

**30 Tippet Road - Zoning By-law Amendment Application
- Preliminary Report**

Date:	January 29, 2013
To:	Planning and Growth Management Committee
From:	Chief Planner and Executive Director, City Planning Division
Wards:	Ward 10 – York Centre
Reference Number:	P:\2013\Cluster B\PLN\PGMC\PG13014 File No: 12 294187 NNY 10 OZ

SUMMARY

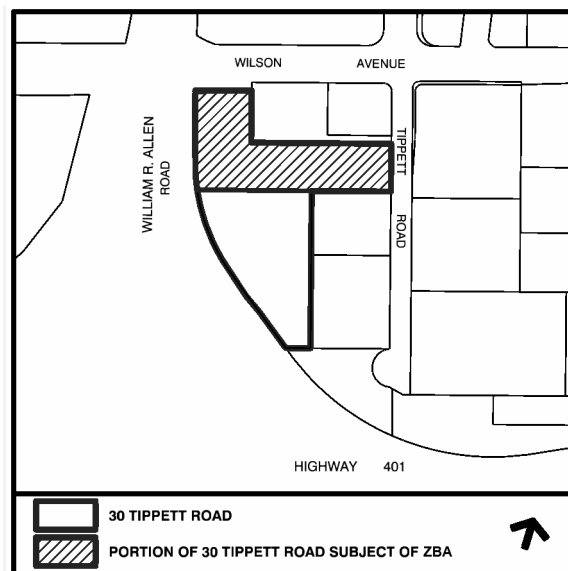
The applicant's rezoning application proposes to amend the zoning by-law to allow two primarily residential buildings including live-work units on the western portion of the site of 13 and 12 storeys with a maximum height of 46 metres. The buildings consist of 290 units with 268 residential units and 22 ground floor live-work units. These buildings would be connected by a 2-storey lobby and common amenity building. Proposed on the eastern portion of the site are 30 three storey townhouse units in 6 blocks. The total gross floor area would result in an overall site density of 2.5 FSI.

This report provides preliminary information on the above-noted application and seeks Planning and Growth Management Committee's directions on further processing of the application and on the community consultation process.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to coordinate the review of this application at 30 Tippet Road together with the application for Official Plan Amendment, as directed by Planning and Growth Management



Committee on February 16, 2012.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

On June 11, 2007 City Council considered a Final Report to amend the Official Plan and the former City of North York Zoning By-law for the segment of Wilson Avenue running generally between Keele Street and Bathurst Street to fully implement the results of the Wilson Avenue – *Avenue Study*. As part of this study, a number of properties fronting Wilson Avenue were zoned to "Avenues Mixed Use (AV-MU)". The subject site was not rezoned to permit mixed use development but retained its existing Industrial-Commercial MC(H) zoning given the applicable *Employment Areas* Official Plan designation.

On August 17, 2011 the Ontario Municipal Board approved the Downsview Area Secondary Plan. The entire 30 Tippet Road property has now been included within the boundaries of the Downsview Area Secondary Plan. The Secondary Plan continues the employment land use designation.

At its February 16, 2012 meeting, Planning and Growth Management Committee considered a Preliminary Report for the Official Plan Amendment at 30 Tippet Road, and recommended that the frontage of the site is determined to be located within an Avenue under Map 2 of the City of Toronto Official Plan and provided direction that staff proceed to process the owner's application and schedule a community consultation meeting. That report along with Committee's decision can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.PG11.2>

At its May 30, 2011 meeting, Planning and Growth Management Committee provided direction to the Chief Planner and Executive Director, City Planning on a general work program and a public consultation strategy for the 5 Year Official Plan Review and Municipal Comprehensive Review. This statutory review is now underway. The link to the decision can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.PG5.2>

A preliminary planning assessment of the subject conversion request is contained in the report of the Chief Planner and Executive Director, City Planning, considered by the Planning and Growth Management Committee at its November 8, 2012, meeting. The link to the report can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.PG19.5>

Pre-Application Consultation

A pre-application consultation meeting was held with the applicant to discuss complete application submission requirements prior to submission of the Official Plan amendment application in November 2011.

ISSUE BACKGROUND

Proposal

The applicant has made an application to amend the City's Official Plan to permit a mixed-use residential and commercial development through the conversion of employment lands. In support of that application to amend the Official Plan, this application has been submitted to amend the zoning by-law to permit the mixed-use development on a portion of the land at 30 Tippett Road.

The applicant's rezoning application proposes to amend the zoning by-law to permit two residential buildings with live/work units on the western portion of the site of 13 and 12 storeys with a maximum height, inclusive of mechanical penthouse, of 46 metres (150 feet). Each tower floorplate is proposed at 841 m². The buildings have a total of 290 units with 268 residential units and 22 ground floor live-work units. The residential units consist of 92 one-bedrooms, 94 one-bedroom plus den, 102 two-bedroom and 2 two-bedroom plus den. These buildings would be connected by a 2-storey lobby and common amenity building. The live-work units are 2 storey units located on the ground and mezzanine floors of the building and are to provide 1,390 m² of non-residential retail and service commercial uses.

