was not held for this particular application. The current applications were submitted on August 24, 2017 and deemed complete as of September 14, 2017. A Preliminary Report on the applications was adopted by North York Community Council on November 14, 2017 authorizing staff to conduct a community consultation meeting with an expanded notification area. The Preliminary Report can be found here:

<https://www.toronto.ca/legdocs/mmis/2017/ny/bgrd/backgroundfile-108304.pdf>

ISSUE BACKGROUND

Lawrence Avenue West Block Study

As outlined in the Preliminary Report on these applications dated October 25, 2017 from the Director of Planning, North York District, City Planning staff have conducted a Block Study of 38 detached dwelling lots along the south side of Lawrence Avenue West between Shermount Avenue in the west and Glenmount Avenue in the east to determine an appropriate development framework for intensification. The Block Study has been completed and the results have informed City Planning staff's position on the current applications.

A report on the results of the Block Study has been prepared for the North York Community Council meeting of May 22, 2019.

Proposal

The applicant is proposing to amend the Official Plan and the Zoning By-laws to permit the construction of 12 four-storey freehold townhouses (excluding staircase access to the roof top terrace) fronting Lawrence Avenue West and served by a common driveway. The applicant proposes two blocks of townhouses – a block consisting of 4 units to the east (Block 1) and a block consisting of 8 units to the west (Block 2).

Vehicular ingress/egress to the site for parking, loading and garbage pickup is proposed via a full-moves shared driveway, 6 metres in width, from Lawrence Avenue West. A 1.5 metre wide pedestrian sidewalk is proposed along the driveway between Block 1 and Block 2. The access driveway would connect to a laneway that runs along the rear of the townhouse blocks and provides access to the at-grade single-car garages that are integrated into each proposed townhouse unit. The applicant has proposed a garage that is large enough to accommodate a single parking space as well as additional storage space. Two visitor parking spaces are proposed to serve the development located along the south side of the access laneway at the rear lot line.

The townhouse blocks are proposed parallel to Lawrence Avenue West with each unit having direct pedestrian access to the public sidewalk along Lawrence Avenue West. The main wall of both buildings is proposed to be set back at grade from the Lawrence Avenue West property line approximately 3 metres. This setback area would contain stairs to the unit (between 2 to 5 steps) and a landscaped area. This setback area would also contain bay window projections of 0.4 metre for the ground floor, the second floor and the third floor.

At grade, Block 1 is proposed to be set back from the east lot line 1.5 metres and Block 2 is proposed to be set back from the west lot line 1.5 metres. A separation distance of 7.8 metres would be provided between Block 1 and Block 2 at grade to accommodate the shared access driveway and a pedestrian walkway. At grade, eight of the units are proposed to be set back approximately 8 metres from the rear lot line and 4 of the interior central units would have a larger rear yard setback of approximately 9 metres.

Within the setback between the main wall of the townhouse blocks and the rear lot line, a 1.55 metre landscaped strip would be provided along the majority of the length of the rear lot line, with the exception of the visitor parking area containing 2 parking spaces. In this area, no landscaping along the lot line is proposed. The application would also incorporate a retaining wall approximately a metre high along the entire rear lot line with returns along portions of the east and west property lines.

Along Lawrence Avenue West, a 0.6 metre building stepback would be provided above the 3rd floor of the townhouses. At the rear of the units, the second and third floors would be stepped back approximately 1.6 to 2.7 metres from the garage door face. The fourth floor would be stepped back a further 3.1 metres from the lower levels at the rear of the units. The roof terrace would be set back 2.05 metres from the rear wall of the unit at the fourth floor.

The proposed minimum unit width is 4.1 metres.

The proposed height of the buildings is 16.06 metres for Block 1 and 15.78 metres for Block 2. This height is calculated to the top of the access stairs to the roof top deck.

Private amenity space for each unit would be provided by the front yard porch and landscaped area, a deck over a portion of the garage at the rear of the units on the second floor, a Juliet balcony at the front of the units on the fourth floor and a private rooftop terrace.

The proposed units are not provided with below-grade space or basement areas.

The project statistics are included in the Application Data Sheet in Attachment 1.

Site and Surrounding Area

The site is located on the south side of Lawrence Avenue West east of Englemount Avenue and west of Glenmount Avenue. The rectangular site is 1,786.21 square metres in area and has approximately 60.96 metres of frontage along Lawrence Avenue West with a depth of approximately 31.4 metres. The site is generally flat with a slight slope southerly from Lawrence Avenue West to the rear property line. The site is an assembly of four existing residential lots, each with a single-detached dwelling that fronts on to Lawrence Avenue West. The four detached dwellings contain a total of 7 dwelling units, of which 5 are rental. There is one rental unit located at 581 Lawrence Avenue West and two rental units each at 583 and 585 Lawrence Avenue West. All units were vacant at the time of the Official Plan and Zoning By-law Amendment applications. All of the existing dwelling units would be demolished in order to facilitate the proposed development. The site is located approximately 600 metres from the Lawrence West subway station on the Yonge-University line.

Abutting uses to the development site include:

North: Lawrence Avenue West and beyond are low-rise walk-up apartment buildings (2 ½ storeys in height) in an *Apartment Neighbourhoods* designation across Lawrence Avenue West with shared surface parking at the rear and located in the Lawrence Allen Secondary Plan;

East: two detached dwellings at 575 and 579 Lawrence Avenue West associated with a private school, Yeshiva Gedolah, of Toronto at 569 Lawrence Avenue West and two associated detached dwelling properties to the south on Fairholme Avenue; the entire school site was subject to a Zoning By-law Amendment application (file no. 08 147016 NNY 15 OZ) for a proposed three storey student residence fronting onto Lawrence Avenue West and the file was closed due to inactivity. The School continues to operate on the site. Beyond the school are detached houses as far as Glenmount Avenue which are subject to the 38 lot Block Study and in a *Neighbourhoods* designation;

South: detached dwellings fronting onto Fairholme Avenue and detached dwellings Beyond in the *Neighbourhoods* designation; and

West: detached dwellings fronting onto Lawrence Avenue West to Shermount Avenue that are subject to the 38 lot Block Study and in a *Neighbourhoods* designation.

Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

The Provincial Policy Statement (2014) (the "PPS") provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the [Planning Act](#) and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The PPS is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

The Growth Plan for the Greater Golden Horseshoe (2017) (the "Growth Plan") provides a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part, including:

- Establishing minimum density targets within strategic growth areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

In accordance with Section 3 of the Planning Act all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would not conform with any policies of the Plans.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with Provincial Plans.

Policy 5.1 of the Growth Plan states that where a municipality must decide on a planning matter before its official plan has been amended to conform with this Plan, or before other applicable planning instruments have been updated accordingly, it must still consider the impact of its decision as it relates to the policies of the Growth Plan which require comprehensive municipal implementation.

Staff have reviewed the proposed development for consistency with the PPS (2014) and for conformity with the Growth Plan (2017). The outcome of staff analysis and review are summarized in the Comments section of this Report.

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan as follows:

The site is designated *Neighbourhoods* on Map 16 - Land Use Plan of the Toronto Official Plan. *Neighbourhoods* are considered as physically stable areas primarily made up of low density type residential uses, such as detached houses, semi-detached houses, duplexes, triplexes and various forms of townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. Parks, low scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in *Neighbourhoods*.

Section 4.1 *Neighbourhoods*, Policy 7 states that proposals for intensification of land on major streets in *Neighbourhoods* are not encouraged by the policies of the Plan. Where a more intense form of residential development than that permitted by the existing zoning on a major street in a *Neighbourhood* is proposed, the application will be reviewed in accordance with Policy 5, having regard to both the form of development along the street and its relationship to adjacent development in the *Neighbourhood*.

According to Policy 5 of Section 4.1 *Neighbourhoods*, development in established *Neighbourhoods* will respect and enforce the existing physical character of each geographic neighbourhood, including:

- patterns of streets, blocks and lanes, parks and public building sites;
- prevailing size and configuration of lots;
- prevailing heights, massing, scale, density and dwelling type of nearby residential properties;
- prevailing building type(s);
- prevailing location, design and elevations relative to the grade of driveways and garages;
- prevailing setbacks of buildings from the street or streets;
- prevailing patterns of rear and side yard setbacks and landscaped open space;
- continuation of special landscape or built-form features that contribute to the unique physical character of the geographic neighbourhood; and
- conservation of heritage buildings, structures and landscapes.

Policy 5 continues to describe how the geographic neighbourhood will be delineated for the purposes of the policy by considering the context within the *Neighbourhood* in proximity to a proposed development including a list of specified criteria. However, Policy 5 notes that lots designated *Neighbourhoods* fronting onto a major street as shown on Map 3 of the Official Plan (Lawrence Avenue West, in this case) are to be distinguished from lots in the interior of the block adjacent to that street in order to recognize the potential for a more intense form of development along major streets to the extent permitted by the Plan.

The descriptive text of Policy 5, Section 4.1 *Neighbourhoods* goes on to note that lots fronting onto a major street, are often situated in geographic neighbourhoods distinguishable from that located in the interior of the *Neighbourhood* due to characteristics such as better access to public transit, adjacency to developments with

varying heights and massing and scale or direct exposure to greater volumes of traffic on adjacent and nearby streets. In those neighbourhoods, such factors may be taken into account in the consideration of a more intense form of development on such lots to the extent permitted by the Plan.

