

**46 Wellesley Street East – Rezoning Application
Refusal Report**

Date:	September 21, 2009
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 27 – Toronto Centre-Rosedale
Reference Number:	09 124901 STE 27 OZ

SUMMARY

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

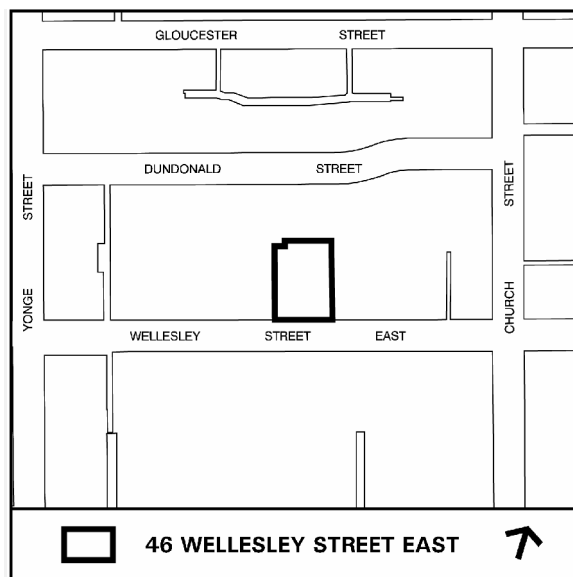
This application proposes to permit a commercial parking lot at 46 Wellesley Street East for a temporary period of three years.

This report reviews and recommends refusal of this application to amend the Zoning By-law.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council refuse the Zoning By-law Amendment Application Number 09 124901 STE 27 OZ .
2. City Council request the Manager of Municipal Licensing and Standards Toronto and East York District to inspect the property.



Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

In 2005 the City adopted site-specific Official Plan Amendment No. 346 and enacted implementing Zoning By-law No. 675-2005 to permit a 28-storey, 227 unit residential condominium building with retail uses at grade.

Prior to 2006 a four-storey commercial building existed on the property and was used by AIDS 2006 for managing and hosting the XVI International AIDS Conference. The building has since been demolished and the property is now vacant.

ISSUE BACKGROUND

Proposal

Given the existing economic climate the Owner has decided not to proceed with the approved residential development. In the interim the Owner proposes to use the property as a surface commercial parking lot for a period of three years or until it can proceed with the development approved in 2005. The original proposal was to have the Toronto Parking Authority (TPA) operate the commercial parking lot but they have withdrawn their interest.

The proposal is for a 46-space surface parking lot with vehicular access proposed at the eastern end of the Wellesley Street East frontage as shown on the Site Plan attached.

Site and Surrounding Area

Until recently the property accommodated a vacant four-storey office building used by St. John Ambulance. In 2006 the building was demolished and the property is currently vacant. The following uses surround the site:

North: abutting the site are four 2.5 storey houses. There is also a pocket of two to 2.5 storey uses between Dundonald Street and Gloucester Streets. Abutting the site to the northwest is an eight-storey residential building, stepped back on the east side, adjacent to the houses.

South: on the south side of Wellesley Street East is the eight-storey Orthopaedic and Arthritic Institute, which is affiliated with Sunnybrook and Women's College Health Sciences Centre.

East: abutting the site is Paul Kane Park; there is a three-storey residential building at the north end of this site (Paul Kane House).

West: abutting the site is a five-storey office building with retail uses at grade.

Generally, the Yonge-Wellesley area consists of a mix of land uses and building forms. The residential buildings surrounding 46 Wellesley Street East include single-detached dwellings and apartment buildings. The residential dwellings vary in terms of age, design, height and density.

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 accommodating an appropriate range and mix of residential, employment, recreational and open space uses to meet long-term needs. 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.

Official Plan

The site of this application is located within the "Downtown Central Waterfront" area, identified on Map 2 – Urban Structure and is designated as a Mixed Use Area on Map 18 – Land Use Plan of the Toronto Official Plan. A Commercial parking lot is a permitted use in the "Mixed Use" designation of the Official Plan.

Zoning

The site is zoned R3 Z2.5 with the site-specific provisions of By-law No. 675-2005. By-law No. 438-86 does not permit a Commercial parking lot in an "R" District. Attachment 2 outlines the zoning of the site and surrounding area.

