

**1844-1854 Bloor Street West, 6-14 Oakmount Road and
35 and 37 Pacific Avenue – Official Plan Amendment and
Rezoning Applications - Preliminary Report**

Date:	February 23, 2011
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 13 – Parkdale-High Park
Reference Number:	10 261248 WET 13 OZ

SUMMARY

The applications propose to develop the lands with a 14-storey mixed-use building (48 metres to the mechanical penthouse roof), comprised of 1,425 square metres of grade related retail use and approximately 346 residential dwelling units at 1844-1854 Bloor Street West, 6-14 Oakmount Road, 35 and 37 Pacific Avenue.

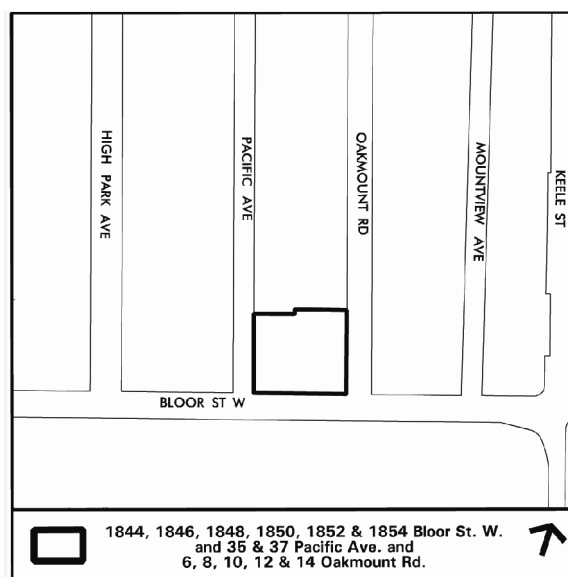
This report provides preliminary information on the above-noted applications and seeks Community Council's directions on further processing of the applications and on the community consultation process.

A statutory public meeting is targeted for the late third quarter or early fourth quarter of 2011. This target assumes that the applicant will provide all required information in a timely manner.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for



the lands at 1844-1854 Bloor Street West, 6-14 Oakmount Road, and 35 and 37 Pacific Avenue together with the Ward Councillor.

2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

In March of 2006, the owner, W.J. Holdings Limited, applied pursuant to Section 33 of the Planning Act, to demolish 12 converted houses and one four-plex, all containing residential rental housing, on the subject properties. A report from City Planning recommending refusal was considered by Etobicoke York Community Council in March 2007. The report was deferred on several occasions at the request of the owner in consultation with staff to allow for further discussions on various aspects of the demolition application and possible redevelopment of the site.

In November 2007, the owner appealed the demolition application to the Ontario Municipal Board, citing the lack of decision by City Council. To establish City Council's position and direction on the matter and following a direction by the Board at a pre-hearing, City Planning staff prepared a final report on the proposed demolitions which Council considered at its meeting of July 15, 2008. Council adopted the recommendations of staff and refused the application to demolish the buildings.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2008.EY18.42>

Following a hearing the Board issued a decision in September 2009 allowing the appeal in part and authorizing the City to issue the demolition permits. The Board held its order for a six-month period to provide the City some time to impose conditions before issuing its final order. The City has special demolition control legislation under the City of Toronto Act, 1991 which is in effect in the former City of Toronto.

The City sought leave to appeal the Board decision from the Divisional Court on several grounds and was granted leave on the question of whether the Board had jurisdiction to hear the appeal. On November 12, 2010, the Divisional Court ruled in favour of the owner, for reasons different than those given by the Board, dismissing the City's appeal.

On September 20, 2010 the Daniels HR Corporation, acting as agent on behalf of the owner, submitted the application which is the subject of this report for the redevelopment of these properties. A Rental Housing Proposal was submitted on January 28, 2011 by the Daniels HR Corporation to supplement the application materials. This proposal

provides further information on the potential replacement of the existing residential rental units and is now under discussion with staff.

Currently, the owner is also requesting that the Board issue the final order respecting the Section 33 demolition permit. The City Solicitor has requested that the Board hold the issuance of the order for a 9 month period to avoid potentially unnecessary litigation and expense as this matter may be resolved through the Official Plan and Zoning amendment applications currently under review.

City Council has also taken a number of broader actions which have implications on the redevelopment of this site. On November 30, December 1, 2, 4 and 7, 2009, City Council adopted the recommendations outlined in a Final Report for a City initiated Avenue Study of Bloor Street between Keele Street and the Rail Corridor east of Dundas Street West, and Dundas Street West between Glenlake Avenue and Boustead Avenue. This Avenue Study affects the lands east of Keele Street, which are approximately 300 metres east of the subject lands.

On July 6, 7 and 8, 2010, City Council adopted the recommendations outlined in the Avenues and Mid-Rise Buildings Study. The study will provide guidance in the ongoing evaluation of the proposed development associated with these applications.

Pre-Application Consultation

A pre-application community consultation meeting was organized by the previous Ward Councillor on June 14, 2010. City Planning staff were not present.

Staff held a pre-application consultation meeting with the applicant to discuss complete application submission requirements on June 24, 2010, where the proponent advised staff of the development concept that was presented to the public on June 14th. The proposal presented was a 14-storey street wall building, with stepping at various levels. Staff were advised that area residents raised concerns with the design of the building, building height and traffic. The concerns raised with respect to height were related to the proposed mass and presence that the building would have on Bloor Street.

ISSUE BACKGROUND

Proposal

The proposed development now consists of a 14-storey (48 metres to the roof of the mechanical penthouse) mixed-use building with approximately 1,425 square metres of at-grade retail uses. The building is configured in a "U" shaped courtyard layout. The building mass is located at the rear of the site, with the courtyard fronting onto Bloor Street West (Attachment 1).

