

**Final Report - 299 Roehampton Avenue  
Zoning By-law Amendment Application and Rental  
Demolition Permit Application under Municipal Code 667  
- Supplementary Report to Item TE19.11**

<b>Date:</b>	May 3, 2011
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 22 – St. Paul's
<b>Reference Number:</b>	07 251456 STE 22 OZ & 07-251461 STE 00 RH

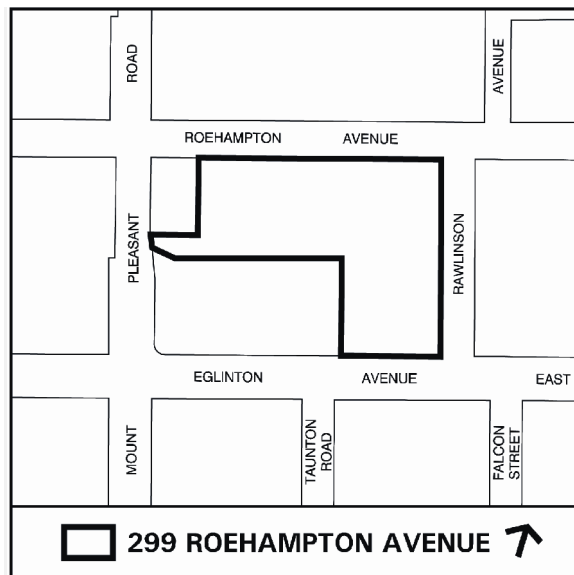
**SUMMARY**

This application was made on August 9, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This is an application to amend Zoning By-law 438-86 to permit the construction of a 15-storey, 210 unit residential condominium building on the southwest corner of Roehampton and Rawlinson Avenues. The proposal involves the retention of 2 existing rental apartment buildings and the demolition of 7 residential rental dwelling units with no replacement rental housing to be provided.

An application for demolition of residential rental units has also been submitted under Municipal Code 667.

An initial application for a 14-storey, 171-unit condominium on the subject site was approved by City Council in October 2008. The proposal has been revised to include an additional storey, and an increase of gross floor area and floor space index. The



amount of amenity space was also increased.

The previously approved height has not increased and the approved building envelope and setbacks have not been altered. There is an adequate supply of parking to accommodate the increase in the number of units.

This report reviews and recommends approval of the revised application to amend the Zoning By-law to permit the proposed development and approval of the application to demolish 7 rental townhouses without requiring replacement of the residential rental units.

## **RECOMMENDATIONS**

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### **The City Planning Division recommends that:**

1. City Council rescind the Zoning By-law Amendment and recommendations that were approved at the City Council meeting of October 29 and 30, 2008.
2. City Council amend the Zoning By-law for the former City of Toronto substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to the report dated May 3, 2011.
3. City Council authorize the City Solicitor, in consultation with the Chief Planner and Executive Director of City Planning, to make such stylistic, technical or other changes to the draft Zoning By-law Amendment as may be required to give effect to the intent of the recommendations contained in this report.
4. Before introducing the necessary Bill(s) to City Council for enactment, City Council require the owner to enter into an Agreement pursuant to Section 37 of the *Planning Act* satisfactory to the Chief Planner and Executive Director, City Planning Division and the City Solicitor. The agreement to be registered on title to the lands in a manner satisfactory to the City Solicitor, will secure the following facilities, services and matters:
  - i. \$500,000 for deposit to a dedicated fund for the construction of improvements to the Northern Secondary School playing field with such improvements to be determined by the Chief Planner in consultation with the Toronto District School Board. The use of these funds for the purpose of playing field improvements is contingent upon securing for the general public, reasonable access to the playing field for recreational purposes outside of school hours. In the event that reasonable public access cannot be secured, or in the event that playing field improvements have not commenced within 5 years of the by-law coming into force and effect, Council authorizes the use of these funds for alternative park acquisition or improvements in Ward 22. These funds are to be provided to the City

upon the implementing zoning by-law for the development coming into full force and effect.

- ii. \$500,000 for deposit into the parkland acquisition and development fund that is established to purchase, design and construct a new park in the Yonge – Eglinton Centre. Such funds are to be provided to the City upon the issuance of the first above-grade building permit for the third apartment building on the site.
- iii. The owner shall maintain the two apartment buildings with 431 existing rental *dwelling units* as rental housing for a minimum period of twenty (20) years commencing from the date this by-law comes into effect, with no application for demolition without replacement, or for conversion to non-rental housing purposes to be made for these units during the twenty year period.
- iv. Prior to, or in conjunction with, the construction of a building within *Area C*, the owner shall construct and maintain a recreation centre for the exclusive use of all the residents of the *lot*, located within *Area D*, which shall contain a minimum of 900 square metres of *residential amenity space*, and the owner agrees that it shall not pass through any of the costs to construct the recreation centre to the tenants of the 431 existing rental dwelling units, including in the form of an increase in rent above the provincial Guideline established under the Residential Tenancies Act.
- v. The owner shall develop and implement, to the satisfaction of the Director, Community Planning Toronto and East York District, an appropriate Construction Mitigation Plan and a Tenant and Resident Communication Strategy prior to the issuance of a demolition permit for the rental townhouse dwellings.
- vi. The owner shall provide assistance for the tenants of the 7 residential rental units to be demolished as required under the Tenant Relocation and Assistance Plan, to the satisfaction of the Chief Planner.
- vii. The owner pay all costs associated with the installation of a southbound left-turn advance phase at the intersection of Eglinton Avenue East and Mount Pleasant Road, as assessed by iTRANS Consulting in their August 2007 report.
- viii. The owner will incorporate in the construction of the building, exterior materials to be shown on 1:50 scale drawings of the Rawlinson Avenue building frontage that form part of the approved Site Plan for the development. This is to be included in the Section 37 agreement as a matter of legal convenience.

- ix. The cash amount identified in 4.ii above shall be indexed in accordance with the Non-Residential Construction Price Index for the Toronto CMA, reported quarterly by Statistics Canada in Construction Price Statistics Publication No. 62-007-XPB, or its successor, calculated from the date of execution of the Section 37 Agreement to the date of submission of the funds by the owner to the City.
  - x. The owner agrees to comply with the requirements of the City of Toronto Wet Weather Flow Management Plan for this project.
  - xi. The owner will ensure that the site grading complies with the City of Toronto Standards and is designed to provide appropriate overland route/s through the site.
  - xii. The owner will provide for any improvements to the municipal infrastructure in connection with the functional servicing report, as accepted by the Executive Director of Technical Services, should it be determined that upgrades to such infrastructure is required to support this development.
5. City Council approve the application to demolish the 7 existing rental housing units located at 42, 44, 46, 48, 50 Rawlinson Avenue and 325 and 327 Roehampton Avenue pursuant to Municipal Code Chapters 667 and 363, subject to the following conditions under Chapter 667:
- i. The owner provide and meet the requirements of the Tenant Relocation and Assistance Plan at the owner's expense, to the satisfaction of the Chief Planner, and which will include provisions that exceed the requirements under the provincial Residential Tenancies Act.
  - ii. The owner shall enter into and register an Agreement with the City to secure the provisions in 4.i and as described in section 3 of the Zoning By-law Amendment (Attachment 6 to the report dated May 3, 2011 from the Director, Community Planning, Toronto and East York District).
6. City Council authorizes the Chief Planner and Executive Director, City Planning Division to issue a preliminary approval to the application under Municipal Code Chapter 667 after the satisfaction of the conditions in Recommendation 4, and after the Zoning By-law amendments in Recommendation 1 have come into full force and effect.
7. City Council authorize the Chief Building Official to issue a section 111 permit under Municipal Code Chapter 667 after the Chief Planner and Executive Director, City Planning Division has given the preliminary approval in Recommendation 6.

8. City Council authorize the Chief Building Official to issue a permit under Section 33 of the Planning Act no earlier than issuance of the first building permit for the foundation of a building in Area C as described in the Zoning by-law Amendment, and after the Chief Planner and Executive Director, City Planning Division has given the preliminary approval in Recommendation 6, which permit may be included in the demolition permit for Chapter 667 under 363-11.1E, of the Municipal Code, on condition that:
  - a. The Owner erect a residential building on site no later than three (3) years from the day demolition of the buildings is commenced.
  - b. Should the Owner fail to complete the new building within the time specified in condition (a), the City Clerk shall be entitled to enter on the collector's roll, to be collected in a like manner as municipal taxes, the sum of twenty thousand dollars (\$20,000) for each dwelling unit for which a demolition permit is issued, and that each sum shall, until payment, be a lien or charge upon the land for which the demolition permit is issued.
9. City Council require the owner to enter into a Site Plan Agreement under Section 114 of the City of Toronto Act, 2006, prior to the issuance of the first above grade building permit.
10. Before the introduction of the necessary Bills to City Council, City Council require that the applicant must submit a revised Functional Serving Report to the satisfaction of the Executive Director, Technical Services.
11. Before the introduction of the necessary Bills to City Council, City Council require that the applicant must submit properly dimensioned plans to the satisfaction of the Manager, Plans Review, Toronto Building.
12. City Council require the owner to provide financial security for construction of any required municipal infrastructure prior to enactment of the Zoning By-law.
13. City Council authorize City officials to take all necessary steps, including the execution of agreements and documents, to give effect to the above-noted recommendations.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

At its meeting on October 29 and 30th, 2008, Toronto City Council approved the recommendations contained in staff report dated September 15, 2008 (Attachment no. 7), for a 14-storey, 171-unit apartment building, which was adopted by Toronto and East York Community Council at its meeting on October 7, 2008.

The proposal has been revised since the 2008 Council approval, to request a 15-storey, 210-unit apartment building, which is the reason for this Supplementary Report.

## **ISSUE BACKGROUND**

### **Revised Proposal**

The applicant proposes the redevelopment of a portion of the subject site by demolishing the existing seven townhouse dwellings at the southwest corner of Roehampton and Rawlinson Avenues and constructing a 15-storey, 210-unit condominium building in their place. The existing 431 units within the apartment buildings at 322 Eglinton Avenue East and 299 Roehampton Avenue will remain as rental units.

The parking and vehicle access of the new building are proposed to be co-ordinated with those of the two existing rental apartment buildings on the site. A total of 487 spaces are proposed to be provided to serve all 3 buildings on two levels of a reconfigured underground parking. Vehicular access to the site will be available from the Roehampton Avenue and Rawlinson Avenue frontages.

Recreational amenities on the subject site will be upgraded by the proposed reconstruction and enclosure of the existing outdoor swimming pool and the addition of recreational amenity space to which residents of the two existing rental apartments and the new condominium would have full access.

The revised proposal is consistent with the PPS and Growth Plan for the Greater Golden Horseshoe, and complies with the Official Plan policies.

### **Zoning**

The site is split zoned under By-law 438-86 (refer to Attachment 6 – Zoning) between two zoning categories. An R1S Z0.6 zoning applies to the northerly portion of the subject site including the site of the existing apartment building at 299 Roehampton and the seven townhouses proposed to be demolished. The R4A Z2.0 applies to the southerly portion of the subject site including the site of the apartment building at 322 Eglinton Avenue.

The existing buildings and uses of the subject site are recognized and permitted by site-specific By-law No. 55-67, which amended Zoning By-law 20623 of the former City of Toronto. By-law 55-67 outlines zoning provisions for three building envelopes, Sites A, B and C. Site C, is the current location of the existing seven townhouses and stipulates a maximum height limit of 9m (30 feet), a maximum number of nine units and a minimum gross floor area of 961.5m<sup>2</sup> (10, 350.s.f.). Further provisions regulating minimum landscaped open space, parking and vehicular access are provided in the By-law.

The site is excluded from the provisions of the new City of Toronto Zoning By-law 2010-1156.

## **Site Plan Control**

The proposed development is subject to site plan control. An application has not been filed to date.

## **Rental Housing Demolition and Conversion By-law**

The Rental Housing Demolition and Conversion By-law (885-2007) implements the City's Official Plan policies protecting rental housing. The by-law established Chapter 667 of the Municipal Code and was approved by City Council on July 19, 2007. The By-law prohibits demolition or conversion of rental housing units without a permit issued under Section 111 of the City of Toronto Act. Proposals involving six or more rental housing units or where there is a related application for a Zoning By-law amendment require a decision by City Council. Council may refuse an application, or approve the demolition with conditions that must be satisfied before a permit is issued under the Building Code Act.

Under Section 33 of the Planning Act and Municipal Code Chapter 363, Council has the authority to approve or refuse a demolition permit, except in cases where a building permit has been issued to construct a new building. The proposed demolition requires approval under both Section 33 of the Planning Act and Section 111 of the City of Toronto Act. Section 363-11.1 of the Municipal Code provides for the co-ordination of these two processes. The Chief Building Official may issue one demolition permit for the purposes of Section 33 of the Planning Act and Chapter 667 of the Municipal Code, and the Chief Planner in consultation with the Chief Building Official may report on the application for a City Council Decision.

## **Reasons for Application**

A Zoning By-law Amendment is required because the revised proposed construction of a 15-storey (43 metres) condominium while maintaining the existing 12-storey and 19-storey rental apartment buildings on the site would result in a total site density of 3.72 times the lot area which exceeds the permitted density in existing site specific by-law 55-67 of 2.4 times the areas of the lot. The new tower at 43 metres exceeds the maximum height of 9 metres permitted in Site 'C' of the existing site specific by-law.

A Section 111 permit is required in order to demolish the 7 existing rental townhouses on the subject site.

## **Agency Circulation**

The revised application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

## COMMENTS

### Revised Density, Height and Massing

The applicant is requesting that the revised proposal further increase density from 3.59 floor space index, which was approved by Council in 2008, to 3.72 floor space index whereas existing approvals for the site permit a maximum density of 2.4 floor space index.

The site is designed *Apartment Neighbourhoods* in the Official Plan. The proposal must comply with the development criteria of the Official Plan for proposals within *Apartment Neighbourhood* designations. Staff have reviewed the revised proposal against the Official Plan criteria for development in *Apartment Neighbourhoods*, and are satisfied the proposal continues to be appropriate.

### Revised Light, View and Privacy

Staff have reviewed the revised shadow studies submitted by the applicant and believe that the revised proposal is located and massed so as to adequately limit shadow impacts on adjacent *Neighbourhoods* during the spring and fall equinoxes.

### Revised Parking

A total of 544 spaces are currently provided on the site by way of surface parking (10 spaces) and two levels of underground parking (534). The revised application proposes to remove the existing surface parking spaces and reconfigure the layout of the underground parking to provide a total of 487 parking spaces on the site (489 were previously proposed). Staff have analysed the parking on site and believe that the parking continues to meet the requirements for both the existing rental apartment buildings and the new condominium building.

Having reviewed the revised parking study provided by the applicant's Transportation consultant, the City's Development Engineering section has applied the Condominium Parking Standards to calculate the required parking supply for the proposed new condominium building. Minimum parking ratios are unchanged and are as follows:

Bachelor	0.3 spaces per unit
1 Bedroom	0.7 spaces per unit
2 Bedroom	1.0 space per unit
3+ Bedrooms	1.2 spaces per unit
Visitor	0.12 spaces per unit

Based on the proposed unit count and breakdown, the applicant will provide 162 spaces (including 25 visitor spaces) for the new condominium.

With respect to the rental apartment parking, the previously approved parking supply of 243 spaces to serve the residents existing apartment buildings is unchanged and remains acceptable. A further 52 visitor parking spaces for the rental units will also be provided.



## **Revised Servicing**

The applicant is required to submit to the Executive Director of Technical Services, for review and acceptance, a revised site servicing review to determine the storm water runoff, sanitary flow and water supply demand resulting from this development and demonstrate how this site can be serviced and whether the existing municipal infrastructure is adequate, prior to approval of the Zoning By-law Amendment.

