

1201 Wilson Avenue – Draft Plan of Subdivision Application – Final Report

Date:	January 21, 2010
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 9 – York Centre
Reference Number:	09 106314 NNY 09 SB

SUMMARY

This application was made on February 2, 2009 and is subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.

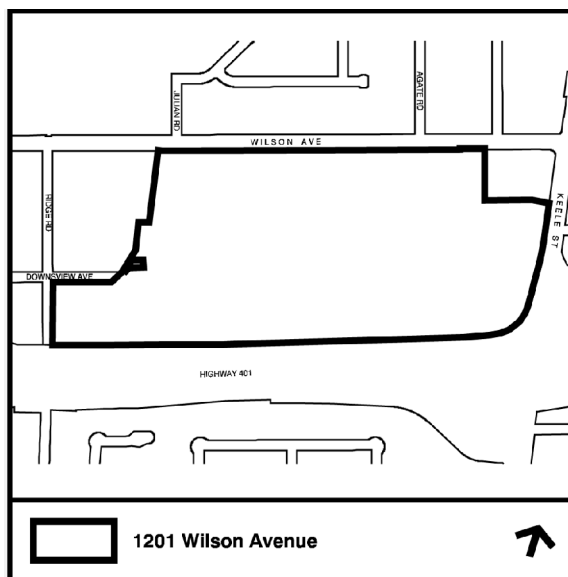
This subdivision application for 1201 Wilson Avenue is to allow for the establishment of development blocks and public streets to provide for the future development of a Provincial campus which will include institutional, office and accessory commercial uses including the proposed Humber River Regional Hospital, the Forensics Centre and Coroners' Complex and Provincial office buildings.

This report advises that the Chief Planner may approve the Draft Plan of Subdivision.

RECOMMENDATIONS

The City Planning Division recommends that:

1. In accordance with the delegated approval under By-law 229-2000, City Council be advised that the Chief Planner may approve the draft plan subdivision, as generally illustrated on Attachment 2, subject to:



- a. The conditions as generally listed in Attachment 3, which except as otherwise noted, must be fulfilled prior to the release of the plan of subdivision for registration.
 - b. The applicant agreeing to address all Technical Services' requirements and adhering to all Technical Services Conditions to the satisfaction of the Executive Director of Technical Services.
 - c. The applicant fulfilling all Technical Services Conditions prior to the release of the plan of subdivision for registration.
 - d. Such revisions to the proposed plan of subdivision or additional or modified conditions as the Chief Planner may deem appropriate to address matters arising from the ongoing technical review of the development.
2. City Council direct the City Solicitor, in consultation with the Chief Planner and Executive Director City Planning, the Executive Director of Technical Services, and other appropriate staff, to report to the Planning and Growth Management Committee on the City-wide implications of Ontario Realty Corporation (ORC) advising the City that ORC and Infrastructure Ontario will not be able to provide indemnities, letters of credit or deposits on any Provincial projects.
 3. City Council direct City staff to continue to seek appropriate and reasonable indemnities, letters of credit or deposits on this application, and the related rezoning and site plan control applications, in order to protect the City's interests.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

Proposal

This application for draft plan of subdivision approval and the related rezoning application propose to redevelop the 30 hectare (74 acres) provincially owned lands located at 1201 Wilson Avenue, on the south side of Wilson Avenue, west of Keele Street and north of Highway 401. The site is currently the location of provincial office buildings with large surface parking lots. The site is proposed to be redeveloped with a provincial campus of institutional, office and accessory commercial uses on the proposed development blocks. The proposed development also includes municipal public and private streets, pedestrian circulation paths and open spaces.

The development would retain approximately 33,444 m² of provincial office space. The new gross floor area would total approximately 250,000 m² that would be constructed in phases. The proposed major uses include:

- Humber River Regional Hospital (HRRH); comprising a building of 111,500 m², potentially increasing to 139,350 m².
- Forensics Services and Coroners' Complex (FSCC); comprising approximately 49,250 m².
- Provincial office buildings; with the retention of some office buildings located on the site and additional office space of approximately 83,600 m².

The proposal also includes parking facilities for the campus, a variety of landscaped public open spaces and publicly accessible open spaces and a municipal public street network connecting to Wilson Avenue and Keele Street that would include pedestrian walkways and cycling path (see Attachment 1).

