

**1055 Wilson Avenue  
Official Plan and Zoning By-law Amendment Application  
Request for Direction Report**

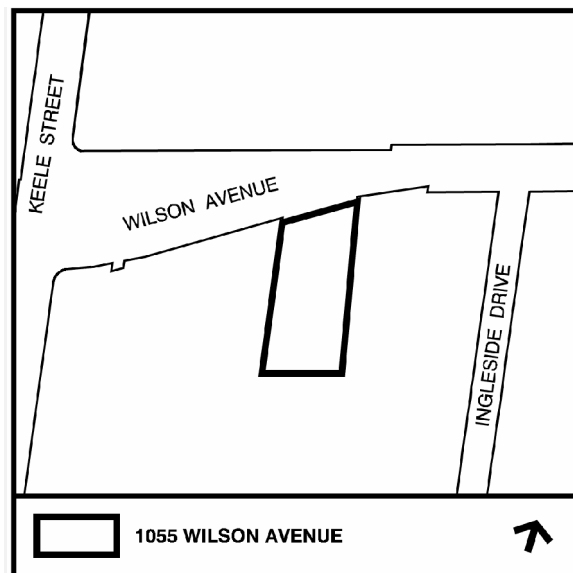
<b>Date:</b>	May 10, 2007
<b>To:</b>	North York Community Council
<b>From:</b>	Director, Community Planning, North York District
<b>Wards:</b>	Ward No. 9 – York Centre
<b>Reference Number:</b>	File No. 04 112178 NNY 09 OZ

**SUMMARY**

This application proposes to amend the Official Plan and the Zoning By-law of the former City of North York to permit construction of a ten storey condominium apartment building at 1055 Wilson Avenue containing 165 residential units. The applicant has appealed the Official Plan and Zoning By-law Amendment application to the Ontario Municipal Board based on the lack of a decision from City Council within the timelines stipulated by the *Planning Act*. The purpose of this report is to seek Council’s direction on the appeal as a pre-hearing conference is scheduled for June 20, 2007.

City staff and the applicant have been in discussions focussed on revising the proposal to bring it into compliance with the *Avenue Zoning By-law* proposed for Wilson Avenue. These discussions have been productive and it is expected that appropriate revisions to the proposal will be forthcoming in this regard.

This report seeks Council’s authorization for staff to attend the pre-hearing conference at the Ontario Municipal Board and oppose the application in its current form. Should revisions be made which bring the proposal into general conformity



with the proposed *Avenue Zoning By-law* for Wilson Avenue and resolve other outstanding site design issues, staff should attend the pre-hearing conference in support of the appeals.

## **RECOMMENDATIONS**

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

1. City Council not support the application in its current form and authorize the City Solicitor and necessary City staff to attend the Ontario Municipal Board pre-hearing conference in opposition to the appeals.
2. City Council support the application if revisions are made to bring the application into general conformance with the proposed *Avenue Zoning By-law* for Wilson Avenue as follows:
  - a. The proposal is revised to bring the density of the building below 2.5 times the area of the lot;
  - b. The building mass is moved towards Wilson Avenue and stepped back as stipulated in the proposed *By-law Amendment*; and
  - c. The access is redesigned and site circulation improved as outlined in this report.
3. City Council authorize the City Solicitor and the necessary City staff to attend the Ontario Municipal Board pre-hearing conference in support of the appeals if the application is so revised.
4. City Council authorize the City Solicitor to request the OMB to withhold any Order approving the development until the owner has entered into a Site Plan Control Agreement under Section 41 of the *Planning Act*.
5. City Council authorize the City Solicitor and necessary City Staff to take such necessary actions to implement the foregoing.

### **Financial Impact**

There are no financial implications resulting from the adoption of this report.

## **DECISION HISTORY**

A Status Report was considered by Community Council in January of 2005 which recommended the applicant submit outstanding information to the City in order to properly process the application and recommended that staff bring forward a further report requesting direction on the application. The report provided a brief description of the project as it was proposed as well as background information concerning Official Plan policies and zoning provisions. This report can be accessed at:

<http://www.toronto.ca/legdocs/2005/agendas/committees/ny/ny050118/it055.pdf>

## **ISSUE BACKGROUND**

### **Background**

The original application, filed in February 2004, proposed a small commercial building with surface parking along the Wilson Avenue frontage and a fifteen storey residential building to the rear of the site serviced by an underground parking garage. The application was submitted without any supporting studies or appropriate plans and drawings. The applicant met repeatedly with City staff and the Ward Councillor in the subsequent months to discuss the proposal and its relationship to the ongoing work for the Wilson Avenue *Avenue* Study and the technical feasibility study for a public road through the southeast quadrant of the Keele Street and Wilson Avenue intersection.

