

## 362 Wallace Ave – Official Plan Amendment and Zoning Amendment Applications – Request for Direction Report

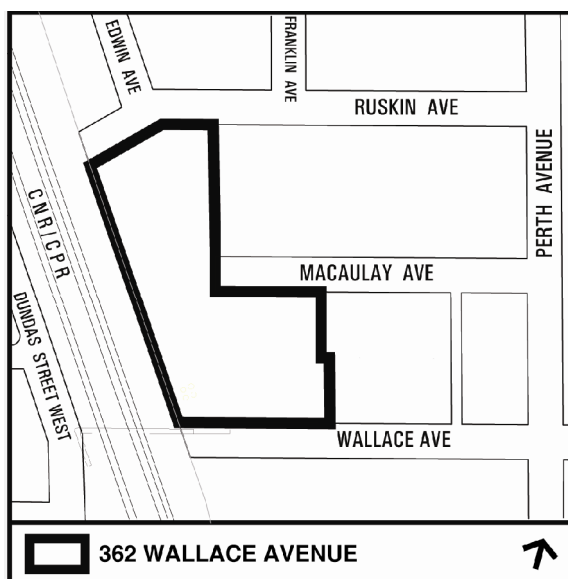
<b>Date:</b>	November 13, 2013
<b>To:</b>	Planning and Growth Management Committee
<b>From:</b>	Chief Planner and Executive Director, City Planning Division
<b>Wards:</b>	Ward 18 – Davenport
<b>Reference Number:</b>	P:\2013\ClusterB\PLN\PGMC\PG13091 (11 286663 STE 18 OZ)

### SUMMARY

This application proposes to amend the Official Plan and the Zoning By-law to permit 167 residential units, and 20 light industrial units at 362 Wallace Avenue which is designated *Employment Areas* and zoned Industrial. Also included in the proposal is a new public road connecting Ruskin Avenue and Wallace Avenue and the western extension of McCauley Avenue. A new community facility on Ruskin Avenue is proposed, along with new connections to the West Toronto Railpath. All parking, including the required visitor parking, is proposed to be underground.

This report reviews and recommends approval of the applications to amend the Official Plan and the Zoning By-law, and directs staff to attend the Ontario Municipal Board hearing set for January 9 and 10, 2014 in support of the proposed development, subject to appropriate conditions of approval.

This site is also the subject of a Final Report, on the same agenda of the Planning and Growth Management Committee, which will address the Subdivision application on the site and advises that the Chief Planner intends to approve the Draft Plan of Subdivision subject to appropriate conditions of approval.



## RECOMMENDATIONS

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### The City Planning Division recommends that:

1. City Council authorize the City Solicitor together with City Planning Staff and any other appropriate staff to attend the Ontario Municipal Board Hearing scheduled for January 9 and 10, 2014 with respect to 362 Wallace Avenue and support the proposal described in this report dated November 13, 2013 from the Chief Planner and Executive Director, City Planning Division, including the draft Official Plan and draft Zoning By-law Amendments attached as Attachments No. 11 and 12.
2. City Council authorize the City Solicitor together with City Planning Staff and any other appropriate staff to attend the Ontario Municipal Board Hearing scheduled for January 9 and 10, 2014 with respect to 362 Wallace Avenue and support the proposal described in this report dated November 13, 2013 from the Chief Planner and Executive Director, City Planning Division, including the draft Zoning By-law Amendment attached as Attachment No. 12.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.
4. City Council direct staff to request that the Ontario Municipal Board withhold its final order approving the Zoning By-law until the Owner has entered into an Agreement with the City pursuant to Section 37 of the Planning Act as follows:
  - a. The community benefits recommended to be secured in the Section 37 Agreement are as follows:
    - i. the owner is responsible, at its own cost, for the construction and fitting out of a 475 square metre community facility on the site to the satisfaction of the Chief Planner and Executive Director, City Planning Division, and/or the Chief Corporate Officer, and/or the General Manager, Parks, Forestry and Recreation;
    - ii. the owner is responsible for the design, total cost and construction of the realignment of the eastern staircase of the Wallace Street Pedestrian Bridge, all to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the General Manager of Transportation Services; and
    - iii. the owner is responsible, at its own cost, for an interpretive program on site to provide information to the public on the history of the Wallace Street Pedestrian Bridge, all to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