## **Revised Tenure and Mix of Units**

The new residential units to be constructed on the site are proposed as condominium. The applicant proposes that 23% of the new dwelling units be two bedroom or larger which can accommodate a family with children. The previously approved percentage of units that are two bedroom or larger was 30%. The unit mix will be secured in the Zoning By-law Amendment.

## **Rental Housing Demolition**

The City's Official Plan policy 3.2.1.6 provides for the replacement of rental housing units where 6 or more units are proposed for demolition, but provides an exception where all of the affected rental units have rents exceeding mid-range.

The rents for all 7 rental townhouses were considered high-end units at the time of application in that they exceeded mid-range rents (more than one and a half time average market rent). Staff is not proposing that the City require the replacement of the rental units because these units' rents meet the policy's criteria.

The policy also provides for tenant relocation assistance and the City's practice has been to secure the provision of such assistance, where appropriate, even when replacement of the rental units is not required. The City may require the provision of tenant relocation assistance as a condition of approval of a Section 111 permit for demolition of the rental housing units under Municipal Code 667.

The tenants of the rental units proposed to be demolished all entered into agreements with the owner in 2008 that provided for compensation and extended notice periods of the demolition. Eligible tenants will receive a longer notice period for the demolition than is required under provincial legislation and additional financial assistance beyond the payment equivalent to three months rent specified in the Residential Tenancies Act. Some opportunities are also being provided to lease a unit in the two existing rental buildings on the property that are to be retained, and in another development by the same owner.

Staff is satisfied with the proposed Tenant Relocation and Assistance Plan and are recommending that it shall be required as a condition of the Section 111 permit and shall be secured in the Section 37 Agreement.

## **Proposed Intensification of an Existing Rental Housing Site**

The proposed redevelopment of a portion of the subject site by demolishing the existing 7 rental townhouses at the southwest corner of Roehampton and Rawlinson Avenues and constructing a 15-storey, 210-unit condominium building in their place while retaining the two existing rental apartment buildings represents significant new development. As such, Official Plan policy 3.2.1.5 applies. The policy requires that the rental tenure of the existing rental buildings be secured where the units have affordable or mid-range rents. It was determined at the time of application that the existing rental units met this criterion. As such, the rental tenure of the existing apartment buildings at 322 Eglinton Avenue East and 299 Roehampton Avenue will be secured in a Section 37 Agreement for at least 20 years and no application for conversion to non-rental housing purposes or for demolition without replacement can be made during that period.

Policy 3.2.1.5 also provides for improvements to the rental buildings and their related facilities to benefit the residents of the existing buildings, with no pass-through of the costs to the tenants. These are considered community benefits under the Section 37 policies of the Official Plan and will be secured in an Agreement. The owner has agreed to construct a minimum of 900 square metres of residential amenity space for the exclusive use of all of the residents of the subject site without pass-through of such costs in the rents to tenants of the existing rental buildings.

## **Construction Mitigation Measures**

To mitigate the construction impacts on the surrounding community and in particular the tenants of the existing rental buildings on the site, the owner will be required to submit and implement a Construction Mitigation and Communication Strategy to the satisfaction of the Director, Community Planning Toronto and East York Division prior to the issuance of the demolition permits for the rental housing units.

## **Section 37**

The Official Plan contains policies pertaining to the provision of community benefits for increases in height and/or density pursuant to Section 37 of the Planning Act.

The community benefits recommended to be secured in the Section 37 agreement have not been revised and are as follows:

1. \$500,000 for deposit to a dedicated fund for the construction of improvements to the Northern Secondary School playing field to be determined by the Chief Planner in consultation with the Toronto District School Board. The use of these funds for the purpose of playing field improvements is contingent upon securing for the general public, reasonable access to the playing field for recreational purposes outside of school hours. In the event that reasonable public access cannot be secured, or in the event that playing field improvements have not commenced within 5 years of the registration on title of the Section 37 Agreement, Council authorizes the use of these funds to acquire new parklands or to fund other improvements in North Toronto. These funds are to be provided to

- the City upon the implementing zoning by-law for the development coming into full force and effect.
2. \$500,000 for deposit into the parkland acquisition and development fund that is established to purchase, design and construct a new park in Yonge – Eglinton Centre. Such funds are to be provided to the City upon the issuance of the first above-grade building permit for the third apartment building on the site.
  3. The owner pay all costs associated with the installation of a southbound left-turn advance phase at the intersection of Eglinton Avenue East and Mount Pleasant road, as assessed by iTRANS Consulting in their August 2007 report.
  4. The owner shall maintain the 431 existing rental *dwelling units* as rental housing for a minimum period of twenty (20) years commencing from the date this by-law comes into effect, and agrees that no application for demolition without replacement, or conversion to non-rental housing purposes will be made for these units during the twenty year period;
  5. Prior to, or in conjunction with, the construction of a building within *Area C*, the owner shall construct a recreation centre for the exclusive use of all the residents of the *lot*, located within *Area D*, which shall contain a minimum of 900 square metres of *residential amenity space*, and the costs of which shall not be passed through to the tenants of the existing rental buildings;

The community benefits recommended to be secured in the Section 37 agreement and have been previously agreed to by the owner are as follows:

6. The provision of tenant relocation assistance for tenants of the 7 rental townhouses proposed for demolition.

The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

7. The owner shall develop and implement, to the satisfaction of the Director, Community Planning Toronto and East York District, an appropriate Construction Mitigation Plan and a Tenant and Resident Communication Strategy prior to the issuance of a demolition permit.
8. The owner will incorporate into the construction of the building, the exterior materials for the Rawlinson Avenue frontage shown on an approved Site Plan.
9. The owner agrees to comply with the requirements of the City of Toronto Wet Weather Flow Management Plan for this project.

10. The owner agrees to ensure that the site grading complies with the City of Toronto Standards and is designed to provide appropriate overland route/s through the site.
11. The owner will provide for any improvements to the municipal infrastructure in connection with the functional servicing report, as accepted by the Executive Director of Technical Services, should it be determined that upgrades to such infrastructure is required to support this development.

## **Conclusion**

City Planning is supportive of the proposed revised zoning amendment. The revised proposal continues to represent a compatible infill development on a site containing existing rental apartment buildings, that will be retained, and that has sufficient underutilized space to accommodate the new building while providing good quality of life for both new and existing residents. The approvals for demolition of the 7 existing rental housing units without requiring replacement, and the provision of tenant relocation assistance for the affected tenants are consistent with the City's policies and the by-law under Section 111 of the City of Toronto Act.

## **CONTACT**

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## **SIGNATURE**

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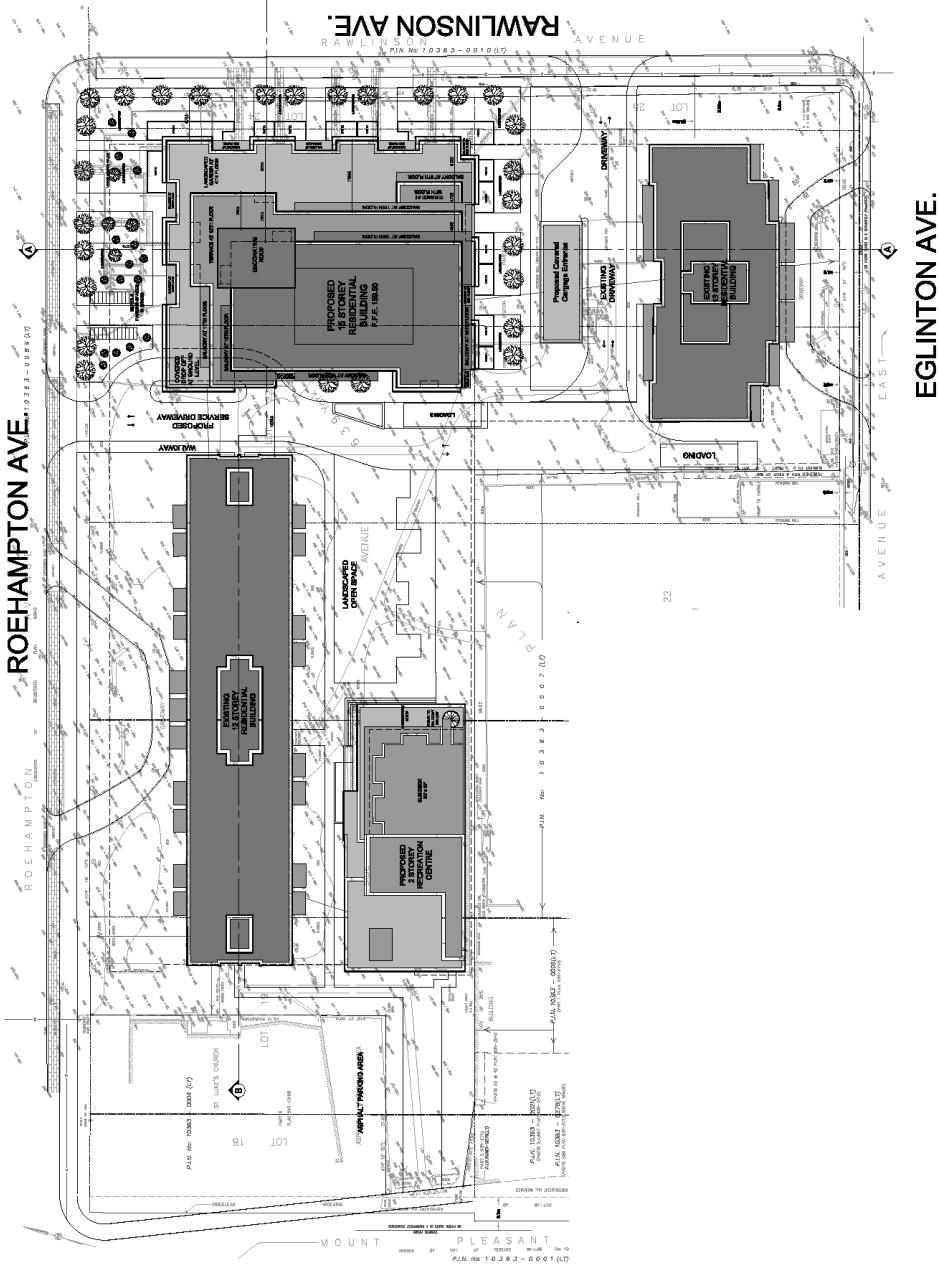
Gregg Lintern, Director, MCIP, RPP  
Community Planning, Toronto and East York District

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## **ATTACHMENTS**

- Attachment 1: Site Plan
- Attachment 2: North and South Elevations
- Attachment 3: East and West Elevations
- Attachment 4: Zoning
- Attachment 5: Application Data Sheet
- Attachment 6: Draft Zoning By-law Amendment
- Attachment 7: Staff Report dated September 15, 2008

# Attachment 1: Site Plan



**299 Roehampton Avenue**

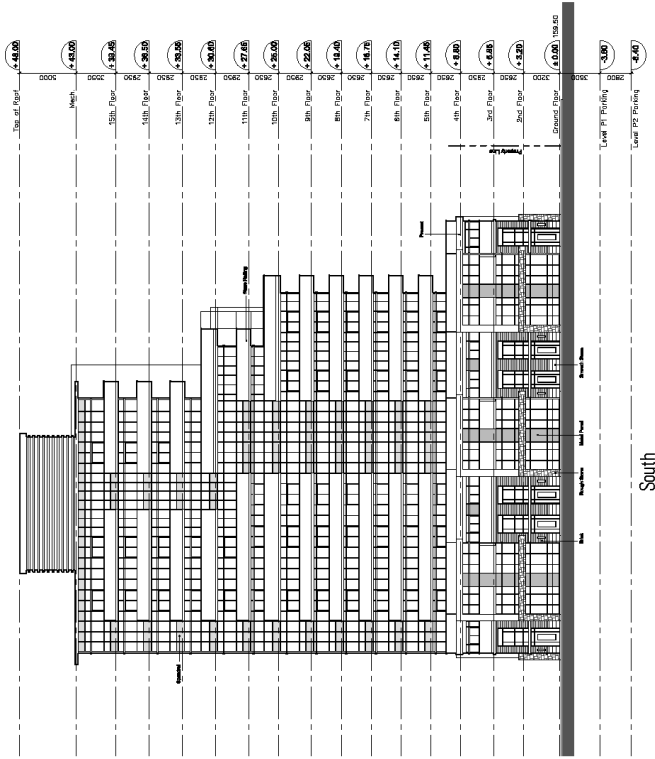
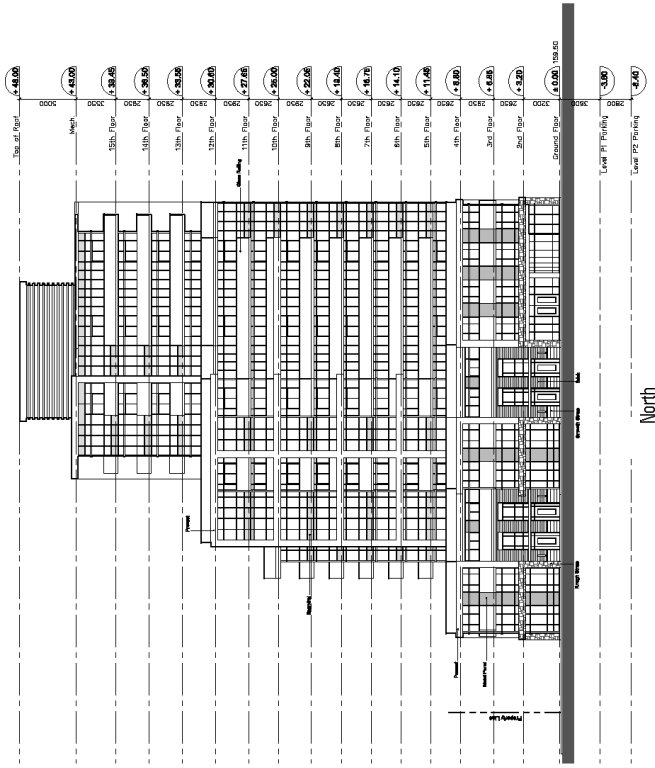
**Site Plan**