In October of 2004, the applicant filed an appeal to the Ontario Municipal Board on the basis that no decision had been made by City Council within the timelines established by the *Planning Act*. The appeal prompted staff to submit a report to Council requesting that the applicant submit the required supporting studies to properly process the application.

In April of 2006, a revised proposal for a single residential building at a height of 11 storeys was submitted to the City for review. The proposal was accompanied by additional plans, but still lacked the supporting traffic and shadow studies requested by staff. These outstanding materials were submitted on January 18, 2007 in support of a further revised proposal for a 10 storey residential building and have been reviewed and commented on by City staff. While the materials were in circulation, an application for Site Plan Control approval was filed on March 30, 2007 and a date for a pre-hearing conference before the Ontario Municipal Board was set for June 20, 2007.

### **Proposal**

The proposal currently under review is for a 165-unit residential building with a height of 10 storeys and a density of 2.7 times the area of the lot. The indoor amenity space is located in a one storey portion of the building fronting Wilson Avenue, while a ten storey slab extends towards the southern portion of the site. Underground parking is proposed at a rate of 1.25 spaces per dwelling unit, with 0.25 spaces per unit intended for the use of visitors. Access to this underground parking garage and an above grade loading and servicing area is provided towards the rear of the site.

Additional site statistics are provided on the Application Data Sheet (Attachment 7).

### **Site Description**

The site is located on the south side of Wilson Avenue, east of Keele Street and is presently vacant. A right-of-way 7.69 metres in width exists along the western limit of the site and is registered on title in favour of 2737 Keele Street (the Westmount Condominium property).

Lands to the west support commercial uses including a Swiss Chalet and a Burger King, beyond which is an Imperial Oil gas station at the corner of Keele Street and Wilson Avenue. To the immediate east is a carwash, beyond which is a commercial building at the corner of Wilson Avenue and Ingleside Drive. Ingleside Drive is a residential street running south from Wilson Avenue containing single detached dwellings. To the south of the subject site is the Westmount Condominium, a recently converted eight storey building and five storey parking structure on the site of the former Travelodge Hotel. Immediately south of this is the George Appelton Way stacked townhouse development and a Canadian Tire Gas Bar. Across Wilson Avenue to the north of the subject site is the Downsview Plaza which hosts a variety of commercial uses.

## **Official Plan**

The appeals currently before the Municipal Board were made prior to the City of Toronto Official Plan coming into force and effect in July, 2006. As such, the in force Official Plan for the lands is the former City of North York Official Plan.

### City of North York Official Plan

The site falls within a part of the former City of North York identified as a Reurbanization Area. It has a Commercial designation with a Sub-Centre overlay and is also subject to Official Plan Amendment 318 (OPA 318) which is detailed below.

The Commercial designation permits a range of commercial uses, but limits residential uses to the upper floors of commercial buildings. The Sub-Centre overlay applies policies to all four quadrants of the Keele Street and Wilson Avenue intersection that provide for a mix of compatible residential, commercial and institutional uses. These Sub-Centre policies are intended to be implemented by a Secondary Plan or a site specific Official Plan Amendment to permit development levels between 1.0 and 3.0 FSI, subject to the consideration of infrastructure capacity including transit and community services and facilities.

### OPA 318

OPA 318 applies to lands in the southeast quadrant of the Keele Street and Wilson Avenue intersection, including the subject lands. OPA 318 established that City Council would seek to obtain access to Wilson Avenue from the Canadian Tire site and a consolidation of the driveways providing access to Keele Street when development proposals are received for the lands. This amendment was enacted following the completion of a land use and transportation study in 1988-1989 wherein it was concluded that redevelopment in the quadrant would be constrained without transportation improvements.

In response to OPA 318, the City initiated a Technical Feasibility Study in December 2003 to determine access, right-of-way and alignment requirements for a road connection

through the quadrant. Following the completion of the Technical Feasibility study in 2004, the Technical Services Division initiated a Class B Environmental Assessment (EA) to confirm and establish a road alignment. The study resulted in recommendations for a preferred alignment and right-of way for a future public road which would abut the west portion of the subject site. The EA was approved by City Council and is awaiting approval from the Ministry of the Environment, although a number of George Appelton Way residents have filed a petition for a Part II Order against the road.