The building is generally arranged with the 14-storey and mechanical penthouse mass located at the rear and centre on the site, terracing down to a 12-storey component, leading to two separate wings (8 and 10-storeys) that run parallel to Pacific Avenue and

Oakmount Road, respectively. Both wings propose residential dwelling units on the ground floor with direct access to the side streets at-grade.

Access to underground parking, passenger drop-off and to the loading facility located in the rear of the building, is proposed via a two-way driveway connecting Pacific Avenue to Oakmount Road at the rear of the site.

The proposed development consists of 346 residential dwelling units and 1,425 square metres of retail area oriented towards Bloor Street and the courtyard. The corresponding Floor Space Index is 6.0 times the area of the lot. A total of 263 below-grade parking spaces are proposed to serve the development (Attachment 5).

Site and Surrounding Area

The subject site consists of 13 assembled properties located on the north side of Bloor Street West. The lands presently contain 13 vacant two and three storey residential buildings (detached dwellings and a fourplex), comprising residential rental housing and are the subject of a rental housing replacement evaluation, but not subject to Section 111 of the City of Toronto Act, 2006, which deals with rental housing demolition and replacement.

The site is generally flat and well vegetated with mature trees and landscaping. The site has approximately 77 metres of frontage on Pacific Avenue, 82 metres of frontage onto Oakmount Road, and 91 metres fronting onto Bloor Street West, with a lot area of 5,155 square metres.

Land uses surrounding the subject site are as follows:

North: a City-owned parcel municipally known as 18 and 18A Oakmount Road with the Bloor-Danforth TTC subway located beneath. These lands are illustrated as gardens/open space on Attachment 1, and are currently leased to the owner and a numbered Ontario company, subject to the TTC's subsurface interest, but are the subject of a potential acquisition/development by the proponent. Beyond those lands, is a 17-storey apartment house with associated surface parking and an outdoor swimming pool. Further north are three apartment houses having heights of 11, 12, and 23-storeys.

West: several 2 and 3-storey house-form residential buildings and grade-related apartment buildings, as well as five apartment houses ranging in height from 15 to 30-storeys.

South: High Park across Bloor Street West.

East: fronting onto Bloor Street West and Oakmount Road are several residential house-form buildings.

Planning Act, Provincial Policy Statement and Provincial Plans

Section 2 of the Planning Act sets out matters of provincial interest which City Council shall have regard to in carrying out its responsibilities under the Planning Act, such as:

- a) the orderly development of safe and healthy communities;
- b) the adequate provision of a full range of housing;
- c) the protection of the financial and economic well-being of the Province and its municipalities;
- d) the resolution of planning conflicts involving public and private interests;
- e) the protection of public health and safety;
- f) the appropriate location of growth and development; and,
- g) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians.

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. Key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. Policies of the PPS give specific direction to municipalities on a variety of issues including the provision of an appropriate range of housing types and densities to meet projected requirements of current and future residents. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development having regard for Section 2 of the Planning Act and for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The policies cited below reflect the general policy context affecting the proposed development. The Plan policies are not mutually exclusive as all applicable policies of the Plan relating to the proposal must be considered together.

The lands are located within an *Avenues* area on Map 2 - Urban Structure and are designated *Apartment Neighbourhoods* on Map 17 - Land Use Plan, for the portions of the lands being developed. *Avenues* are important corridors along major streets where reurbanization is anticipated and encouraged in order to accommodate growth, while improving the pedestrian environment, streetscape and transit service for the community. Development within the *Avenues* should have appropriate massing, scale and organization of buildings and provide streetscape improvements while implementing transit-supportive measures that restrict auto-oriented retailing and services.

Official Plan Policy 2.2.3.3(a) applies to the context of the proposed development. The policy states that "development may be permitted on the *Avenues* prior to an Avenue Study and will be considered on the basis of all of the policies of this Plan. Development on the *Avenues* prior to an Avenue Study will implement the policies of the Plan for the relevant designation area(s)." In this instance, the relevant designation is *Apartment Neighbourhoods* and the policies for this designation will apply.

Policy 4.2.1 of the Official Plan sets out the uses permitted in *Apartment Neighbourhoods*, which include apartment buildings, parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of area residents. All land uses provided for in the *Neighbourhoods* designation are also permitted in *Apartment Neighbourhoods*.

Although significant growth is generally not anticipated in *Apartment Neighbourhoods*, there may be opportunities for additional townhouses or apartments on underutilized sites. The Official Plan criteria to evaluate these situations is set out in policy 4.2.2, which requires that:

"Development in *Apartment Neighbourhoods* will contribute to the quality of life by:

- a) locating and massing new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of this Plan, through means such as providing setbacks from, and/or a stepping down of heights towards, lower-scale Neighbourhoods;
- b) locating and massing new buildings so as to adequately limit shadow impacts on properties in adjacent lower-scale Neighbourhoods, particularly during the spring and fall equinoxes;
- c) locating and massing new buildings to frame the edge of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- d) including sufficient off-street motor vehicle and bicycle parking for residents and visitors;
- e) locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences;
- f) providing indoor and outdoor recreation space for building residents in every significant multi-unit residential development;
- g) providing ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces; and,

- h) providing buildings that conform to the principles of universal design, and wherever possible contain units that are accessible or adaptable for persons with physical disabilities."

Along *Avenues*, the Official Plan provides further guidance and direction on the evaluation of applications where zoning is not in place to permit the proposed development and/or an Avenue Study is not in place.