Applicant's Submitted Drawing

Not to Scale  
04/21/2011

File # 07 251456 0Z

## Attachment 2: North and South Elevations



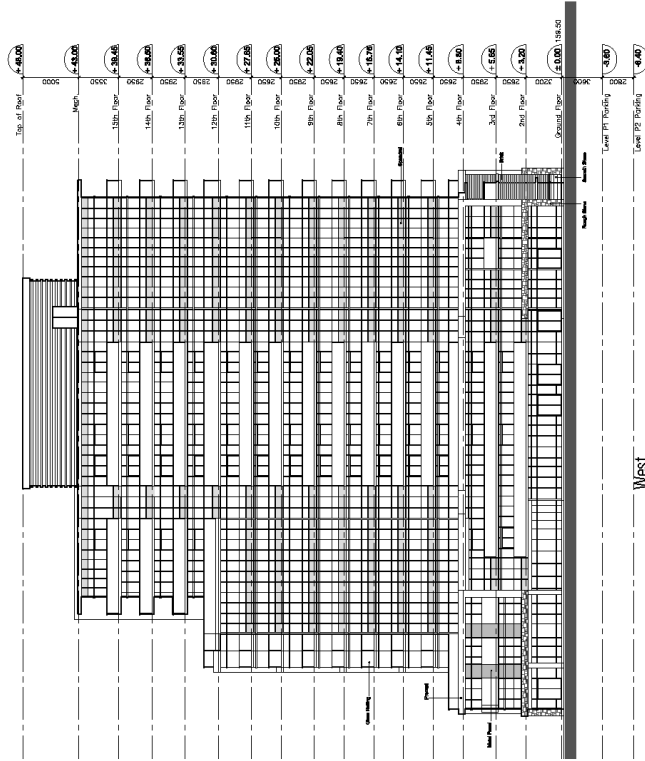
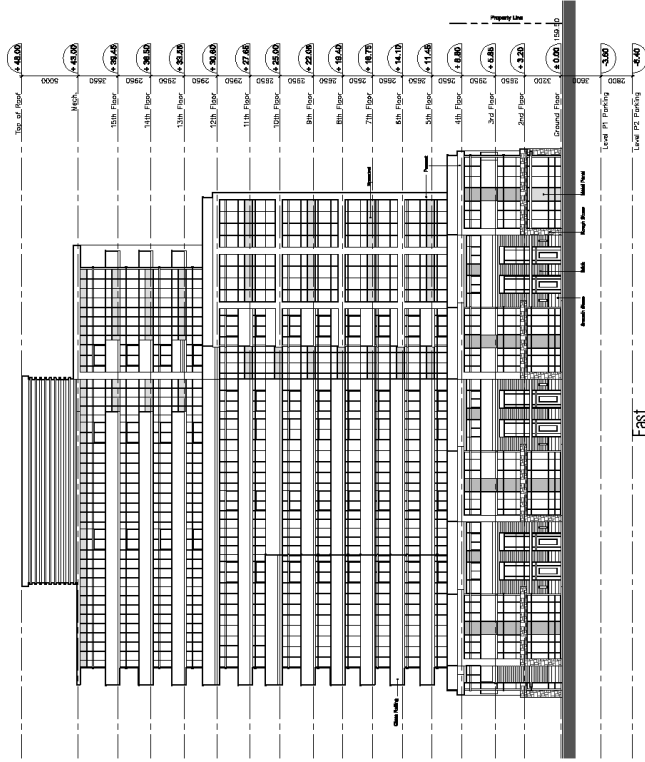
299 Roehampton Avenue

Elevations  
Applicant's Submitted Drawing

Not to Scale  
04/21/2011

File # 07 251456 0Z

Attachment 3: East and West Elevations



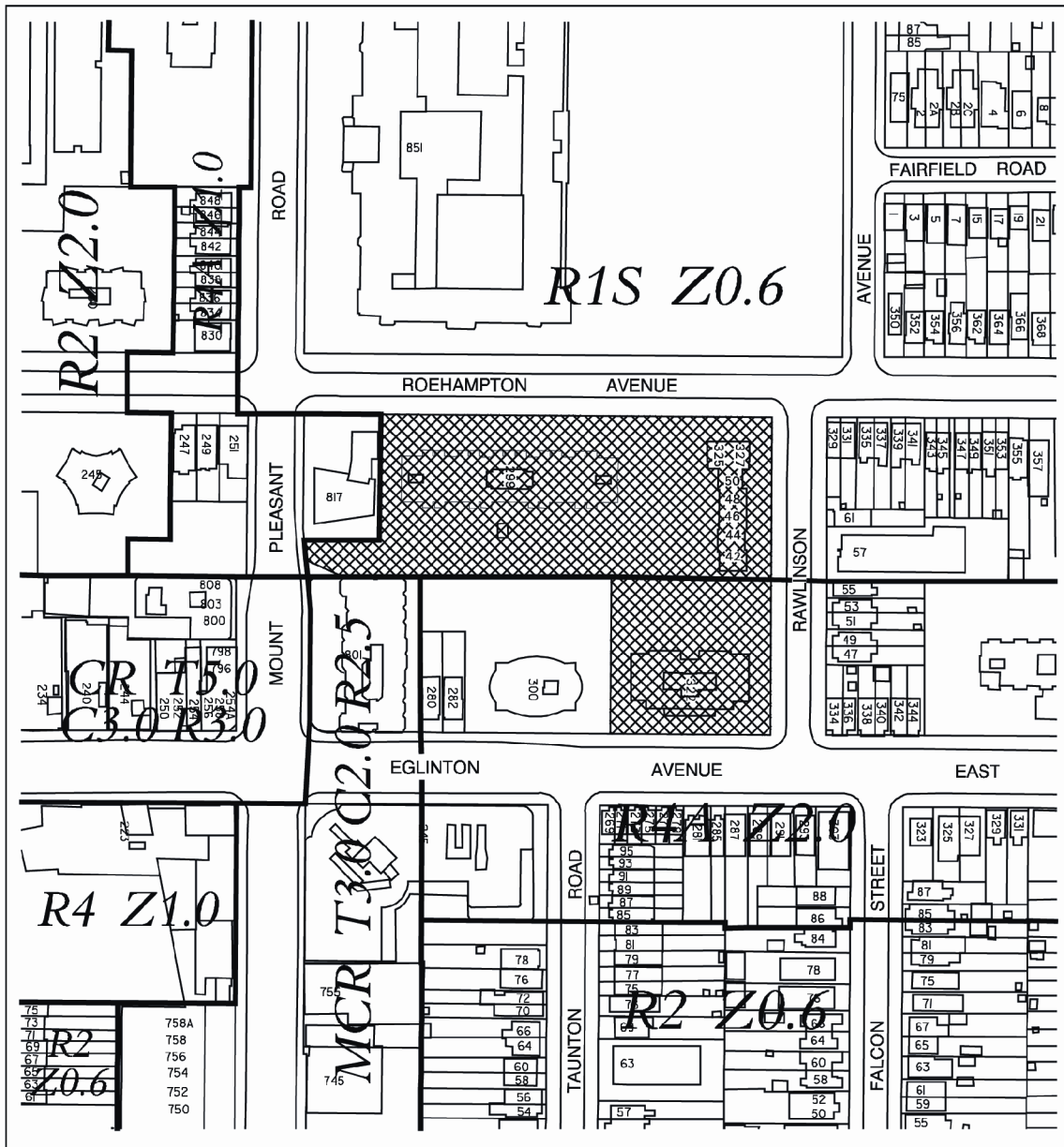
299 Roehampton Avenue

Elevations  
 Applicant's Submitted Drawing

Not to Scale  
 04/21/2011

File # 07 251456 0Z

### Attachment 4: Zoning



**299 Roehampton Avenue**  
 File # 07\_251456

- R1S Residential District
- R2 Residential District
- R4 Residential District
- R4A Residential District
- CR Mixed-Use District
- MCR Mixed-Use District

↑  
 Not to Scale  
 Zoning By-law 438-86 as amended  
 Extracted 11/02/07 - TA



## Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	07 251456 STE 22 OZ
Details	Rezoning, Standard	Application Date:	August 9, 2007
Municipal Address:	299 ROEHAMPTON AVE		
Location Description:	PL 639 PT LT18 PT LT19 LT20 TO LT23 PL 639 PT LT23 TO PT LT25 **GRID S2201		
Project Description:	Proposed replacement of existing townhouse units at the north-east corner of Rawlinson and Roehampton Aves, with a new 15 storey apartment building containing 210 dwelling units. Demo of existing 7 rental units.		

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
ALLAN LEIBEL			K & G APARTMENT HOLDINGS INC

### PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhood	Site Specific Provision:	By-law No. 55-67
Zoning:	R1S Z0.6, R4A Z2.0	Historical Status:	
Height Limit (m):	9, 18	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	12162	Height:	Storeys:	15
Frontage (m):	142.02		Metres:	43
Depth (m):	116.01			
Total Ground Floor Area (sq. m):	2545			<b>Total</b>
Total Residential GFA (sq. m):	43405.3		Parking Spaces:	50
Total Non-Residential GFA (sq. m):	1020.66		Loading Docks	2
Total GFA (sq. m):	44425.96			
Lot Coverage Ratio (%):	29.1			
Floor Space Index:	3.65			

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

	Rental, (Condo)		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	43405.3	0
Bachelor:	52 (0)	Retail GFA (sq. m):	0	0
1 Bedroom:	294 (161)	Office GFA (sq. m):	1020.66	0
2 Bedroom:	85 (49)	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	431 (210)			

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Sipo Maphangoh, Planner</b>
	<b>TELEPHONE:</b>	<b>416-338-5747</b>

## Attachment 6: Draft Zoning By-law

### BY-LAW No. ●-2011

**To Repeal By-law No. 55-67 and to amend General Zoning By-law No. 438-86, as amended, of the former City of Toronto with respect to lands municipally known as 299 Roehampton Avenue.**

WHEREAS Council at its meeting held on ●, 2011, adopted Toronto and East York Community Council Report ●; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

WHEREAS Council of the City may in a By-law passed under Section 34 of the *Planning Act*, authorize density and height increases not otherwise permitted in the by-law in return for the provision of facilities, services or matters as are set out in the By-law;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. District Map 51L-312 contained in Appendix “A” of By-law No. 438-86, is amended by redesignating the lands delineated by heavy lines as shown on Map 1 attached hereto to R4A Z2.0.
2. Section 12(1) of the aforesaid By-law No. 438-86 is amended by adding the following exception:
  - (●) To prevent the erection or use of an *apartment building* and *accessory* uses and structures and *commercial parking garage* on the lands municipally known in 2008 as 299 Roehampton Avenue, provided:
    - (a) the *lot* comprises at least the lands shown on the map following this exception;
    - (b) the *residential gross floor area* on the *lot* does not exceed 45,275 square metres, of which:
      - (i) no more than 13,625 square metres is located within *Area A*
      - (ii) no more than 14,380 square metres is located within *Area B*; and
      - (iii) no more than 17,270 square metres is located within *Area C*;
    - (c) no portion of any building or structure above *grade* is located otherwise than wholly within one of the areas delineated by heavy lines and

designated as *Area “A”, “B”, “C” and “D”* on the aforesaid map other than:

- (i) ventilator housings for the ventilation of underground facilities and ramps and stairs (or railings or enclosures therefore) providing access to such facilities;
  - (ii) canopies over any main entrance, and in no case projecting more than 9.1 metres beyond such heavy lines; and
- (d) no portions of any building or structure exceed the *height limits* shown on the aforesaid map except for a mechanical penthouse having an additional height of 5.5 metres on a building within *Area C*;
  - (e) no more than 210 *dwelling units* are contained within the building located within *Area C* of which no less than 20 percent of the total *dwelling units* shall contain fewer than 2 bedrooms;
  - (f) at least 5,239 square metres of *landscaped open space* is provided and maintained on the *lot*;
  - (g) the minimum number of parking spaces provided and maintained in an underground parking garage on the *lot* shall not be less than the number calculated in accordance with the following minimum ratios, (fractions to be rounded down to the closest whole number):

#### Rental Apartment Buildings

Residents parking	-	minimum of 243 spaces
Visitor parking	-	0.12 visitor spaces per unit

#### Residential Condominium Building

bachelor <i>dwelling unit</i>	-	0.3 spaces per <i>dwelling unit</i>
one bedroom <i>dwelling unit</i>	-	0.7 spaces per <i>dwelling unit</i>
two bedroom <i>dwelling unit</i>	-	1.0 spaces per <i>dwelling unit</i>
three bedroom <i>dwelling unit</i>	-	1.2 spaces per <i>dwelling unit</i>
Visitor parking	-	0.12 spaces per <i>dwelling unit</i>

- (h) a minimum of 487 *parking spaces* are provided and maintained in an underground garage on the *lot*, of which no more than 332 existing parking spaces will be provided in accordance with the following:
  - (i) 278 *parking spaces* may have a minimum length of 4.4 metres;
  - (ii) 42 *parking spaces* may have a minimum length of 4.5 metres;

- (iii) 35 *parking spaces* may have a minimum height of 1.7 metres;
  - (iv) 23 *parking spaces* may have a minimum width of 2.22 metres;
  - (v) 184 *parking spaces* may have a minimum width of 2.4 metres.
- (i) a minimum of 128 *bicycle parking spaces* are provided and maintained on the *lot*;
  - (j) a minimum of two *loading spaces – type G* which each have a minimum width of 3.6 metres and minimum depth of 13.0 metres, are provided and maintained on the *lot*;
  - (k) with the exception of sections 4(2), 4(4), 4(12), 4(13), 6(1)(f)(a)(i) and 6(3) PARTS I, II all other provisions of this by-law are complied with.

For the purposes of this exception:

- (a) “*lot*” means the lands outlined on the map following this exception, and the provisions of this exception shall apply to the whole of the *lot* despite any existing or future severance, partition or division of any part of the *lot*.
- (b) *Area A, Area B, Area C* and *Area D* means those areas outlined with heavy lines on map 2 following this exception.

### 3. Section 37:

The owner of the *lot* shall enter into one or more agreements with the City of Toronto pursuant to Section 37 of the *Planning Act* to secure the facilities, services and matters referred to below, which agreement or agreements shall be registered on title to the lands to which this by-law applies in the manner and to the extent specified in such agreements. The owner of the lands, at the owner’s expense and in accordance with and subject to such agreements, shall provide the following facilities, services and matters on terms satisfactory to the City in order to permit the construction of additional *residential gross floor area* within *Area C* as authorized under Section 2 of this By-law:

- (i) \$500,000 for deposit to a dedicated fund for the construction of improvements to the Northern Secondary School playing field with such improvements to be determined by the Chief Planner in consultation with the Toronto District School Board. The use of these funds for the purpose of playing field improvements is contingent upon securing for the general public, reasonable access to the playing field for recreational purposes outside of school hours. In the event that reasonable public access cannot be secured, or in the event that playing field improvements have not

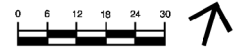
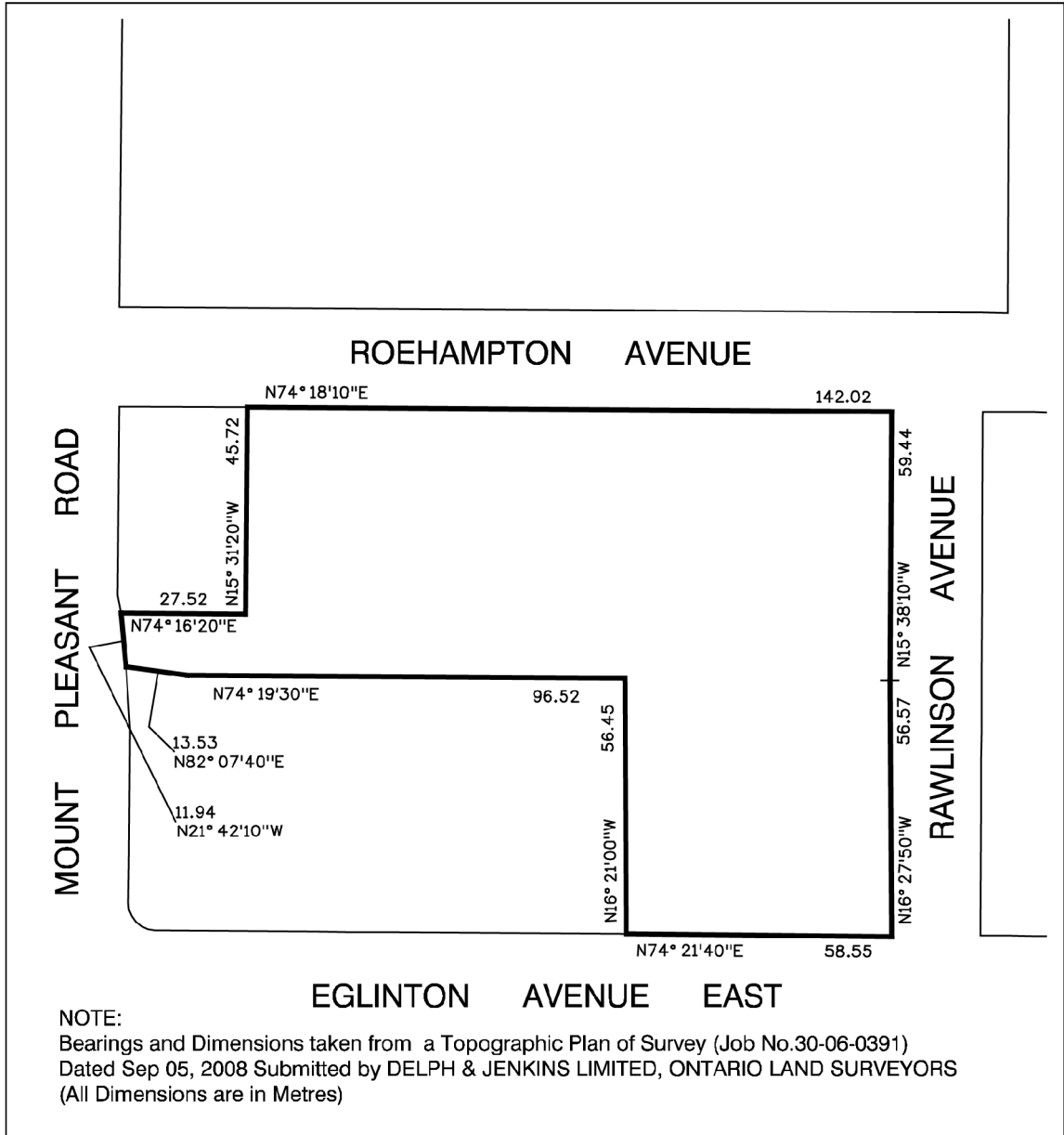
commenced within 5 years of the by-law coming into force and effect, Council authorizes the use of these funds to acquire new parklands or to fund other improvements in Ward 22. These funds are to be provided to the City upon this implementing zoning by-law for the development coming into full force and effect;