The proposal is to be developed in phases through 2020 and beyond, with the Forensics Services and Coroners' Complex (FSCC) scheduled to begin construction this year. Following the FSCC, the Humber River Regional Hospital is scheduled to commence construction in 2011/2012.

This proposed Forensics Services and Coroners' Complex and the Humber River Regional Hospital are both Infrastructure Stimulus Projects that have a funding commitment from the Provincial government. To meet the Province's tight timelines, the Public Meeting on the draft plan of subdivision application is being held at this time to meet funding and contract commitments of the Provincial government. The Forensics Services and Coroners' Complex is being developed as part of Infrastructure Ontario's Design, Build, Finance and Maintain model (DBFM), with similar demanding timelines that are built into the contract. The Forensics Services and Coroners' Complex is scheduled to be completed in the spring of 2012, which necessitates proposed infrastructure works to begin construction in the immediate future.

Site and Surrounding Area

The site is approximately 30 hectares in size and is located on the south side of Wilson Avenue, west of Keele Street and north of Highway 401. The site slopes continuously downwards from the northeast to the southwest, and provides a wide view to the south over Highway 401 and beyond. The site currently contains offices and facilities for the Ministry of Transportation, other provincial offices and an Ontario Provincial Police branch located on the northeast portion of the site. Most of the existing provincial government office buildings were constructed from the 1950's through to the 1980's. They range in height from two storeys to seven storeys and are accessed by private roads, Maple Avenue and Downsview Avenue.

The majority of the site is currently used for surface parking.

North

Wilson Avenue abuts the site to the north. Wilson Avenue is identified as an *Avenue* in the City of Toronto Official Plan on Map 2, Urban Structure. Current uses along the north side of Wilson Avenue are predominantly residential ranging from one-storey single detached houses to a 14 storey apartment building. There is a junior high school to the northwest of the site. The area to the north of Wilson Avenue is a low-rise residential neighbourhood.

South

Highway 401 abuts the site to the south, with a westbound on-ramp from Keele Street abutting the southeast portion of the site.

East

Keele Street abuts the site to the east with a commercial plaza located on the southwest corner of Keele Street and Wilson Avenue. Keele Street is identified as an *Avenue* from the Keele and Wilson intersection to the north. Uses along Keele Street are a mix of commercial buildings and multi-storey residential dwellings.

West

The main uses to the west are low-rise residential. Immediately abutting the northwest edge of the site is a 4-storey office building. Ridge Park, a small neighbourhood park abuts the southwest corner of the site. Downsview Avenue, a local street, is located west of the site on the north side of Ridge Park.

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 to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The majority of the site is designated *Mixed Use Areas*. *Mixed Use Areas* are made up of a broad range of uses including single use or mixed use buildings, institutional uses as well as parks, open spaces and utilities. A small portion of the southwest corner of the site is designated *Parks*.

The north side of the site abuts Wilson Avenue, which is identified as an *Avenue* on Map 2, Urban Structure of the Official Plan. *Avenues* are important corridors along major streets, where reurbanization is anticipated and encouraged while improving the pedestrian environment.

Zoning

The majority of the site is zoned Semi-Public Open Space Zone (03) in the former City of North York Zoning By-law No. 7625, and Ridge Park is zoned One-Family Detached Dwelling Fourth Density Zone (R4). The existing zoning permits buildings, parks and pathways operated or used by the various levels of government, utilities, school boards, library board, Sunnybrook Hospital and specific educational facilities. Further, any building or structure cannot be located closer to any lot line equivalent to a distance equal to the height of the building or structure.

Site Plan Control

Site Plan applications will be required on individual sites as they are brought forward for development. There are currently two site plan applications under review; one for the proposed Forensic Services and Coroner's Complex building to be located at the northeast corner of the site along Wilson Avenue and the other for the Humber River Regional Hospital, to be located on the northwest portion of the site.

Reasons for Application

A Plan of Subdivision is required to establish the proposed development blocks and public streets.

Community Consultation

This application and the related rezoning application were subject to an expanded notice requirement and notice of the community consultation meeting was sent to approximately 14,000 households for two community consultation meetings.

The first community consultation meeting was scheduled for June 22, 2009 and was not attended by City staff as a result of the labour disruption that began on the same day.

A second community consultation meeting was held on Wednesday, September 9th, 2009 and approximately 100 members of the public attended. The community expressed general support for the proposal, but expressed concerns regarding existing traffic congestion in the area and how this proposal would impact this situation.