At present, there is no *Avenue* Study for this segment of Bloor Street West. In this instance, given the level of retail space proposed and the prominent site location fronting onto Bloor Street West, this application will also be evaluated having regard for the *Avenues* criteria, outlined in Official Plan Policies 2.2.3.3 (b) and (c); and the detailed performance criteria for *Mixed Use Areas* in Policy 4.5.2. In regard to this mixed-use proposal, these criteria can provide guidance and supplement the evaluation of the performance criteria for development in *Apartment Neighbourhoods* in Policy 4.2.2, which refer to the mass, scale, sustainability and urban design of developments. The Built Form policies in section 3.1.2 of the Plan will also be applied.

Policies 2.2.3.3 (b) and (c) would require that the proposal address the larger context for the area and examine the implications for the related segment of the Avenue where the proposed development is located. An Avenue Segment Study has been submitted as part of this application. The assessment must demonstrate impacts of incremental developments at a similar scale and intensity along the Avenue Segment, will not adversely impact any adjacent *Neighbourhoods* or *Apartment Neighbourhoods*. Further, a proposal must demonstrate that the sustainable development, design, transit, accessibility, physical and community services objectives cited in Policy 2.2.3.3 (c) are satisfied.

As previously noted, the lands are occupied with 13 vacant detached buildings comprising rental housing. Policy 3.2.1 of the Official Plan sets out Housing Policies.

Of particular relevance is Policy 3.2.1.1, which states that a full range of housing in terms of form tenure and affordability will be provided and maintained across the City and within neighbourhoods to meet the current and future needs of residents. This includes affordable and mid-range rental and ownership housing among other types. Policy 3.2.1.2 refers to the need to maintain and replenish the existing stock of housing and 3.2.1.6 requires the replacement of rental housing units at similar rents.

Specifically, Policy 3.2.1.6 states:

"New development that would have the effect of removing all or a part of a private building or related group of buildings, and would result in the loss of six or more rental housing units will not be approved unless:

- a) all of the rental housing units have rents that exceed mid-range rents at the time of application, or

- b) in cases where planning approvals other than site plan are sought, the following are secured:
 - i) at least the same number, size and type of rental housing units are replaced and maintained with rents similar to those in effect at the time the redevelopment application is made;
 - ii) for a period of at least 10 years, rents for replacement units will be the rent at first occupancy increased annually by not more than the Provincial Rent Increase Guideline or a similar guideline as Council may approve from time to time; and
 - iii) an acceptable tenant relocation and assistance plan addressing the right to return to occupy one of the replacement units at similar rents, the provision of alternative accommodation at similar rents, and other assistance to lessen hardship, or
- c) in Council's opinion, the supply and availability of rental housing in the City has returned to a healthy state and is able to meet the housing requirements of current and future residents. This decision will be based on a number of factors, including whether:
 - i) rental housing in the City is showing positive, sustained improvement as demonstrated by significant net gains in the supply of rental housing including significant levels of production of rental housing, and continued projected net gains in the supply of rental housing;
 - ii) the overall rental apartment vacancy rate for the City of Toronto, as reported by the Canada Mortgage and Housing Corporation, has been at or above 3.0 per cent for the preceding four consecutive annual surveys;
 - iii) the proposal may negatively affect the supply or availability of rental housing or rental housing sub-sectors including affordable units, units suitable for families, or housing for vulnerable populations such as seniors, persons with special needs, or students, either in the City, or in a geographic sub-area or a neighbourhood of the City; and
- iv) all provisions of other applicable legislation and policies have been satisfied.

The Toronto Official Plan is available on the City's website at www.toronto.ca/planning/official_plan/introduction.htm.

Mid-Rise Buildings Guidelines

City Council recently adopted the recommendations of the *Avenues* and Mid-Rise Buildings Study. The study developed guiding performance standards for mid-rise buildings to encourage the development of more well designed mid-rise buildings on the *Avenues*. The guiding performance standards will be considered in the evaluation of the applications.

The applicant has submitted an Avenue Segment Study as part of the Planning and Urban Design Rationale report, in support of the application, to address the *Avenues* policies and the Mid-Rise performance standards.

Zoning

On August 27, 2010, City Council enacted a new city-wide Zoning By-law. By-law 1156-2010 has been appealed in its entirety and is now before the Ontario Municipal Board. No hearing dates have been set. While the By-law is under appeal, the provisions of both the former Zoning By-laws and the new Zoning By-law are in effect for sites that are subject to By-law 1156-2010.

City of Toronto Zoning By-law 1156-2010 zones the subject site as "R (f 12.0; d 2.0) (x7) HT 23.0". This residential zone category permits dwelling units within a variety of building types that includes: a detached house, semi-detached house, townhouse, duplex, triplex, fourplex and an apartment building. This zone requires lots to have a minimum frontage of 12 metres, a maximum density of 2 times the area of the lot and a maximum building height of 23 metres.

Zoning By-law 438-86 for the former City of Toronto remains applicable and zones the subject site as "R4 Z2.0 H23". Similarly, this residential zone category permits a variety of residential building types including: detached house, semi-detached house, row house, duplex, triplex and an apartment building, with a maximum density of 2 times the area of the lot and a maximum building height of 23 metres.

Site Plan Control

The proposed development is subject to site plan control. An application has yet to be received.

Tree Preservation

The site contains a number of mature trees on and near the property. An arborist report has been submitted as part of the application and is being reviewed by the appropriate city staff.

Reasons for the Application

The proposed development does not comply with the maximum permitted height and density in either By-law 438-86 or By-law 1156-2010, and the amount of proposed on-site parking spaces is less than the minimum required.