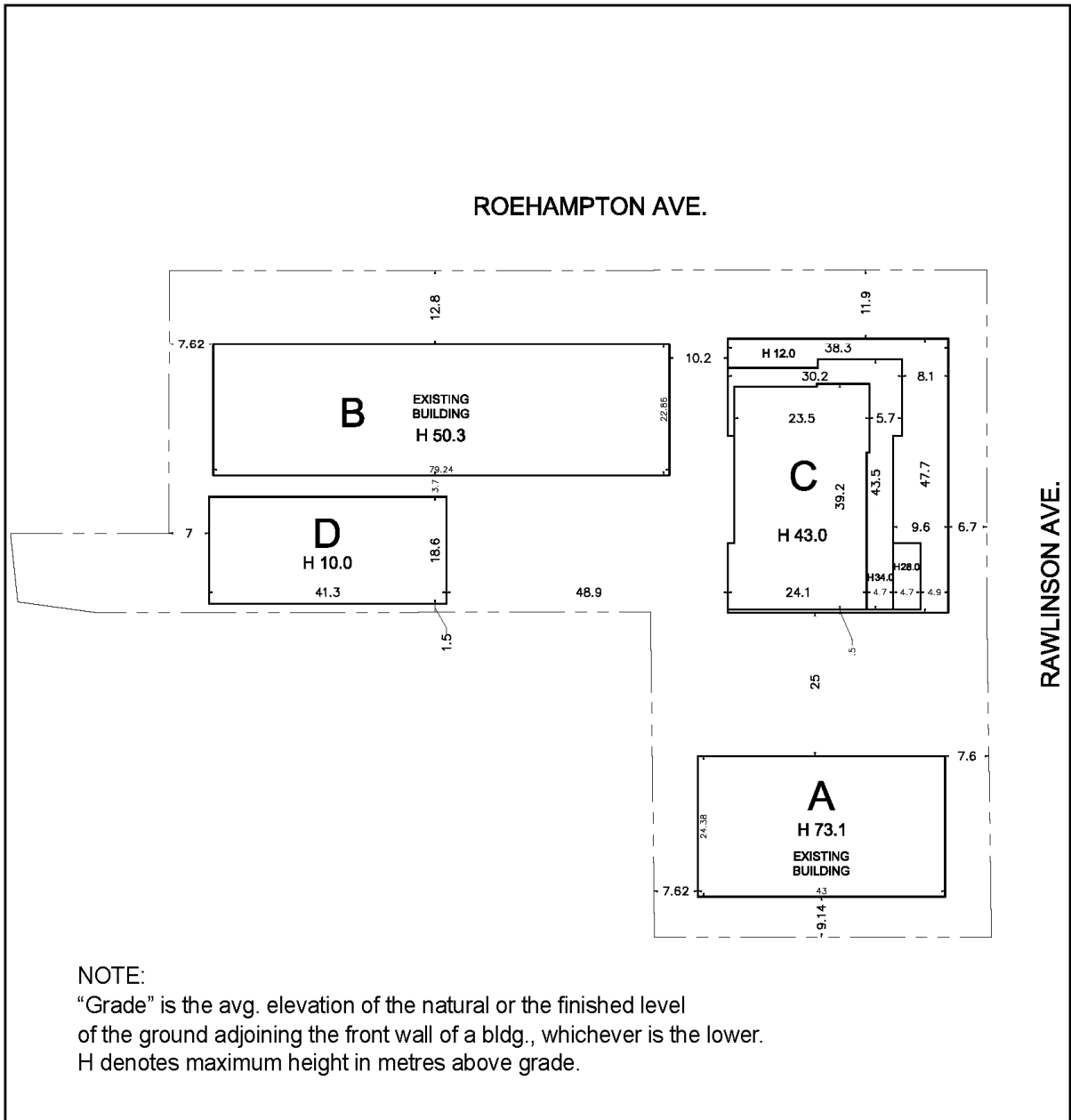
- (ii) \$500,000 for deposit into the parkland acquisition and development fund that is to be established to purchase, design and construct a new *public park* in Yonge – Eglinton Centre. Such funds are to be provided to the City upon the issuance of the first above-grade building permit for a building with *Area C*;
- (iii) The owner shall maintain the two apartment buildings with 431 existing rental *dwelling units* as rental housing for a minimum period of twenty (20) years commencing from the date this by-law comes into effect, with no application for demolition without replacement, or for conversion to non-rental housing purposes to be made for these units during the twenty year period;
- (iv) Prior to, or in conjunction with, the construction of a building within *Area C*, the owner shall construct and maintain a recreation centre for the exclusive use of all the residents of the *lot*, located within *Area D*, which shall contain a minimum of 900 square metres of *residential amenity space*, and the owner agrees that it shall not pass through any of the costs to construct the recreation centre to the tenants of the 431 existing rental dwelling units, including in the form of an increase in rent above the provincial Guideline established under the Residential Tenancies Act.
- (v) The owner shall provide assistance for the tenants of the 7 residential rental units to be demolished as required under the Tenant Relocation and Assistance Plan, to the satisfaction of the Chief Planner.
- (vi) The owner shall develop and implement, to the satisfaction of Director, Community Planning for the Toronto and East York District, an appropriate Construction Mitigation Plan and a Tenant and Resident Communication Strategy prior to demolition of the existing townhouse dwellings;
- (vii) The owner pay all costs associated with the installation of a southbound left-turn advance phase at the intersection of Eglinton Avenue East and Mount Pleasant road, as assessed by iTRANS Consulting in their August 2007 report;
- (viii) Require the owner to incorporate in the construction of the building, exterior materials to be shown on 1:50 scale drawings of the Rawlinson Avenue building frontage that form part of the approved Site Plan for the

development. This is to be included in the Section 37 agreement as a matter of legal convenience.

- (ix) The cash amount identified in (3) (i) above shall be indexed in accordance with the Non-Residential Construction Price Index for the Toronto CMA, reported quarterly by Statistics Canada in Construction Price Statistics Publication No. 62-007-XPB, or its successor, calculated from the date of execution of the Section 37 Agreement to the date of submission of the funds by the owner to the City.
  - (x) The owner agrees to comply with the requirements of the City of Toronto Wet Weather Flow Management Plan for this project.
  - (xi) The owner will ensure that the site grading complies with the City of Toronto Standards and is designed to provide appropriate overland route/s through the site.
  - (xii) The owner will provide for any improvements to the municipal infrastructure in connection with the functional servicing report, as accepted by the Executive Director of Technical Services, should it be determined that upgrades to such infrastructure is required to support this development.
4. By-law No. 55-67, being a by-law to amend By-law No. 20623 respecting certain lands on the west side of Rawlinson Avenue, between Roehampton Avenue and Eglinton Avenue East is hereby repealed.

ENACTED and PASSED this ● day of ●, A.D. 2011.









**STAFF REPORT  
ACTION REQUIRED**

**299 Roehampton Avenue  
Zoning By-law Amendment Application & Rental  
Housing Demolition Permit Application – Final Report**

<b>Date:</b>	September 15, 2008
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Acting Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 22 – St. Paul's
<b>Reference Number:</b>	07-251456 STE 22 OZ & 07-251461 STE 00 RH

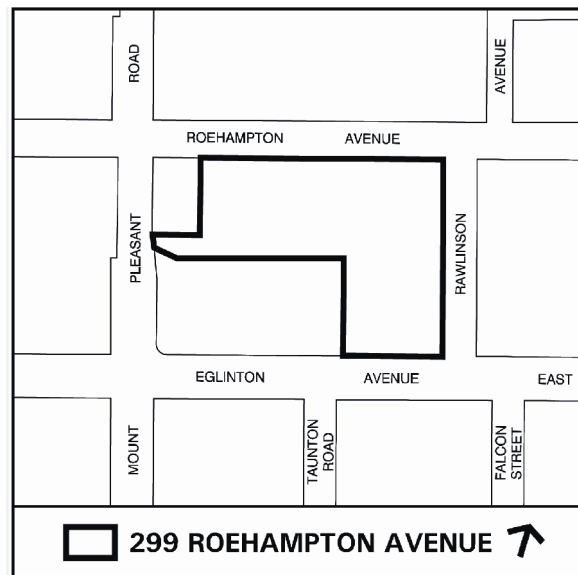
**SUMMARY**

This application was made after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This is an application to amend Zoning By-law 438-86 to permit the construction of a 14-storey residential building on the southwest corner of Roehampton and Rawlinson Avenues. A Rental Housing Demolition Permit Application has also been submitted under Section 111 of the *City of Toronto Act*.

This report reviews and recommends approval of the application to amend the Zoning By-law:

- (a) The building has been located and massed to be compatible with and provide a transition to, the adjacent lower scale *Neighbourhoods* and meet the development criteria set out for development within *Apartment Neighbourhood* areas.



(b)

The proposal represents a compatible infill development on a site containing an existing apartment.

(c)

The community benefits that would be available as a result of approval and construction of this development include improvements to the Northern Secondary School playing fields and a cash dedication to the planned acquisition and development of a new park in the Yonge-Eglinton Centre.

Further, this report also advises that the Chief Planner may approve the issuance of a demolition permit for the seven rental housing units currently on the site.

## **RECOMMENDATIONS**

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### **The City Planning Division recommends that:**

1. City Council amend the Zoning By-law for the former City of Toronto substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8.
2. City Council authorize the City Solicitor, in consultation with the Chief Planner & Executive Director of City Planning, to make such stylistic, technical or other changes to the draft Zoning By-law Amendment as may be required to give effect to the intent of the recommendations contained in this report.
3. City Council authorize the Chief Planner and Executive Director to issue approval to the application to demolish the rental housing units located at 42, 44, 46, 48, 50 Rawlinson Avenue and 325 & 327 Roehampton Avenue under Municipal Code Chapter 667.
4. Before introducing the necessary Bill(s) to City Council authorize the appropriate City officials and require the owner to execute an Agreement pursuant to Section 37 of the *Planning Act* satisfactory to the Chief Planner and Executive Director, City Planning Division and the City Solicitor. The agreement to be registered on title to the lands in a manner satisfactory to the City Solicitor, will secure the following facilities, services and matters:
  - (i) \$500,000 for deposit to a dedicated fund for the construction of improvements to the Northern Secondary School playing field with such improvements to be determined by the Chief Planner in consultation with the Toronto District School Board. The use of these funds for the purpose of playing field improvements is contingent upon securing for the general public, reasonable access to the playing field for recreational purposes outside of school hours. In the event that reasonable public access cannot be secured, or in the event that playing field improvements have not

commenced within 5 years of the by-law coming into force and effect, Council authorizes the use of these funds for alternative park acquisition or improvements in Ward 22. These funds are to be provided to the City upon the implementing zoning by-law for the development coming into full force and effect;

- (ii) \$500,000 for deposit into the parkland acquisition and development fund that is established to purchase, design and construct a new park in the Yonge – Eglinton Centre. Such funds are to be provided to the City upon the issuance of the first above-grade building permit for the third apartment building on the site;
- (iii) The owner shall maintain the 431 existing rental *dwelling units* as rental housing for a minimum period of twenty (20) years commencing from the date this by-law comes into effect, and agrees that no application for a conversion to condominium will be made for these units during the twenty year period;
- (iv) Prior to, or in conjunction with, the construction of a building within *Area C*, the owner shall construct a recreation centre for the exclusive use of the residents of the *lot*, located within *Area D*, which shall contain a minimum of 900 square metres of *residential amenity space*;
- (v) The owner shall develop and implement, to the satisfaction of the Chief Planner and Executive Director of the City Planning Division, an appropriate Construction Mitigation Plan and Resident Communication Strategy prior to the issuance of a demolition permit;
- (vi) The owner pay all costs associated with the installation of a southbound left-turn advance phase at the intersection of Eglinton Avenue East and Mount Pleasant Road, as assessed by iTRANS Consulting in their August 2007 report;
- (vii) The owner will incorporate in the construction of the building, exterior materials to be shown on 1:50 scale drawings of the Rawlinson Avenue building frontage that form part of the approved Site Plan for the development. This is to be included in the Section 37 agreement as a matter of legal convenience; and
- (viii) The cash amount identified in (4) (i) above shall be indexed in accordance with the Non-Residential Construction Price Index for the Toronto CMA, reported quarterly by Statistics Canada in Construction Price Statistics Publication No. 62-007-XPB, or its successor, calculated from the date of execution of the Section 37 Agreement to the date of submission of the funds by the owner to the City.

5. The owner will enter into a Site Plan Agreement under Section 41 of the Planning Act prior to the issuance of the first above grade building permit.
6. Before the introduction of the necessary Bills to City Council, the applicant shall have received permission for the protection, removal and replacement of trees on site pursuant to an application under Toronto Municipal Code Chapter 813, Article III, “Tree Protection” for the private trees that qualify for protection and are proposed to be removed as part of the proposal.
7. The owner will submit to the Executive Director of Technical Services for review and acceptance, prior to the issuance of any permit including excavation and shoring, a site servicing review to demonstrate how this site will be serviced and whether the existing municipal infrastructure is adequate.
8. The owner will provide for any improvements to the municipal infrastructure in connection with the functional servicing report, as accepted by the Executive Director of Technical Services, should it be determined that upgrades to such infrastructure are required to support this development.
9. City Council authorizes City officials to take all necessary steps, including the execution of agreements and documents, to give effect to the above-noted recommendations.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **ISSUE BACKGROUND**

### **Proposal**

The applicant proposes the redevelopment of a portion of the subject site by demolishing the existing seven townhouse dwellings at the southwest corner of Roehampton and Rawlinson Avenues and constructing a 14 storey, 171–unit condominium building in their place. The existing 431 units within the apartment buildings at 322 Eglinton Avenue East and 299 Roehampton Avenue will remain as rental units.