Proposed on the eastern portion of the site are 30 three storey townhouse units in six blocks. All townhomes are proposed as three-bedroom units. Three townhouse blocks consisting of 14 units would front on to a private driveway, one townhouse block with 6 units would front on to Tippett Road and the remaining two blocks facing south with 10 units would front on to an 8.25 metre wide shared private access driveway that is proposed as a future public right-of-way 16.5 metres in width. The total number of dwelling units for this development including both buildings and townhouses is 320 units with a proposed density of 2.5.

Vehicular access to the site, including access to the two towers, townhouses and remaining commuter parking lot is proposed by way of the 8.25 metre wide shared driveway from Tippett Road. The applicant is proposing an easement to ensure this arrangement and that it is converted into a public right-of-way in the future when the lands to the south are redeveloped. The proposed future right-of-way would extend approximately midway through the site and terminate in a cul-de-sac. There are a total of

360 parking space provided within a 3 level below grade parking garage including 59 visitor parking spaces. The proposal includes for 126 bicycle parking spaces.

Site and Surrounding Area

The property known municipally as 30 Tippet Road is irregularly shaped having an area of 22,951 m² (247,047 ft²) and is located south of Wilson Avenue on the east side of Allen Road. The northern portion of this property with an area of 11,540 m² is the subject of this application to amend the zoning by-law. The lot is relatively flat with a frontage of approximately 45 metres on Tippet Road which provides access to the site. The property does have frontage on Wilson Avenue, however, there is no access to or from Wilson Avenue and the land slopes down as a result of the underpass where Wilson Avenue travels beneath Allen Road. The entire site is paved and is currently used as the TTC 'South Commuter Parking Lot' for the Wilson Subway Station with 192 spaces.

The area contains a mix of uses including residential, commercial, institutional, retail and light industrial as follows:

North: The property at the southwest corner of Wilson Avenue and Tippet Road is 545 and 555 Wilson Avenue, which in July 2011 was rezoned to permit a mixed-use condominium development having 388 units with a base building of 8 storeys and two towers at 15 and 16 storeys. Across Wilson Avenue to the north (50 Wilson Heights Blvd.) is another TTC commuter parking lot.

South: The southern portion of the site will remain as a TTC commuter parking lot. Two 1-storey office/industrial buildings are located south of the entrance to the commuter parking lot at 4 and 6 Tippet Road. Further south is a 4-storey office building.

East: Gramercy Park at 525 Wilson Avenue is a 12-storey mixed-use building containing 512 residential units. South of that at 9 Tippet Road is a one-storey warehouse building used as a temporary sales centre for the Gramercy Park development. An application has been submitted for 9 Tippet Road seeking to convert this property from employment lands to residential to permit a building with a maximum height of 14-storeys and 443 dwelling units.

West: Allen Road abuts the site to the west. The western end of the site also includes a TTC subway entrance to Wilson Station. West of Allen Road is a commercial shopping area containing a Costco, Home Depot, Best Buy and other commercial uses.

The properties at 4 Tippet Road and 50 Wilson Heights Boulevard have submitted letters to the City requesting consideration for redesignation of their lands from *Employment Areas* to *Mixed Use Areas* as part of the City's Municipal Comprehensive review.

Applications for Official Plan or Zoning By-law Amendments have not been received for these sites.

Statutory Official Plan Review of Areas of Employment Under the Planning Act

The City is currently undertaking the five Year Review of the Official Plan as required under Section 26 of the *Planning Act*. Section 26 1(b) of the *Planning Act* requires municipalities to revise the Official Plan, as it contains policies dealing with areas of employment including, without limitation, the designation of areas of employment in the Official Plan and policies dealing with the removal of land from areas of employment to ensure those policies are confirmed or amended.

The City is therefore reviewing all the policies in the Official Plan addressing areas of employment and the designation of lands currently shown on Maps 13 to 24 of the Official Plan as *Employment Areas*. The City is also reviewing policies regarding the removal of land from these areas of employment. The City has a statutory obligation to undertake this review under the *Planning Act*, and would have this obligation even if the Growth Plan and PPS did not address this matter.

Provincial Policy Statement

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS establishes the policy foundation for regulating the use and development of land. City Council's planning decisions are required to be consistent with the PPS.

The PPS requires the City to promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment (including industrial, commercial and institutional uses) to meet long-term needs;
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
- c) planning for, protecting and preserving *employment areas* for current and future uses; and
- d) ensuring the necessary *infrastructure* is provided to support current and projected needs.

The PPS defines *employment areas* as those areas designated in an Official Plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.

Section 1.3.2 of the PPS states that the City may only give consideration to converting lands within *employment areas* to non-employment uses when a *comprehensive review* has met the following two-part test:

- (i) the land is not required for employment purposes over the long-term; and
- (ii) that there is a need for the conversion.