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 conditions of Draft Plan Approval.

COMMENTS

The proposed Provincial campus on the subject site provides an opportunity to redevelop and revitalize lands that are currently underutilized with a planned campus development consisting of institutional and office uses that will better connect to the surrounding community and provide a new major employment and public service function in this area of the City. As such, the proposal is consistent with the PPS and conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Issues of concern for this proposal are associated with the proposed the level of development and its impact on the surrounding community. Staff are working with the applicant to address servicing/stormwater management and transportation concerns, urban design issues and the appropriate development standards. Staff will be reporting on these matters through the forthcoming final report on the proposed Zoning By-law Amendment.

The Province has requested that the Public Meeting required by the *Planning Act* on the Draft Plan of Subdivision be held at this time to meet their timelines for the disentangling of existing services and the installation of new servicing to the proposed development blocks. This will meet their contractual requirements for the proposed Forensics Services and Coroners' Complex and the Humber River Regional Hospital.

As part of the master planning for this site, urban design guidelines have been prepared by the applicant that include urban design principles, public realm and open space guidelines, streetscapes, parking/servicing layouts, and built form/massing guidelines. Staff are working with the applicant to finalize these guidelines and they will be presented to Council for approval as part of the final report for the Zoning By-law Amendment. The review of the master plan/urban design guidelines has sufficiently progressed to determine of the location of the proposed roads and blocks.

Subject to the conditions outlined in Attachment 3, the conceptual development blocks and public streets proposed by the Province are appropriate for the uses being proposed. As such, the proposed development blocks and public streets are acceptable for the proposed Provincial campus.

Securities

In a letter dated October 6, 2009 (Attachment 5), Ontario Realty Corporation, who are acting on behalf of the Province of Ontario, advised that:

“ORC has been advised by the government that, in respect to the subdivision or site plan agreement or any other agreement with the City arising from this project and any other Provincial projects, ORC and Infrastructure Ontario will no be able, on behalf of the Province, to provide indemnities, letters of credit or deposits.”

Concerns regarding the Province's position on this matter are twofold. Firstly, the lack of indemnities, letters of credit and deposits may expose the City to potential risks given the

long phasing period of the construction of this campus. While the risks may not be great since the proponent is the Province of Ontario, exposure for the City may occur. Secondly, staff are concerned that the Province's position has City-wide implications and may set a precedent for future large scale public sector developments in the City.

As such, staff are recommending that City Council direct the City Solicitor, in consultation with appropriate divisional staff, to report to the Planning and Growth Management Committee on the City-wide implications of the Province's position on indemnities, letters of credit and deposits. It is also recommended that City Council direct staff to continue to seek appropriate and reasonable indemnities, letters of credit or deposits on the subject application, and the related rezoning and site plan control applications, in order to protect the City's interests.

CONTACT

Heather Inglis Baron, Senior Planner
Tel. No. (416) 395-7073
Fax No. (416) 395-7155
E-mail: hinglis@toronto.ca