The parking and vehicle access of the new building are proposed to be co-ordinated with those of the two existing rental apartment buildings on the site. A total of 489 spaces are proposed to be provided to serve all 3 buildings on two levels of a reconfigured underground parking. Vehicular access to the site will be available from the Roehampton Avenue and Rawlinson Avenue frontages.

Recreational amenities on the subject site will be upgraded by the proposed reconstruction and enclosure of the existing outdoor swimming pool and the addition of recreational amenity space to which residents of the two existing rental apartments and the new condominium would have full access.

## **Site and Surrounding Area**

The site is located north of Eglinton Avenue between Mount Pleasant Road and Rawlinson Avenue, occupying the majority of the city block bounded by Eglinton Avenue, Mount Pleasant Road, Roehampton Avenue and Rawlinson Avenue. The site contains an existing 19 storey apartment building at 322 Eglinton Avenue East and a 12 storey apartment building fronting onto Roehampton Avenue and seven townhouses located at 42, 44, 46, 48, 50 Rawlinson Avenue and 325 & 327 Roehampton Avenue. The remainder of the site consists of a surface visitor parking lot, landscaped area, an outdoor swimming pool and a garbage pick-up and loading area. Two levels of underground parking extend under most of the site.

The following uses about the site:

North: Northern Secondary School and its playing fields occupy the entire block bounded by Mount Pleasant Road, Broadway Avenue, Rawlinson Avenue and Roehampton Avenue;

South: South side of Eglinton between Mount Pleasant is occupied by commercial and residential uses in 2-3 storey house-form buildings.

East: To the east of Rawlinson Avenue are predominantly low density residential uses, in the form of two-storey detached or semi-detached dwellings fronting onto Roehampton Avenue. At 57 Rawlinson Avenue is a 36 unit, 3-storey apartment building.

West: Mixed use (commercial/residential) buildings ranging from two-storey commercial and house form buildings to the ten-storey Best Western Roehampton Hotel on the west side of Mount Pleasant Avenue. An eleven-storey community housing project is located on the north-east corner of the Mount Pleasant and Eglinton Avenue.

## **Provincial Policy Statement and Provincial Plans**

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. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. 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 by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

The proposal is consistent with the PPS and Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The site is designated *Apartment Neighbourhood* in the Official Plan, in common with the remainder of the block bounded by Eglinton Avenue East, Mount Pleasant Road, Roehampton Avenue and Rawlinson Avenue. An apartment building is a permitted use in an *Apartment Neighbourhood*.

Policy 4.2.2 of the Official Plan sets out criteria to direct the form of development in an *Apartment Neighbourhood* area. These criteria include:

- locating and massing new buildings to provide a transition between areas of different development intensity and scale;
- locating and massing new buildings so as to adequately limit shadow impacts on properties in adjacent lower-scale *Neighbourhoods*;
- 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;
- including sufficient off-street motor vehicle and bicycle parking for residents and visitors;
- locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences;
- providing indoor and outdoor recreation space for building residents in every significant multi-unit residential development;
- providing ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces; and
- 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.

To the east and north of the subject site are lands designated as *Neighbourhood* which are considered to be physically stable areas. Development in *Apartment Neighbourhoods* that are adjacent or close to *Neighbourhoods* will:

- be compatible with those *Neighbourhoods*;

- provide a gradual transition of scale and density, as necessary to achieve the objectives of this Plan through the stepping down of buildings towards and setbacks from those *Neighbourhoods*;
- maintain adequate light and privacy for residents in those *Neighbourhoods*; and
- attenuate resulting traffic and parking impacts on adjacent neighbourhoods streets so as not to significantly diminish the residential amenity of those *Neighbourhoods*.

Compatible infill development may be permitted on sites containing an existing apartment that has sufficient underutilized space to accommodate one or more new buildings while providing good quality of life for both new and existing residents. Section 4.2.3 of the Plan outlines that such infill developments will:

- meet the development criteria set out in Section 4.2.2 for apartments;
- maintain an appropriate level of residential amenity on the site;
- provide existing residents with access to the community benefits where additional height and/or density is permitted and community benefits are pursuant to Section 5.1.1 of the Plan;
- maintain adequate sunlight, privacy and areas of landscaped open space for both new and existing residents;
- organize development on the site to frame streets, parks and open spaces in good proportion, and create safe and comfortable open spaces;
- front onto and provide pedestrian entrances from an adjacent public street wherever possible;
- provide adequate on-site, below grade, shared vehicular parking for both new and existing development, with any surface parking appropriately screened;
- preserve and/or replace important landscape features and walkways and create such features where they did not previously exist;
- consolidate loading, servicing and delivery facilities; and
- preserve or provide adequate alternative on-site recreational space for residents.

The site is also located within the Yonge - Eglinton Secondary Plan Area. The Yonge – Eglinton Secondary Plan includes policies aimed to maintain and reinforce the stability of *Neighbourhoods* and to minimize conflicts between uses in Mixed Use Areas,

Neighbourhoods, Apartment Neighbourhoods and Parks and Open Space Areas in terms of land use, scale and vehicular movement.

Other important policies include those in the Built Form, Parks and Open Spaces and Housing sections of the Official Plan.

The application has been considered in light of all Official Plan policies, the discussion of which is included in the comments section of this report. The proposed development complies with these policies and no amendment to the Official Plan is required.

The Toronto Official Plan is available on the City's website at:

[www.toronto.ca/planning/official\\_plan/introduction.htm](http://www.toronto.ca/planning/official_plan/introduction.htm)

## **Zoning**

The site is split zoned under By-law 438-86 (refer to Attachment 6 – Zoning) between two zoning categories. An R1S Z0.6 zoning applies to the northerly portion of the subject site including the site of the existing apartment building at 299 Roehampton and the seven townhouses proposed to be demolished. The R4A Z2.0 applies to the southerly portion of the subject site including the site of the apartment building at 322 Eglinton Avenue.

The existing buildings and uses of the subject site are recognized and permitted by site-specific By-law No. 55-67, that amended Zoning By-law 20623 of the former City of Toronto. By-law 55-67 outlines zoning provisions for three building envelopes, Sites A, B and C. Site C, corresponds to the location of the existing seven townhouses and stipulates a maximum height limit of 9m (30 feet), a maximum number of nine units and a minimum gross floor area of 961.5m<sup>2</sup> (10, 350.s.f.). Further provisions regulating minimum landscaped open space, parking and vehicular access are provided in the By-law.

## **Site Plan Control**

The proposed development is subject to site plan control. An application for site plan approval will be required. The owner will be encouraged to design the buildings to meet the City's 'Green Development Standards'.

## **Rental Housing Demolition and Conversion By-law**

This development involves the demolition of rental units within the existing seven townhouses at 42, 44, 46, 48, 50 Rawlinson Avenue and 325 & 327 Roehampton Avenue.

The Rental Housing Demolition and Conversion By-law (885-2007) implements the City's Official Plan policies protecting rental housing. By-law 885-2007 established Chapter 667 of the Municipal Code and was approved by City Council on July 19, 2007.

The By-law prohibits demolition or conversion of rental housing units without a permit issued under Section 111 of the *City of Toronto Act*. Proposals involving six or more



rental housing units require a decision by City Council. Council may refuse an application, or approve the demolition with conditions that must be satisfied before a permit is issued under the *Building Code Act*.

Section 3.2.1.6 of the Official Plan states that where the new development would remove 6 or more rental units, the development will not be approved unless either all of the units exceed mid-range rents or the lost units are replaced and maintained in the new development. As there are 7 townhouses that are to be demolished all exceeding mid-range rents for unit type at the time of the application, there is no need to replace them.

Official Plan Policy 3.2.1.5 requires that where existing rental units will be kept in the new development that the existing rental units that have affordable rents and mid-range rents will be secured as rental housing.

### **Reasons for Application**

The proposed construction of a 14-storey (45 metres) condominium while maintaining the existing 12-storey and 19-storey rental apartment buildings on the site would result in a total site density of 3.53 times the lot area which exceeds the permitted density in existing site specific by-law 55-67 of 2.4 times the areas of the lot. The new tower at 45 metres exceeds the maximum height of 9 metres permitted in area 'C' of the existing site specific by-law.

### **Community Consultation**

A community consultation meeting was held on January 14, 2008 with approximately 60 residents in attendance. The issues raised at that meeting and in subsequent written correspondence received by staff include:

- Height and massing of the proposed development and its relationship and transition to the lower scale neighbourhood to the east;
- Impact on sunlight, view and privacy on adjacent properties;
- Traffic and parking impacts throughout the neighbourhood;
- Construction impacts on residents in existing apartments; and
- Tree removal and proposed landscaping.

The Rental Housing Demolition and Conversion By-law (885-2007) requires City Planning to hold a consultation meeting to consider issues related solely to rental housing and tenant impact. A consultation meeting on rental issues was held on June 5, 2008 and was attended by six tenants of the affected townhouse rental units. Participants did not raise any concerns regarding the proposed demolition of the seven rental units.

### **Agency Circulation**

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

## COMMENTS

### Density, Height and Massing

The *Apartment Neighbourhood* provisions of the Official Plan provide a list of development criteria that gives design direction for new development. *Apartment Neighbourhoods* are distinguished from low-rise *Neighbourhoods* because a greater scale of building is permitted and different scale-related criteria are needed to guide development.

The applicant is requesting an increase in density to 3.59 times the area of the lot whereas existing approvals for the site permit a maximum density of 2.4 times the area of the lot. The appropriate amount of density for the project is established by designing a building that complies with the development criteria of the Official Plan for proposals within *Apartment Neighbourhood* designations.

In this case the development has been designed to meet the following *Apartment Neighbourhoods* criteria (that affect the overall density of the site):

- locate and mass new buildings to provide a transition between areas of different development intensity and scale, through means such as providing setbacks from, and/or stepping down of heights towards, lower scale *Neighbourhoods*;
- locate and mass new buildings so as to adequately limit shadow impacts on properties in adjacent lower-scale *Neighbourhoods*, particularly during the spring and fall equinoxes; and
- locate and mass 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.

The issue of built form transition to the adjacent neighbourhood to the east and northeast was raised at the public consultation meeting. An appropriate transition in building scale can be achieved through a number of different urban design methods, including the use of angular planes to determine appropriate height, considered location and orientation of the building on the site and the use of setbacks and step-backs of the building mass.

The applicant's original proposal was for a building of 16 storeys that stepped down to a 3-storey podium incorporating grade related units fronting Roehampton and Rawlinson Avenues. In response to the issues of built form transition raised throughout the review process, the applicant has reduced the overall building height to 14 storeys and has introduced an additional step back at the 10<sup>th</sup> storey.

While there has been an increase in the floor plate size of the 4<sup>th</sup> to 10<sup>th</sup> floors to 993 square metres, the building mass at this level is setback from the eastern edge of the podium by a distance of 8.6 metres which in turn is setback from the Rawlinson Avenue

property line by a further 6.2 metres. The floor plate of the 10<sup>th</sup> through 14<sup>th</sup> floors is 687m<sup>2</sup>.

While the existing zoning by-law does not specify an angular plane requirement for the subject site, the applicant has designed the building so that it meets a 45 degree angular plane taken from both the centre line of the Rawlinson Avenue Right of Way (RoW) or the Roehampton Avenue RoW. This results in the taller and denser elements of the building being positioned back from the north east corner of the site, away from the lower scale neighbourhood. Also the new building provides a main window separation from the existing apartment building (322 Eglinton Avenue East) to the south of 25 metres.

The design of the grade-related residential units within a 3-storey podium structure that is aligned parallel to the Roehampton and Rawlinson frontages helps to integrate the building into the fabric of the existing neighbourhood at the pedestrian level. The at-grade units meet the Plan criteria of providing ground floor uses that enhance safety and animation of adjacent streets.

### **Light, View and Privacy**

A common theme of the Official Plan is the protection of low density residential *Neighbourhoods* that are adjacent to areas of higher development forms, such as *Apartment Neighbourhoods* in this particular case. The Official Plan requires that all new developments in these areas be located and massed so as to adequately limit shadow impacts on adjacent *Neighbourhoods* during the spring and fall equinoxes. In this case the adjacent neighbourhoods include a secondary school within associated playing fields and running track to the north as well as residential properties between 2 and 4 storeys in height to the northeast and east of the development site.

The shadow studies submitted by the applicant have been reviewed by staff. The morning shadows in March and September are orientated in a north-westerly direction and at 9:18am the shadows cast by the proposal 14 –storey building extend across Roehampton Avenue reaching the southern boundary of Northern Secondary School. The shadows continue to move across the southern edge of the school without encroaching on the school fields.

From 3:18 p.m. onwards the shadows reach the eastern side of Rawlinson Avenue. At no point do the shadows cast by the new building project into the dwellings on the north side of Roehampton Avenue. However, additional shadowing will be experienced in the late afternoon for a number (4 properties at 4:18 p.m. and 10 properties at 5:18 p.m.) on the south side of Roehampton Ave, East of Rawlinson. The reduction of the proposed height and revised massing of the development has limited the shadow impact on the neighbourhood to the east.

With respect to maintaining a reasonable amount of privacy for adjacent units on the same site, the proposed building complies with the recommended minimum separation distances (25 metres) for main windows as per the City's urban design standard and has

been designed to be set back away from Rawlinson Avenue so as to avoid privacy impacts on properties to the east.

## **Traffic Impact, Access, Parking**

### ***Parking***

A total of 544 spaces are currently provided on the site by way of surface parking (10 spaces) and two levels of underground parking (534). As part of the redevelopment of the site, the applicant proposes to remove the existing surface parking spaces and reconfigure the layout of the underground parking to provide a total of 489 parking spaces on the site. The parking on site is proposed to meet the requirements for both the existing rental apartment buildings and the new condominium building.

Having reviewed the parking study provided by the applicant's Transportation consultant, the City's Development Engineering Department has applied the Condominium Parking Standards to calculate the required parking supply for the proposed new condominium building. Minimum parking ratios are as follows:

Bachelor	0.3 spaces per unit
1 Bedroom	0.7 spaces per unit
2 Bedroom	1.0 space per unit
3+ Bedrooms	1.2 spaces per unit
Visitor	0.12 spaces per unit

Based on the proposed unit count and breakdown, the applicant will provide 158 spaces (including 21 visitor spaces) for the new condominium.

With respect to the rental apartment parking, a parking supply of 243 spaces to serve the residents existing apartment buildings is considered acceptable based on a review of the leasing information provided for the past six years. A further 52 visitor parking spaces for the rental units will also be provided.

This leaves a surplus of 36 parking spaces on the site to be leased to the Best Western Roehampton Hotel at 808 Mount Pleasant Road. A variance to the existing by-law was approved in 1996 for up to 65 spaces to be leased to the hotel for valet parking.

### ***Bicycle Parking***

The applicant will provide 128 bicycle parking spaces, 102 to residents and 26 for visitors. This is an appropriate number of spaces. The resident bicycle parking spaces are to be provided indoors, but cannot be provided inside lockers.

### ***Traffic impact***

The applicant submitted a traffic study prepared by a iTrans consulting that has been reviewed by the City's Transportation Services staff. The study has been reviewed by Transportation Services staff who have advised that traffic generated by this development can be accommodated, without undue impact on the area road network, including taking into account additional traffic expected from other projects under construction.

While the Transportation Impact Study concludes that no improvements to local roads are necessary to support the project, an advance southbound left turn signal on Mount Pleasant is recommended to improve the performance of that intersection. The applicant will be responsible for paying all costs associated with the installation of this signal phase.

### ***Access and Loading***

The Official Plan requires that all new development locate and organize vehicle parking, vehicular access, services and utilities to minimize their impact on the property and on surrounding properties and to improve safety and attractiveness of adjacent street, parks and open spaces.