### Toronto Official Plan

The City of Toronto Official Plan is not the in force Plan for the subject site as the appeal on the lands before the Ontario Municipal Board was brought under the former City of North York Official Plan. If these appeals are resolved or withdrawn, the policies of the City of Toronto Official Plan would come into force and effect which would designate the site *Mixed Use Areas*. This designation provides for a range of uses including residential apartment buildings.

The site also falls within an *Avenue* overlay on Map 2 – Structure Plan, meaning it is an area along a main street where reurbanization and intensification is intended to be directed. Using the directions contained within the *Avenues* policies of the Plan, a local *Avenue* Study has been undertaken for Wilson Avenue between Keele Street and Bathurst Street. The conclusions of this study are detailed below.

### **Zoning**

The site is currently zoned Commercial (C1) by Zoning By-law 7625, as amended by site specific By-laws 24667 and 28127. The site specific By-laws apply to the subject site as well as the Westmount Condominium site (2737 Keele Street).

Zoning By-laws 24667 and 28127 work together to limit the use of the lands to a hotel with a maximum gross floor area of 26,125m<sup>2</sup> and an office building with a maximum gross floor area of 6,147m<sup>2</sup>. The By-laws also stipulate that a maximum of 916 parking spaces must be provided on the lands with a minimum of 714 spaces to be provided in the permitted four storey parking garage. These By-laws were varied by the Committee of Adjustment in October, 2004 to permit the conversion of the hotel building into a residential condominium.

### **Wilson Avenue – Avenues Study**

The *Avenues* Study for lands along Wilson Avenue between Keele Street and Bathurst Street was initiated in 2003. The subject site, which fronts onto Wilson Avenue, forms part of the study area. The study was a continuation of previous work done on the corridor as part of the Wilson Avenue Revitalization and Keele Street Studies and involved extensive community consultation, including review of the proposed streetscape standards and draft Zoning By-law Amendment for the corridor.

A final report recommending approval of the proposed Zoning By-law Amendment was adopted on May 1, 2007 by North York Community Council. The Amendment will implement the conclusions of the *Avenue* study by rezoning the lands within the corridor Avenues Mixed Use Zone (AV-MU). The AV-MU zone establishes a mix of permitted uses, provides setbacks which brings built form towards Wilson Avenue, and permits heights and densities meant to intensify Wilson Avenue to create a vibrant mixed-use and transit-oriented corridor.

If enacted by City Council at its meeting of May 23 and 24, 2007, the Wilson Avenue Zoning By-law Amendment will permit development on the subject site at a height of 10 storeys (30m) and a maximum floor area of 2.5 times the area of the lot. Parking would be required at a minimum of 1.25 spaces per apartment house dwelling unit, of which 0.25 spaces per dwelling unit is for the use of visitors. The building would be required to be located a minimum of 0.0m and a maximum of 2.5m from the front lot line. To emphasize the grade level of proposed buildings, any portion of the building taller than three storeys would be required to step back 1.0m from the base, and any portion of the building taller than six storeys would be required to step back a further 3.0m. To create an active streetscape, canopies, porches, bay windows and other projections may be permitted in the area between the front wall of the building and the front lot line.

### **Site Plan Control**

An application for Site Plan Control approval was submitted on March 30, 2007 and has been circulated to the appropriate agencies and Divisions for comment. The Site Plan Control application does not currently form part of the appeals before the Municipal Board.

### **COMMENTS**

This application was being processed while the Wilson Avenue *Avenue* Study and future public road Environmental Assessment were being completed. These two undertakings are meant to guide the future redevelopment of the Wilson Avenue frontage in this area and the subject lands' location speaks to the importance of this proposal as the eastern terminus to this quadrant.

Community Council's recent adoption of the report recommending that the Zoning By-law Amendment for Wilson Avenue be enacted forms a clear policy direction under which to evaluate development applications within the corridor. While certain provisions of the proposed Amendment are met, revisions to the proposal are required to bring it into compliance with these recently adopted recommendations. The applicant has met with City Staff to discuss these issues and progress has been made towards their resolution as follows.

## **Height, Mass and Density**

The application currently meets the height permissions of the proposed draft Zoning By-law for Wilson Avenue of 10 storeys (30m), but staff are concerned with the proposed massing. The building is a slab construction, oriented along the length of the site with a one storey amenity area protruding towards Wilson Avenue.

The applicant has been requested to revise the proposal to incorporate the amenity area into the overall mass of the building and to move the building closer to Wilson Avenue to comply with the prescribed setbacks in the proposed Wilson Avenue By-law. Remassing the building in this way will allow for an improved building design, a greater presence along Wilson Avenue, and an improved relationship between the proposal and the pedestrian realm.