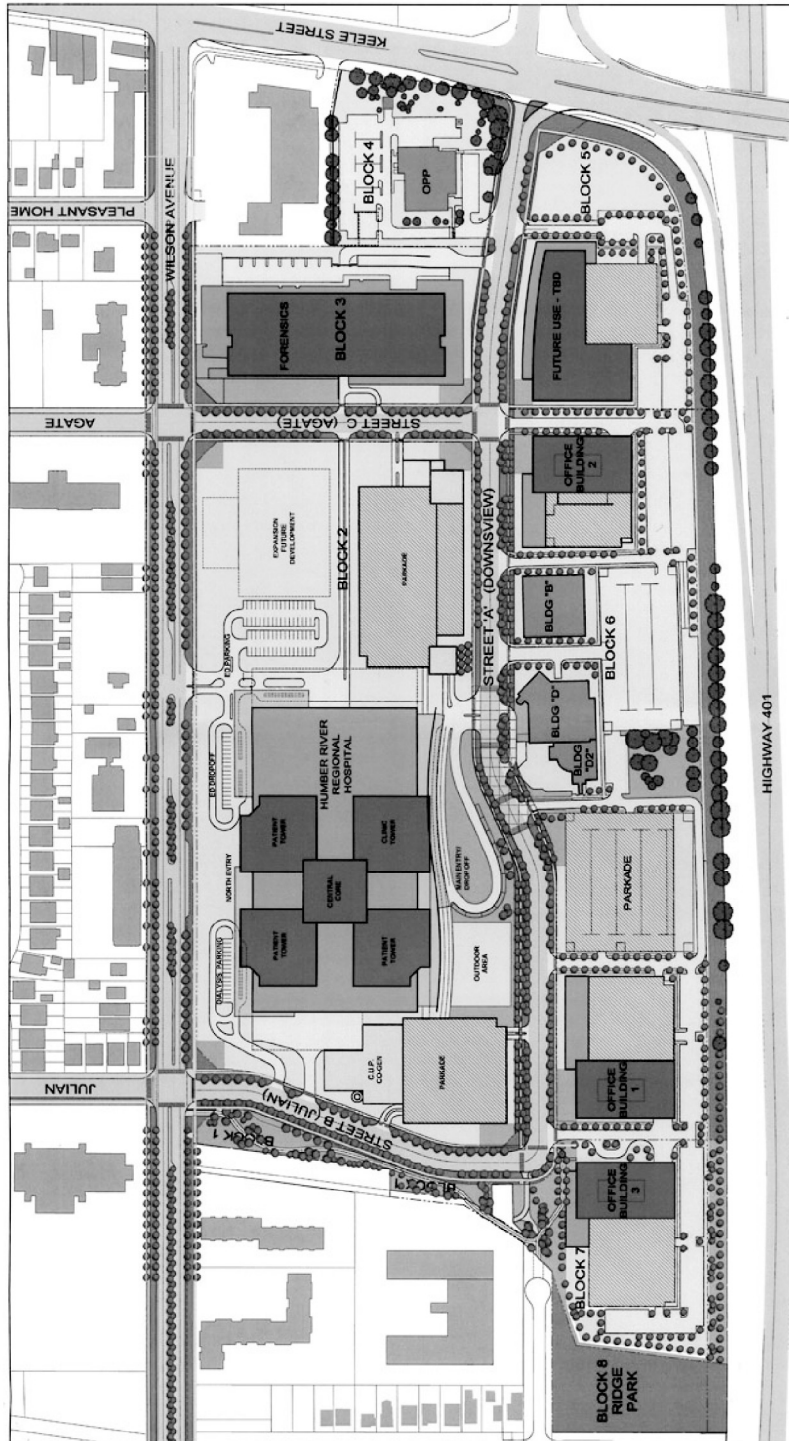
SIGNATURE

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

ATTACHMENTS

Attachment 1: Concept Plan
Attachment 2: Draft Plan of Subdivision
Attachment 3: Draft Plan of Subdivision Conditions
Attachment 4: Application Data Sheet
Attachment 5: Letter from Ontario Realty Corporation

Attachment 1: Concept Plan



Note: Specific site layouts are under review and have not yet been finalized.