- b. The following matters are also recommended to be secured in the Section 37 Agreement in support of the development, all at the owners own cost:
  - i. the owner will provide for any improvements to the municipal infrastructure in connection with the site servicing report, as accepted by the Executive Director of Engineering and Construction Services should it be determined that upgrades to such infrastructure is required to support this development;
  - ii. the owner shall comply with all parkland dedication conditions as listed in the Memorandum from the General Manager of Parks, Forestry and Recreation to the City Planning Division dated October 8, 2013;
  - iii. the owner will provide a water line connection from the site to the West Toronto Railpath generally in the location of the western terminus of Wallace Avenue which can be used by the city for a water fountain; and
  - iv. the owner will provide a separately metered hydro connection from the site to the West Toronto Railpath generally in the location of the western terminus of Wallace Avenue.
- 5. City Council direct that any cash-in-lieu (CIL) of parkland dedication payment that is above the first 5%, be directed towards the cost of the construction of the community facility.
- 6. City Council direct that a credit be provided to the owner, for the construction of the community facility, against all or part of the Parks, Forestry and Recreation component of the development charges applicable to the development.
- 7. City Council authorize the appropriate City staff to take any necessary steps to implement the foregoing.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

The Preliminary Report for the Official Plan Amendment applications was adopted by the Planning and Growth Management Committee on January 5, 2012. The report can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.PG10.7>

This site was referenced in the report dated October 23, 2012 regarding the Official Plan Review and the Municipal Comprehensive Review. This report can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.PG19.5>

The conversion of a portion of this site from *Employment Areas* to *Neighbourhoods and General Employment Area* is also discussed in the Final Report on the Municipal Comprehensive Review from the Chief Planner and Executive Director, City Planning Division which will be submitted

to the November 21, 2013 meeting of the Planning and Growth Management Committee meeting.

A Final Report on the Subdivision application on the site is on the same Planning and Growth Management Committee agenda (December 4, 2013) as this Request for Direction report on the Official Plan and Zoning Amendment applications. These two reports should be considered concurrently.

## **ISSUE BACKGROUND**

### **Proposal**

The application is to permit the construction of 167 stacked townhouses, 20 non-residential condominium units, a new public road, an extension to Maccaulay Avenue and a new community facility at 362 Wallace Avenue.

A new public road proposed to be named Sousa Mendes Street, runs north/south generally from the southern end of Edwin Avenue to Wallace Avenue. Maccaulay Avenue will be extended westward to meet up with Sousa Mendes Street. On the west side of Sousa Mendes Street are 20, 2-storey non-residential condominium units with underground parking for 40 vehicles. The underground parking is accessed from Ruskin Avenue, between the community facility and the West Toronto Railpath. These units front onto the new street, back onto the West Toronto Railpath, and will contain uses such as office, small scale retail, workshops and studios. These units are permitted under the current Official Plan designation and the current zoning.

On the east side of Sousa Mendes Street are 167 stacked townhouse units, 13 metres in height arranged in blocks of 13-21 units, 3 blocks of which are located north of the Maccaulay Avenue extension and 6 blocks located south of the extension. All the townhouses face either north or south, with those on the perimeter of the blocks facing the streets and those on the interior of the site facing pedestrian walkways. All 179 resident parking spaces are provided underground with driveway access off Wallace Avenue. Twenty-two visitor parking are proposed to be located below grade and nineteen new on-street parking spaces are located along Sousa Mendes Street. A 475 square metre community facility is proposed to be located at the northwest corner of the site, at the end of Ruskin Avenue. This community facility, and the land on which it sits will be owned by the City of Toronto, although the centre will be operated by a non-profit agency on behalf of the City.

As part of the development the stairs on the east end of the Wallace Street pedestrian bridge will have to be relocated. The existing stairs will be maintained while the new stairs are built, and the bridge will remain open during construction. See Attachments 1-7 for drawings of the proposal.

### **Site and Surrounding Area**

The irregular shaped site was previously used as a paint factory. All the buildings on the site have been demolished and site remediation has taken place, details of which are discussed in the Phase I Environmental report submitted with the application. The site is located on the east side of the Lower Galt Subdivision rail line, between Ruskin and Wallace Avenues.