Growth Plan for the Greater Golden Horseshoe

The Growth Plan 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.

The Growth Plan requires the City to maintain an adequate supply of lands providing locations for a variety of appropriate employment uses to accommodate the employment growth forecasts of the Plan. The Plan requires municipalities to promote economic development and competitiveness by:

- a) providing for an appropriate mix of employment uses including industrial, commercial and institutional uses to meet long-term needs;
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
- c) planning for, protecting and preserving *employment areas* for current and future uses; and
- d) ensuring the necessary infrastructure is provided to support current and forecasted employment needs.

The definition of an *employment area* in the Growth Plan is the same as that used in the PPS.

Municipalities may permit conversion of lands within employment areas to non-employment uses only through a *Municipal Comprehensive Review*. The Growth Plan clarifies and strengthens the application of the PPS as it applies to employment lands, in particular by clarifying the definition of *Municipal Comprehensive Review* by defining it as: "an Official Plan review, or an Official Plan Amendment, initiated by a municipality that comprehensively applies the policies and schedules of this Plan" (Growth Plan). Consistent with the PPS, the Growth Plan limits such conversions only where it has been

demonstrated through the *Municipal Comprehensive Review* that it meets a number of criteria.

The PPS and the Growth Plan require municipalities to promote economic development and competitiveness by planning for, protecting and preserving employment areas for current and future employment uses. Approval of the subject application without first undertaking a *Municipal Comprehensive Review* would be contrary to the *Places to Grow Act 2005* which requires that all municipal planning decisions conform with the Growth Plan and would be premature.

Official Plan

The portion of the subject property with frontage on Wilson Avenue is identified as an *Avenue* on Map 2 of the Official Plan. Policy 4 of Section 2.2.3, *Avenues: Reurbanizing Arterial Corridors* states that the land use designation policies in Chapter 4 apply to and prevail on lands shown as *Avenues* on Map 2. *Avenues* are important corridors located along major streets where reurbanization is anticipated and are intended to develop as important corridors where not only new housing will be created but also employment and new jobs.

Policy 1 of Section 2.2.4, *Employment Districts: Supporting Business and Employment Growth* maintains that *Employment Districts* will be protected and preserved exclusively for economic activity to achieve a variety of identified city-building objectives. The property is designated *Employment Areas*. The intent of the *Avenue* in this location along Wilson Avenue is reurbanization that includes new jobs and employment consistent with this land use designation, and does not include residential uses.

The land use designation of the property is *Employment Areas* as shown on Land Use Plan, Map 16. The land use policies of Section 4.6, *Employment Areas* state that *Employment Areas* are intended to be places of business and economic activity. Uses that support this function consist of offices, manufacturing, warehousing, distribution, research and development facilities, utilities, media facilities, parks, hotels, retail outlets ancillary to the preceding uses, and restaurants and small scale stores and services that serve area businesses and workers.

Downsview Area Secondary Plan

The Downsview Area Secondary Plan designates the entire property as *Employment Areas* and it is located within the Wilson District of the Plan. The Secondary Plan requires a minimum gross density of 0.75 times the area of the lot and a maximum density of 1.0 times on the entire property. The proposal will be reviewed in the context of relevant Secondary Plan policies such as, but not limited to: Transportation, Public Realm, Built Form, Community Services and Facilities, and Section 37.

Prior to any development within the District, District Plans are required to be completed to the satisfaction of the City which outlines development principles and guidelines at a

level of detail not practical within the Secondary Plan. District Plans will provide a context within which to prepare and review development applications, such as Zoning By-law Amendments and Draft Plans of Subdivision.

Zoning

The entire property is zoned Industrial-Commercial MC(H) Zone, which permits a variety of industrial, commercial and institutional uses. The MC zone permits a maximum floor space index of 1.0. The Holding (H) provision restricts retail stores, personal service shops and office uses to a maximum of 5,000m² or 0.5 F.S.I.

The site is also subject to the height restrictions related to the former Downsview Airport, now operated by Bombardier Aerospace, and imposed by Schedule “D” (Airport Hazard Map). The Schedule restricts maximum building and structure heights to 15.24 metres.

Other Planning Applications

The applicant submitted an application to amend the City of Toronto Official Plan which is under review. A site plan application to implement the proposed development has not yet been submitted.

Reasons for the Application

The proposed residential uses are not permitted in the existing MC(H)zone category of the Zoning By-law.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Rezoning Planning Report,
- Toronto Green Standard – Checklist,
- Noise and Vibration Impact Study,
- Arborist Report,
- Transportation Impact Study,
- Stormwater Management Report,
- Functional Servicing Report,
- Pedestrian Wind Assessment,
- Community Services and Facilities Review,
- Environmental Soil and Groundwater Investigation,
- Preliminary Geotechnical Investigation,
- Shadow Study, and

- Draft Zoning By-law.