With respect to the Official Plan Amendment, the proposed development has a considerable retail component that must be evaluated beyond small scale, local commercial uses allowed by the Plan's policies. In addition, the proposed rental housing replacement must satisfy the goals and objectives of the Plan.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Planning and Urban Design Rationale (with appended Avenue Segment Study)
- Toronto Green Development Standard Checklist
- Arborist Report
- Archaeological Assessment Stage 1 and 2
- Site Servicing Assessment
- Transportation Impact Study
- Environment Assessment Phase 1 and 2
- Shadow Plans
- Stormwater Management Plan
- Landscape Concepts
- Housing Issues Report

A Notification of Complete Application was issued on October 22, 2010.

Issues to be Resolved

City Planning staff have circulated the application, plans and studies to other City divisions and agencies. Staff will review and discuss with the applicant the issues below that have been identified on a preliminary basis:

- consideration of the site in the context of this portion of Bloor Street Avenue, the potential to establish an undesirable precedent, and the existing and planned context of the area
- conformity with Official Plan policies
- height, scale and intensity of the proposed development and associated impacts
- amount of grade related retail use
- compatibility and fit with the physical character of the area
- parking supply
- conformity with the Mid-rise Building Study Performance Standards
- conformity with the City's Rental Housing Replacement requirements
- identification and securing of community benefits under Section 37 of the Planning Act
- public art opportunities in accordance with Official Plan policies

- the disposition/potential use/acquisition of development rights of the City owned lands over the Bloor-Danforth subway tunnel municipally known as 18 and 18A Oakmount and their relationship to the subject site
- the timing and conditions related to the demolition of the existing rental units

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

Toronto Green Standard

The Toronto Green Standard (TGS) is a tool to implement the broader environmental policies of the Official Plan. Several of the natural environment policies of the Official Plan encourage green development. These policies are geared to reduce the negative impacts of development on the natural environment through practices such as improved stormwater management, water and energy efficiency, and waste reduction and recycling. These policies also promote development that enhances the natural environment and support green industry.

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

CONTACT

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SIGNATURE

Thomas C. Keefe
 Director, Community Planning
 Etobicoke York District

ATTACHMENTS

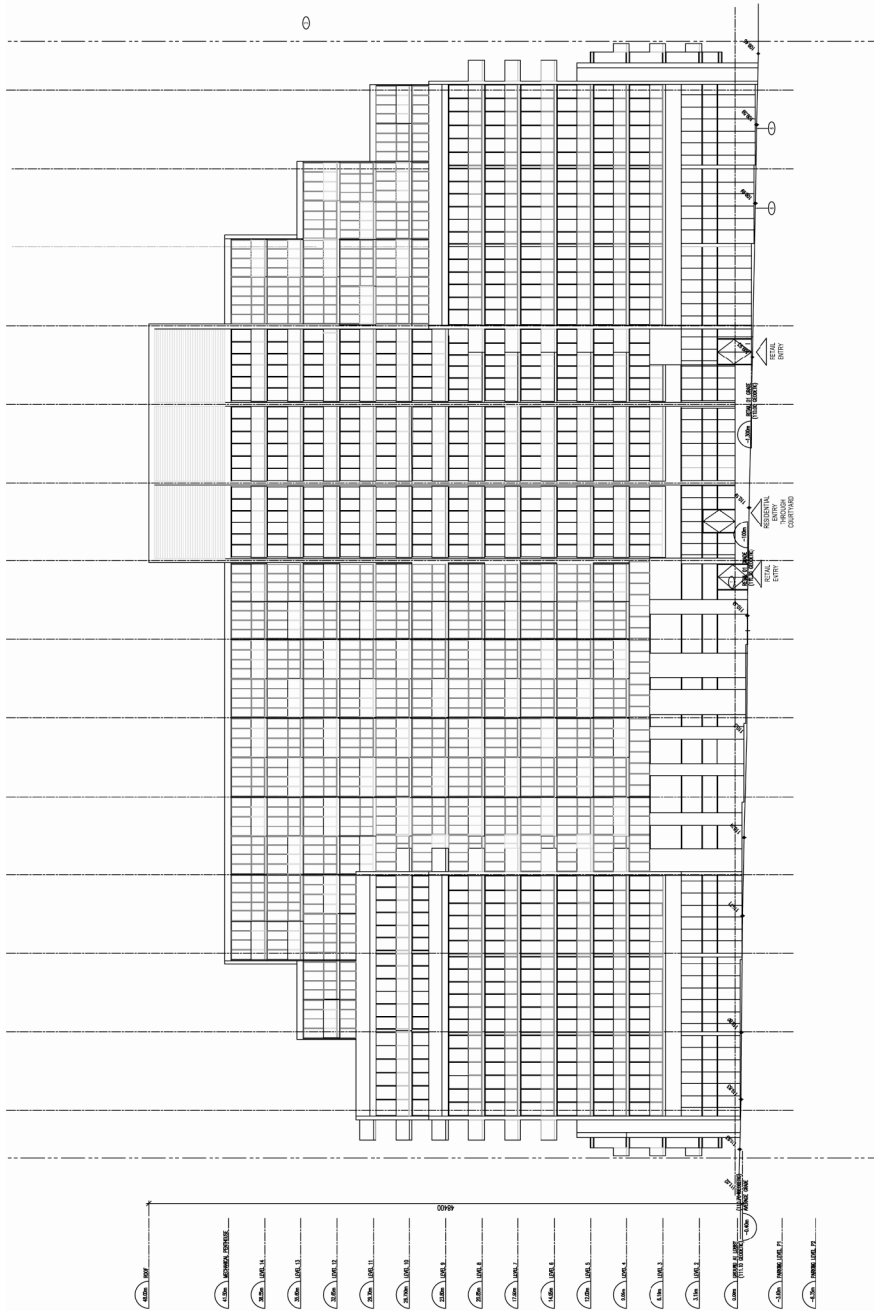
Attachment 1: Site Plan
 Attachment 2: Elevations [as provided by applicant]
 Attachment 3: Zoning
 Attachment 4: Official Plan
 Attachment 5: Application Data Sheet
 Attachment 6: Front Elevation Rendering and Aerial Image