*North:* To the north of the site, on the north side of Ruskin Avenue is the Toronto Hydro Junction Substation (*Employment Areas* in the Official Plan) and low scale, semi-detached houses which are designated *Neighbourhoods*.

*East:* To the east of the site are detached and semi-detached houses fronting on Ruskin, MaCaulay and Wallace Avenues, all of which are designated *Neighbourhoods* in the Official Plan.

*South:* To the south of the site, on the south side of Wallace Avenue is a converted industrial building containing 38 residential units and a new townhouse development with 134 units, all designated *Neighbourhoods* in the Official Plan.

*West:* To the west of the site is the West Toronto Railpath and the Lower Galt Subdivision rail line which contains both the GO Milton line and the GO Georgetown line.

## **The Planning Act**

Section 2 of the Planning Act requires councils of municipalities to have regard to matters of provincial interest such as:

- (l) the protection of the financial and economic well-being of the province and its Municipalities;
- (o) the protection of health and safety; and
- (p) the appropriate location of growth and development.

## **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 in order 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 to areas 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.

## **Official Plan**

Map 18 of the City's Official Plan shows the subject lands designated as *Employment Areas* (see Attachment 8).

## **Zoning**

Under former City of Toronto Zoning By-law 438-86 the site is zoned I2 D2 (see Attachment 9). This allows a variety of industrial uses up to a density of 2 times the area of the lot with a height limit of 14 metres. No residential uses are permitted in areas zoned Industrial.

## **Site Plan Control**

An application for Site Plan Control was submitted on April 12, 2013 and is under review. The Site Plan Control application has not been appealed to the Ontario Municipal Board.

## **Municipal Comprehensive Review**

This project was reviewed within the context of the Municipal Comprehensive Review. The results of the Municipal Comprehensive Review are outlined in the report from the Chief Planner and Executive Director, City Planning Division which will be submitted to the November 21, 2013 meeting of the Planning and Growth Management Committee meeting.

## **Reasons for Application**

Official Plan Amendment Application - The proposed residential uses are not permitted on lands designated *Employment Areas* in the Official Plan.

Zoning Amendment Application – The proposed residential use is not permitted in areas zoned "I" (Industrial).

## **Community Consultation**

A Community Consultation meeting was held on February 28, 2012 at St. Luigi Catholic School. The applicant, the local Councillor, planning staff and approximately 60 members of the public attended. After presentations by planning staff and the applicant the following concerns and questions were raised by the public: the uses that would be permitted in the light-industrial units, garbage collection, the programming of the community facility, the provision of open space on the site, the amount of parking, the location of the garage ramp and access to the pedestrian bridge while it is under construction.

Two meetings were also subsequently held on-site to talk about the alterations to the Wallace Street pedestrian bridge and the interface between the development and the West Toronto Railpath.

## Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate By-law standards and conditions of Draft Plan Approval.

## COMMENTS

### Provincial Policy Statement and Provincial Plans

The proposal is consistent with the PPS and the proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

### Land Use

The conversion of this property from an *Employment Areas* designation to *General Employment Areas* and *Neighbourhoods* in the Official Plan is discussed in the Municipal Comprehensive Review report from the Chief Planner and Executive Director, City Planning Division that is on the November 21, 2013 agenda of the Planning and Growth Management Committee. Planning staff are recommending that the property at 362 Wallace Avenue be redesignated to *Neighbourhoods* and *General Employment Areas* in the Official Plan for a number of reasons outlined below.

The existing supply of *Employment Areas* is sufficient to meet the 2031 Provincial employment forecasts in Toronto and it is anticipated that the City will meet the employment forecasts allocated to the municipality pursuant to the Growth Plan. It should be noted however that while no single conversion request would affect this outcome, multiple conversions will impact Toronto's ability to meet the Provincial employment forecast.

Although the City does not need to convert any employment designated lands to meet the population forecasts as provided by the Growth Plan, a need does exist in certain instances to convert a subject site to address land use incompatibilities. The subject site is surrounded by residential uses to the north, east and south, and by park on the west. As such, land use incompatibilities could occur should the employment permissions continue on the subject lands.