A Notification of Incomplete Application issued on January 11, 2013 identifies the outstanding material required for a complete application submission as follows:

- A survey or reference plan identifying the portion of 30 Tippet Road to be rezoned (the survey submitted is of the entire land holdings and does not describe the land that is subject to the rezoning); and
- A boundary and topographical survey of the entire site (the boundary and topographical survey submitted is for 545-555 Wilson Avenue and only includes a small portion of 30 Tippet Road).

Planning Act/Five Year Review

At its meeting held on November 8, 2012, the Planning and Growth Management Committee adopted a Report from the Chief Planner which outlined proposed City-wide *Employment Areas* policy directions. As an attachment to that Report, Planning staff included preliminary assessments for a number of site specific conversion requests from Employment to non-Employment uses, including the subject site at 30 Tippet Road.

Although the *Municipal Comprehensive Review* (MCR) has not been completed, a preliminary assessment based on the criteria in the *Growth Plan* and the *Provincial Policy Statement* has determined that the subject lands, along with additional lands in the Tippet Road area, as identified in the report, could be converted through re-designation to *Regeneration Areas*, but only through the creation of a site and area specific policy or secondary plan to address Section 4.7 of the Official Plan and other matters as identified in the report. Community Planning staff will consult in the near future with area landowners, applicants and nearby residents, and conduct a study to establish proposed area specific Official Plan policies to guide regeneration of the Tippet area.

Links to the Planning staff report can be found at:

<http://www.toronto.ca/legdocs/mmis/2012/pg/bgrd/backgroundfile-51493.pdf> (Part 1)

and

<http://www.toronto.ca/legdocs/mmis/2012/pg/bgrd/backgroundfile-51834.pdf> (Part 2)

City Council, on November 27, 28 and 29, 2012, adopted the Planning and Growth Management Committee recommendations with further amendments. A link to the City Council decision can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.PG19.5>

Issues to be Resolved

Area Wide Issues

The preliminary planning assessment of the subject conversion request contained in the November 8, 2012 report, identifies that the site and surrounding employment area could

be converted through re-designation to *Regeneration Areas*, but only as part of the MCR and through the creation of area specific policies to address matters relating to a transition to residential uses in the area. In addition to *Regeneration Areas* policies of the Official Plan and on a preliminary basis, the following issues have been identified that would impact the larger area as a result of the proposed re-designation and potential conveyance:

- The creation of a site and area specific policy or secondary plan;
- Downsview Area Secondary Plan policies to appropriately assess the proposed land use change;
- Issues related to the potential comprehensive development of lands in the southeast and northeast quadrants of the intersection of Wilson Avenue and Allen Road;
- Land use changes for this site and the larger area as proposed by other applications;
- Proposed street and block plan for the area;
- The availability and adequacy of community services and facilities to accommodate the proposed residential development and increased residential development proposed in the area;
- Assessment of pedestrian connections, street patterns, parks and open spaces, public realm and public accessibility in the area including access to the Wilson Subway Station and the subject property;
- Traffic impacts and parking;
- The appropriateness and location of pedestrian and bicycle routes through the site and connections to adjacent properties and the wider area; and
- The proposed density and distribution of building heights and their appropriateness given their proximity to the Bombardier Aerospace facility and its associated flight path regulations.

Site Specific Design

In addition to the above noted land use and area-wide issues, there are a number of site specific issues that would need to be evaluated to assess the merits of the proposed plan. Such issues include, but are not limited to:

- The appropriateness of the development being served through private streets;
- Public access to the TTC subway entrance;
- The timing and configuration of a future public right-of-way;
- The location, orientation and organization of the building and site including service areas, building entrances and ground floor uses;
- The height and massing of the building to achieve appropriate built form and relationships to the street, surrounding properties, recent development sites and uses, including setbacks, stepbacks, building separation distances and building footplates;
- An evaluation of the vehicular access points and shared driveways;
- Conformity with Tall Buildings Guidelines;

- The townhouse component of the applicant's proposal raises a number of concerns and will have to be reviewed in detail using the Infill Townhouse Guidelines and Development Infrastructure Policy and Standards (DIPS);
- Appropriate Section 37 contributions and benefits would also be reviewed; and
- Compliance with the Tier 1 performance measures of the Toronto Green Standard.