Built Form and Context

Policy 2.3.1.1 states that *Neighbourhoods* are considered to be physically stable areas. Development within *Neighbourhoods* will be consistent with this objective and will respect and reinforce the existing physical character of the neighbourhood and its planned context. Elements that are important to the character of the neighbourhood are set out in Policy 4.1.5 as outlined above.

The Built Form policies in Section 3.1.2 of the Official Plan relate to ensuring that new development in the City can fit harmoniously within the existing and/or planned context of the neighbourhood. This includes locating and organizing new development to frame and support adjacent streets, parks and open spaces; locating and organizing vehicle parking, vehicular access, service areas and utilities to minimize their impact on the property and surrounding properties; massing new development and its exterior façade to fit into the existing and/or planned context; massing new development to define the edges of streets, parks and open spaces at good proportion; and provide public amenity by enhancing the public realm through improvements to adjacent boulevards and sidewalks through tree plantings.

The Housing policies of the Official Plan support a full range of housing in terms of form, tenure and affordability, across the City and within *Neighbourhoods*. New housing supply will be encouraged through intensification and infill that is consistent with the Official Plan.

Building Height

Policy 3.1.2.3 of the Official Plan speaks to "massing new buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion". The *Neighbourhoods* designation of the Official Plan permits building heights of 4 storeys or less.

Policy 2.3.1.3 of the Official Plan states that intensification of land adjacent to neighbourhoods will be carefully controlled so that neighbourhoods are protected from negative impact. Where significant intensification of land adjacent to a *Neighbourhood* or *Apartment Neighbourhood* is proposed, Council will determine, at the earliest point in the process, whether or not a Secondary Plan, area specific zoning by-law or area specific policy will be created in consultation with the local community following an Avenue Study or area based study.

Section 5.3.1 of the Official Plan states that amendments to the Official Plan that are not consistent with its general intent will be discouraged. Council will be satisfied that any development permitted under an amendment to the Plan is compatible with its physical context and will not affect nearby *Neighbourhoods* or *Apartment Neighbourhoods* in a manner contrary to the neighbourhood protection policies of the Plan. Similar to Policy

2.3.1.3 above, the Policy states that "when considering a site specific amendment to the Plan, at the earliest point in the process the planning review will examine whether the application should be considered within the immediate planning context or whether a broader review and possible area specific policy or general policy change is appropriate".

The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

Official Plan Amendment 320

The Local Planning Appeals Tribunal issued an Order on December 7, 2018 to approve and bring into force OPA 320. The approved policies reflect the policies endorsed by Council at its meetings of June 26, to 29, 2018 and July 23 to 30, 2018 in response to mediation and settlement offers from OPA 320 Appellants.

OPA 320 was adopted as part of the Official Plan Five Year review and contains new and revised policies on Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods*. The approved amendments uphold the Plan's goals to protect and enhance existing neighbourhoods that are considered stable but not static, allow limited infill on underutilized *Apartment Neighbourhood* sites and help attain Tower Renewal Program goals.

In its Order that approves OPA 320, the LPAT found that the OPA 320 policies are consistent with the Provincial Policy Statement (2014) and conform with the Growth Plan for the Greater Golden Horseshoe (2017).

More information regarding OPA 320 can be found at the following link:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/official-plan-review/>

The outcome of staff analysis and review of relevant Official Plan policies and designations noted above, are summarized in the Comments section of the Report.

Rental Housing Demolition and Conversion By-law

Section 111 of the City of Toronto Act, 2006 authorizes Council to regulate the demolition and conversion of residential rental properties in the City. Chapter 667 of the City's Municipal Code, the Rental Housing Demolition and Conversion By-law, implements Section 111. The By-law prohibits the demolition or conversion of rental housing units in buildings containing six or more residential units, of which at least one unit is rental, without obtaining a permit from the City and requires a decision by either City Council or the Chief Planner.

It has been the determination of City Planning staff that of the seven dwelling units located on the site, five were rental units prior to their being vacated. The applicant is therefore required to submit a rental housing demolition application to the City and a revised housing screening form.

Pursuant to Chapter 667, Council or, where delegated, the Chief Planner may refuse an application, or approve the demolition and may impose conditions that must be satisfied before a demolition permit is issued.

Where an application for rezoning triggers an application under Chapter 667 for rental demolition or conversion, City Council typically considers both applications at the same time. Unlike *Planning Act* applications, decisions made by City Council or, where delegated, by the Chief Planner under Chapter 667 are not appealable to the Local Planning Appeal Tribunal (LPAT).

The applicant is required to make an application for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code. The last of the tenants living in the units subject to this application moved out during the summer of 2017. Therefore, a tenant consultation meeting was not held to review the impact of the proposal on tenants of the residential rental property and matters under Section 111.

Zoning

City of North York Zoning By-law 7625

The site is zoned One Family Detached Dwelling Fourth Density Zone (R4) in Zoning By-Law 7625 of the former City of North York. This zoning permits residential detached dwellings and accessory buildings in addition to a range of Home Occupation, Recreational and Institutional Uses. The maximum permitted height for a building in this zone is 8.0 metres and 2 storeys for a building with a flat roof and 8.8 metres and 2 storeys for any other type of roof. The minimum required frontage is 15 metres and the minimum lot area in this zone is 550 square metres.

The site is subject to the Downsview Airport Hazard Map Schedule 'D' to the former City of North York By-law 7625.

City of Toronto Zoning By-law 569-2013

The site is zoned Residential Detached Zone (RD) (f15.0, a550 (x5)) by City of Toronto Zoning By-Law 539-2013 which is under appeal. The RD zone permits detached residential dwelling units and a limited number of institutional and recreational uses. The minimum frontage for a lot is 15 metres with a minimum lot area of 500 square metres. A site specific provision stipulates that the minimum side yard setback is 1.8 metres. The maximum permitted height for a building in this zone is 10 metres or 2 storeys.

Design Guidelines

Townhouse and Low-Rise Apartment Guidelines

City Council adopted city-wide Townhouse and Low-Rise Apartment Guidelines and directed City Planning staff to use these Guidelines in the evaluation of townhouse and low-rise apartment development applications. These new Townhouse and Low-Rise

Apartment Guidelines replace the Infill Townhouse Guidelines (2003) and are intended to be used in the review of an application when the proposed built form meets the City's Official Plan policies. The new Guidelines identify strategies to enhance the quality of these developments, provide examples of best practices, and improve clarity on various development scenarios.

The link to the Guidelines is here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/townhouse-and-low-rise-apartments/>

The application has been reviewed by staff against the Townhouse and Low-Rise Apartment Guidelines in the Comments section below.

Growing Up Draft Urban Design Guidelines

In July 2017, Toronto City Council adopted the Growing Up Draft Urban Design Guidelines, and directed City Planning staff to apply the "Growing Up Guidelines" in the evaluation of new and under-review multi-unit residential development proposals. The objective of the Growing Up Draft Urban Design Guidelines is that developments deliver tangible outcomes to increase liveability for larger households, including families with children at the neighbourhood, building and unit scale.

The Growing Up Draft Urban Design Guidelines can be found here:

<https://www.toronto.ca/legdocs/mmis/2017/pg/bgrd/backgroundfile-103920.pdf>

Site Plan Control

An application for Site Plan Control under Section 41 of the Planning Act is required but has not been submitted.

Reasons for Application

An amendment to the City Official Plan is required to permit the townhouse building type as townhouse buildings are not the prevailing form of development in this neighbourhood. An amendment to both former City of North York Zoning By-law 7625 and City of Toronto Zoning By-law 569-2013 is required to permit the building type, height, density and to establish performance standards to accommodate the proposal.

Application Submission

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

- Planning Application Checklist
- Project Data Sheet
- Draft Zoning By-law Amendment
- Public Consultation Strategy
- Planning Rationale
- Green Development Standards Checklist
- Loading and Parking Study

- Geotechnical Study
- Hydrogeological Assessment
- Functional Servicing and Stormwater Management Report
- Arborist/Tree Preservation Report
- Boundary and Topographical Survey
- Context/Site Plan
- Floor Plans and Site and Building Elevations
- Site and Building Sections/Streetscape
- Landscape and Tree Preservation Plan
- Site Servicing and Grading Plans
- Phase One Environmental Assessment.

A Notification of Complete Application was issued on September 15, 2017.

<https://www.toronto.ca/city-government/planning-development/application-information-centre>

Tenant Consultation

As per Chapter 667-14, a tenant consultation meeting is required to be held to review the impact of the proposal on tenants residing in the existing rental dwelling units proposed to be demolished. As of the date of application for Official Plan Amendment and Zoning By-law Amendment there were no tenants living in the residential units on the subject lands.

Agency Circulation

The applications 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 applications.

Community Consultation

A Community Consultation meeting to discuss the proposal was held on February 21, 2018 at John Polyanyi Collegiate Institute. The meeting was attended by the ward Councillor, the applicant, and approximately 40 members of the public, and was chaired by Community Planning staff. Written correspondence was also received from a number of residents who were unable to attend the Community Consultation meeting. Issues raised by members of the community at the community consultation meeting and in written correspondence included:

- Concerns with over-development of the site;
- The proposed location of the access driveway and the visitor parking along the rear lot line and the close proximity of vehicular movements and parking to the backyards of the detached dwellings to the south;
- The presence of a retaining wall along the rear lot line between the proposed townhouses and existing detached dwellings to the south;
- Concern with overlook from rear terraces and roof top decks into adjacent backyards;
- Inadequate soft landscaping and removal of existing mature vegetation; and

- Stormwater management concerns.