The current employment designation and zoning on the lands would permit employment uses such as open storage yards, industrial workshops and manufacturing operations that are not compatible with low scale residential uses that are located directly adjacent to the site. Additionally, the site does not have direct access to any major roads and any truck traffic would have to proceed through *Neighbourhood* designated lands in order to service the site. Conversion of the site to *Neighbourhoods* with some employment lands retained along the rail corridor for residentially compatible employment uses (i.e.: offices, studios) would prevent any potential future land use incompatibilities with adjoining lands.

In addition, the conversion of the majority of the site would not undermine the viability of a larger employment area. The last heavy employment use in the area was a scrap yard located at 25 Ernest Avenue, which has been closed. The lands directly north of the subject site at 26 Ruskin Avenue are occupied by a Toronto Hydro substation, which is not likely to seek a



conversion and like other remaining employment uses in the area (i.e.: Red Cross at 21 Randolph Avenue) is compatible with surrounding residential uses.

However, a major transportation rail corridor runs through the area and as such there is a need to ensure there is adequate buffering to the area's sensitive low scale residential uses. Planning staff recommend that a strip of land along the western edge of the subject lands, on the west side of the new public street, be retained for residentially compatible employment uses and be designated *General Employment Areas*. The uses that will be permitted in the area designated as *General Employment Areas* will include offices, workshops, custom studios and small scale retail all of which are compatible with the surrounding residential uses.

It is also recommended that a Site and Area Specific Policy be created that limits those employment uses to those that are compatible with residential uses, that the built form of the new development does not negatively affect the surrounding uses and that a minimum amount of non-residential gross floor area is constructed at the same time as any residential gross floor area. See Attachment 11 for the draft OPA.

### **Non-Residential Uses**

The non-residential uses that will be permitted for the light-industrial units on the west side of Sousa Mendes Street include: community facility, day nursery, public art gallery, bake-shop, caterer's shop, courier service, dry cleaning shop, duplicating shop, laundry shop, personal grooming establishment, retail store, restaurant, tailoring shop, take out restaurant, artist or photographers studio, custom workshop, software and design establishment, and office. These uses are compatible with the residential uses on the east side of the proposed Sousa Mendes Street and will provide opportunities for small businesses and establishments that will increase the amenity in the neighbourhood. The overall size of restaurants and retail businesses has been restricted to 200 square metres to limit impact on the adjacent residential units, and attract small-scale, locally focused businesses and incubator space.

### **Density, Height, Massing**

The residential townhouses are arranged in 9 blocks, 3 of which are north of the Macaulay Avenue extension and 6 of which are between the extension and Wallace Avenue. The townhouses either face the public roads or walkways that intersect the site.

The overall density of the site is 1.54 times the area of the lot which is lower than the density that is currently permitted on the site (2 times the area of the lot). The proposed density is similar to the density of the recently constructed townhouses on the south side of Wallace (1.5 times the area of the lot) and the converted building at 371 Wallace Avenue (1.3 times the area of the lot). Given the layout of the site and the massing of the townhouses and non-residential units the proposed density is appropriate.

The townhouses are 13 metres tall at their tallest point, which is lower than the permitted height on the site (14 metres), but higher than the permitted height on the residential properties to the

east (12 metres). The townhouses include a floor in the basement (with 1.5 metres located above grade), three floors starting at 1.5 metres above grade, then a fourth storey which is well setback from the edges of the building and contains the mechanical equipment and a walkout to a roof patio.

The height of the light-industrial units is 8.5 metres, which includes 2-storeys. The floor to ceiling heights are taller than in the residential units, to allow for a variety of non-residential uses. They line the west side of the new public street, and they each have large, roll up doors at the front to allow for the delivery of supplies and access for large scale items. The light-industrial units are broken into two blocks, separated by a publicly accessible walkway that provides between the West Toronto Railpath and the new public street, at the end of Macaulay Avenue. The units have many windows facing the Railpath to provide overlook, and a metal screen is proposed for the ground floor which will discourage graffiti, while at the same time, providing opportunities for art installations. The height and massing of these light-industrial units is appropriate for their location adjacent to the Railpath, yet within close proximity to a residential neighbourhood.

The facing distances between the blocks of townhouses are over 12 metres from building face to building face which provides enough separation to allow for privacy within the units and light penetration between the units, and exceeds the facing distance of an existing development on the south side of Wallace Avenue.