Concept Plan

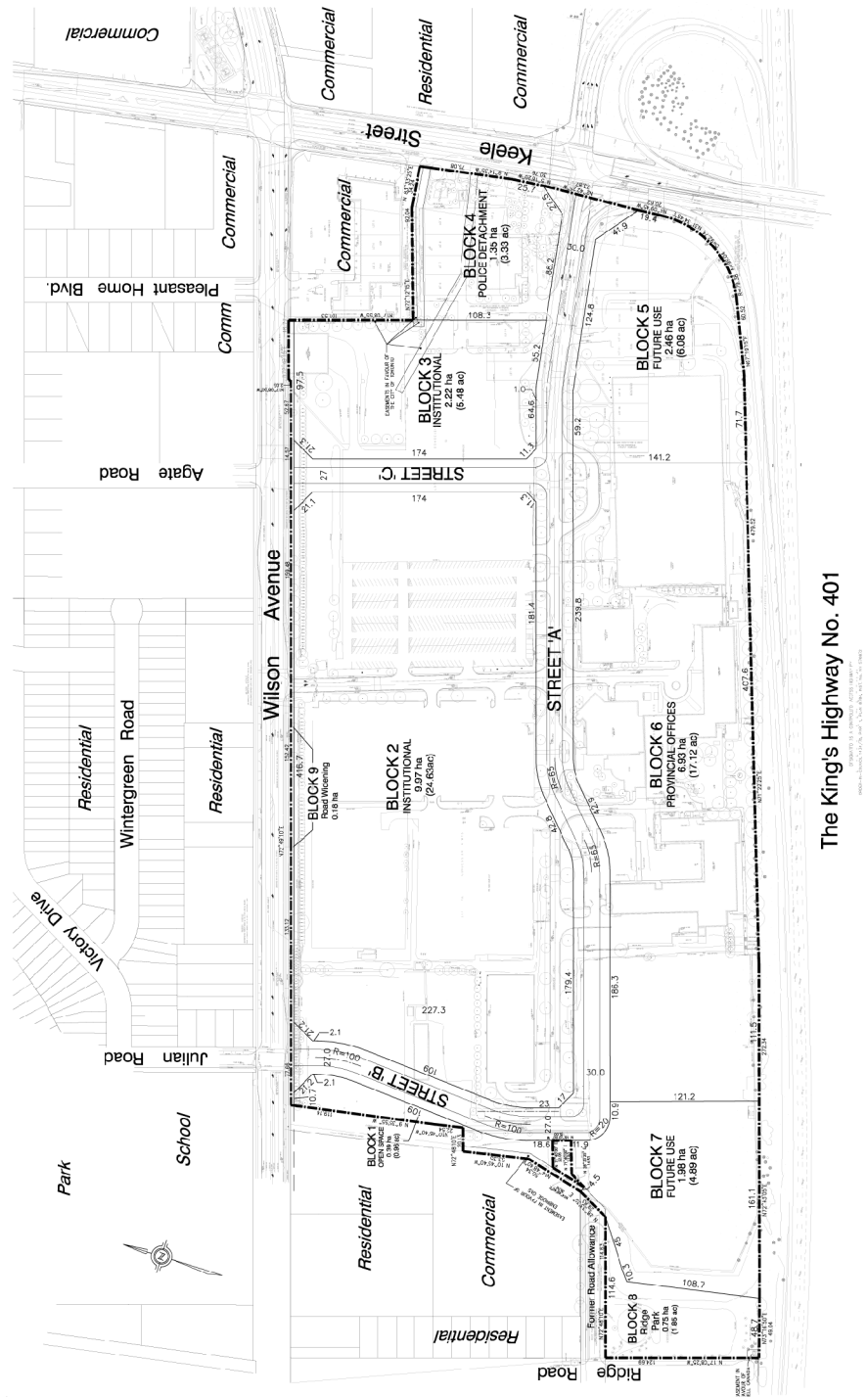
1201 Wilson Avenue

Applicant's Submitted Drawing

Not to Scale
01/20/2010

File # 09_106314

Attachment 2: Draft Plan of Subdivision



Draft Plan of Subdivision

1201 Wilson Avenue

Applicant's Submitted Drawing

Not to Scale
01/20/2010



File # 09_106314

Attachment 3: Draft Plan of Subdivision Conditions

DRAFT PLAN OF SUBDIVISION APPLICATION 09 106314 NNY 09 SB Conditions of Draft Plan Approval

That Draft Plan of Subdivision Application 09 106314 NNY 09 SB be draft plan approved, subject to the following conditions:

1. That this approval applies to the draft plan of subdivision prepared by Malone Given Parsons Ltd., dated January 19, 2009, as further revised to reflect the conditions below;
2. That the owner enter into and adhere to all conditions of the City's Subdivision Agreement;
3. That the appropriate Standard Conditions as shown below (Conditions 1 to 16) shall apply and be included in the Subdivision Agreement;
4. That the Specific Conditions (Conditions 1 to 8) shall apply and be included in the Subdivision Agreement; and
5. That draft approval shall expire after 5 years of the date of draft approval having been given.

STANDARD CONDITIONS OF APPROVAL FOR SUBDIVISIONS

1. Enter into the City's standard Subdivision Agreement and satisfy all pre-registration conditions.
2. The Official Plan land use designations and zoning implementing the Official Plan are in full force and effect.
3. The approval of this plan of subdivision will lapse if the subdivision is not registered within 5 years of the date of draft plan approval.
4. Dedicate all roads, corner roundings, and road widenings as required.
5. Convey to the City all 0.3metre (one foot) reserves on perimeters of all blocks as required.
6. Convey all necessary easements to the City.
7. Prepare all documents to convey lands in fee simple and easement interests to the City for nominal consideration, such lands to be free and clear of all physical and title encumbrances to the satisfaction of Technical Services in consultation with the City Solicitor.