Site Plan Control

The proposed development is subject to site plan control. A site plan application was submitted and circulated on May 28, 2009 (file # 09 124893 STE 27 SA).

Reasons for Application

A Commercial parking lot is not a permitted use in an "R" district and an amendment to Zoning By-law 438-86 is required.

Agency Circulation

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

COMMENTS

Provincial Policy Statement and Provincial Plans

Planning staff are of the opinion that the proposed commercial parking lot does not satisfy the Provincial Policy Statement key objectives including accommodating an appropriate range and mix of uses to meet long-term needs. A temporary commercial parking lot is not an appropriate use to meet the area's long term needs.

Discussion

There is no need to permit a surface commercial parking lot on this land given its close proximity to the Yonge Subway Line and the heavy pedestrian movements within this area. The Wellesley subway station has only one entrance and it is on the north side of Wellesley Street. This results in high volumes of pedestrians passing along the site. The site also abuts the Wellesley bike lane which is in the top five for cycling volume in the City of Toronto. The site is also along the route of the Wellesley bus. An existing commercial parking lot operated by TPA is located across from the Wellesley Subway station approximately 50 metres from the subject property.

Through development applications and within the new Zoning By-law, Planning staff are reviewing and recommending reduced parking requirements for on-site parking in order to encourage bicycling and walking.

TPA are no longer interested in occupying the subject site and, as noted earlier in this report, there is already a TPA parking lot opposite the Wellesley subway station a short distance from this property with sufficient capacity to service the surrounding commercial and institutional uses on Yonge Street, Church Street and Wellesley Street including the Sunnybrook Orthopaedic and Arthritic Institute.

The owner is prepared to landscape and make additional changes to make the commercial parking lot attractive, which would be a significant improvement over the site's current unsightly state. Planning staff think that this is an inappropriate use at this location and may set a precedent for other developers facing the same problem while waiting for the economic recession to pass. Planning staff recommend that the Manager of Municipal Licensing and Standards, Toronto and East York District inspect the property and issue clean up notices to the Owner, if/as appropriate.

Conclusion

The subject site is located close to the Wellesley subway station where pedestrian movements are high and there exists an existing commercial parking lot located across from the subway station and approximately 50 metres away from the subject site.

Planning staff see little need for an additional commercial parking lot for this area as the existing parking lot is not at capacity. The approval of a temporary commercial parking lot at this location may set a negative precedent with respect to other lots in residential zones where development has been stalled.

For these reasons, Planning have recommended that City Council refuse the application.