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

CONTACT

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SIGNATURE

Jennifer Keesmaat, MES, MCIP, RPP
Chief Planner & Executive Director
City Planning

ATTACHMENTS

Attachment 1: Site Plan

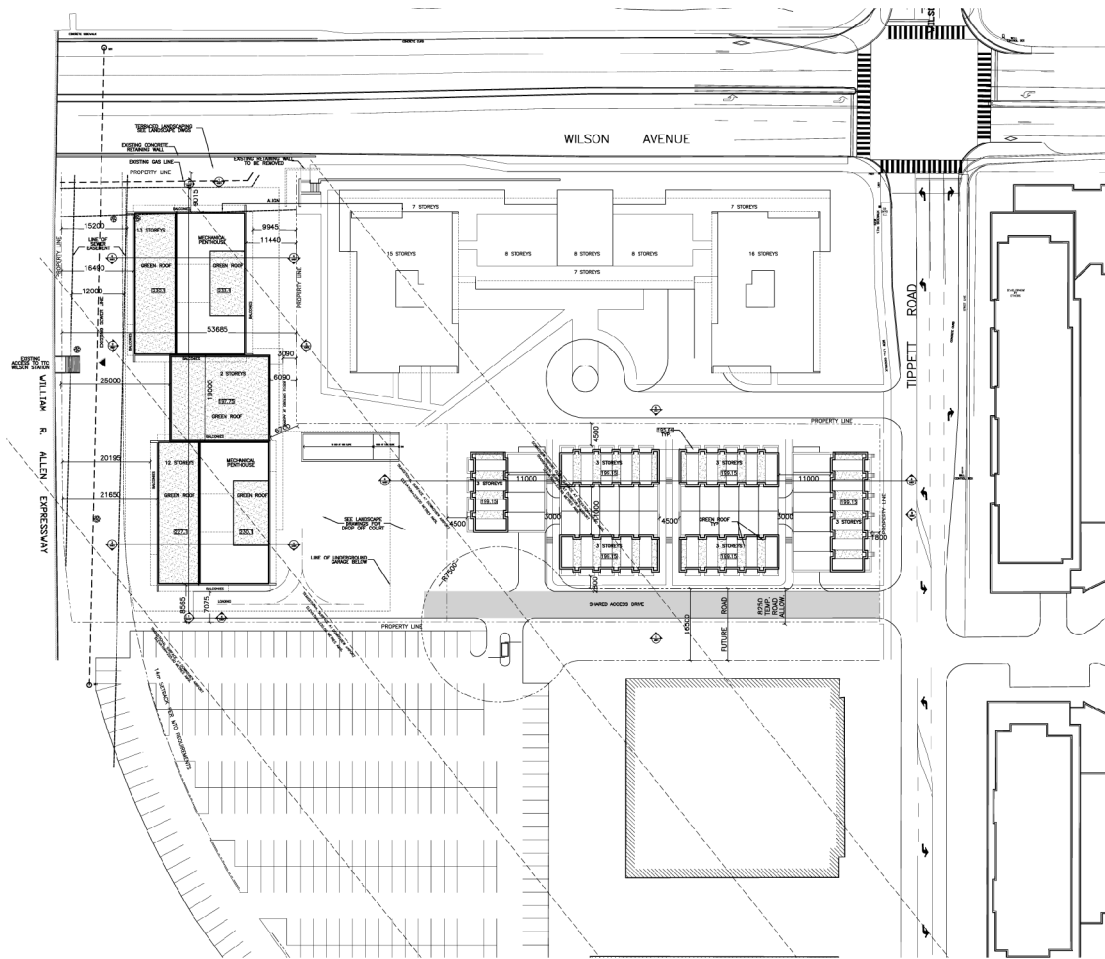
Attachment 2A – 2B: Elevations

Attachment 3: Official Plan

Attachment 4: Zoning

Attachment 5: Application Data Sheet

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

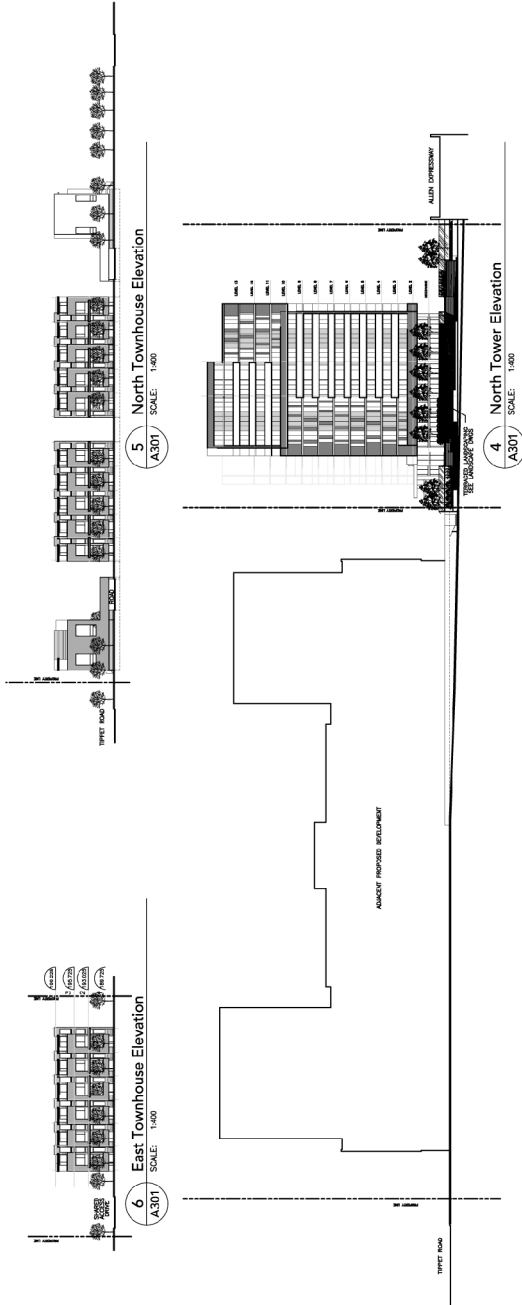
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01/09/2013