COMMENTS

Lawrence Avenue West Block Study

In accordance with Policy 2.3.1.3 and Section 5.3.1 of the Official Plan, Planning staff initiated a study of the 38 lots (see Attachment 2) designated *Neighbourhoods* on the south side of Lawrence Avenue West in the 2 blocks between Shermount Avenue and Glenmount Avenue to evaluate the appropriateness of intensification on the assembly of the 4 properties subject to the current applications and others on the south side of Lawrence Avenue West. This review did not include lands abutting the subject property to the east at 575 and 577 Lawrence Avenue West which have approval for a three storey student dormitory associated with Yeshiva Gedolah of Toronto at 567 Lawrence Avenue West.

All of the lots within the Study Area are of uniform size with a width of 15.24 metres and a depth of approximately 31.4 metres. The Study Area lands have good proximity to the Lawrence West Subway Station which is located to the west at Allen Road. The Study Area lands are designated *Neighbourhoods* and located on the south side of Lawrence Avenue West between sections of Lawrence Avenue West that are designated *Mixed Use Areas*. The lands directly across Lawrence Avenue West from the Study Area are designated *Apartment Neighbourhoods* which would permit various forms of townhouse development in addition to apartments. Community Consultation meetings on the Block Study were held on June 19, 2018 and February 21, 2019.

The results of the Study have informed the subject applications and provide a development framework setting out appropriate development parameters, for anticipated future applications within the Study Area lands. It has been determined that moderate intensification is appropriate for the lots within the Study Area and the result is proposed Official Plan Amendment 433 and Site and Area Specific Policy 559.

In summary, the draft Official Plan Amendment permits a variety of housing typologies along Lawrence Avenue West without amendment to the Official Plan, including semi-detached houses, duplexes, triplexes and various forms of townhouses, as well as apartments up to four storeys in height. The draft Amendment proposes that the minimum rear yard building setback from the south lot line be 9 metres and that within that area, a minimum landscape strip of 3 metres be provided along the rear lot line abutting the properties on Fairholme Avenue. The draft amendment sets out a maximum length that a building can extend before a break is required to provide access between the front yard and the rear yard. No buildings and structures within the Study Area may penetrate a 45 degree angular plane taken from the southern lot line of the study area. The draft amendment requires that wherever possible, vehicular access be taken from secondary streets rather than Lawrence Avenue West and that surface parking not be located within 3 metres of any lot line. Parking garage ramps and garbage storage should be enclosed or incorporated into the building wherever possible.

The Final Report on the Lawrence Avenue West Block Study will be considered by North York Community Council on May 22, 2019.

Section 2 of the *Planning Act*

The *Planning Act* governs land use planning in Ontario and sets out the means by which a municipality must implement land use planning decisions. In particular, section 2 of the *Planning Act* requires that municipalities, when carrying out their responsibility under the *Act* shall have regard to matters of provincial interest including, 2 (p) the appropriate location of growth and development, (q) the promotion of development that is designed to support public transit and to be oriented to pedestrians and (r) the promotion of built form that, is well designed, encourages a sense of place and provides for public spaces that are of high quality, safe, accessible, attractive, and vibrant.

These matters, which all approval authorities shall have regard for in carrying out their responsibilities under the *Planning Act*, are relevant to this proposal. It is City Planning staffs' position that the proposed development appropriately addresses these matters.

Provincial Policy Statement (PPS) and Provincial Plans

The proposal has been reviewed and evaluated against the PPS (2014) and the Growth Plan (2017). The proposal has also been reviewed and evaluated against Policy 5.1 of the Growth Plan as described in the Issue Background section of the Report.

Staff have determined that the proposed development is consistent with a number of policies within the Provincial Policy Statement (2014) and conforms with a number of policies within the Growth Plan for the Greater Golden Horseshoe (2017) as discussed below.

Provincial Policy Statement (2014)

One of the key policy directions expressed in the PPS is to build strong communities by promoting efficient development and land use patterns. To that end, the PPS contains a number of policies that promote intensification, redevelopment and compact built form, particularly in areas well-served by public transit.

Section 1.1 of the PPS focuses on "Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns". Policy 1.1.1.a) requires that efficient development and land use patterns be promoted which sustain the financial well-being of the Province and municipalities over the long term. Policy 1.1.1.e) requires the promotion of cost effective development patterns and standards to minimize land consumption and servicing costs.

Policy 1.8.1 of the PPS requires that planning authorities support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and climate change adaptation through land use and development patterns which: promote compact form and a structure of nodes and corridors; promote the use of active transportation and transit in and between residential, employment and other areas; and

improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion.

The proposed development utilizes existing municipal infrastructure and public service facilities in the immediate and surrounding area to optimize their efficiency. The proposed development is a compact form located in an area in close proximity to retail and services uses and along a street providing excellent transit service, thus having the potential to minimize the length and number of vehicle trips and support transit and alternative transportation modes.

Policy 1.1.2 of the PPS provides for sufficient land being made available within settlement areas to accommodate a mix of land uses to meet future needs. Policy 1.1.3.1 states that "settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted. The townhouse proposal intensifies a lot consolidation along an arterial road, assisting the City in meeting its growth objectives.

Policy 1.1.1.b of the PPS requires an appropriate range and mix of residential, employment, institutional, recreation, park and open space, and other uses to meet long term needs. Policy 1.4.3 requires provision to be made for an appropriate range of housing types and densities to meet projected requirements of current and future residents. The proposal for townhouses will assist in diversifying the range and mix of residential uses within this neighbourhood which is predominantly detached dwellings south of Lawrence Avenue West and low-rise and mid-rise apartment buildings across Lawrence Avenue West.

Policy 1.6.7.2) states that efficient use shall be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible. The proposed development will make use of the existing road network and nearby public transit, avoiding the need for an expansion of the existing transportation networks.

With respect to transportation systems, Policy 1.6.7.4) promotes a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support the current and future use of transit and active transportation. The proposed development supports greater pedestrian, cycling, and transit use that will assist in the reduction of car ownership.

The proposed development is located on Lawrence Avenue West and is close to the Lawrence West Subway Station (on Line 1 of the TTC subway) as well as the Yorkdale GO bus station.

In summary, the proposed development addresses the following policies of the Provincial Policy Statement: 1.1.1.a), 1.1.1.b), 1.1.1.e), 1.8.1., 1.1.2., 1.6.7.2). and 1.6.7.4).

Growth Plan for the Greater Golden Horseshoe (GGH)

The Growth Plan supports intensification within built-up urban areas, particularly in proximity to transit. The plan is about accommodating forecasted growth in "complete communities", designed to "meet people's needs for daily living through an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, public service facilities and a full range of housing to accommodate a range of incomes and household sizes".

The Growth Plan defines "strategic growth areas" as those areas identified by municipalities or the Province to be the focus for accommodating intensification and higher-density mixed uses in a more compact built form. These include urban growth centres, major transit station areas, and other major opportunities that may include infill, redevelopment, brownfield sites, the expansion or conversion of existing buildings, or grey fields. Lands along major roads, arterials or other areas with existing or planned frequent transit service or higher order transit corridors may also be identified as strategic growth areas.

Policy 2.2.1.2 of the Growth Plan provides that forecasted growth be directed to settlement areas, where it will be focused in the delineated built-up areas, strategic growth areas, locations with existing or planned transit, with a priority on higher order transit where it exists or is planned, and areas with existing or planned public service facilities. The proposed development supports the Growth Plan's growth allocation directive by focusing new growth through intensification to meet the forecasted residential demand for the City of Toronto, adding new residential units within Toronto's delineated urban boundary that is serviced by existing municipal water and wastewater systems, providing a pedestrian friendly environment adjacent to existing frequent bus transit and other public service facilities such as parks.

Policy 2.2.1.4.c) of the Growth Plan states that applying the policies of the Growth Plan will support the achievement of complete communities that provide a diverse range and mix of housing options, including second units and affordable housing to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes. The proposed development will contribute to an additional form of housing type in this neighbourhood in which the predominant housing forms are detached dwellings within the *Neighbourhoods* area to the immediate south and low-rise apartments across Lawrence Avenue West.

The development supports the Growth Plan's directive to achieve complete communities by contributing to a mix of housing, providing a pedestrian-friendly environment in an area with convenient access to local stores and businesses, public service facilities such as parks, and existing and planned public transportation, including frequent transit. The proposed development will also assist in diversifying the mix and range of housing options and tenures for residents at all household sizes and incomes in the neighbourhood and providing new residential units in a location that will support the existing community infrastructure, public open spaces, and public transportation.

Policy 2.2.4.10 of the Growth Plan states that lands adjacent to or near existing and planned frequent transit should be transit-supportive. The proposed townhouse development will house additional residents that will become potential transit riders for

the existing frequent transit service. The proposed development will have individual residential unit entrances connected to the neighbourhood sidewalk network to ensure pedestrian connectivity, and it will provide an attractive and comfortable pedestrian environment to encourage walkability for existing and future residents.

Based upon the forgoing analysis, it is concluded that the proposed development conforms with a number of policies discussed above of the Growth Plan for the Greater Golden Horseshoe, 2017 as follows: 2.2.1.2, 2.2.1.4.c) and 2.2.4.10.

While the proposed development is consistent with a number of policies within the Provincial Policy Statement (2014) and conforms with a number of the policies in the Growth Plan for the Greater Golden Horseshoe (2017), in its current form the proposal is not consistent with some Policies of the PPS and the GGH as discussed below.