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

All the parking for the site is located in an underground parking garage. The parking ramp for the residential units is on Wallace Avenue, and a tunnel below the Maccaulay Avenue extension connects the parking garage on the north side of Maccaulay to the parking garage on the south side. The development includes 179 parking spaces for residents and 22 spaces for residential visitors. One of the concerns raised by the community at the community consultation meeting was the location of the parking ramp for the residential portion of the development. Staff wanted to limit the entrance to one ramp and preferred locating the ramp on Wallace Avenue rather than another location (Ruskin Avenue) for a number of reasons. A ramp on Ruskin Avenue would have been located too close to the intersection of Edwin and Ruskin, and the proximity of the ramp to St. Luigi and Perth School on the north side of Ruskin was also a concern. In the end, staff concluded that one ramp to serve the residents located on Wallace Avenue was acceptable.

The parking ramp for the non-residential units is located off Ruskin Avenue and is adjacent to the community facility. There are 40 parking spaces provided for the non-residential units. Once again, the ramp location was the subject of many discussions. The original design had a tunnel under Sousa Mendes Street that connected the residential underground garage and the non-residential garage. However once the locational requirements for the servicing that was to be located in the street were finalized, the tunnel was not possible. Given that the ramp is located next to the community facility, the footprint of the centre on the ground floor has become smaller, but the second floor will cantilever over the ramp. Staff have accepted this condition.

In addition to the parking spaces located underground there are 19 new on-street parking spaces that will line Sousa Mendes Street.

The applicant submitted a Traffic Impact Study which has been accepted by Transportation Services staff.

### **Open Space/Parkland**

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.42 to 0.78 hectares of local parkland per 1,000 people. The site is in the lowest quintile of current provision of parkland. The site is in a parkland priority area, as per the City Wide Parkland Dedication By-law 1020-2010.

The application proposes 167 residential units and 3,412 square metres of non-residential uses on a site with a net area of 9,434 square metres. At the alternate rate of 0.4 hectares per 300 units specified in By-law 1020-2010 the parkland dedication requirement is 0.223 hectares or 29% of the site area. However, for sites that are less than 1 hectare in size, a cap of 10% is applied to the residential use, and the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement is 754 square metres.

The applicant is proposing to convey a 205 square metre parcel of land as a partial fulfillment of the parkland dedication requirement which can be used as the location of the proposed community facility. The 549 square metre balance of the parkland dedication requirement is to be provided as a cash-in-lieu payment. However, staff are recommending that the above 5% component of the shortfall in parkland dedication be directed towards the construction of the community centre.

### **Wallace Street Pedestrian Bridge**

One of the consequences of putting a new public street through the site, was the need to realign the eastern staircase of the Wallace Street Pedestrian Bridge as the stairs in their existing location are located right where Sousa Mendes Street joins with Wallace Avenue.

The Wallace Street Pedestrian Bridge was constructed in 1907 and is on the City of Toronto list of heritage properties. The bridge is constructed of steel, concrete and wood and it is organized in 3 distinct sections. A single set of stairs at the east and west ends rise in two tiers and the stairs are illuminated with decorative iron brackets. The bridge is a rare example of a vintage pedestrian bridge in Toronto and it is a visual landmark and an important feature in the neighbourhood. It is very well used, as it provides the only connection over the railway between Bloor and Dupont.

The applicant will be replacing the eastern staircase with a new staircase that will be located within the West Toronto Railpath, moving northward, then scissoring back to land at the end of Wallace Avenue. See Attachment 7 for drawings of the proposed stairs.

Given the prominence of the bridge and its high level of use, planning staff, the local Councillor, the applicant and members of the community met two times on-site to review the proposed stair location, the stair design and how the realignment of the stair would impact the gathering space on the Railpath at the end of Wallace Avenue. The bridge will remain open during the construction on the bridge and both Heritage staff and Engineering and Construction Services staff have signed off on the bridge alterations.

### **West Toronto Railpath**

The West Toronto Railpath is immediately adjacent to the west property line of the subject site. This multi-use trail is heavily used by pedestrians, cyclists, dog walkers and rollerbladers and its design has won awards. The interface between the Railpath and the development was an important consideration when staff were reviewing the proposal.