The access and loading arrangements are proposed to be consolidated with those of the existing apartment buildings on the site. Vehicular access to the site is provided by the existing access points off Roehampton Avenue and Rawlinson Avenue. The applicant's original site plan included a circular driveway for passenger drop-off to the north side of building on the Roehampton Avenue frontage. In response to concerns about the potential impact on pedestrian comfort and safety along Reohampton Avenue as well as the visual impact on the streetscape, the passenger drop-off has been relocated to the west side of the proposed new building.

Staff are satisfied that the proposed loading arrangements as well as the on site circulation and access will work well with the normal vehicular and pedestrian circulation in the neighbourhood and within the site.

### **Servicing**

The applicant is required to submit to the Executive Director of Technical Services for review and acceptance prior to any building permit (excavation and shoring) with the City, a site servicing review to determine the storm water runoff, sanitary flow and water supply demand resulting from this development and demonstrate how this site can be serviced and whether the existing municipal infrastructure is adequate.

### **Parkland Levy**

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.80 to 1.56 hectares of local parkland per 1,000 people. The site is in the middle quintile of current provision of parkland. The site is in a parkland priority area as per Alternative Parkland Dedication by-law 1420-2007. Parks, Forestry and Recreation staff have advised that the development site is subject to the alternate rate park levy.

The application proposed to re-develop a portion of the site, having an approximate area of 0.3726 hectares (3, 726m<sup>2</sup>), with 171 residential units. At the alternative rate of 0.4 hectares per 300 units specified in By-law 1420-2007, the parkland dedication would be

0.228 hectares (2,280m<sup>2</sup>). However, a cap of 10% applies and hence the parkland dedication would be approximately 0.03726 hectares (372.6m<sup>2</sup>).

The applicant proposes to satisfy this parkland dedication requirement through cash-in-lieu. This is appropriate as the on-site parkland dedication would not be of useable size or configuration and the site is also encumbered with the below grade parking.

Under Plan policy 3.2.3.5 (h) at least half of the cash-in-lieu must be used for acquiring park in an area accessible to the development or to improve parks in the vicinity of the development.

### **Landscaped Open Space and Residential Amenity Space**

Significant changes are proposed to be made to the quality and continuity of the landscaped open space on the site. While there has been a reduction in the overall amount of landscaped open space, significant upgrades to the quality of the open space are proposed adjacent to the new recreational centre, alongside the pedestrian link through to Mount Pleasant Road and enhancements to the landscaping on the Roehampton Avenue and Rawlinson Avenue frontages.

The 14-storey building has been located and massed so as to provide for the maintenance of the same amount of landscaping along the Rawlinson and Roehampton Avenue frontages as currently exists.

The applicant is upgrading the recreational facilities available to both the existing and new residents. The existing outdoor swimming pool is being enclosed by a two storey recreational centre that will include an exercise room, change rooms, party room and a media room. This new facility will be available to all residents of the existing rental buildings and the new condominium. The condominium residents will also have their own indoor amenity space in the new building.

In addition, a component of the Section 37 agreement is a \$500,000 contribution to the improvement of the Northern Secondary School playing fields, contingent upon an appropriate level of general public access being secured outside of school hours. This will be an improved open space across the street to serve existing and new residents, in fulfillment of the Plan criteria that existing residents have access to the community benefits.

### **Tree Removal and Planting**

Urban Forestry staff have reviewed the application, associated Arborist report and proposed landscape plan. There are 21 private trees on the site that are proposed to be removed. These trees qualify for protection under the City of Toronto's Private Tree By-law and require a separate approval process prior to City Council's adoption of the recommended amendments. An on-site planting ratio of 3:1 is required under the provisions of the Private Tree By-law. Replacement trees must be large growing shade trees satisfactory to Urban Forestry.

## **Tenure and Mix of Units**

The new residential units to be constructed on the site are proposed as condominium. The applicant proposes that 29% of the new dwelling units be two bedroom or larger which can accommodate a family with children. The housing mix will be secured in the Zoning By-law Amendment.

## **Rental Housing**

Housing Policy staff have reviewed the Rental Housing Demolition application and have consulted with the affected tenants on issues regarding tenant relocation and assistance. Staff have determined that because the rents of the seven townhouse units proposed to be demolished exceed the mid-range rents for unit type, they do not need to be replaced as part of the redevelopment of the site and that the Rental Housing Demolition permit should be approved.

The two existing apartment buildings on the site contain 431 rental units. The preservation of rental housing stock with affordable and mid-range rents are an important Plan objective and as such staff will be securing that the remaining units of the site continue to be rental tenure for at least a further 20 years.

The tenants of the rental townhouse units proposed to be demolished have all signed tenant relocation and assistance agreements that have been reviewed by Housing Policy staff who confirmed that the contents exceed the minimum requirements of the *Residential Tenancies Act*.

## **Construction Mitigation Measures**

A number of the residents who attended the community consultation meeting raised concerns with respect to the construction phase of the proposed development such as noise, dust and hours of construction. These concerns were voiced primarily by tenants of the existing apartment buildings on the subject site. Construction mitigation measures are particularly important on this site as there are existing units that face directly towards the construction area.

In order to mitigate the construction impacts on the surrounding community a Section 37 Agreement can include a requirement that the owner draft and implement a Construction Mitigation Plan and Resident Communication Strategy. The plan/strategy is best drafted prior to the issuance of the demolition permit when the owner has finalized their construction phasing plan and is aware of the timing and duration of their various construction processes.

The owner of this site will be required (through condition of the Section 37 Agreement) to work with the City Planning Department, the Ward Councillor's office and the local residents in order to establish area-specific guidelines and restrictions for construction activity should the project be approved by City Council. It should be noted that the plan/strategy will identify many construction related issues that are regulated by other City-wide enforcement measures (ie., Noise By-law, Dust Control By-law).

## Toronto Green Development Standard

The City's Green Development Standard has 35 minimum requirements and 28 enhanced targets, totalling 63 possible green development targets. The proposal has been designed to meet 34 of the 63 targets.

### Section 37

The Official Plan contains policies pertaining to the provision of community benefits for increases in height and/or density pursuant to Section 37 of the Planning Act.

The community benefits recommended to be secured in the Section 37 agreement are as follows:

1. \$500,000 for deposit to a dedicated fund for the construction of improvements to the Northern Secondary School playing field to be determined by the Chief Planner in consultation with the Toronto District School Board. The use of these funds for the purpose of playing field improvements is contingent upon securing for the general public, reasonable access to the playing field for recreational purposes outside of school hours. In the event that reasonable public access cannot be secured, or in the event that playing field improvements have not commenced within 5 years of the registration on title of the Section 37 Agreement, Council authorizes the use of these funds for alternative park acquisition or improvements in North Toronto. These funds are to be provided to the City upon the implementing zoning by-law for the development coming into full force and effect.
2. \$500,000 for deposit into the parkland acquisition and development fund that is established to purchase, design and construct a new park in Yonge – Eglinton Centre. Such funds are to be provided to the City upon the issuance of the first above-grade building permit for the third apartment building on the site.
3. The owner pay all costs associated with the installation of a southbound left-turn advance phase at the intersection of Eglinton Avenue East and Mount Pleasant road, as assessed by iTRANS Consulting in their August 2007 report.

The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

4. The owner shall maintain the 431 existing rental *dwelling units* as rental housing for a minimum period of twenty (20) years commencing from the date this by-law comes into effect, and agrees that no application for a conversion to condominium will be made for these units during the twenty year period;
5. Prior to, or in conjunction with, the construction of a building within *Area C*, the owner shall construct a recreation centre for the exclusive use of the residents of the *lot*, located within *Area D*, which shall contain a minimum of 900 square metres of *residential amenity space*;



6. The owner shall develop and implement, to the satisfaction of the Chief Planner and Executive Director of the City Planning Division, an appropriate Construction Mitigation Plan and Resident Communication Strategy prior to the issuance of the first building permit (demolition or excavation and shoring) for development in excess of 431 *dwelling units*.
7. The owner will incorporate into the construction of the building the exterior materials for the Rawlinson Avenue frontage shown on an approved Site Plan.

### **Development Charges**

It is estimated that the development charges for this project will be \$866,164. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

### **Conclusion**

City Planning is supportive of the proposed zoning amendment given:

The proposal represents a compatible infill development on a site containing an existing apartment that has sufficient underutilized space to accommodate the new building while providing good quality of life for both new and existing residents.

The building has been located and massed to be compatible with and provide a transition to, the adjacent lower scale *neighbourhoods* and to meets the development criteria set out for development within *Apartment Neighbourhood* areas.

The community benefits that would be available as a result of approval and construction of this development including, improvements to the Northern Secondary School playing fields and a cash dedication to the planned acquisition and development of a new park in the Yonge-Eglinton Centre.

### **CONTACT**

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Fax No. (416) 392-1330  
E-mail: ltinker@toronto.ca

### **SIGNATURE**

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Raymond David, Acting Director  
Community Planning, Toronto and East York District

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## **ATTACHMENTS**

Attachment 1: Site Plan

Attachment 2: North Elevation

Attachment 3: South Elevation

Attachment 4: East Elevation

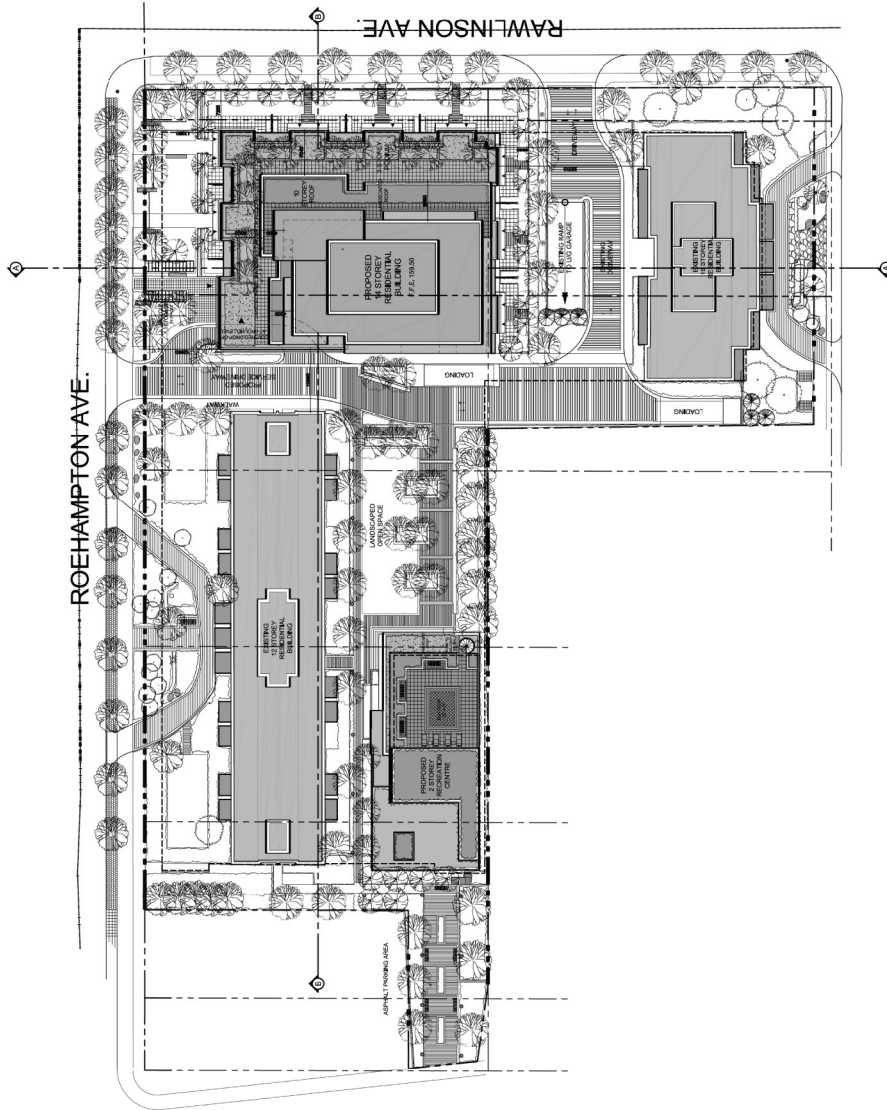
Attachment 5: West Elevation

Attachment 6: Zoning

Attachment 7: Application Data Sheet

Attachment 8: Draft Zoning By-law Amendment

# Attachment 1: Site Plan



## Site Plan

Applicant's Submitted Drawing

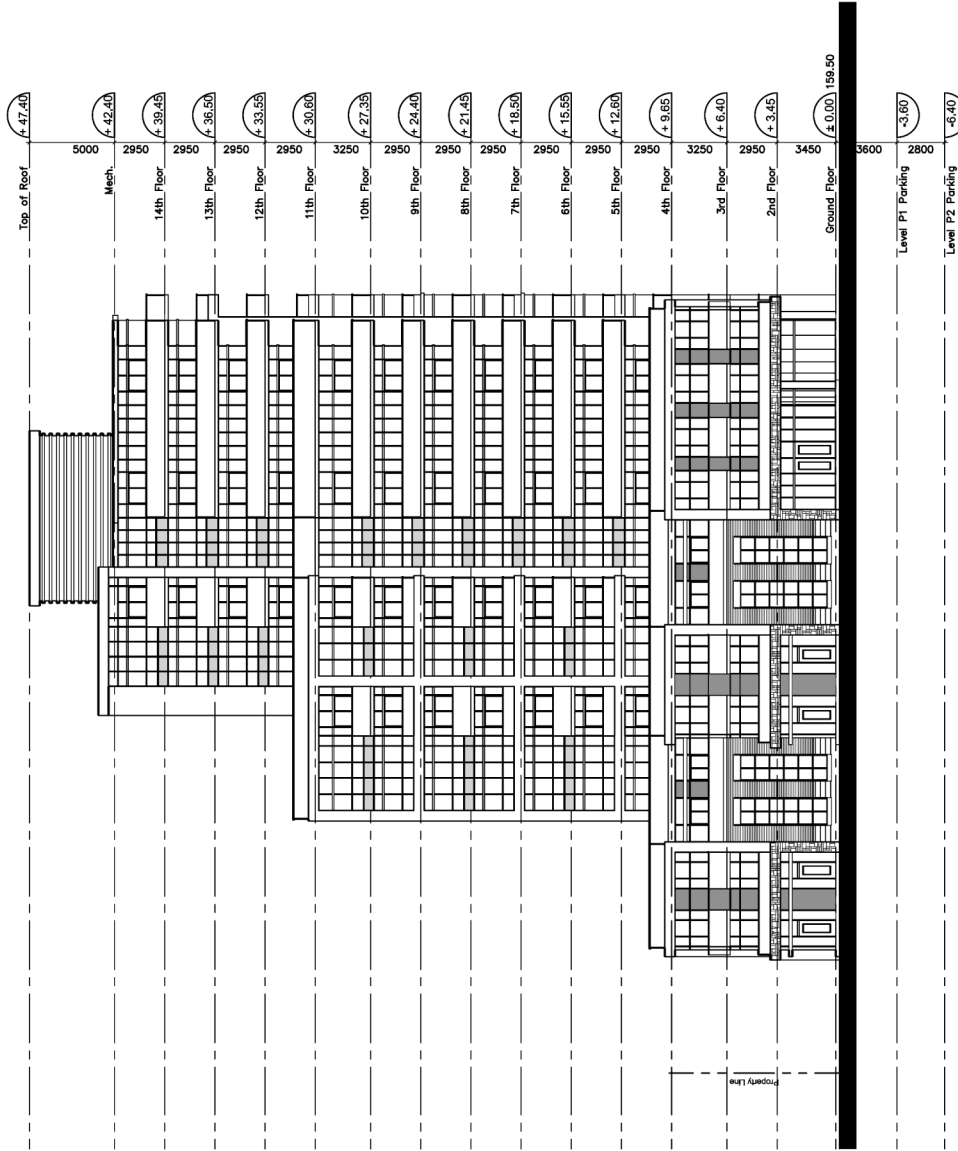
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08/28/08