Policy 1.7.1 of the PPS states that long-term prosperity should be supported by optimizing the use of land, resources, infrastructure and public service facilities, maintaining and enhancing the vitality and viability of downtowns and main streets, and encouraging a sense of place by promoting well-designed built form and cultural planning and by conserving features that help define character, including built heritage resources and cultural heritage landscapes. City Planning has concerns with the built form as follows: the transition of the proposed townhouse development to the *Neighbourhoods* designation to the south and the transition from the public realm to the private realm along Lawrence Avenue West. In this regard, the proposed development is not consistent with the PPS.

Townhouses are a permitted use by the City Official Plan *Neighbourhoods* designation and are a satisfactory building typology in this location and on this site. However, the development does not present an appropriate relationship to the adjacent properties and the surrounding area and the proposal, therefore, does not conform with Sections 2.2.2.4.a) or 2.2.2.4.b) of the Growth Plan.

In planning to achieve the minimum intensification and density targets in the Growth Plan, municipalities are directed by Policy 5.2.5.6 to develop and implement urban design and site design official plan policies and other supporting documents that direct the development of a high quality public realm and compact built form. The City has implemented this requirement through the adoption of a number of Official Plan policies and design guidelines including the Townhouse and Low-Rise Apartment Guidelines which permits multi-unit buildings up to 4 storeys, a limit which is also consistent with the *Neighbourhoods* policies. City Planning staff have prepared a draft Official Plan Amendment and Site and Area Specific Policy as a result of the Lawrence Avenue West Block Study. The Final Report on the study is scheduled for the North York Community Council meeting of May 22, 2019. The current development proposal does not meet all of the provisions set out in the recommended Official Plan Amendment and Site and Area Specific Policy, in particular, the 9 metre minimum rear yard building setback and the 3 metre minimum landscape strip along the south lot line. In this regard, the proposal does not conform to Policy 5.2.5.6 of the Growth Plan.

Staff have determined that the proposal is not consistent with the PPS Policy 1.7.1 and does not conform to the Growth Plan (Policies 2.2.2.4 and 5.2.5.6) for the above-noted reasons.

Land Use

The city's Official Plan directs growth to the *Downtowns, Centres, Avenues* and *Employment Areas*. *Neighbourhoods* are not designated growth areas in the Official Plan, however limited growth is permitted where it can be demonstrated that the development would respect and reinforce the character of the area and the Plan sets out criteria for this. Land along the south side of Lawrence Avenue West between Shermount Avenue and Glenmount Avenue is not identified as an *Avenue* on Map 2 Urban Structure Plan and these lands are not intended to accommodate significant growth. However, Lawrence Avenue West is identified as a major road by Map 3 – Right-of-Way Widths Associated with Existing Major Street and the Official Plan does acknowledge that lots fronting onto a major street and designated *Neighbourhoods* are to be distinguished from lots in the interior of the block adjacent to that street to recognize the potential for a more intense form of development along major streets to the extent permitted by the Plan.

The subject property and the surrounding lands are designated *Neighbourhoods* in the Toronto Official Plan. *Neighbourhoods* are considered to be physically stable, and any development is required to be consistent with this objective by respecting and reinforcing the existing physical character of buildings, streetscapes and open space patterns. Townhouses are a permitted building type in a *Neighbourhoods* area but they are not a prevailing building type in this neighbourhood. However, the Official Plan recognizes that lots fronting onto a major street are often situated in geographic neighbourhoods distinguishable from those located in the interior of the neighbourhood due to characteristics such as better access to public transit, adjacency to developments with varying heights, massing and scale or direct exposure to greater volumes of traffic on adjacent and nearby streets.

The lands designated *Neighbourhoods* to the south of the subject site are an established neighbourhood characterized by mostly one- and two-storey detached dwellings. The Townhouse and Low-Rise Apartment Guidelines provide guidance when evaluating a low-rise development proposal which is located adjacent to a stable residential area. The low-rise buildings can serve as a transitional element between busier main streets and lower scaled neighbourhoods. This assists in the gradual and subtle intensification at the edges of the city's less dense neighbourhoods. Considering the patterns and characteristics of the surrounding built form, the proposed townhouses are an appropriate building type for this arterial road and in close proximity to the Lawrence West subway station. If designed appropriately, the townhouse can serve to buffer the areas of predominantly detached dwellings from visual and noise impacts of an arterial road.

Height, Massing and Density

The subject lands are located in a *Neighbourhoods* designation and the maximum permitted height in a *Neighbourhoods* area is 4 storeys. Block 1 at the east end of the

site is 16.06 metres high to the top of the enclosed stair access to the roof while Block 2 at the west end of the site is 15.78 metres high to the top of the enclosed stair access to the roof.

In Section 2.1 Building Types of the Townhouse and Low-Rise Apartment Guidelines, the maximum building height for the various building types covered by the guidelines is also 4 storeys. According to the Zoning By-law, the proposed buildings are considered 5-storey because of the enclosed stairwell to the roof top which provides access to private amenity areas in the form of roof top decks. However, a site-specific by-law can be crafted to limit the size of a roof top access component, prohibit habitable space in the roof top access, and restrict the location of the stairwell access, thereby effectively limiting the project to four storeys. The actual outdoor amenity space on the rooftop can also be designed so that there is no opportunity for overlook, thus protecting the privacy of adjacent residents.

Healthy Neighbourhoods Policy 2.3.1.1. requires that development will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in neighbourhoods. Policy 4.1.5 also requires that development in *Neighbourhoods* should respect and reinforce the existing physical character of the neighbourhood. The physical character of neighbourhoods vary across the city and is determined by attributes such as the prevailing building types, existing building setbacks of buildings from the street, patterns of streets, size and configuration of lots, and heights, massing and scale of nearby residential properties.

The character of existing dwellings in the immediately adjacent low density area are generally reflective of the Zoning By-law standard of 8.8 metres maximum building height under the former North York Zoning By-law 7625 and 10 metre maximum building height under the City of Toronto Zoning By-law and 2 storey building heights for single detached dwellings under both Zoning By-laws.

Built Form policies in Section 3.1.2 of the Official Plan require that new development be located and organized to fit within its existing and/or planned context and be massed to fit harmoniously into its context. Policy 3.1.2.3a) and b) respectively require that new development be massed and its exterior façade be designed to fit harmoniously into its existing and/or planned context and limit its impacts on neighbouring streets, parks and open spaces in a way that respects the existing and/or planned street proportion and by incorporating exterior design elements, their form, scale, proportion, pattern and materials, and their sustainable design, to influence the character, scale and appearance of the development.

The Townhouse and Low-Rise Apartment Guidelines can provide direction in terms of organizing a site and locating a building block on it. The Guidelines also provide guidance on the design of a building that fits into an existing stable neighbourhood.

Section 3.1 Streets, Lanes, Mews and Walkways contains guidance on an appropriate front yard setback when parking is underground or at the rear of a unit. A minimum of 3 metres is recommended as being appropriate from a street lot line but encroachments such as porches and stairs must be taken into consideration. The Guidelines suggest that encroachments be limited in required front yard setback to 3 metres or 50% of the

setback distance, whichever is less. In the case of the proposed development, the applicant has provided a 3 metre setback from the Lawrence Avenue West street lot line with a bay window projection of 0.6 metre deep, porches and stairs. In effect the front yard building setback from the Lawrence Avenue West property line is 2.4 metres which is acceptable.

The front porch for each unit and the stairs to reach the porch currently fill the majority of the space between the building face and the front lot line for each unit. If the development addressed the Townhouse and Low-Rise Apartment Guidelines, the proposed porch and stairs to each unit would not encroach more than 1.5 metres into the minimum 3 metre building setback. The proposal should be revised to ensure that porches and stairs to the porch fill no more than 50% of the depth of the front yard setback in compliance with the Guidelines. Adequate front building setbacks allow for projecting elements such as porches, canopies, and landings to be provided to add visual interest to the front façade, enhance the prominence of the entrances, provide transition in scale from the sidewalk to the main wall of the building and offer some privacy to the residents of the unit while maintaining the character of existing soft landscape streetscapes.

The application proposes a minimum setback of 8 metres between the back wall of the building at grade and the rear lot line. A retaining wall and a fence along the rear lot line, a 1.5 metre wide landscaped area, and a 6 metre wide drive aisle providing access to integral garages within individual units is accommodated within this setback area. The 8 metre building setback from the rear lot line meets the Guidelines which suggests that 7.5 metres is the minimum required, comprised of a 6 metre wide drive aisle and 1.5 metre wide landscape strip along the rear lot line. Given the necessity for an appropriate transition area to accommodate grading changes and landscape material, this minimum landscape strip should be increased to 3 metres. In addition to the requirement for a 6 metre drive aisle, the minimum building setback from the rear lot line should be increased to a minimum of 9 metres consistent with the proposed Official Plan Amendment 433 and SASP 559.

The application proposes setbacks of 1.5 metres from each side lot line. This setback reflects side yards required for similar building forms and is acceptable.

The Townhouse and Low-Rise Apartment Guidelines provide direction to ensure buildings fit within the existing or planned context and provide appropriate transitions in scale to buildings, parks, and open space. The Guidelines require the application of angular planes, minimum horizontal separation distances, and other building envelope controls to transition down to lower-scale buildings such as the detached dwellings south of the proposed development along Fairholme Avenue. Adherence to angular planes minimizes the impact of shadow and maximizes access to sunlight, sky view, and privacy on neighbouring properties. The development as proposed falls under a 45 degree angular plane taken from the south lot line.