The proposed density of 2.7 times the area of the lot exceeds the density permissions of the proposed AV-MU zone along Wilson Avenue which allows for a maximum density of 2.5. Staff have advised the applicant of this non-compliance and requested the application be revised to bring the density of the proposal below 2.5 times the area of the lot.

## **Traffic, Access and Parking**

The applicant has submitted a Transportation Assessment Study (TAS) which addresses the impact of the proposed development on traffic volumes and operations in the quadrant. This assessment was undertaken with the assumption that the proposed public road would be constructed as recommended in the Class B Municipal Level EA, including a full movement, signalized intersection at Wilson Avenue.

Transportation Services staff have requested that the applicant revise the TAS to include an additional scenario evaluating the future conditions in the quadrant without the proposed public road as the EA has not been approved and the timing to construct the road is uncertain. The scenario would assess operations if the existing condition remains and the development is accessed only via a private driveway along the western edge. This assessment may conclude that certain traffic measures such as a traffic signal would be required to manage the flow of traffic entering and exiting this driveway from Wilson Avenue. Should this be case, the applicant may be required to implement these measures or provide appropriate securities prior to the occupancy of the building unless the public road has been constructed. These matters can be secured as part of the finalization of the Site Plan Control agreement.

The applicant has been requested to redesign the proposed vehicle access at the rear of the site. This entrance, currently proposed at a width of 28m, is considered to be excessive as it will have a negative impact on pedestrian travel along the proposed public road along with introducing the potential for conflicts between vehicles entering the underground parking garage or using the building's service area.

Staff have also requested that an appropriate on-site pick-up and drop-off area be provided which does not interfere with any public roads. In addition, the loading area and access route must be designed to allow a vehicle to enter the site, collect garbage and recyclables, and exit in a forward direction.

In discussions with City staff, the applicant has indicated that the proposed revisions to improve vehicular circulation on site are acceptable and is currently preparing a revised site plan to address these concerns.

## **Conclusions**

The applicant has appealed the application to amend the former City of North York Official Plan and Zoning By-law to the Ontario Municipal Board based on City Council's lack of decision within the timelines set out by the *Planning Act*. As the appeals were filed with the Board prior to the Order bringing the City of Toronto Official Plan into full force and effect, the policies of the former City of North York's Official Plan are in force on the subject lands. Since the appeal was filed, the Wilson Avenue *Avenue Study* has been finalized and a proposed Zoning By-law Amendment to implement the findings of this study has been recommended for adoption by North York Community Council.

City staff and the applicant have met to address outstanding issues for this proposal as they relate to the recently approved Avenue Mixed-Use Zoning By-Law for Wilson Avenue as well as the site design comments outlined above. These discussions have been productive and the applicant is currently preparing revisions to address these outstanding concerns. Should these issues be satisfactorily addressed, staff should be directed to attend the June 20, 2007 Ontario Municipal Board pre-hearing conference in support of the appeals. However, should the application remain in its current form, staff should be directed to attend in opposition to the application.

## **CONTACT**

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## **SIGNATURE**

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Thomas C. Keefe, Director  
Community Planning, North York District