An additional entrance/exit to the Railpath at the end of Macaulay Avenue, through a publicly accessible passageway located between the two blocks of non-residential units has been provided which improves accessibility to the Railpath. The non-residential units facing the Railpath contain windows which will provide overlook onto the Railpath and a unique screen placed on the west façade of the building will discourage graffiti and allow for the installation of artwork. The realignment of the stairs of the Wallace Street Pedestrian Bridge places them into the Railpath, but the new alignment orients the bottom of the staircase towards the gathering space located at the end of Wallace Avenue, without impacting the main travel surface of the Railpath. The stairs will be able to be used as seating for performances, and the landscaping that is typical on the Railpath will surround the staircase.

Both Parks staff and the local community worked together to ensure that this development worked to enhance the Railpath and did not detract from it.

### **Unit Breakdown**

The unit types are broken down as follows:

One-Bedroom	Two-Bedroom	Three-Bedroom	Total
32	116	19	167

The range of unit types allow for a variety of sizes of units and the large number of 2 and 3 bedroom units provides housing options for families, consistent with the Official Plan objectives to provide a range of housing.

### **Toronto Green Standard**

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS.

The site specific zoning by-law will secure performance measures for the following Tier 1 development features: automobile infrastructure and cycling infrastructure. Other applicable TGS performance measures will be secured through the Site Plan Approval process including urban heat island reduction and stormwater retention.

### **Section 37**

The community benefit to be secured as part of this redevelopment is a 475 square metre community facility which will be constructed by the developer then conveyed to the City. Staff are recommending that the above 5% component of the cash-in-lieu payable for the shortfall in parkland dedication, and the portion of the development charged applicable to Parks, Forestry and Recreation be directed to the construction of the community facility. These dedications, in addition to the cash contribution that would have been secured through Section 37 are equivalent to the overall cost of the design, construction and finishing of the community facility.

The 2-storey community facility is located at the northwest corner of the site and it is anticipated that the centre will focus on youth and seniors programming, and after school classes. Although the City will own the land and the building, the intent is to have the centre operated by an outside agency which will be chosen through a Request for Proposal process managed through Social Development, Finance and Administration.

The Section 37 agreement will outline the exact finishings and specifications to which the applicant will be required to build, to ensure that the City takes possession of a building that is functional and operational for the intended use. The Section 37 benefits therefore include:

- i. the owner is responsible, at its own cost, for the construction and fitting out of a 475 square metre community facility on the site to the satisfaction of the Chief Planner and Executive Director, City Planning Division, and/or the Chief Corporate Officer, and/or the General Manager, Parks, Forestry and Recreation;
- ii. the owner is responsible for the design, total cost and construction of the realignment of the eastern staircase of the Wallace Street Pedestrian Bridge, all to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the General Manager of Transportation Services; and
- iii. the owner is responsible, at its own cost, for an interpretive program on site to provide information to the public on the history of the Wallace Street Pedestrian Bridge, all to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

The following matters are also recommended to be secured in the Section 37 Agreement in support of the development and at the owners own cost:

- i. the owner will provide for any improvements to the municipal infrastructure in connection with the site servicing report, as accepted by the Executive Director of Engineering and Construction Services should it be determined that upgrades to such infrastructure is required to support this development;

- ii. the owner shall comply with all parkland dedication conditions as listed in the Memorandum from the General Manager of Parks, Forestry and Recreation to the City Planning Division dated October 8, 2013;
- iii. the owner will provide a water line connection from the site to the West Toronto Railpath generally in the location of the western terminus of Wallace Avenue which can be used by the city for a water fountain; and
- iv. the owner will provide a separately metered hydro connection from the site to the West Toronto Railpath generally in the location of the western terminus of Wallace Avenue.

## Conclusion

Planning staff recommend that the Official Plan and Zoning Amendment applications for the subject site be approved. The redesignation of a portion of the site to *Neighbourhoods* is appropriate based on the surrounding land uses and the new public road and the light-industrial units provide an appropriate buffer between the rail corridor and the residential uses. The proposed scale of the townhouses and the non-residential units fits with the existing built form context, and the proposed access, number of parking spaces and loading spaces have been accepted by city staff. The proposal is appropriate for the site and therefore staff recommend approval.