Given the site area and the proposed gross floor area, the density appears to be approximately 1.62 times the lot area. This is at the high end of typical townhouse densities and reflects an efficiently designed development.

Private Amenity Space

Section 4.4 Private Outdoor Amenity Space of the Townhouse and Low-Rise Apartment Guidelines addresses the usability, comfort and appearance of private outdoor amenity spaces including those in the form of a roof top terrace. Roof terraces provide an extension to the livable space of a dwelling unit with access to sunlight while affording a level of privacy to both the residents living in the unit and the backyards of adjacent detached dwellings to the south, if well-designed. City Planning staff have no concerns with the inclusion of a roof terrace for residents of these units provided the stair access is located appropriately in a central location on the roof to minimize its view from surrounding properties and the size of the access stair component is as small as practical. The concept plans provided by the applicant appear to illustrate a centrally located enclosed stair access which is of a small size. The proposed roof top terraces appear to be fall beneath the 45 degree angular plane taken from the rear property lot line along the south of the site. Section 4.4 of the Guidelines suggests that privacy can be provided and overlook mitigated with appropriate terrace design including setbacks, architectural elements, translucent or solid railings, and plantings. Provisions can be incorporated into the Zoning By-law to require some of these design elements while other details are more appropriately reviewed at the Site Plan Control application stage.

Landscape Buffer to the South

Section 4.5 Building Relationship to Grade and Street of the Townhouse and Low-Rise Apartment Guidelines speaks to grading transition between a development site and the surrounding properties. The existing grade at property lines should be maintained as much as possible and artificially raised or lowered grades should be avoided, where possible. The applicant is proposing a retaining wall that appears to be approximately a metre high in places along the south property line adjacent to the detached dwellings along Fairholme Avenue for the purposes of retaining stormwater on the subject site. A fence would be located on top of the retaining wall. The inclusion of the retaining wall creates an abrupt transition and results in a height differential between the townhouse site and the neighbouring properties to the south on Fairholme Avenue. The Townhouse and Low-Rise Apartment Guidelines suggest that raising a development above the level of the natural grade or the grade of abutting properties can create problematic conditions for adjacent properties. To the extent possible, new developments should establish a conventional relationship to grade with moderate grade changes. Where it is necessary to resolve grade differences, stepped landscaped terraces or something similar can be a possible solution.

The applicant has proposed a landscape strip along the south property line that is approximately 1.5 metres wide. This landscape strip should be increased, given the proposed grading transition to the neighbouring properties to the south. The proposed Official Plan Amendment 433 and SASP 559 require a continuous minimum landscape buffer of 3 metres along the entire south lot line. In order to be consistent with the Lawrence Avenue West Block Study, the landscape buffer along the south lot line must be increased to a minimum of 3 metres for the entire length of the south lot line. The provision of a wider landscape buffer between the proposed development and the existing detached dwellings to the south would enable a more appropriate transition, including room for tree planting and options for grading transition to the neighbouring properties.

Growing Up Urban Design Guidelines

All of the proposed dwelling units are 4-bedroom units which are ground oriented and suitable for families.

Rental Housing Demolition

The applicant's proposal to demolish 5 existing rental dwelling units at 579 - 585 Lawrence Avenue West requires a permit under Chapter 667 of the Toronto Municipal Code. Should the Official Plan and Zoning By-law Amendment applications be approved by the LPAT in whole or in part, the Chief Planner would have the delegated authority to issue the preliminary approval for the rental housing demolition permit and the authority to impose conditions.

Official Plan policy 3.2.1 6 (rental housing demolition and replacement) does not apply to the proposed development and replacement of the 5 demolished rental dwelling units is not required as a condition of approval because fewer than 6 rental dwelling units are proposed to be demolished.

Traffic Impact, Access, Parking and Loading

The applicant's traffic engineering consultant Nextrans Consultant Group Inc. submitted a Transportation Study dated August 2017. The report estimates that the project will generate approximately 9 and 11 two-way trips during both the AM and PM peak hours. The consultant concludes that the development proposal can adequately be accommodated by the existing transportation network with manageable traffic impact to the adjacent public roadways.

The subject site is proposed to be accessed by a single full-moves access from Lawrence Avenue West. The proposed location of the site access is satisfactory to Transportation Services staff.

The parking requirements contained in City of Toronto Zoning By-law 569-2013 are applicable to this project. A total of 12 residential and 2 visitor parking spaces are required to satisfy the by-law requirement. A total of 12 residential and 2 visitor parking spaces are proposed for the development. A Loading and Parking Study prepared by the applicant's traffic consultant confirms that the proposed parking supply will adequately service the proposed development.

As per proposed Official Plan Amendment 433 and SASP 559, the visitor parking spaces which are currently located along the south lot line must be relocated. The proposed Official Plan Amendment requires that a continuous landscaped area of 3 metres be provided along the south lot line to ensure adequate area for buffer, landscape materials and transition. The Official Plan Amendment also requires that there be no surface parking provided within 3 metres of any lot line. For these reasons, the visitor parking spaces must be relocated.

Garbage pickup will be from the curbside in front of each unit, therefore, no loading space is required for this development.

Road Widening

Map 3 Right-of-Way Widths Associated with Existing Major Streets identifies the planned road allowance for Lawrence Avenue West for the length of the development site to be thirty (30) metres. The road widening has been taken through the registration of Plan 2049 which is the underlying survey plan for all the lots subject to this application and within the 38-lot Block Study Area. No further road widening is required.

Streetscape

The applicant has submitted a Landscape Plan which illustrates the planting of trees and landscaped areas along Lawrence Avenue West in front of the proposed development. The applicant has proposed 6 trees within the boulevard area of Lawrence Avenue West. The boulevard, at approximately 4.4 metres, can easily accommodate these trees. The applicant has also proposed 8 trees on private property in front of the townhouses and along the public sidewalk. These trees are proposed within a constrained area between the townhouse foundations and the public sidewalk where growing conditions for trees are not optimal. If the applicant were to address the concerns about the extent of encroachments into the front yard setback as directed by the Townhouse and Low-Rise Apartment Guidelines as discussed above, the larger area available to plant trees in front of the proposed townhouses would be more conducive to tree survival.

Servicing

Engineering and Construction Services have reviewed the submitted materials and have outstanding concerns that must be addressed by the applicant as outlined in their memorandum of November 13, 2017 including a number of required revisions to the sanitary sewer capacity analysis in the Functional Servicing and Stormwater Management Report.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the City of Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.43 to 0.79 hectare of local parkland per 1,000 people. The site is in the second lowest quintile of current provision of parkland. The site is in a parkland acquisition priority area, as per Chapter 415, Article III, of the Toronto Municipal Code.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The residential nature of this proposal is subject to a 10% cap of parkland dedication.

The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. Payment will be required prior to the issuance of the first above-grade building permit.

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). The applicant has submitted an Arborist Report and Tree Preservation Plan which Urban Forestry has reviewed. The Report identifies the removal of 1 municipal tree in the road allowance that will be directly impacted by the proposed development. Urban Forestry is aware of two existing clumps of Honey Locust trees on the City owned boulevard adjacent to 585 Lawrence Avenue West which have been omitted from the Arborist Report. A revised report will be required. Landscape Plan L101 shows the planting of six (6) new large growing native trees on the City owned right-of-way. The proposed spacing and species meet Urban Forestry requirements. A Tree Planting Deposit totalling \$3,498.00 is required, and will be held for two years following planting. Soil volumes for each tree to be planted on the City owned right-of-way are to be shown on the revised Landscape Plan.

The Arborist Report indicates the injury/removal of five (5) privately owned trees, having diameters greater than 30 centimetres, situated on or adjacent to the subject site. The subject trees meet the criteria for protection under the City of Toronto's Private Tree By-law. Urban Forestry requires the submission of a complete "Application to Injure or Destroy Trees" and an application fee of \$334.06 per tree and \$699.31 per boundary tree, totaling \$2,400.80. The permit application and fee are to be submitted during the site plan control review.

Based on a standard requirement, Urban Forestry requires a total of nine (9) new large growing native shade trees to be planted on private property to replace the three (3) private trees proposed for removal at a replacement ratio of 3:1. Planting Plan L101 proposes the planting of nine (9) replacement trees. This satisfies Urban Forestry requirements. The increase in the landscape buffer along the south lot line to 3 metres will provide additional opportunities for tree planting.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured in Zoning By-law Amendments, on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. Performance measures for the Tier 1 development features will be secured through the Site Plan Approval process.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the Planning Act. While the proposed development exceeds the height and density limits of the existing Zoning By-law, the application does not trigger a request for Section 37 benefits

due to its maximum proposed gross floor area of 2,665 square metres which is below the thresholds identified in the Official Plan.

Conclusion

As a consequence of this application submission and several inquiries regarding intensification on other properties along this stretch of Lawrence Avenue West, the City Planning Division has undertaken a Block Study for a total of 38 lots, including the subject lands, to determine an appropriate development framework for the properties within the Study Area. The Study has been completed and a report has been prepared for the May 22, 2019 North York Community Council meeting which will inform the current application and other applications that City Planning staff anticipate will follow.

The proposal has been reviewed against the policies of the PPS (2014), the Growth Plan (2017), and the Toronto Official Plan including the Townhouse and Low-Rise Apartment Guidelines. Planning staff have no concerns with the proposed townhouse typology and scale of the proposed development. The proposal represents a moderate form of intensification on lands located on a major road well served by public transit.