1844, 1846, 1848, 1850, 1852 & 1854 Bloor Street West
and 35 & 37 Pacific Avenue and 6, 8, 10, 12 & 14 Oakmount Road

Not to Scale
10/22/10

File # 10 261248 WET 13 0Z

Attachment 2: Elevations



South Elevation

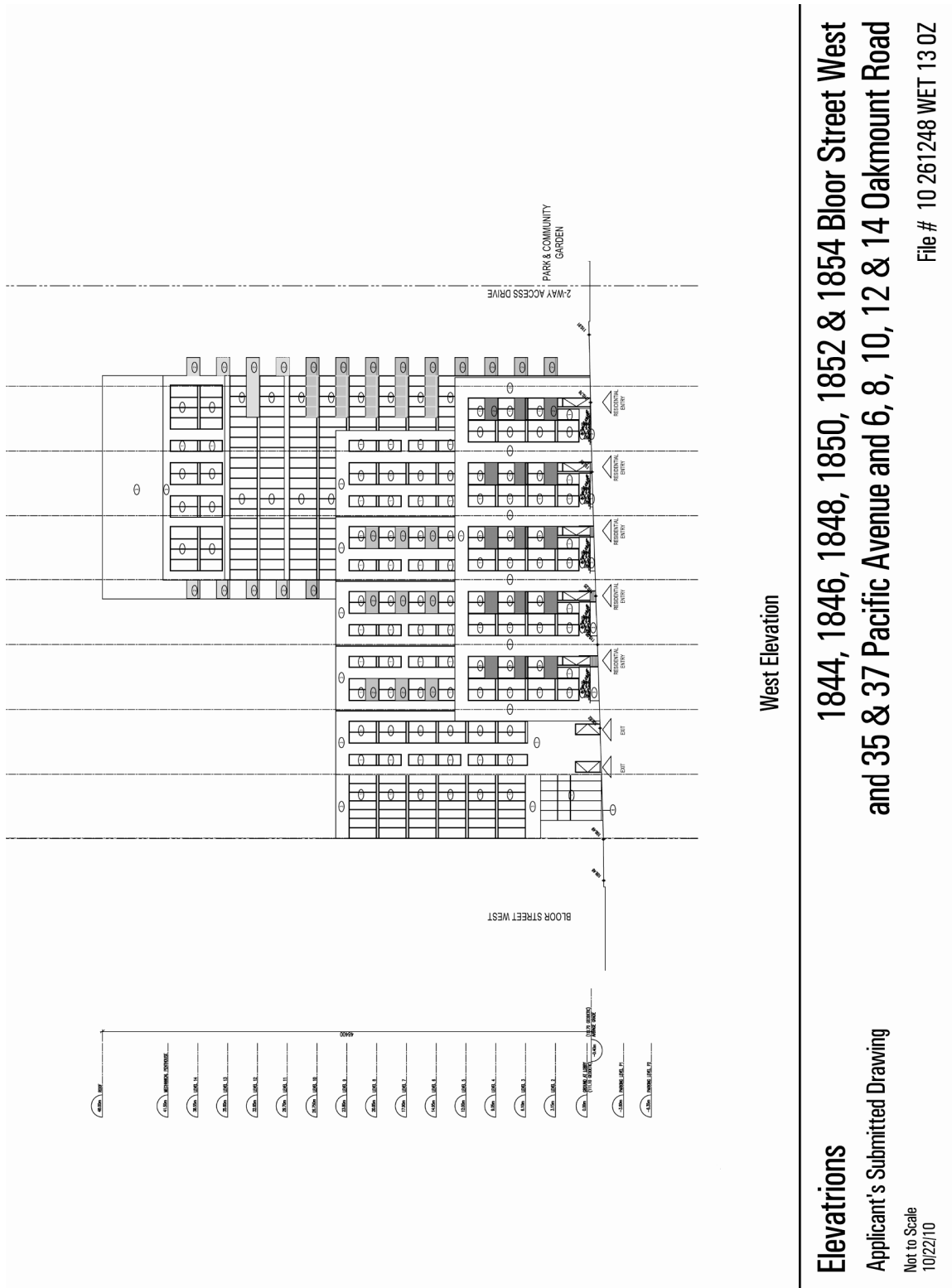
Elevations

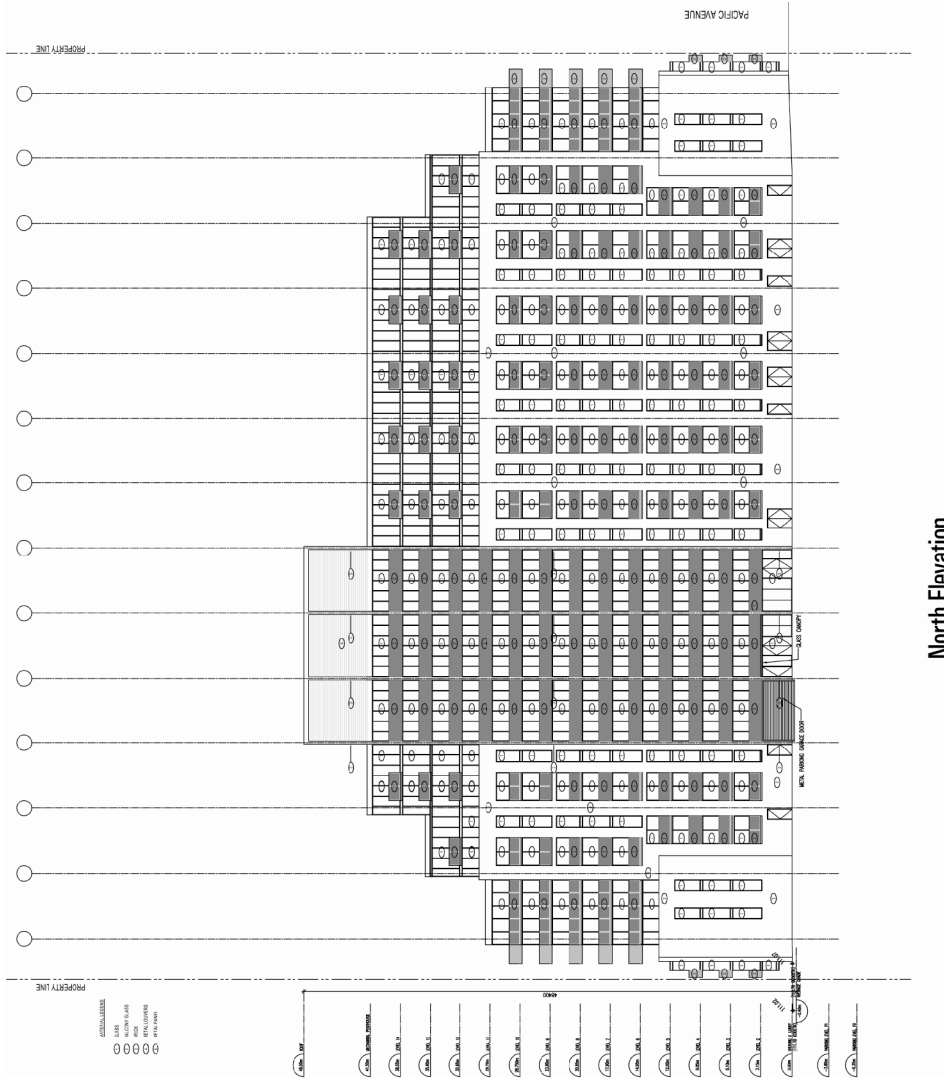
Applicant's Submitted Drawing

Not to Scale
10/22/10

1844, 1846, 1848, 1850, 1852 & 1854 Bloor Street West