299 Roehampton Avenue

File # 07\_251456

Attachment 2: North Elevation



299 Roehampton Avenue

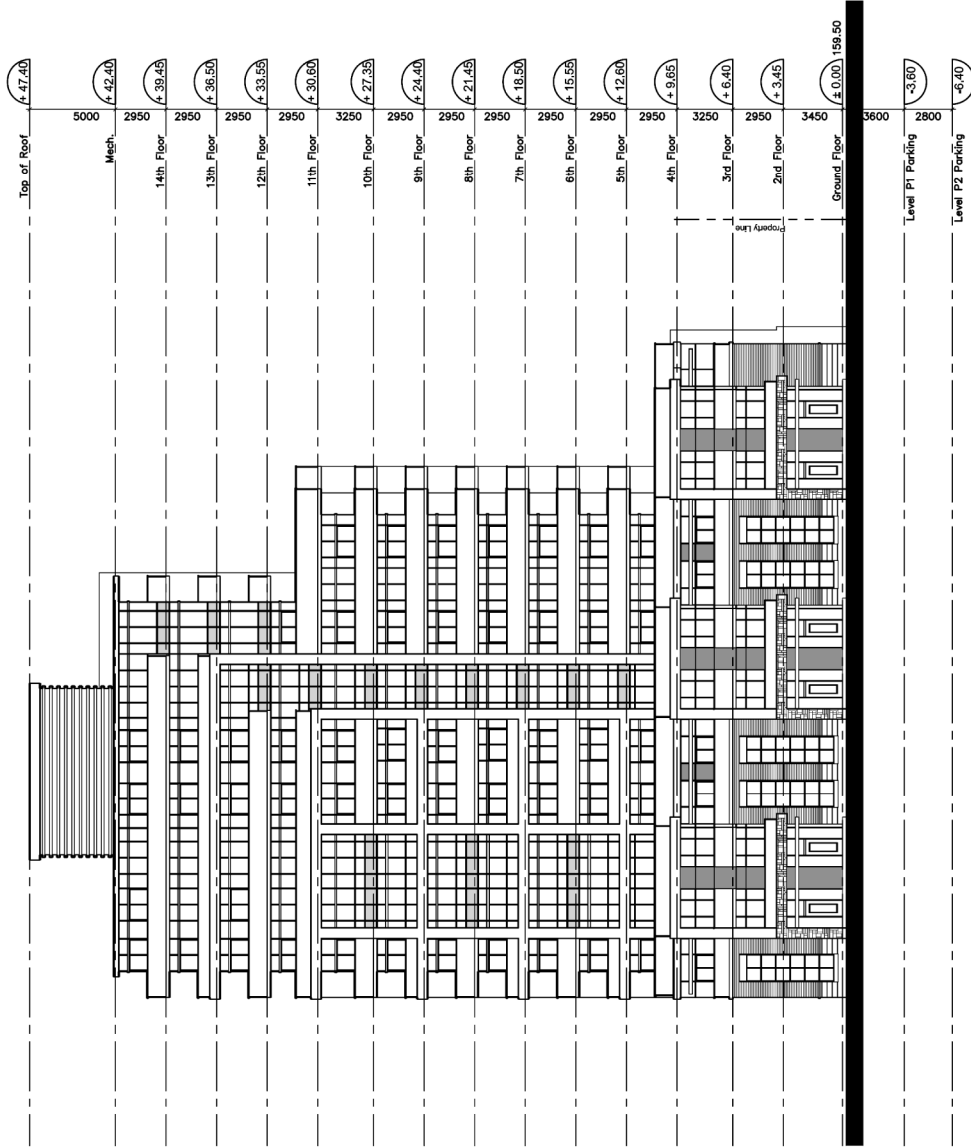
File # 07\_251456

North Elevation

Applicant's Submitted Drawing

Not to Scale  
08/28/08

### Attachment 3: South Elevation



299 Roehampton Avenue

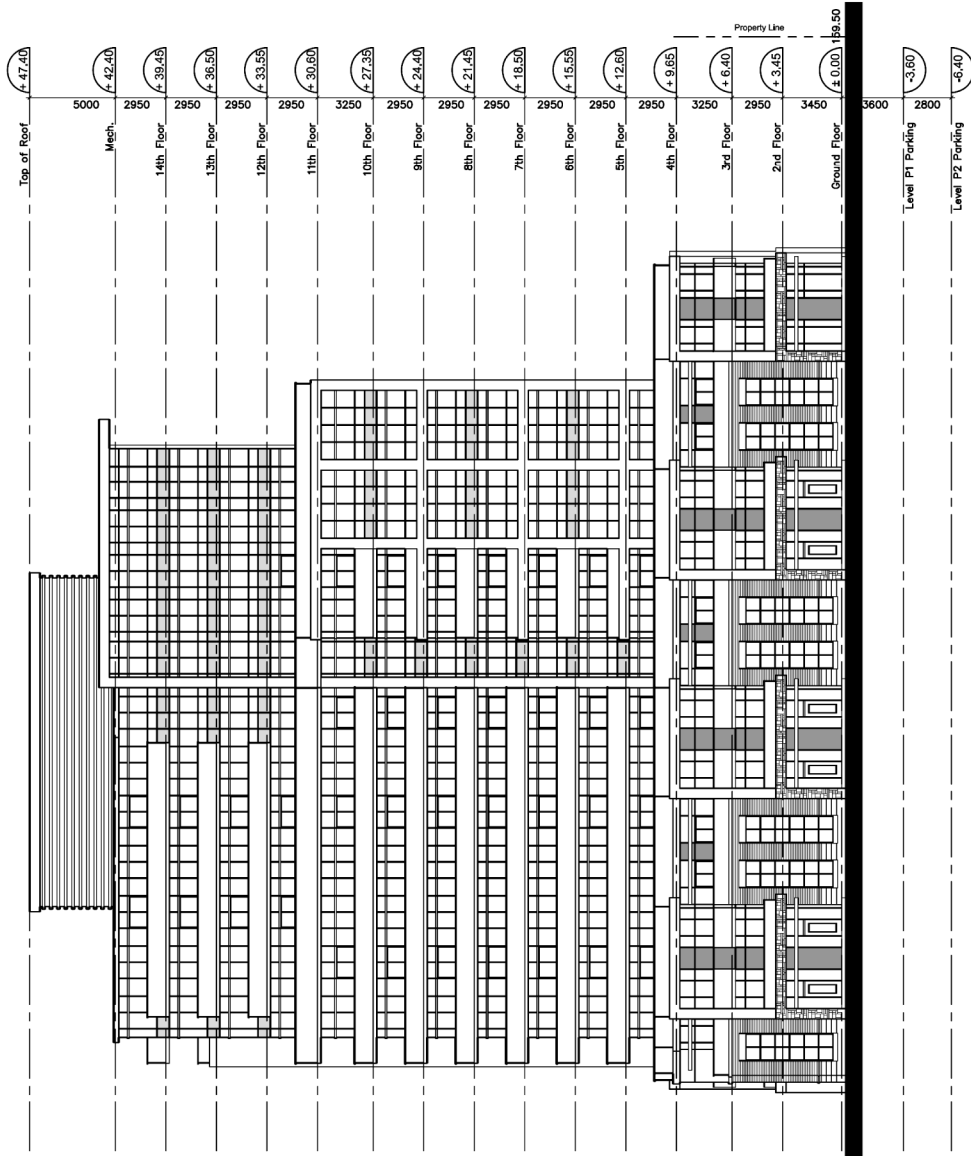
South Elevation

Applicant's Submitted Drawing

Not to Scale  
08/28/08

File # 07\_251456

# Attachment 4: East Elevation



299 Roehampton Avenue

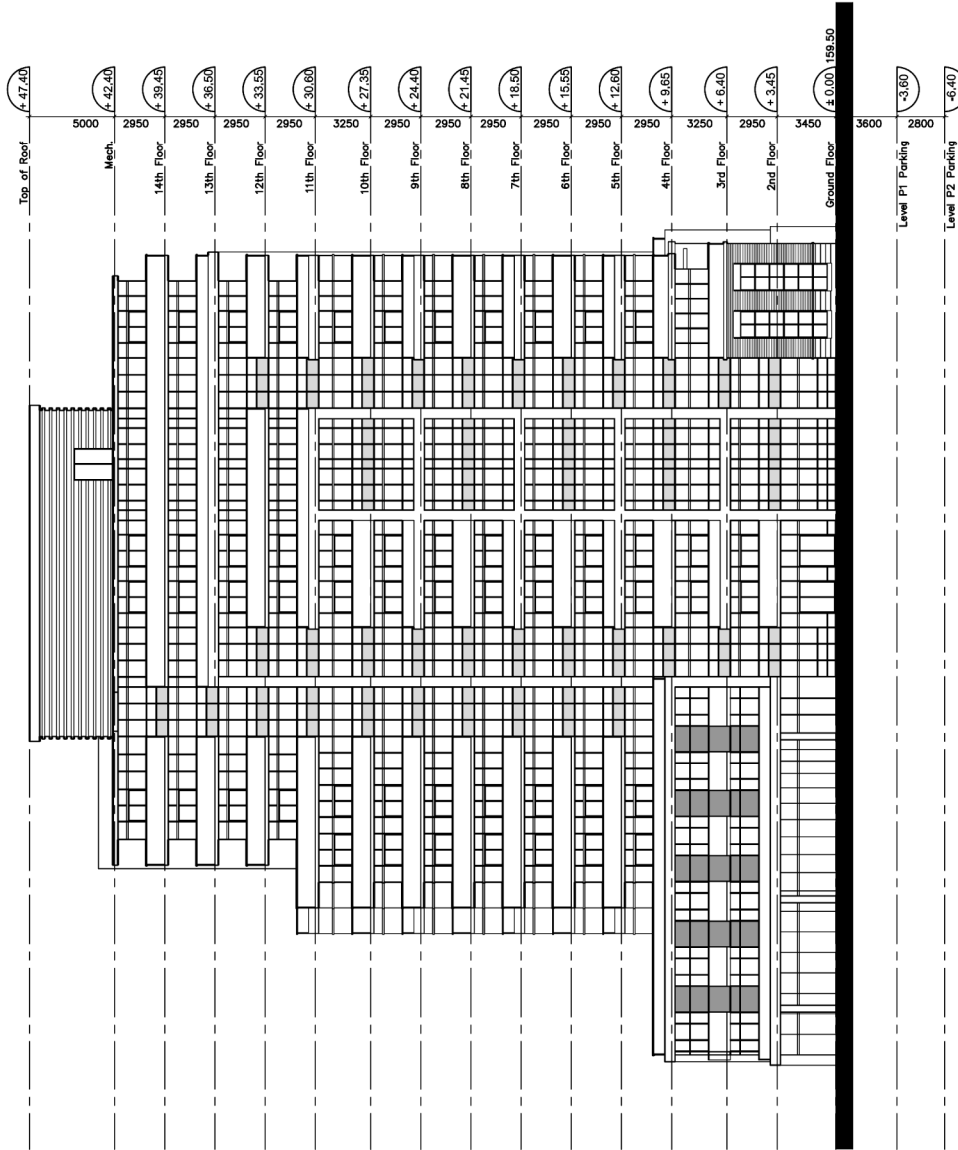
East Elevation

Applicant's Submitted Drawing

Not to Scale  
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File # 07\_251456

## Attachment 5: West Elevation



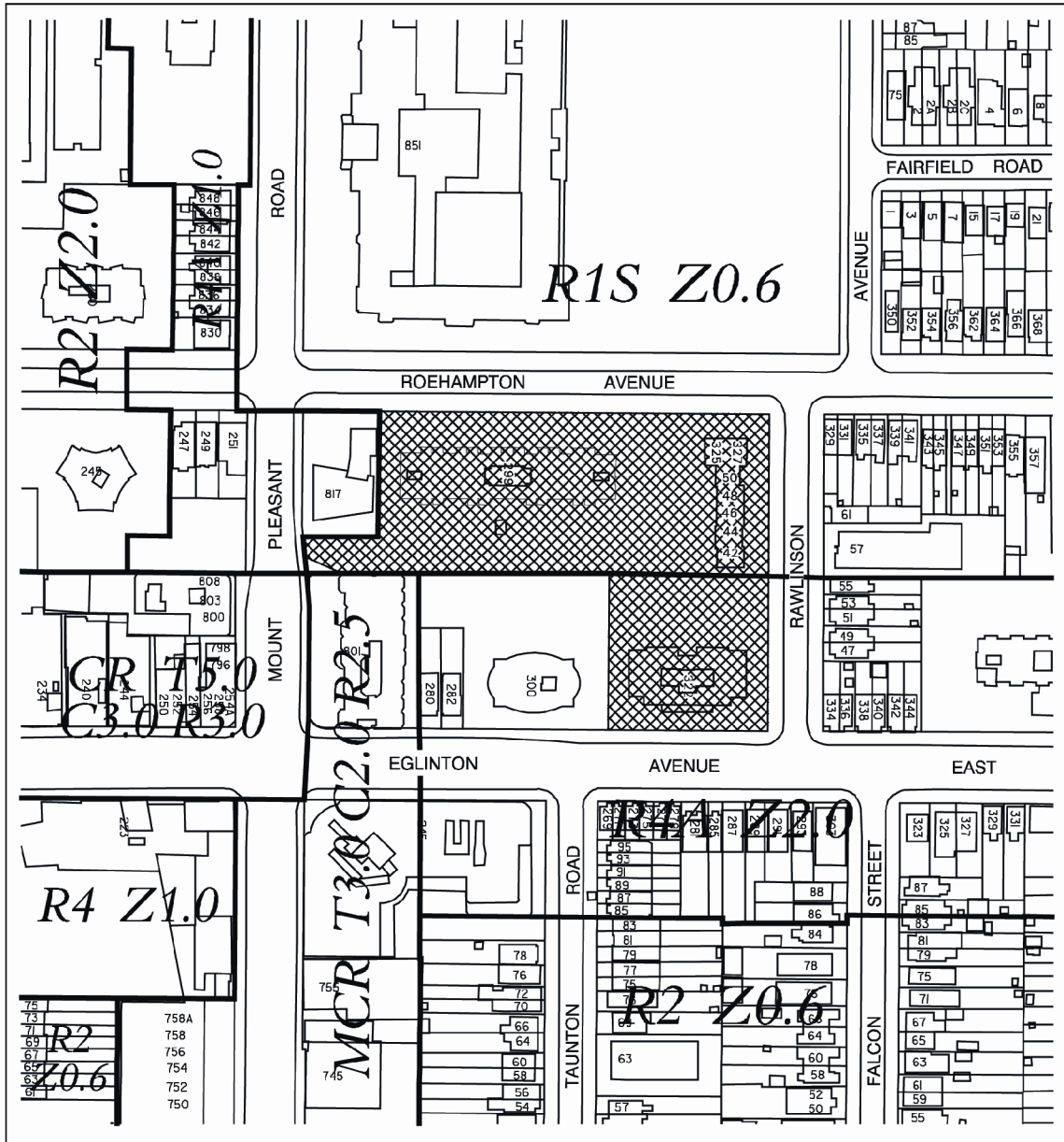
**299 Roehampton Avenue**

**West Elevation**  
Applicant's Submitted Drawing

Not to Scale  
08/28/08

File # 07\_251456

# Attachment 6: Zoning



299 Roehampton Avenue

File # 07\_251456

- R1S Residential District
- R2 Residential District
- R4 Residential District
- R4A Residential District
- CR Mixed-Use District
- MCR Mixed-Use District