Staff are of the opinion that the proposal is not consistent with some of the policies of the PPS (2014) and conflicts with some of the policies of the Growth Plan (2017). Further, the proposal is not in keeping with some of the policies of the Official Plan, particularly as it relates to Healthy Neighbourhoods, Public Realm and Built Form. The proposal also does not adequately address some of the guidelines in the Townhouse and Low-Rise Apartment Guidelines. The proposal does not address all of the provisions set out in the proposed Official Plan Amendment 433 and proposed Site and Area Specific Policy 559, in particular the required rear yard building setback, the minimum recommended width of the southern landscape strip and the location of surface parking spaces.

Staff recommend that City Council direct City Staff to continue discussions with the applicant to resolve the outstanding issues detailed in this report. Staff recommend City Council direct the City Solicitor, and appropriate City Staff, to attend and oppose the application in its current form at the Local Planning Appeal Tribunal.

CONTACT

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SIGNATURE

Joe Nanos, Director
Community Planning, North York District

ATTACHMENTS

City of Toronto Data/Drawings

Attachment 1: Application Data Sheet

Attachment 2: Site and 38-lot Block Study Location

Attachment 3: Official Plan Land Use Map

Attachment 4: Existing Zoning By-law Map

Applicant Submitted Drawings

Attachment 5: Site Plan

Attachment 6: North Elevation (Lawrence Avenue West) and South Elevation

Attachment 7: East and West Elevations (Block 1)

Attachment 8: East and West Elevations (Block 2)

Attachment 1: Application Data Sheet

Municipal Address: 579-585 LAWRENCE AVE WEST Date Received: August 24, 2017

Application Number: 17 222637 NNY 15 OZ

Application Type: Official Plan Amendment and Rezoning

Project Description: 12 freehold townhouses in two blocks fronting south side of Lawrence Avenue West. Eastern block (Block 1) would contain 4 units and the western block (Block 2) would contain 8 units both serviced by a common rear driveway and integral garages. Proposal is comprised of 4 detached residential lots and is located midway between Allen Road and Bathurst Street.

Applicant	Architect	Owner
Bazis Inc. 1700 Langstaff Road, Suite 1003, Concord, ON L4K 3S3	Roy Varacalli, Bazis Inc. 1700 Langstaff Road, Suite 1003, Concord, ON L4K 3S3	Suriano Architectural Design 51 Roysun Road, Unit 1, Vaughan, ON L4L 8P9
		Oasis Townhomes on Lawrence Inc., LAWRENCE INC 1700 Langstaff Road, Suite 1003, Concord, ON L4K 3S3

EXISTING PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	N
Zoning:	RD (f15.0; a550) (x5)	Heritage Designation:	N
Height Limit (m):	8.8	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 1786.21 Frontage (m): 60.9 Depth (m): 31.4

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	410.2	0	899.1	899.1
Residential GFA (sq m):	410.2	0	2665.24	2665.24
Non-Residential GFA (sq m):	0	0	0	0
Total GFA (sq m):	410.2	0	2665.24	2665.24
Height - Storeys:	1	0	5	5
Height - Metres:	5.2	0	16	16

Lot Coverage Ratio (%)	50.3	Floor Space Index:	1.62
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Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
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Residential GFA:	2665.24	0
Retail GFA:	0	0
Office GFA:	0	0

Residential Units by Tenure	Existing	Retained	Proposed	Total
Owner-Occupied	2	0		0
Rental	5	0		0
Freehold			12	12

Total Residential Units by Size

	Rooms	Studio	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:	0	0	0	0	12
Total Units:					12

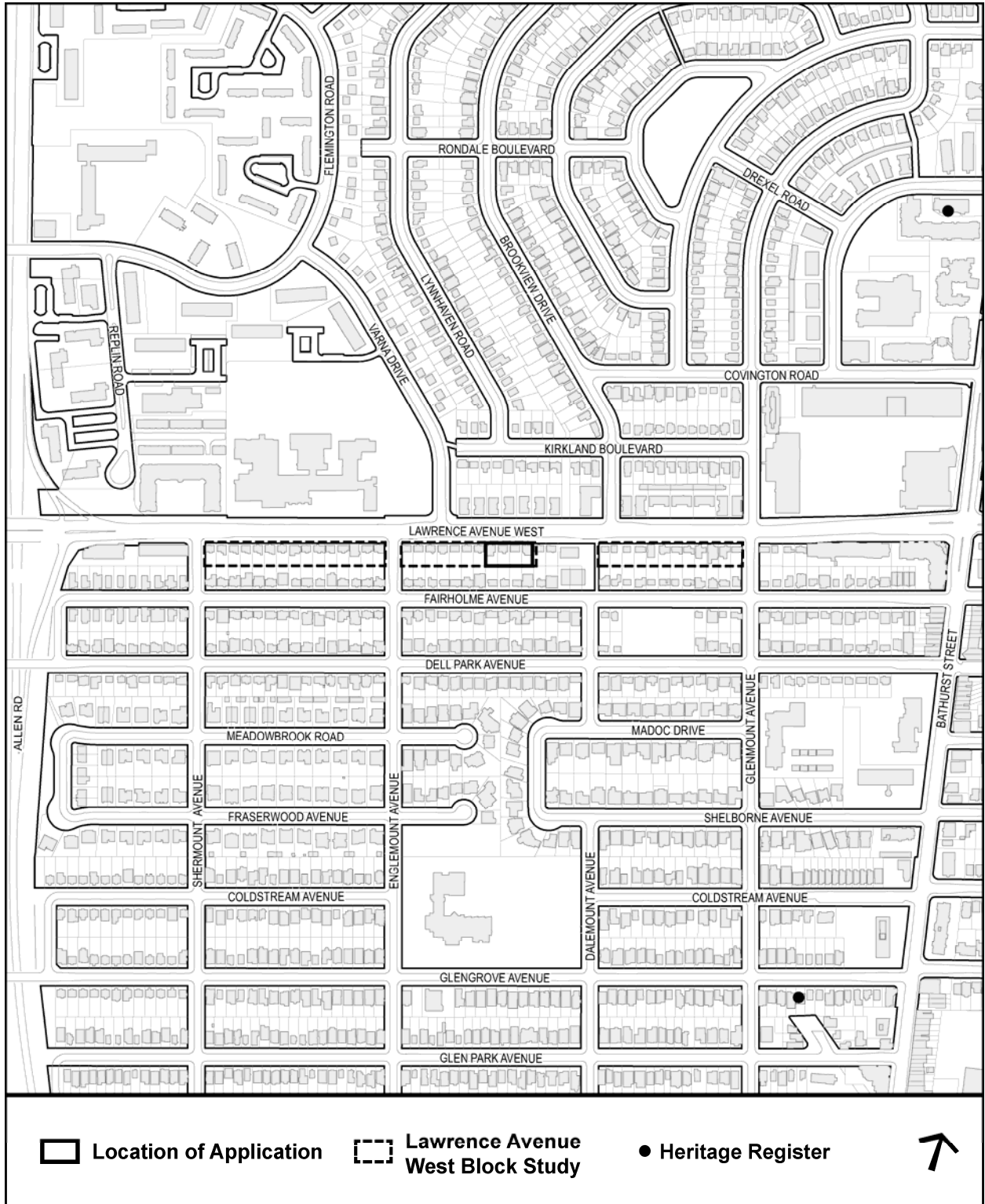
Parking and Loading

Parking Spaces: 14 Bicycle Parking Spaces: 0 Loading Docks: 0

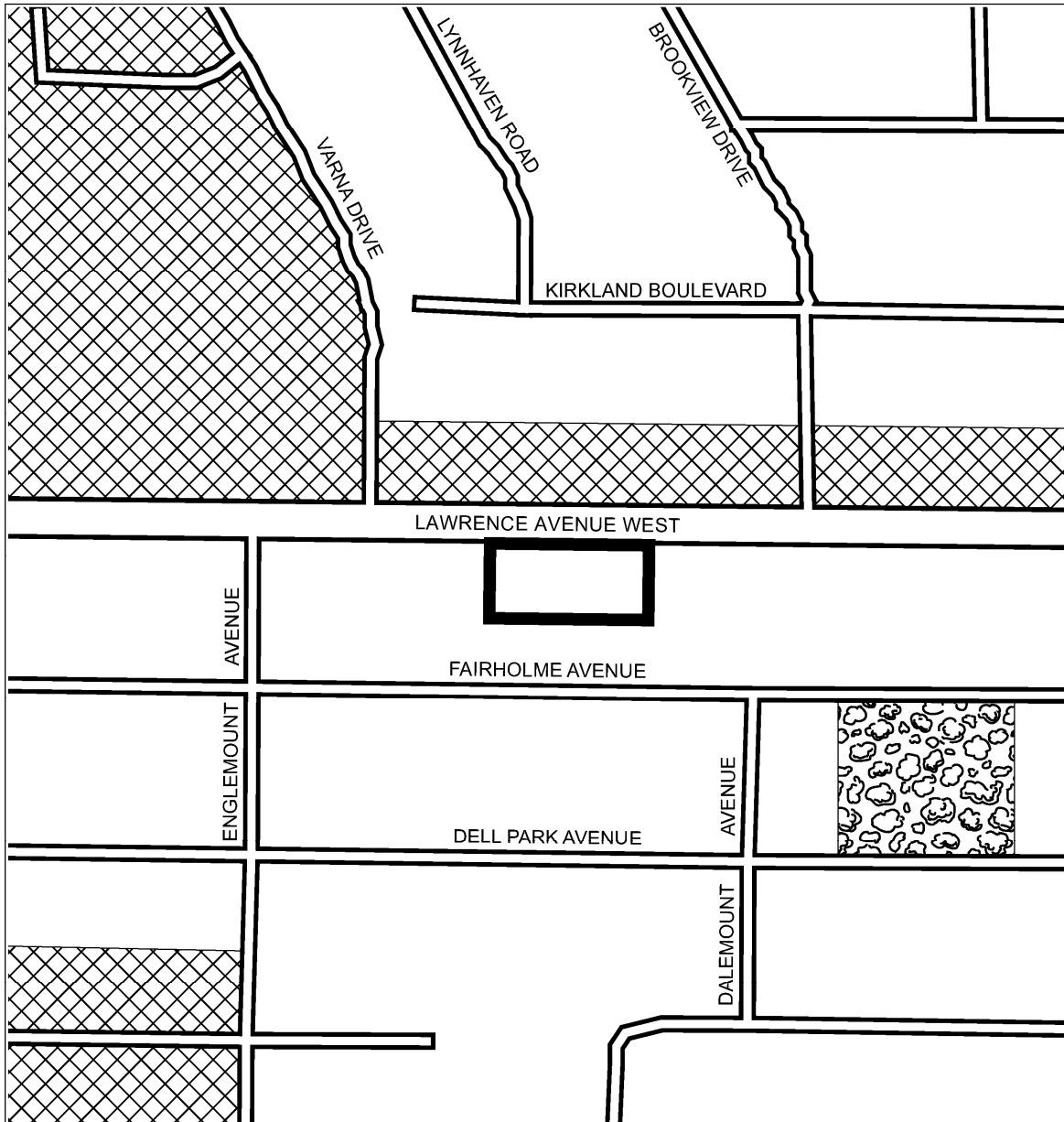
CONTACT:

Cathie Ferguson, Senior Planner
 416-395-7117
 Cathie.Ferguson@toronto.ca

Attachment 2: Site and 38-lot Block Study Location



Attachment 3: Official Plan Land Use Map



TORONTO
Extract from Official Plan

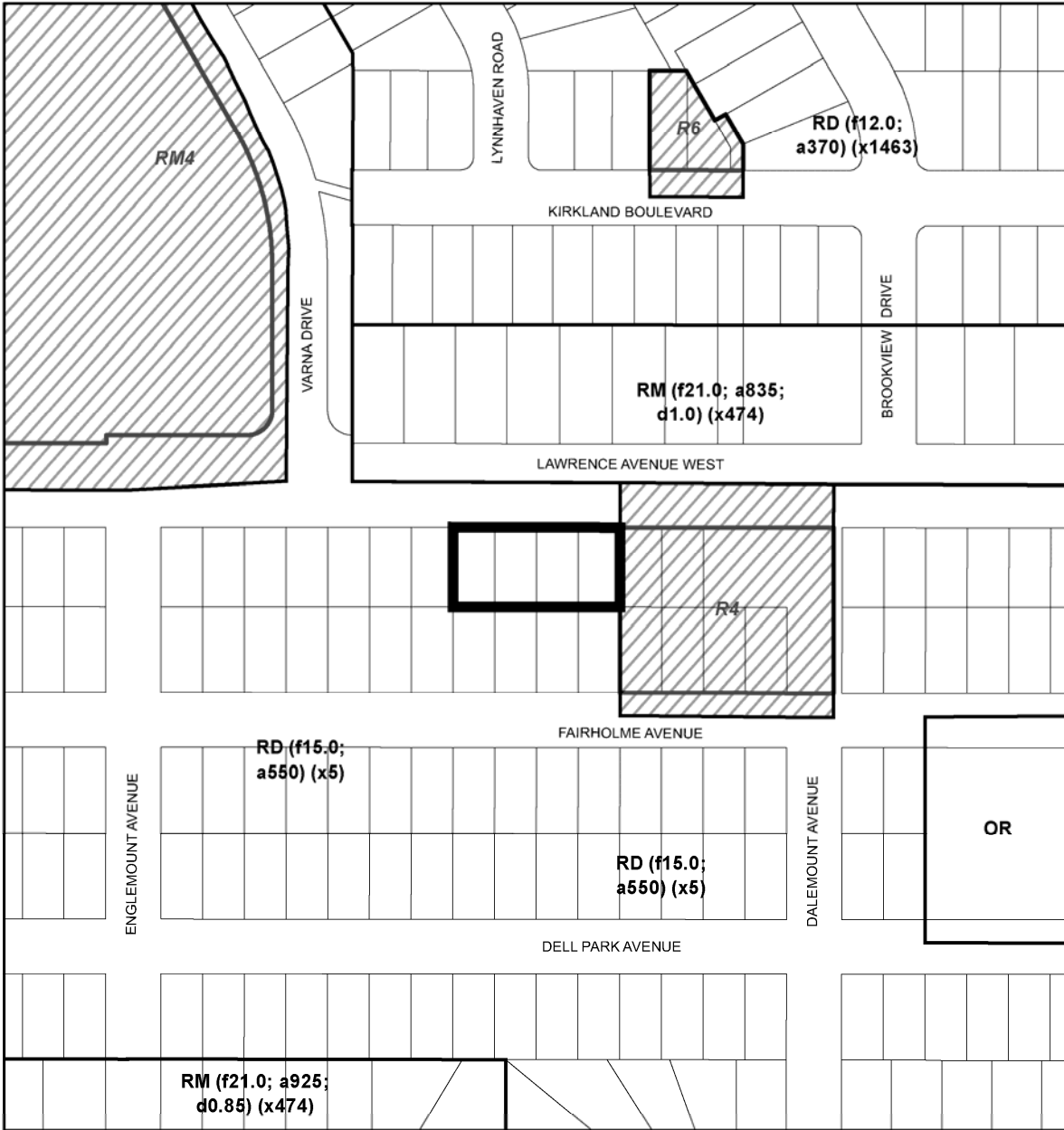
579, 581, 583, & 585 Lawrence Avenue West

File # 17 222637 NNY 15 0Z

-  Site Location
-  Neighbourhoods
-  Apartment Neighbourhoods
-  Parks & Open Space Areas
-  Parks

↑
Not to Scale
09/06/2017

Attachment 4: Existing Zoning By-law Map



579, 581, 583, & 585 Lawrence Avenue West

Zoning By-Law No. 569-2013

File # 17 222637 NNY 15 02



Location of Application



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

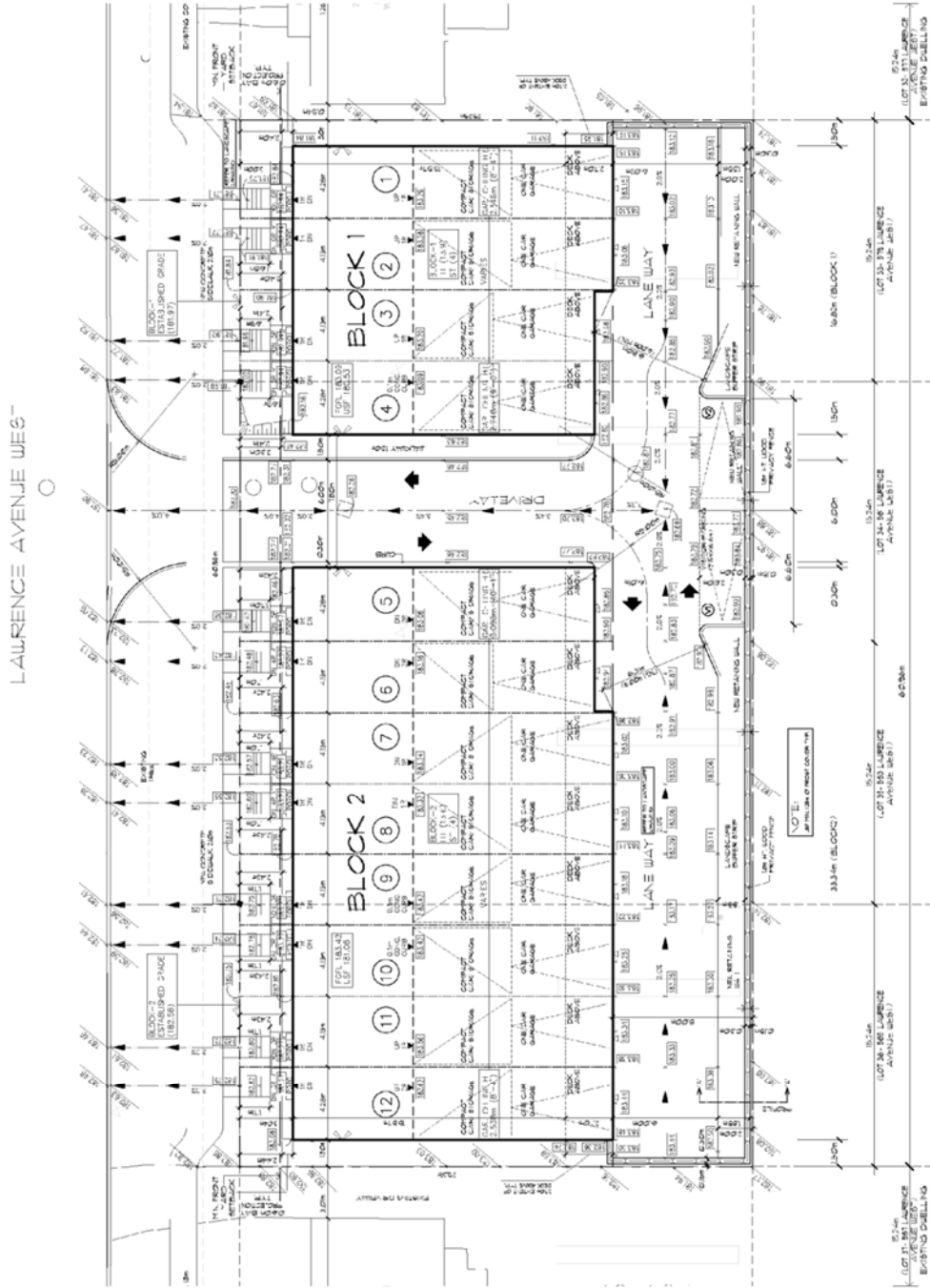
RD Residential Detached RM Residential Multiple
OR Open Space Recreation