and 35 & 37 Pacific Avenue and 6, 8, 10, 12 & 14 Oakmount Road

File # 10 261248 WET 13 0Z





North Elevation

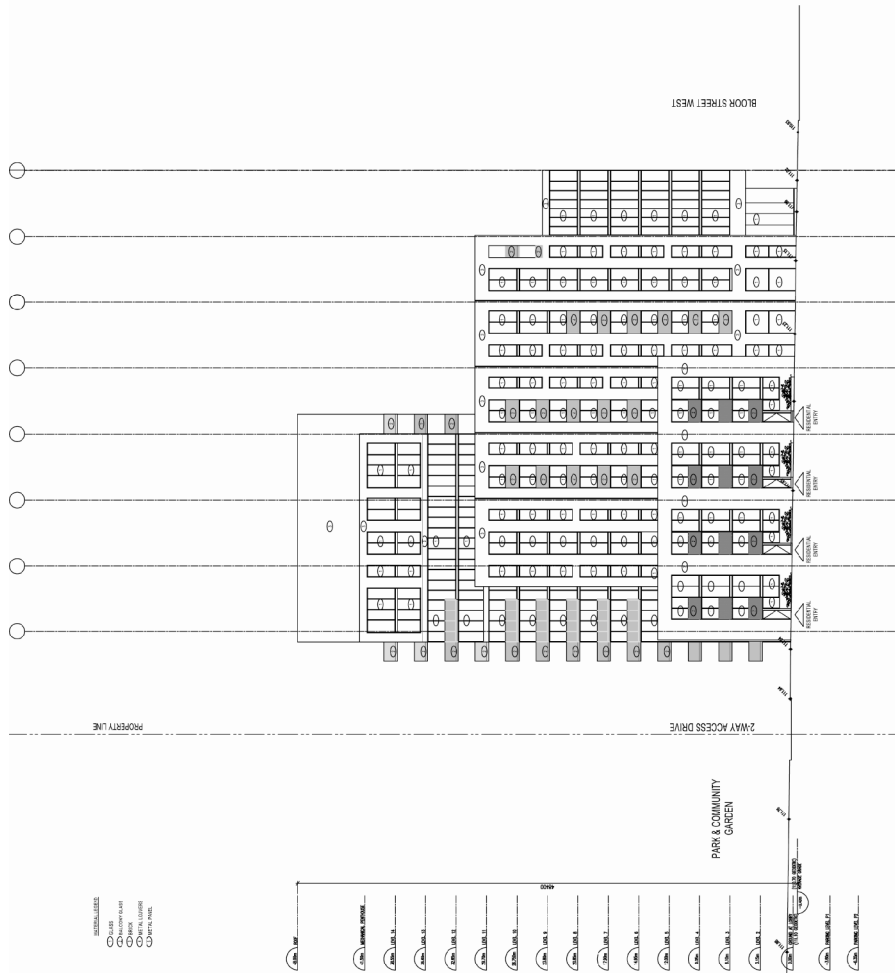
Elevations

Applicant's Submitted Drawing

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10/22/10

1844, 1846, 1848, 1850, 1852 & 1854 Bloor Street West
and 35 & 37 Pacific Avenue and 6, 8, 10, 12 & 14 Oakmount Road