## CONTACT

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## SIGNATURE

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Jennifer Keesmaat, M.E.S., MCIP, RPP  
 Chief Planner and Executive Director  
 City Planning

**ATTACHMENTS**

Attachment 1: Site Plan

Attachment 2: Underground Parking Plan

Attachment 3: Residential Townhouse Elevations - Typical

Attachment 4: Non-Residential Units and Community facility Elevations

Attachment 5: Building Section - Typical

Attachment 6: Project Rendering

Attachment 7: Pedestrian Bridge Stair Realignment

Attachment 8: Official Plan

Attachment 9: Zoning By-law

Attachment 10: Application Data Sheet

Attachment 11: Draft Official Plan Amendment

Attachment 12: Draft Zoning By-law

## Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

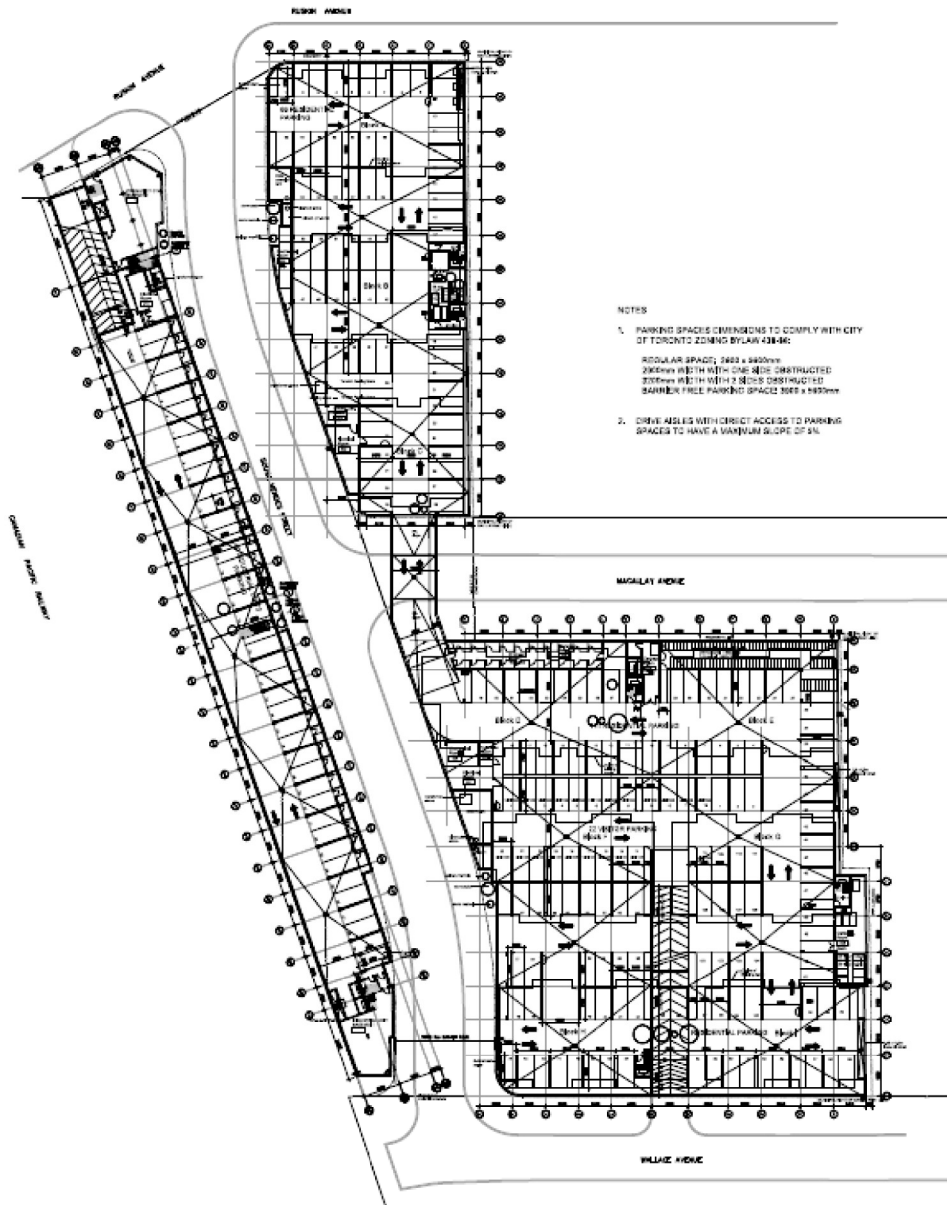
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10/18/2013