30 Tippet Road

File # 12 294187 NNY 10 0Z

Attachment 2A: Elevations



30 Tippet Road

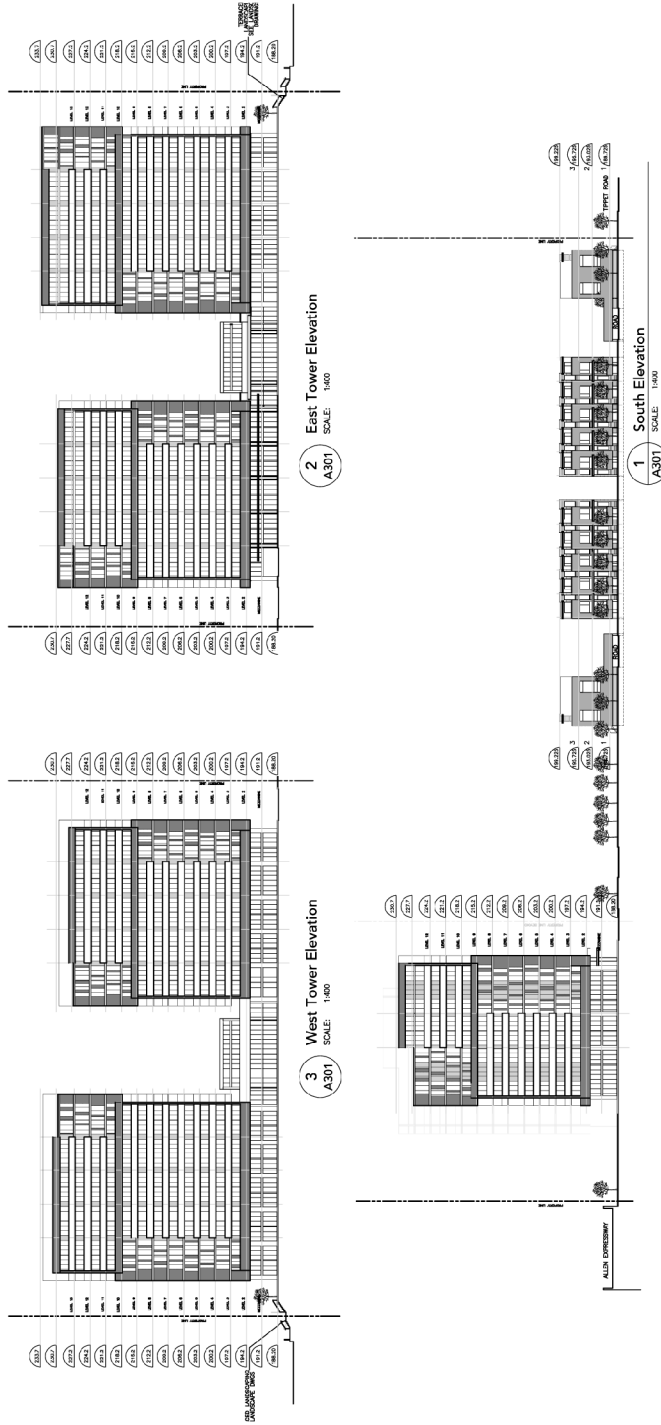
Elevations

Applicant's Submitted Drawing

Not to Scale
01/09/2013

File # 12 294187 NNY 10 02

Attachment 2B: Elevations



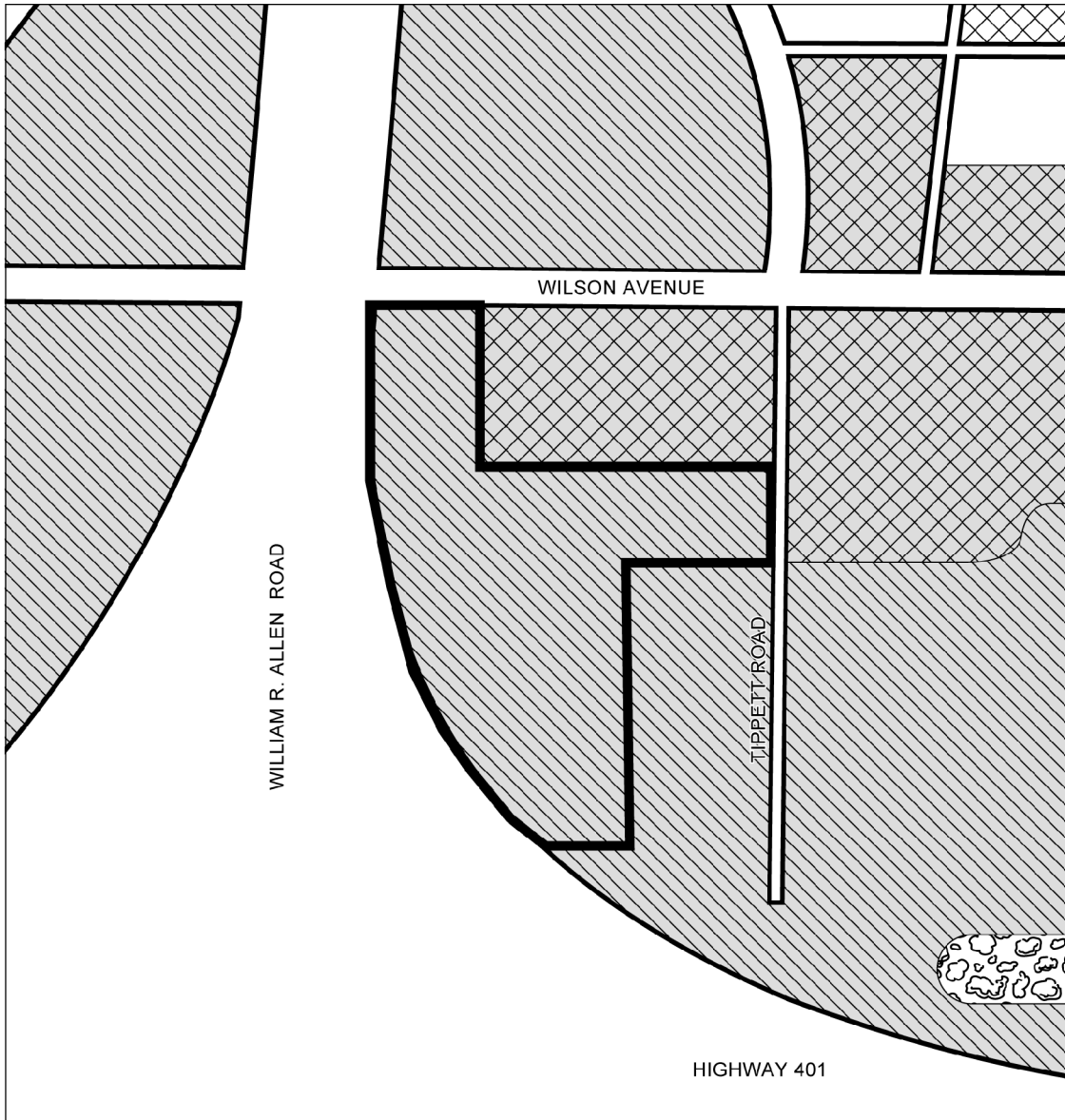
30 Tippet Road

Elevations
Applicant's Submitted Drawing

File # 12 294187 NNY 10 0Z

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Attachment 3: Official Plan



TORONTO City Planning
Official Plan

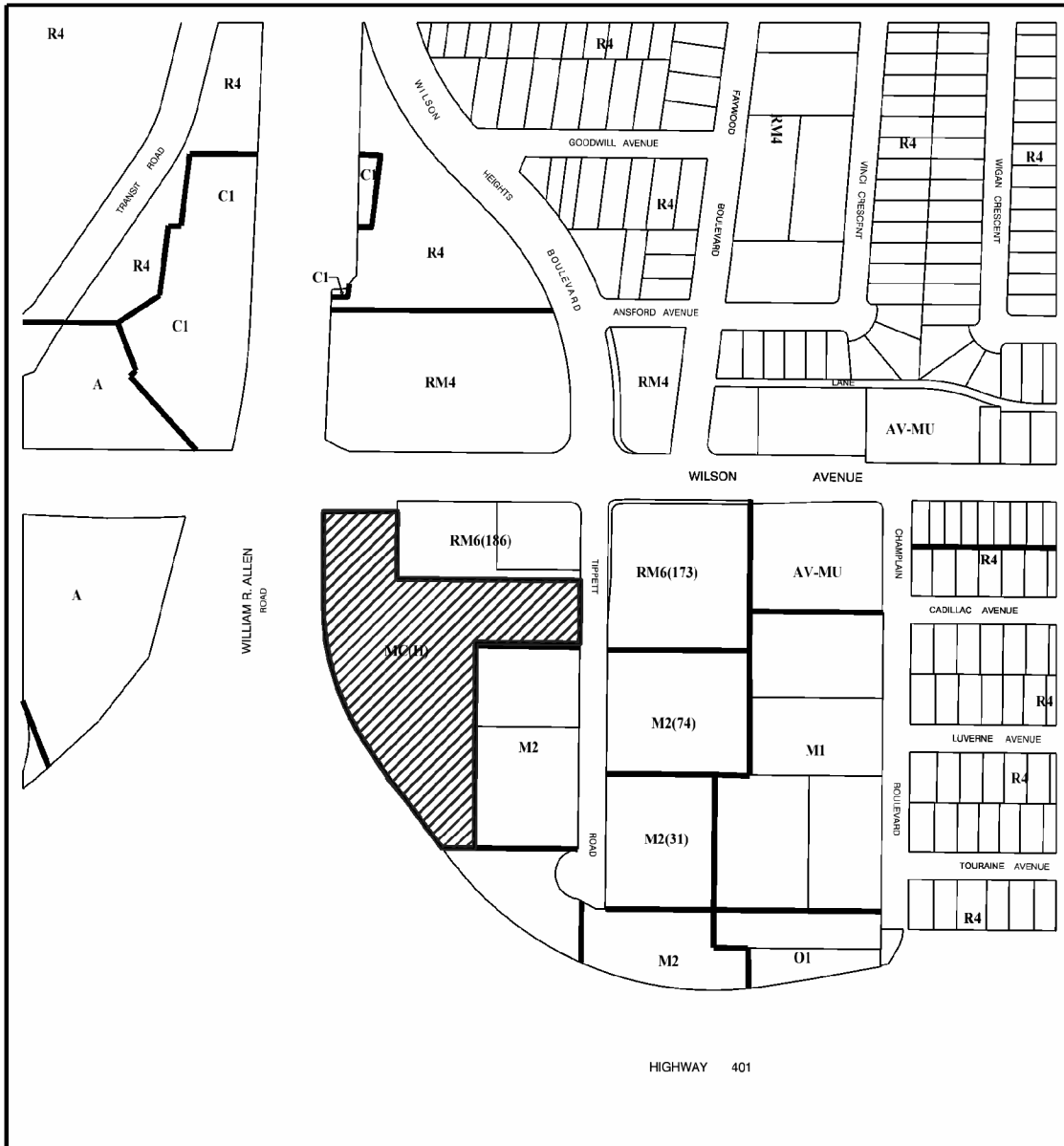
30 Tippet Road

File # 12 294187 NNY 10 0Z

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



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Attachment 4: Zoning



30 Tippet Road
File # 12 294187 NNY 10 02

- | | | |
|--|-------------------------------|----------------------------|
| R4 One-Family Detached Dwelling Fourth Density Zone | M1 Industrial Zone One | A Airport Hazard Area Zone |
| RM4 Multiple-Family Dwellings Fourth Density Zone | M2 Industrial Zone Two | |
| RM6 Multiple-Family Dwellings Sixth Density Zone | MC Industrial-Commercial Zone | |
| C1 General Commercial Zone | AV-MU Avenues Mixed Use | |
| NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category | O1 Open Space Zone | |


 Not to Scale
 Zoning By-law 7625
 Extracted 01/09/2013

Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	12 294187 NNY 10 OZ
Details	Rezoning, Standard	Application Date:	December 14, 2012
Municipal Address:	30 TIPPET RD		
Location Description:	PLAN 4402 PT LOT 2 PLAN 2466 PT BLK A RP 64R6322 PART 1 **GRID N1006		

Project Description: This application has been submitted in support of an OP amendment application submitted in November 2011. Proposed are two condominium apartment buildings of 13 & 12 storeys located on the western portion of the site having a total of 290 dwelling units including 22 live-work units. The maximum building height is approximately 46 m. These buildings would be connected by a 2-storey lobby & common amenity building. Proposed on the eastern portion of the site are 30 three storey townhouse units in 6 blocks. A total of 360 residential parking spaces are proposed of which 59 would be dedicated for visitors. Parking for the towers would be provided in a multi-level below grade parking garage having 330 spaces and 30 parking spaces would be provided within below grade garages for the townhouses. Site access would be from a private driveway along the southern portion of the site that is eventually to become a new public road. (X-ref: 11 312374 NNY 10 OZ)

Applicant:	Agent:	Architect:	Owner:
SHIPLAKE MANAGEMENT CO			Build Toronto

PLANNING CONTROLS

Official Plan Designation:	Employment Areas	Site Specific Provision:
Zoning:	RM6(173)	Historical Status:
Height Limit (m):		Site Plan Control Area:

PROJECT INFORMATION

Site Area (sq. m):	11534	Height:	Storeys:	13
Frontage (m):	45.7		Metres:	46
Depth (m):	102.96 / 184.4			
Total Ground Floor Area (sq. m):	3,825			Total
Total Residential GFA (sq. m):	28,715		Parking Spaces:	360
Total Non-Residential GFA (sq. m):	0		Loading Docks	1
Total GFA (sq. m):	28,715			
Lot Coverage Ratio (%):	33			
Floor Space Index:	2.5			

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	186
2 Bedroom:	104
3 + Bedroom:	30
Total Units:	320

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	28715	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

CONTACT: PLANNER NAME: John Andreevski, Senior Planner, 416-395-7095