File # 10 261248 WET 13 0Z



East Elevation

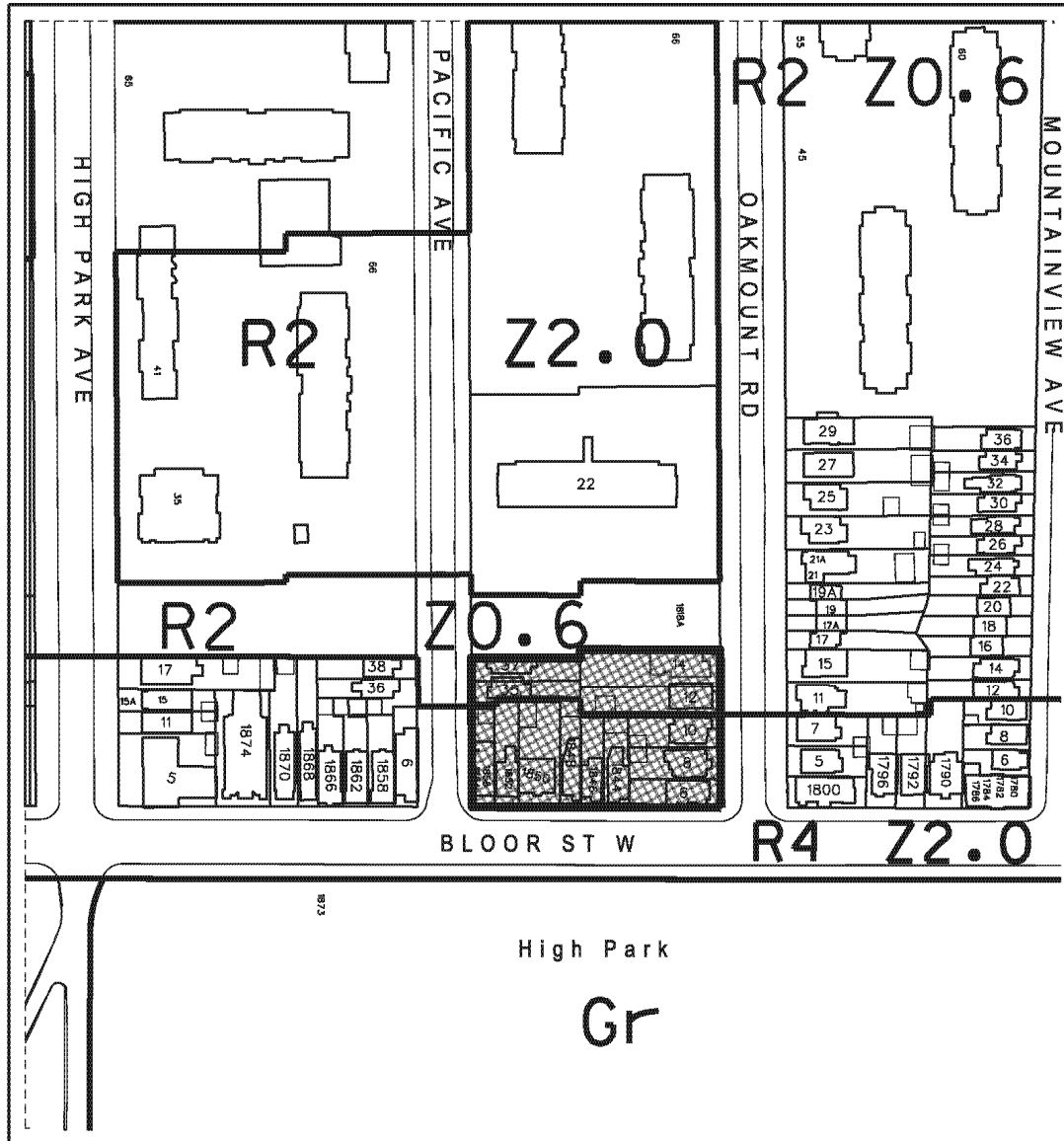
Elevations
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 and 35 & 37 Pacific Avenue and 6, 8, 10, 12 & 14 Oakmount Road

Applicant's Submitted Drawing

Not to Scale
 10/22/10

File # 10 261248 WET 13 0Z

Attachment 3: Zoning



Toronto City Planning
Zoning

1844, 1846, 1848, 1850 & 1854 Bloor St. W
35 & 37 Pacific Av. and 6, 8, 10, 12 & 14 Oakmount Rd.
File # 10_261248