CONTACT

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SIGNATURE

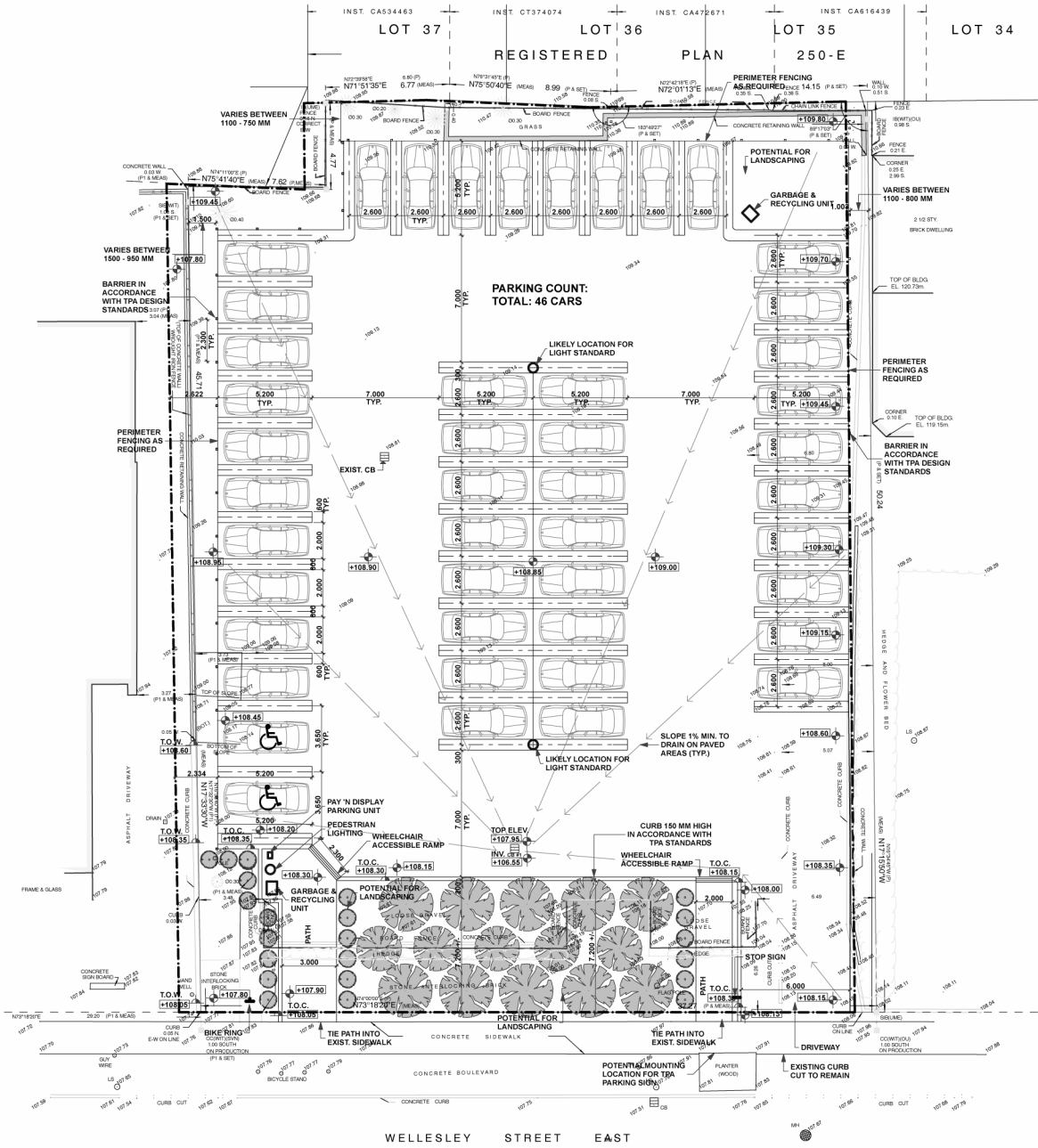
Raymond David, Director
Community Planning, Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Zoning
Attachment 3: Application Data Sheet