8. Submit a draft Reference Plan of Survey, in metric units and integrated with the Ontario Co-ordinate System, showing as separate PARTS thereof the lands to be conveyed to the City to the Executive Director of Technical Services, for review and approval, prior to depositing it in the Land Registry Office.
9. Pay all costs for preparation and registration of reference plan(s).
10. Pay to the city a cash in lieu of parkland as provided for in the alternative rate by-law, in accordance with the terms of the Subdivision Agreement to the satisfaction of the General Manager of Parks, Forestry and Recreation.
11. Apply storm water management techniques in the development of this subdivision to the satisfaction of Technical Services.
12. Conduct an environmental site assessment for lands to be conveyed to the City in accordance with the terms and conditions of the standard Subdivision Agreement, including providing payment for a peer reviewer and the submission of a Record of Site Condition (RSC).
13. Pay engineering and inspection fees in accordance with the terms and conditions of the standard Subdivision Agreement.
14. Submit financial securities in accordance with the terms of the standard Subdivision Agreement.
15. Provide certification to the Executive Director of Technical Services by the Professional Engineer who designed and supervised the construction, that the site servicing facilities have been constructed in accordance with the accepted drawings.
16. Pay property taxes for the current taxation year.

SPECIFIC CONDITIONS

TECHNICAL SERVICES

1. The owner shall satisfy the requirements and conditions contained in the November 18, 2009 memorandum from Technical Services Division, North York District.

TRANSPORTATION SERVICES

2. The owner is to provide the City with written confirmation from the traffic consultant with concurrence from the City's Transportation Division that right-of-

way widths, preliminary functional designs of the future public roads and an aligned design with streets north of Wilson Avenue and east of Keele Street (in consultation with the Ministry of Transportation) are satisfactory.

3. The owner is to provide the City with written confirmation from the traffic consultant with concurrence from the City's Transportation Division, outlining the respective required traffic lanes at the Street 'B' / Wilson Avenue intersection, Street 'C' / Wilson Avenue intersection, Keele Street / Downsview Avenue intersection and any other location within this plan of subdivision where additional pavement is required above 13.6m. Also, minimum standard boulevard widths (as per City standards) are to be provided within these rights-of-way to accommodate utilities, trees, sidewalks etc.
4. The owner shall satisfy the requirements and conditions contained in the April 6, 2009 memorandum from Technical Services Division with respect to the design of Downsview Avenue immediately adjacent to the proposed hospital.
5. The owner shall satisfy the requirements and conditions of Transportation Services Division (Pedestrian and Cycling department) with respect to the ultimate location of proposed bike routes.

MINISTRY OF TRANSPORTATION

6. The owner shall submit to the Ministry of Transportation for their review and approval, a Traffic Impact Study to assess the impact of the development on the Highway 401 / Keele Street Interchange and Ramp Terminal Access, as well as the traffic internal to the subdivision.
7. The owner shall submit to the Ministry of Transportation for their review and approval, a Stormwater Management Report indicating the intended treatment of the calculated runoff.
8. The owner shall enter into a legal agreement with the Ministry of Transportation, whereby the owner agrees to assume financial responsibility for all highway improvements to the Highway 401 / Keele Street Interchange and Ramp Terminal Access, as a direct result of this development.

Attachment 4: Application Data Sheet

Application Type	Draft Plan of Subdivision	Application Number:	09 106314 NNY 09 SA
Details		Application Date:	February 2, 2009

Municipal Address:	1201 WILSON AVE
Location Description:	CON WY PT LOT 10 PLAN 3871 LOT 2 TO LOT 9 PLAN 4291 LOT 6 TO LOT 26 **GRID N0905
Project Description:	Redevelop with mixed uses including the Humber River Regional Hospital (HRRH), Forensics Service and Coroners Complex (FSCC) and provincial office buildings

Applicant:	Agent:	Architect:	Owner:
NICK PILEGGI			ONTARIO REALTY CORPORATION

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	O3	Historical Status:	
Height Limit (m):		Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	298700	Height:	Storeys:	12
Frontage (m):	639		Metres:	0
Depth (m):	0			
Total Ground Floor Area (sq. m):	0			Total
Total Residential GFA (sq. m):	0		Parking Spaces:	0
Total Non-Residential GFA (sq. m):	230836.4		Loading Docks	0
Total GFA (sq. m):	230836.4			
Lot Coverage Ratio (%):	0			
Floor Space Index:	0.77			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	0
Bachelor:	0	Retail GFA (sq. m):	0
1 Bedroom:	0	Office GFA (sq. m):	70114
2 Bedroom:	0	Industrial GFA (sq. m):	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	160722.4
Total Units:	0		0