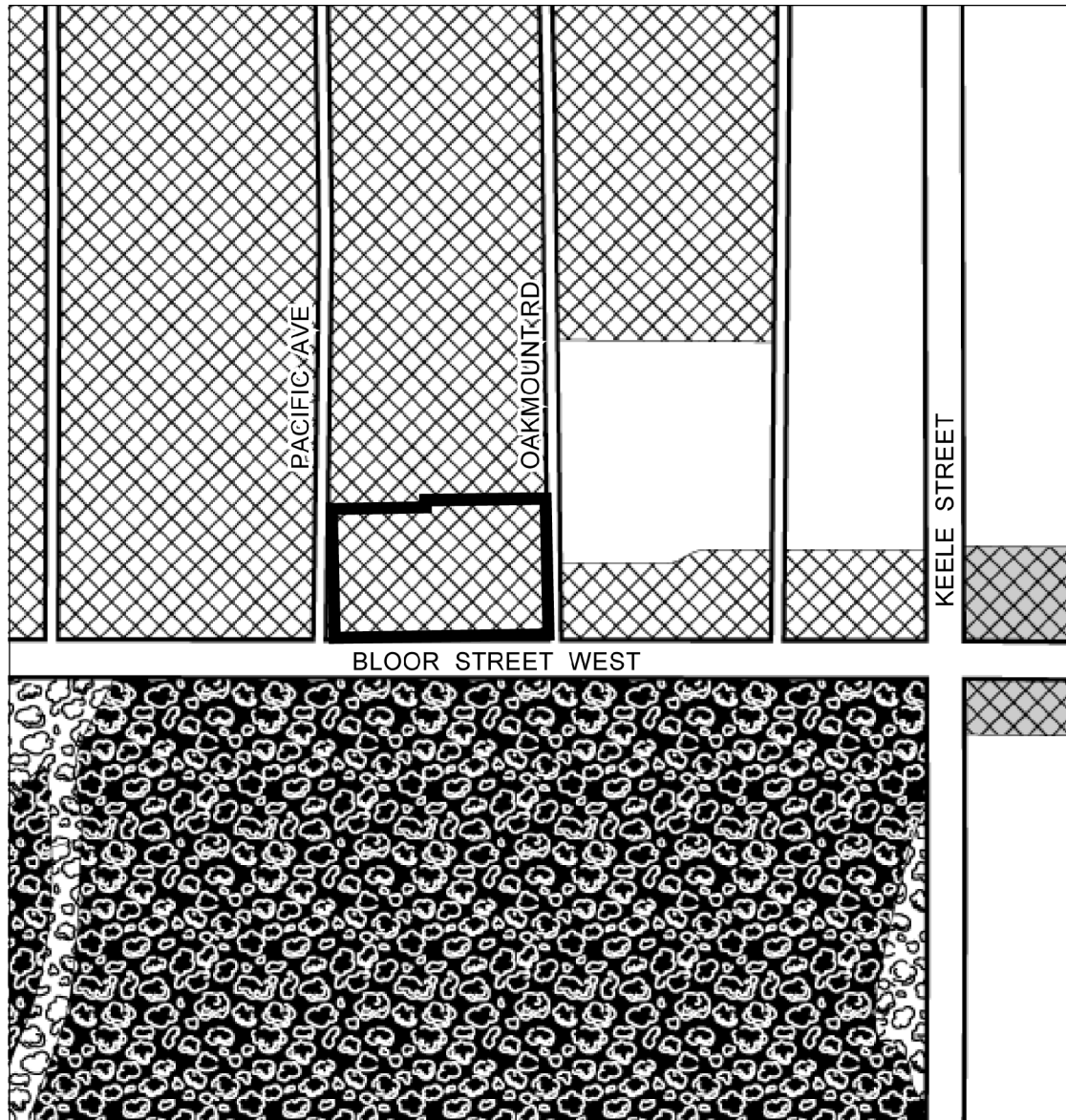
Former Toronto Zoning By-law 438-86
R2 Residential District
Gr Parks District



Not to Scale

Extracted 11/09/2010/JM

Attachment 4: Official Plan



Toronto City Planning
Official Plan

1844, 1846, 1848, 1850, 1852, & 1854 Bloor Street West and
35 & 37 Pacific Avenue and 6, 8, 10, 12 & 14 Oakmount Road

File # 10_261248 WET 13 02

	Site Location		Natural Areas		Institutional Areas		Utility Corridors
	Neighbourhoods		Parks		Regeneration Areas		
	Apartment Neighbourhoods		Other Open Space Areas		Employment Areas		
	Mixed Use Areas						

Not to Scale
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Attachment 5: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	10 261248 WET 13 OZ
Details	OPA & Rezoning, Standard	Application Date:	September 20, 2010

Municipal Address:	1844 BLOOR ST W
Location Description:	PLAN 1486 PT LOTS 32 & 33 **GRID W1308
Project Description:	Proposed amendments to the Official Plan and Zoning By-law to permit the development of a 14-storey mixed-use building consisting of approximately 346 residential units, an amenity area, and 1 425 m2 of grade-related retail use.

Applicant:	Agent:	Architect:	Owner:
DANIELS HR CORPORATION			W J HOLDINGS LIMITED

PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhood	Site Specific Provision:
Zoning:	R4 Z2.0	Historical Status:
Height Limit (m):		Site Plan Control Area:

PROJECT INFORMATION

Site Area (sq. m):	5155.7	Height:	Storeys:	14
Frontage (m):	91		Metres:	48.4
Depth (m):	81			
Total Ground Floor Area (sq. m):	3100			Total
Total Residential GFA (sq. m):	29530		Parking Spaces:	263
Total Non-Residential GFA (sq. m):	1425		Loading Docks	0
Total GFA (sq. m):	30955			
Lot Coverage Ratio (%):	60.1			
Floor Space Index:	6			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	29530	0
Bachelor:	46	Retail GFA (sq. m):	1425	0
1 Bedroom:	213	Office GFA (sq. m):	0	0
2 Bedroom:	63	Industrial GFA (sq. m):	0	0
3 + Bedroom:	24	Institutional/Other GFA (sq. m):	0	0
Total Units:	346			

CONTACT:	PLANNER NAME:	Philip Carvalino, Senior Planner
	TELEPHONE:	416-394-8233

Attachment 6: Front Elevation Rendering and Aerial Image