Not to Scale  
Zoning By-law 438-86 as amended  
Extracted 11/02/07 - TA





## Attachment 8: Draft Zoning By-law Amendment

### BY-LAW No. ●-2008

**To Repeal By-law No. 55-67 and to amend General Zoning By-law No. 438-86, as amended, of the former City of Toronto with respect to lands municipally known as 299 Roehampton Avenue.**

WHEREAS Council at its meeting held on ●, 2008, adopted Toronto and East York Community Council Report ●; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

WHEREAS Council of the City may in a By-law passed under Section 34 of the *Planning Act*, authorize density and height increases not otherwise permitted in the by-law in return for the provision of facilities, services or matters as are set out in the By-law;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. District Map 51L-312 contained in Appendix “A” of By-law No. 438-86, is amended by redesignating the lands delineated by heavy lines as shown on Map 1 attached hereto to R4A Z2.0.
2. Section 12(1) of the aforesaid By-law No. 438-86 is amended by adding the following exception:
  - (●) To prevent the erection or use of an *apartment building* and *accessory* uses and structures and *commercial parking garage* on the lands municipally known in 2008 as 299 Roehampton Avenue, provided:
    - (a) the *lot* comprises at least the lands shown on the map following this exception;
    - (b) the *residential gross floor area* on the *lot* does not exceed 43,750 square metres, of which:
      - (i) no more than 13,625 square metres is located within *Area A*
      - (ii) no more than 14,380 square metres is located within *Area B*; and
      - (iii) no more than 15,700 square metres is located within *Area C*;

- (c) no portion of any building or structure above *grade* is located otherwise than wholly within one of the areas delineated by heavy lines and designated as *Area "A"*, "*B*", "*C*" and "*D*" on the aforesaid map other than:
  - (i) ventilator housings for the ventilation of underground facilities and ramps and stairs (or railings or enclosures therefore) providing access to such facilities;
  - (ii) canopies over any main entrance, and in no case projecting more than 9.1 metres beyond such heavy lines; and
- (d) no portions of any building or structure exceed the *height limits* shown on the aforesaid map except for a mechanical penthouse having an additional height of 5.5 metres on a building within *Area C*;
- (e) no more than 171 *dwelling units* are contained within the building located within *Area C* of which no less than 30 percent of the total *dwelling units* shall contain fewer than 2 bedrooms;
- (f) at least 5,239 square metres of *landscaped open space* is provided and maintained on the *lot*;
- (g) the minimum number of parking spaces provided and maintained in an underground parking garage on the *lot* shall not be less than the number calculated in accordance with the following minimum ratios, (fractions to be rounded down to the closest whole number):

Rental Apartment Buildings

Residents parking	-	minimum of 243 spaces
Visitor parking	-	0.12 visitor spaces per unit

Residential Condominium Building

bachelor <i>dwelling unit</i>	-	0.3 spaces per <i>dwelling unit</i>
one bedroom <i>dwelling unit</i>	-	0.7 spaces per <i>dwelling unit</i>
two bedroom <i>dwelling unit</i>	-	1.0 spaces per <i>dwelling unit</i>
three bedroom <i>dwelling unit</i>	-	1.2 spaces per <i>dwelling unit</i>
Visitor parking	-	0.12 spaces per <i>dwelling unit</i>

- (h) a minimum of 489 *parking spaces* are provided and maintained in an underground garage on the *lot*, of which no more than 332 existing parking spaces will be provided in accordance with the following:
  - (xiii) 278 *parking spaces* may have a minimum length of 4.4 metres;

- (xiv) 42 *parking spaces* may have a minimum length of 4.5 metres;
  - (iii) 35 *parking spaces* may have a minimum height of 1.7 metres;
  - (iv) 23 *parking spaces* may have a minimum width of 2.22 metres;
  - (v) 184 *parking spaces* may have a minimum width of 2.4 metres.
- (i) a minimum of 128 *bicycle parking spaces* are provided and maintained on the *lot*;
  - (j) a minimum of two *loading spaces – type G* are provided and maintained on the *lot*;
  - (k) of the 489 *parking spaces* provided on the *lot*, a maximum of 36 spaces maybe leased as commercial parking to the *hotel* on the lands municipally known in 2008 as 808 Mount Pleasant Avenue;
  - (l) with the exception of sections 4(2), 4(4), 4(12), 4(13), 6(1)(f)(a)(i) and 6(3) PARTS I, II all other provisions of this by-law are complied with.

For the purposes of this exception:

- (a) “*lot*” means the lands outlined on the map following this exception, and the provisions of this exception shall apply to the whole of the *lot* despite any existing or future severance, partition or division of any part of the *lot*.
- (b) *Area A, Area B, Area C* and *Area D* means those areas outlined with heavy lines on map 2 following this exception.

### 3. Section 37:

The owner of the *lot* shall enter into one or more agreements with the City of Toronto pursuant to Section 37 of the *Planning Act* to secure the facilities, services and matters referred to below, which agreement or agreements shall be registered on title to the lands to which this by-law applies in the manner and to the extent specified in such agreements. The owner of the lands, at the owner’s expense and in accordance with and subject to such agreements, shall provide the following facilities, services and matters on terms satisfactory to the City in order to permit the construction of additional *residential gross floor area* within *Area C* as authorized under Section 2 of this By-law:

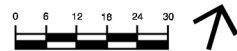
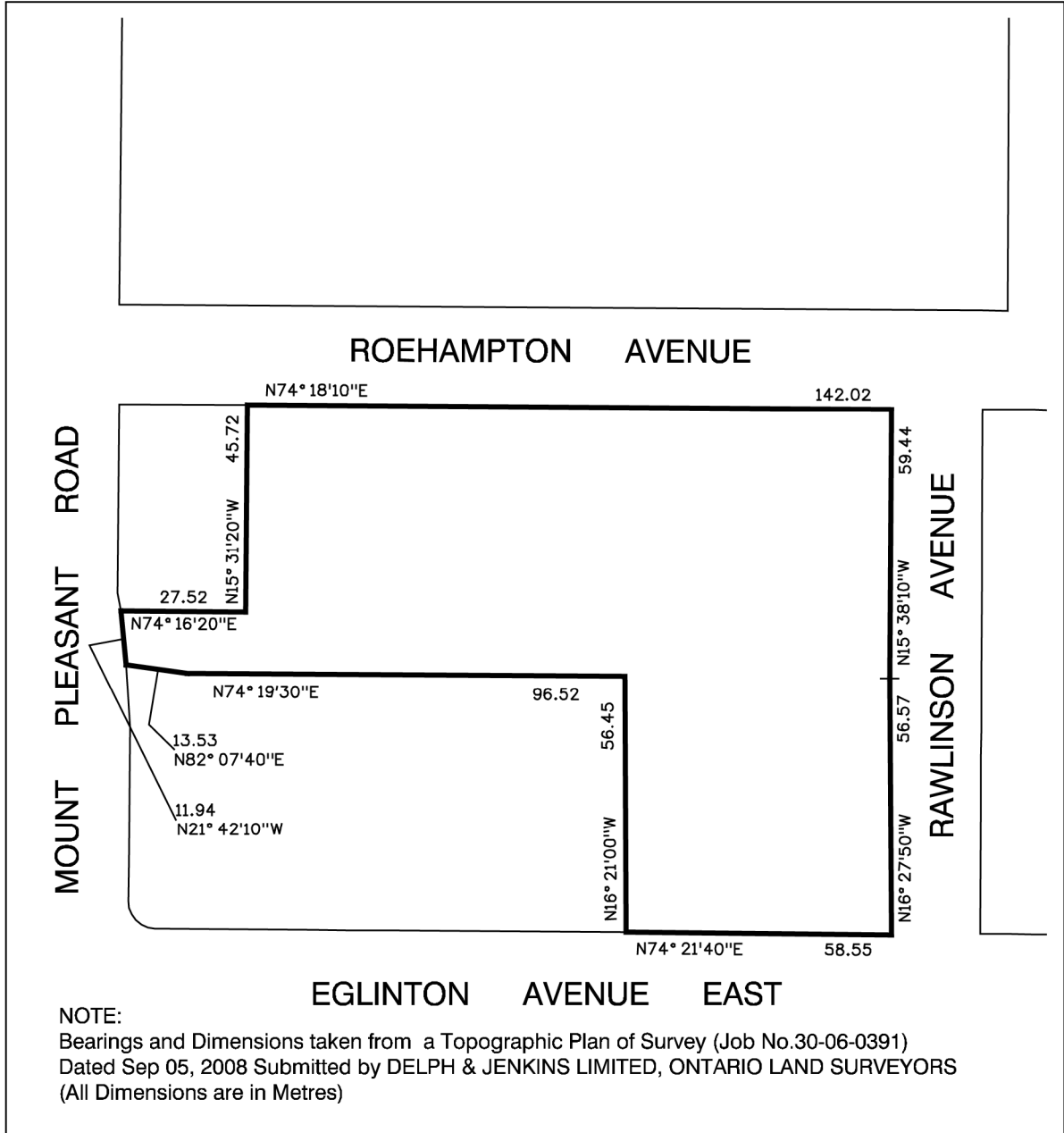
- (i) \$500,000 for deposit to a dedicated fund for the construction of improvements to the Northern Secondary School playing field with such improvements to be determined by the Chief Planner in consultation with

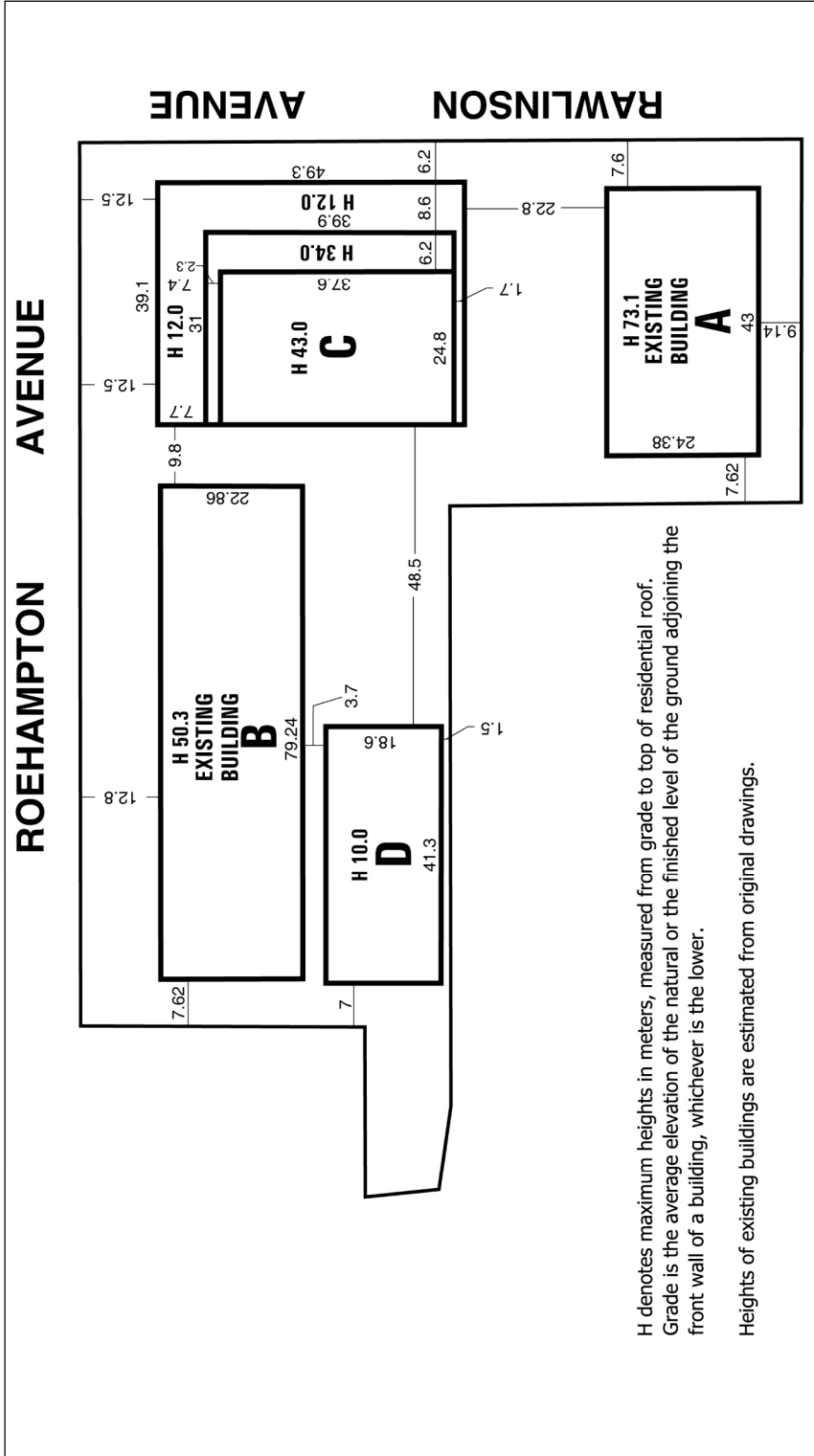
the Toronto District School Board. The use of these funds for the purpose of playing field improvements is contingent upon securing for the general public, reasonable access to the playing field for recreational purposes outside of school hours. In the event that reasonable public access cannot be secured, or in the event that playing field improvements have not commenced within 5 years of the by-law coming into force and effect, Council authorizes the use of these funds for alternative park acquisition or improvements in Ward 22. These funds are to be provided to the City upon this implementing zoning by-law for the development coming into full force and effect;

- (ii) \$500,000 for deposit into the parkland acquisition and development fund that is to be established to purchase, design and construct a new *public park* in Yonge – Eglinton Centre. Such funds are to be provided to the City upon the issuance of the first above-grade building permit for a building with *Area C*;
- (xv) The owner shall maintain the 431 existing rental *dwelling units* as rental housing for a minimum period of twenty (20) years commencing from the date this by-law comes into effect, and agrees that no application for a conversion to condominium will be made for these units during the twenty year period;
- (xvi) Prior to, or in conjunction with, the construction of a building within *Area C*, the owner shall construct a recreation centre for the exclusive use of the residents of the *lot*, located within *Area D*, which shall contain a minimum of 900 square metres of *residential amenity space*;
- (xvii) The owner shall develop and implement, to the satisfaction of the Chief Planner and Executive Director of the City Planning Division, an appropriate Construction Mitigation Plan and Resident Communication Strategy prior to demolition of the existing townhouse dwellings; and
- (xviii) The owner pay all costs associated with the installation of a southbound left-turn advance phase at the intersection of Eglinton Avenue East and Mount Pleasant road, as assessed by iTRANS Consulting in their August 2007 report.
- (xix) Require the owner to incorporate in the construction of the building, exterior materials to be shown on 1:50 scale drawings of the Rawlinson Avenue building frontage that form part of the approved Site Plan for the development. This is to be included in the Section 37 agreement as a matter of legal convenience.

4. By-law No. 55-67, being a by-law to amend By-law No. 206-23 respecting certain lands on the west side of Rawlinson Avenue, between Roehampton Avenue and Eglinton Avenue East is hereby repealed.

ENACTED and PASSED this ● day of ●, A.D. 2008.





H denotes maximum heights in meters, measured from grade to top of residential roof.  
 Grade is the average elevation of the natural or the finished level of the ground adjoining the front wall of a building, whichever is the lower.

Heights of existing buildings are estimated from original drawings.