CONTACT:	PLANNER NAME:	Heather Inglis Baron, Senior Planner
	TELEPHONE:	(416) 395-7073

Attachment 5: Letter from Ontario Realty Corporation



Mr. Tom Keefe
North York Civic Centre
5100 Yonge Street, Ground Floor
North York, ON M2N 3V7

October 6, 2009

Dear Tom,

**RE: Provincial Campus at Keele Street and Highway 401 (Downsview)
Proposed Plan of Subdivision and Zoning Bylaw
City files 09 106314 NNY 09 SB & 09 106294 NNY 09 OZ**

This letter is a follow up to my voicemail as well as recent conversations with your staff and other key stakeholders on the various initiatives and timing issues regarding the proposed Provincial campus at Keele/401

As you are no doubt aware, the Ontario government through Minister Smitherman (who is responsible for infrastructure projects and to whom ORC reports), has made a public commitment to the speedy delivery of provincial infrastructure stimulus projects. In respect to the provincial Downsview project, we are very concerned that the required delivery timing will be a challenge in view of a number of factors, including the effects on the planning process due to the recent municipal strike and the required focus on other larger more contentious projects occurring in the area.

Over the last 18 months, our various teams have been working very closely in a proactive and collaborative manner to ensure this project meets city and provincial requirements (thanks again to you and your team). Our discussions and meetings have all focused on the critical need to meet the commitment to complete the new Forensic Services and Coroner's Courts (FSCC) by the spring of 2012. This is a public purpose infrastructure project which is of importance for both the Province and the City. The delivery of this project anticipates the Council's approval for the subdivision plan by November 2009. We continue to seek your assistance and cooperation to meet that schedule or to work with us to find ways to ensure that the it proceeds expeditiously.

There are some specific issues we would like to raise as thoughts to streamline the process.

- The current Technical Service Comments/Notice of Approval Conditions comments in respect to the FSCC site plan received from the City of Toronto dated September 17th, 2009 reserves the possibility of additional modification or conditions. Any additional significant conditions, such as approval of the subdivision plan or other larger matters, would detrimentally affect the schedule.

1 Dundas Street West, Suite 2000	Phone: 416.327.3937
Toronto, ON M5G 2L5	Toll Free: 1.877.863.9672
Website: www.ontariorealty.ca	Fax: 416.327.1906

- We believe we can deal with the transportation issue differently as the Forensics project is not a factor in this area. ORC has filed an updated transportation report in response to the City's comments (which we received back in mid Sept after the strike). ORC is committed to enabling and funding a third-party review of its transportation study. However, we do not believe the completion of the third party review should be a condition of subdivision approval or any other approval, but rather should be dealt with and agreed to separately and outside the approval process.
- We believe we do not require a possible separate site plan requirement for the surface parking on Block 6 required to deal with the reduction and displacement of 40 acres of current parking and have concerns with a possible requirement of Record of Site Condition for the conveyances to the City. In respect to these two items, and others related to the application of some City by-laws, our office will contact your staff directly to discuss.

We clearly believe that with the City's continued cooperation we can meet the scheduling commitments for the FSCC development. However, I would like to discuss the potential merit and logic in ORC exercising the Province's right to sub-divide property as part of the subdivision plan process. Reserving the mechanics of subdivision to ORC, while still reaching written agreement with the City on the conditions for exercising subdivision, may save valuable time in completing this project (especially as we have conducted 2 Public Consultation meetings and numerous other public open houses with virtually no issues/comments on FSCC's development).

Finally, on a related matter, we wish to confirm that ORC has been advised by the government that, in respect to the subdivision or site plan agreement or any other agreement with the City arising from this project and any other Provincial projects, ORC and Infrastructure Ontario will not be able, on behalf of the Province, to provide indemnities, letters of credit or deposits.

I would like to schedule a separate meeting with you and your team to discuss any of the matters raised here while continuing to work toward our shared goals.

My Regards,

Toni Rossi

Vice President, Real Estate Development
Strategic Asset Management
Ontario Realty Corporation

cc: Neil Cresswell – City of Toronto, Planning
Peter J. Johnson – ORC, Legal