## **ATTACHMENTS**

Attachment 1: Current Site Plan

Attachment 2: Current Elevations

Attachment 3: Zoning

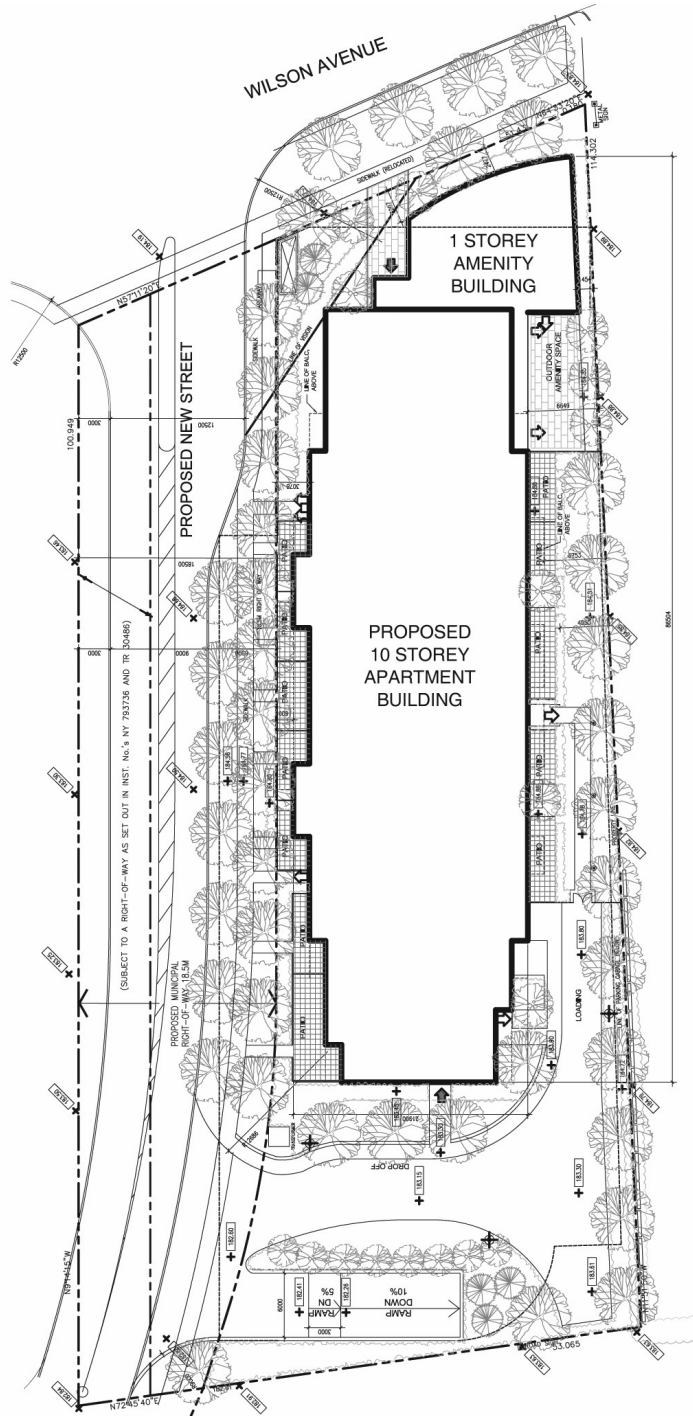
Attachment 4: North York Official Plan

Attachment 5: City of Toronto Official Plan

Attachment 6: Zoning under Proposed *Avenue* Zoning By-law Amendment

Attachment 7: Application Data Sheet

# Attachment 1: Current Site Plan



## Site Plan

Applicant's Submitted Drawing