Attachment 1: Site Plan



Site Plan

46 Wellesley Street East

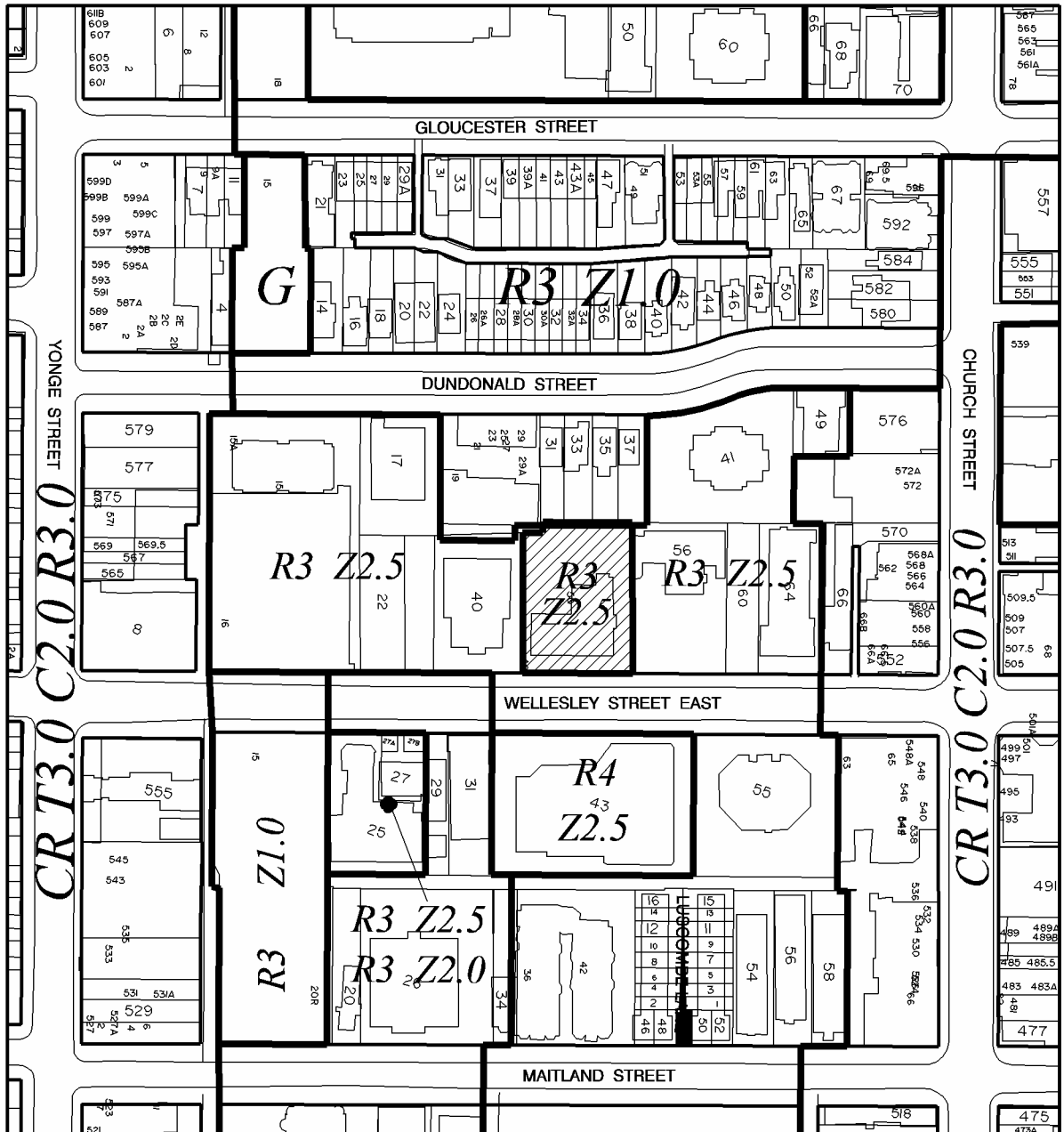
Applicant's Submitted Drawing

Not to Scale
08/13/2009



File # 09_124901

Attachment 2: Zoning



46 Wellesley Avenue East
File # 09_124901

R3 Residential District
CR Mixed-Use District



Not to Scale
Zoning By-law 438-86 as amended
Extracted 08/13/2009

Attachment 3: Application Data Sheet

APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	09 124901 STE 27 OZ
Details	Rezoning, Standard	Application Date:	April 8, 2009
Municipal Address:	46 WELLESLEY ST E		
Location Description:	North side of Wellesley Street East east of Yonge Street		
Project Description:	Site plan approval for commercail parking lot - To be reviewed with Site plan approval - 09 124893 STE 27 SA		

Applicant:	Agent:	Landscape Architect:	Owner:
McCarthy Tetrault LLP Suite 5300 TD Bank Tower Toronto Dominion Center Toronto, ON M5K 1E6	Same as applicant		Wellesley Residences Corp. 10 Wanless Avenue, Suite 201, Toronto, ON M5K 1E6

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Area	Site Specific Provision:	Y
Zoning:	R3 Z2.5	Historical Status:	N
Height Limit (m):	30	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	1840	Height:	Storeys:	0
Frontage (m):	37.27		Metres:	0
Depth (m):	50.24			
Total Ground Floor Area (sq. m):	0			Total
Total Residential GFA (sq. m):	0		Parking Spaces:	46
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	0			
Lot Coverage Ratio (%):	0			
Floor Space Index:	0			

DWELLING UNITS N/A

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:			
Rooms:	0	Residential GFA (sq. m):	0
Bachelor:	0	Retail GFA (sq. m):	0
1 Bedroom:	0	Office GFA (sq. m):	0
2 Bedroom:	0	Industrial GFA (sq. m):	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0
Total Units:	0		

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