R4 One-Family Detached Dwelling Fourth Density Zone
R6 One-Family Detached Dwelling Sixth Density Zone
RM4 Multiple-Family Dwellings Fourth Density Zone



Not to Scale
Extracted: 09/06/2017

Attachment 5: Site Plan



579, 581, 583, & 585 Lawrence Avenue West

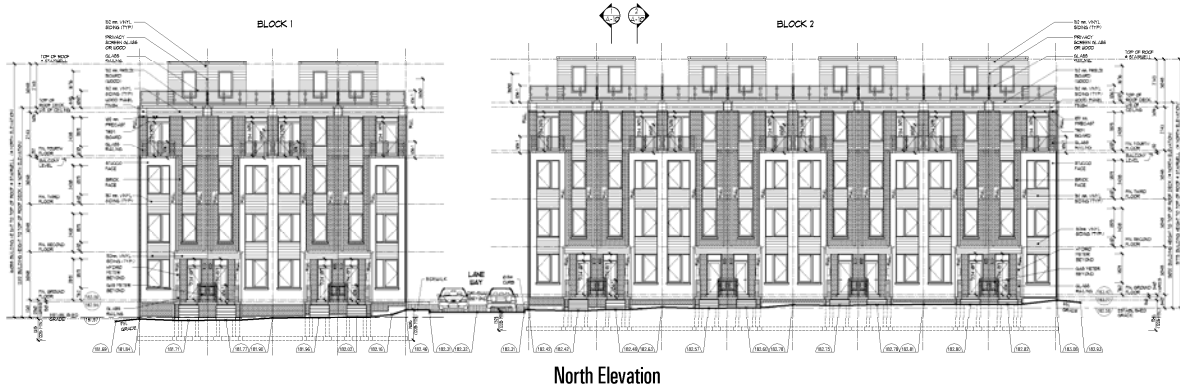
Site Plan

Applicant's Submitted Drawing

Not to Scale
08/06/2017

File # 17 222637 NNY 15 0Z

Attachment 6: North Elevation (Lawrence Avenue West) and South Elevation



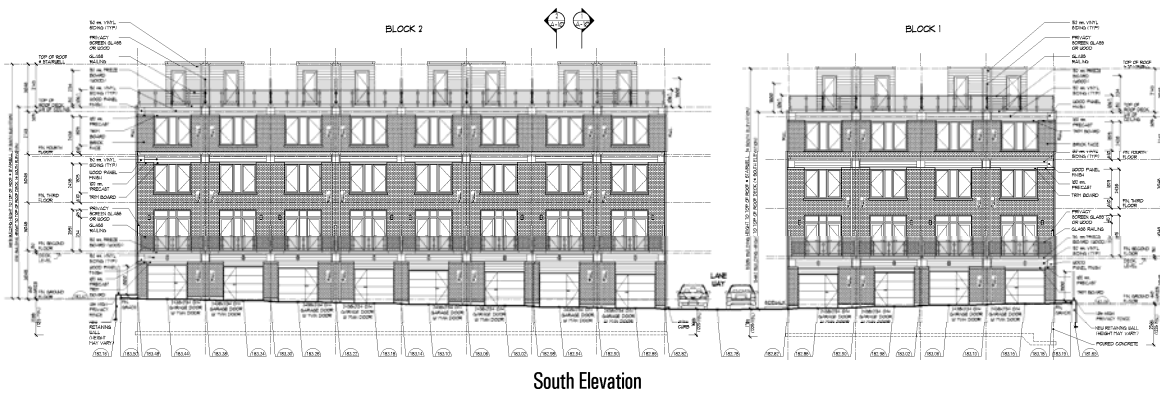
Elevations

579, 581, 583, & 585 Lawrence Avenue West

Applicant's Submitted Drawing

Not to Scale
09/06/2017

File # 17 222637 NNY 15 0Z



Elevations

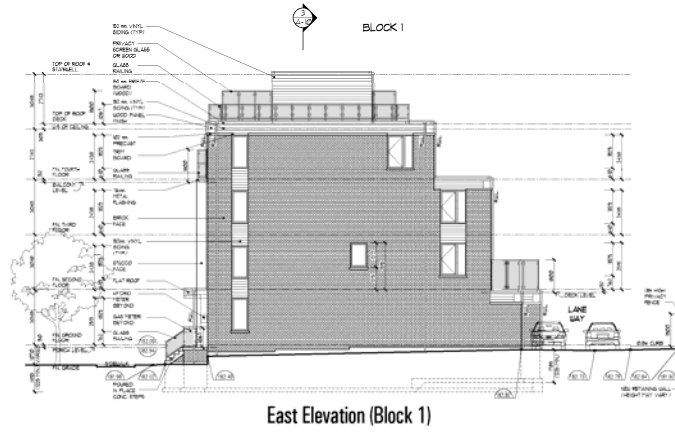
579, 581, 583, & 585 Lawrence Avenue West

Applicant's Submitted Drawing

Not to Scale
09/06/2017

File # 17 222637 NNY 15 0Z

Attachment 7: East and West Elevations Block 1



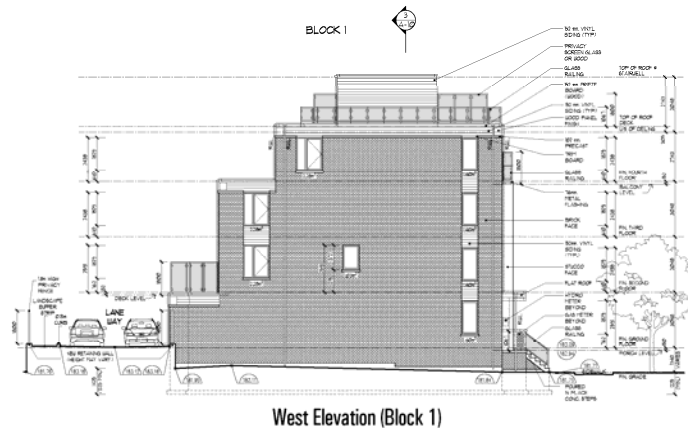
Elevations

579, 581, 583, & 585 Lawrence Avenue West

Applicant's Submitted Drawing

Not to Scale
09/06/2017

File # 17 222637 NNY 15 0Z



Elevations

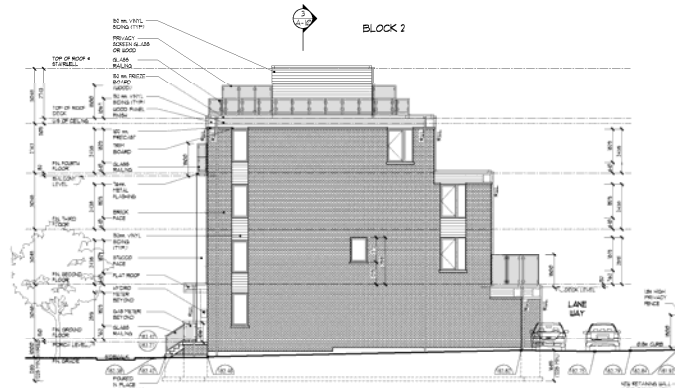
579, 581, 583, & 585 Lawrence Avenue West

Applicant's Submitted Drawing

Not to Scale
09/06/2017

File # 17 222637 NNY 15 0Z

Attachment 8: East and West Elevations – Block 2



East Elevation (Block 2)

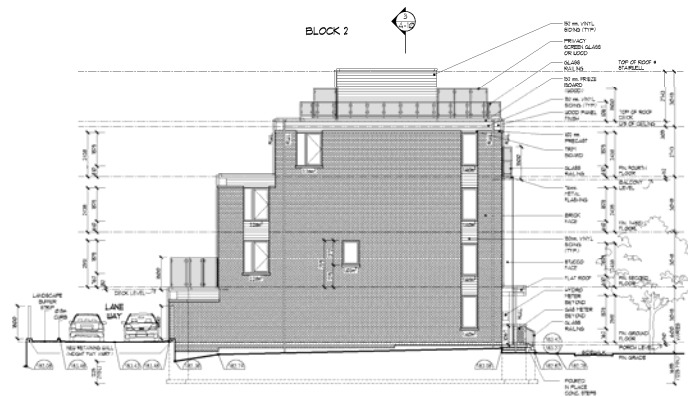
Elevations

579, 581, 583, & 585 Lawrence Avenue West

Applicant's Submitted Drawing

Not to Scale
09/06/2017

File # 17 222637 NNY 15 0Z



West Elevation (Block 2)

Elevations

579, 581, 583, & 585 Lawrence Avenue West

Applicant's Submitted Drawing

Not to Scale
09/06/2017

File # 17 222637 NNY 15 0Z