Not to Scale  
05/09/07



1055 Wilson Avenue

File # 04\_112178

**Attachment 2: Current Elevations**



**East Elevation**



**West Elevation**



**South Elevation**



**North Elevation**

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**Elevations**

**1055 Wilson Avenue**

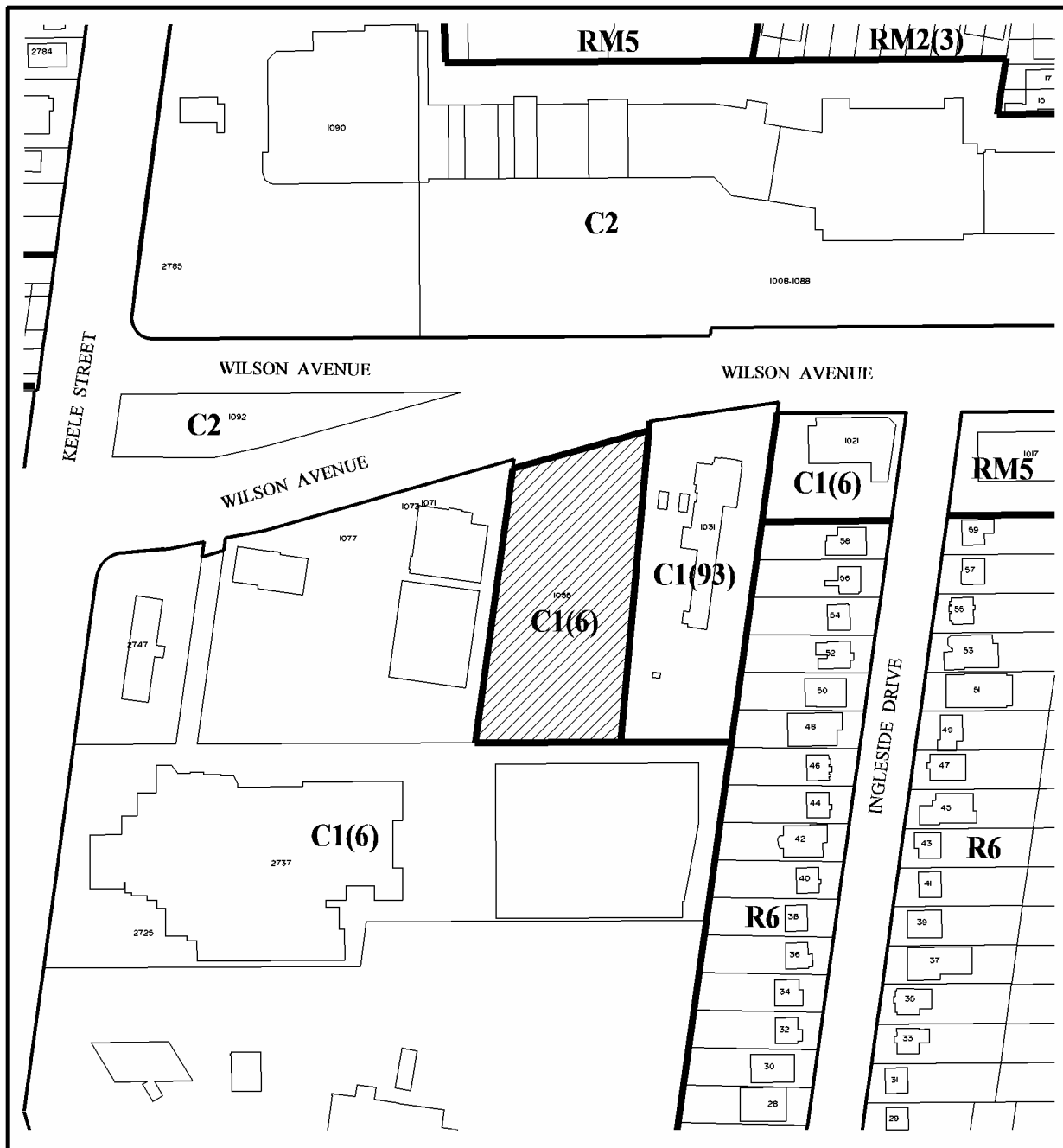
Applicant's Submitted Drawing

Not to Scale  
05/09/07

File # 04\_112178

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### Attachment 3 – Zoning



**Toronto** Urban Development Services  
**Zoning**

**1055 Wilson Avenue**  
 File # 04\_112178

R6 One-Family Detached Dwelling Sixth Density Zone  
 RM2 Multiple-Family Dwellings Second Density Zone  
 RM5 Multiple-Family Dwellings Fifth Density Zone

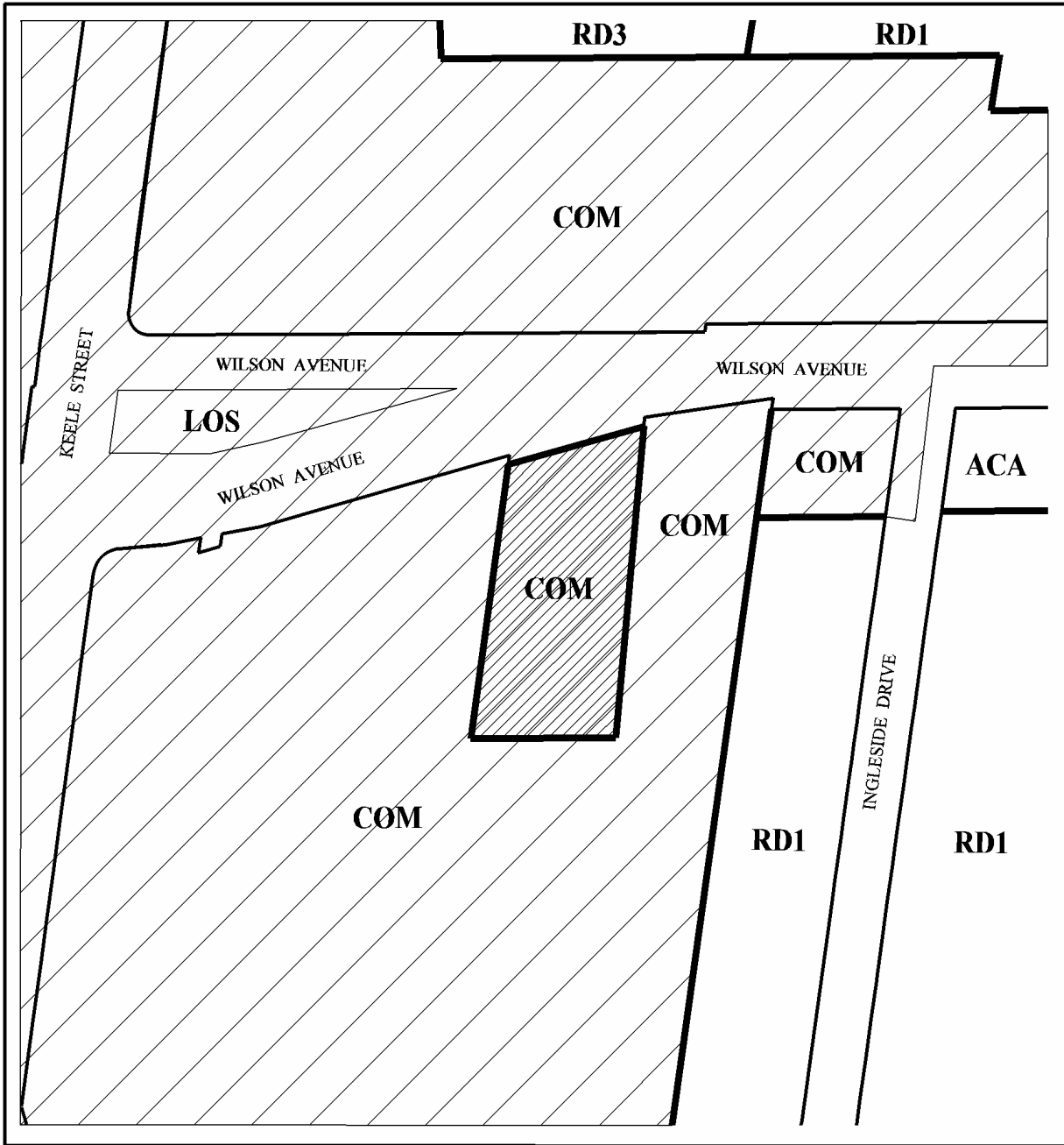
C1 General Commercial Zone  
 C2 Local Shopping Centre Zone

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

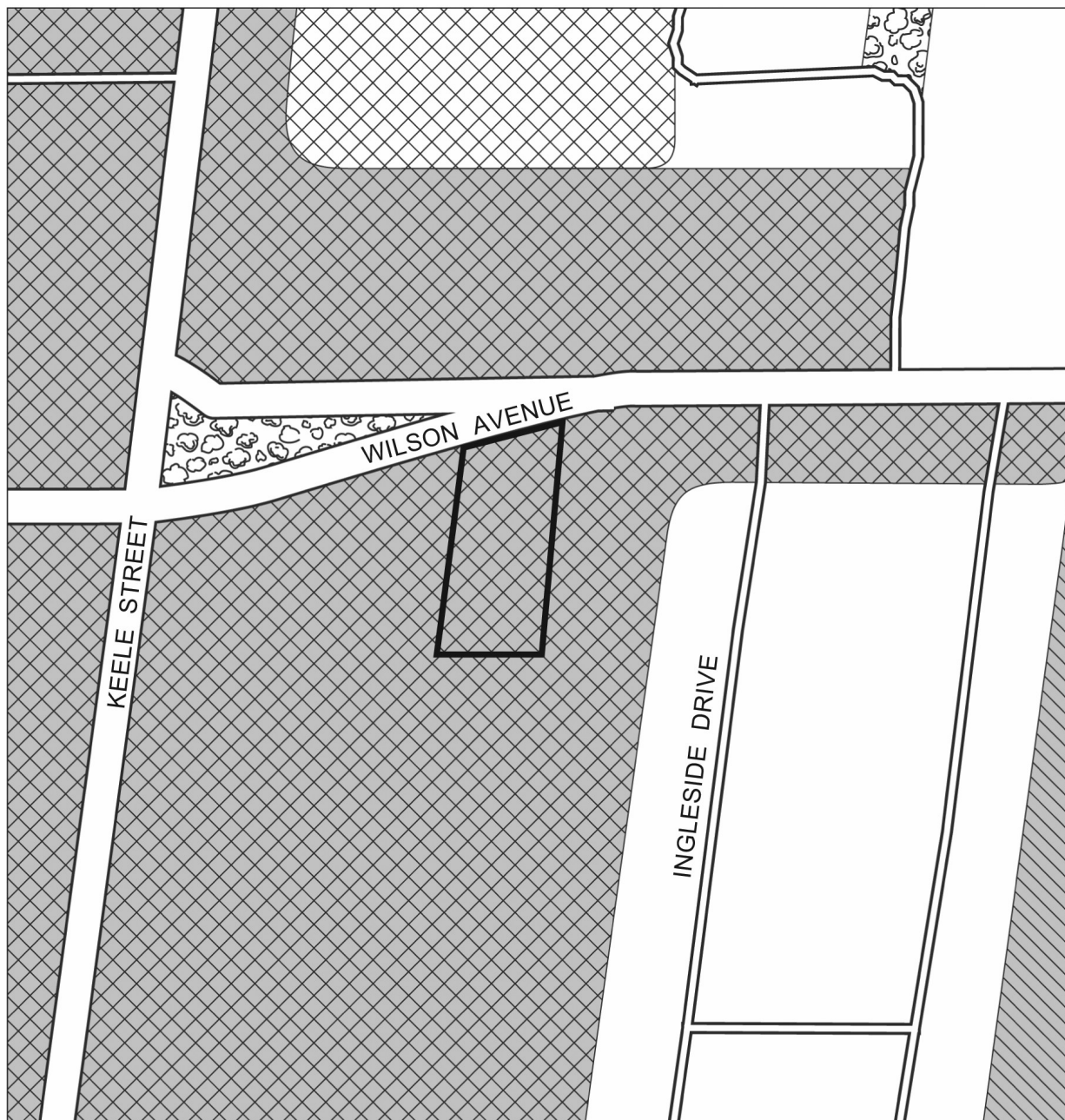


Not to Scale  
 Zoning By-law 7625  
 Extracted 12/09/04

Attachment 4 – North York Official Plan



Attachment 5 – City of Toronto Official Plan



**Toronto** City Planning  
**Official Plan**

1055 Wilson Avenue

File # 04\_112178

- |  |  |
|--|--|
|  Site Location            |  Parks & Open Space Areas |
|  Neighbourhoods           |  Parks                    |
|  Apartment Neighbourhoods |  |
|  Mixed Use Areas          |  |

  
 Not to Scale  
 December 2006

Attachment 6 – Zoning under Proposed Avenue By-law Amendment

<p>DIMENSIONS ARE IN METRES &amp; MAY BE CONVERTED TO FEET BY MULTIPLYING BY 3.2808.</p>	<p><b>Toronto</b> City Planning Division</p>
	<p><b>SUBJECT PROPERTY</b></p>
	<p>This is Schedule " 7 " to By-Law _____, passed the _____ day of _____, 20____</p> <p>(Sgd.) _____ (Sgd.) _____</p> <p>CLERK MAYOR</p>
	<p>File No. 03 194996 Prepared by: E. L. Approved by: C. E. Date: March 3, 2006 Filename: H7.dgn</p>
	<p><b>Location: Wilson Avenue and Keele Street</b> Source: Zoning By-Law, Lot Line, Street Line and Street Name Data - North York Planning Department.</p> <p><small>Street lines represent street dedications/road allowances and do not represent actual as-built curb lines of streets.</small></p>

## Attachment 7 – Application Data Sheet

### APPLICATION DATA SHEET

Application Type	Official Plan Amendment & Rezoning	Application Number:	04 112178 NNY 09 OZ
Details	OPA & Rezoning, Standard	Application Date:	February 27, 2004
Municipal Address:	1055 WILSON AVE, TORONTO ON		
Location Description:	CON 3 WY PT LOT 10 RP 64R3172 PARTS 1 TO 4 **GRID N0906		
Project Description:	To permit the construction of a 10 storey, 165 unit residential apartment building.		

#### PLANNING CONTROLS

Official Plan Designation: COM	Site Specific Provision:
Zoning: C1(6)	Historical Status:
Height Limit (m): 9.2	Site Plan Control Area: N

#### PROJECT INFORMATION

Site Area (sq. m):	5406	Height:	Storeys:	10	
Frontage (m):	0		Metres:	28.9	
Depth (m):	0				
Total Ground Floor Area (sq. m):	1625				<b>Total</b>
Total Residential GFA (sq. m):	14662		Parking Spaces:	206	
Total Non-Residential GFA (sq. m):	0		Loading Docks	1	
Total GFA (sq. m):	14662				
Lot Coverage Ratio (%):	30				
Floor Space Index:	2.71				

#### DWELLING UNITS

Tenure Type:	Rental
Rooms:	0
Bachelor:	0
1 Bedroom:	90
2 Bedroom:	75
3 + Bedroom:	0
Total Units:	165

#### FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	14662	0
Retail GFA (sq. m):	0	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Christian Ventresca, Planner</b>
	<b>TELEPHONE:</b>	<b>(416) 395-7129</b>