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362 Wallace Avenue



## Attachment 2: Underground Parking



**Underground Parking Plan**

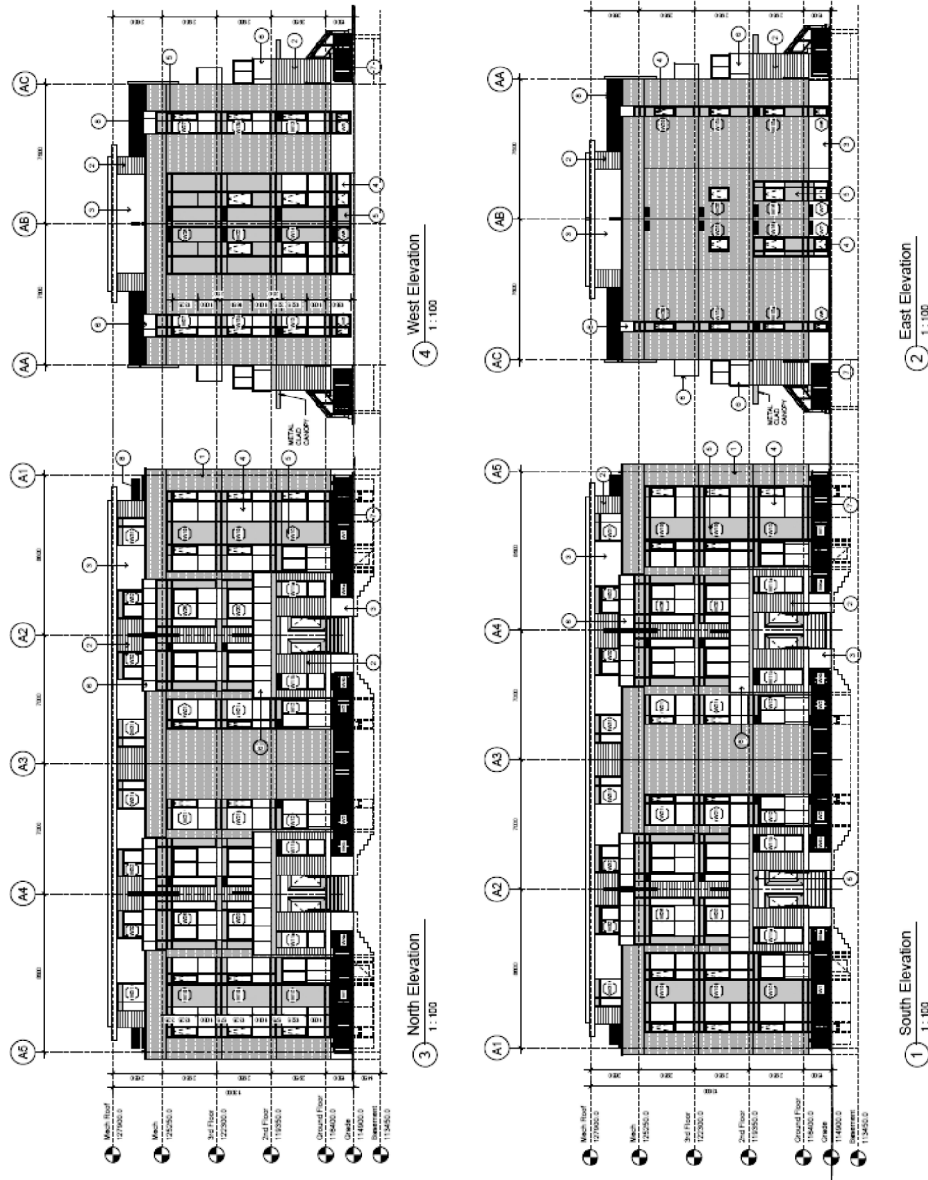
Applicant's Submitted Drawing

Not to Scale  
10/18/2013

**362 Wallace Avenue**

File # 11\_286663 02

# Attachment 3: Residential Townhouse Elevations – Typical



362 Wallace Avenue

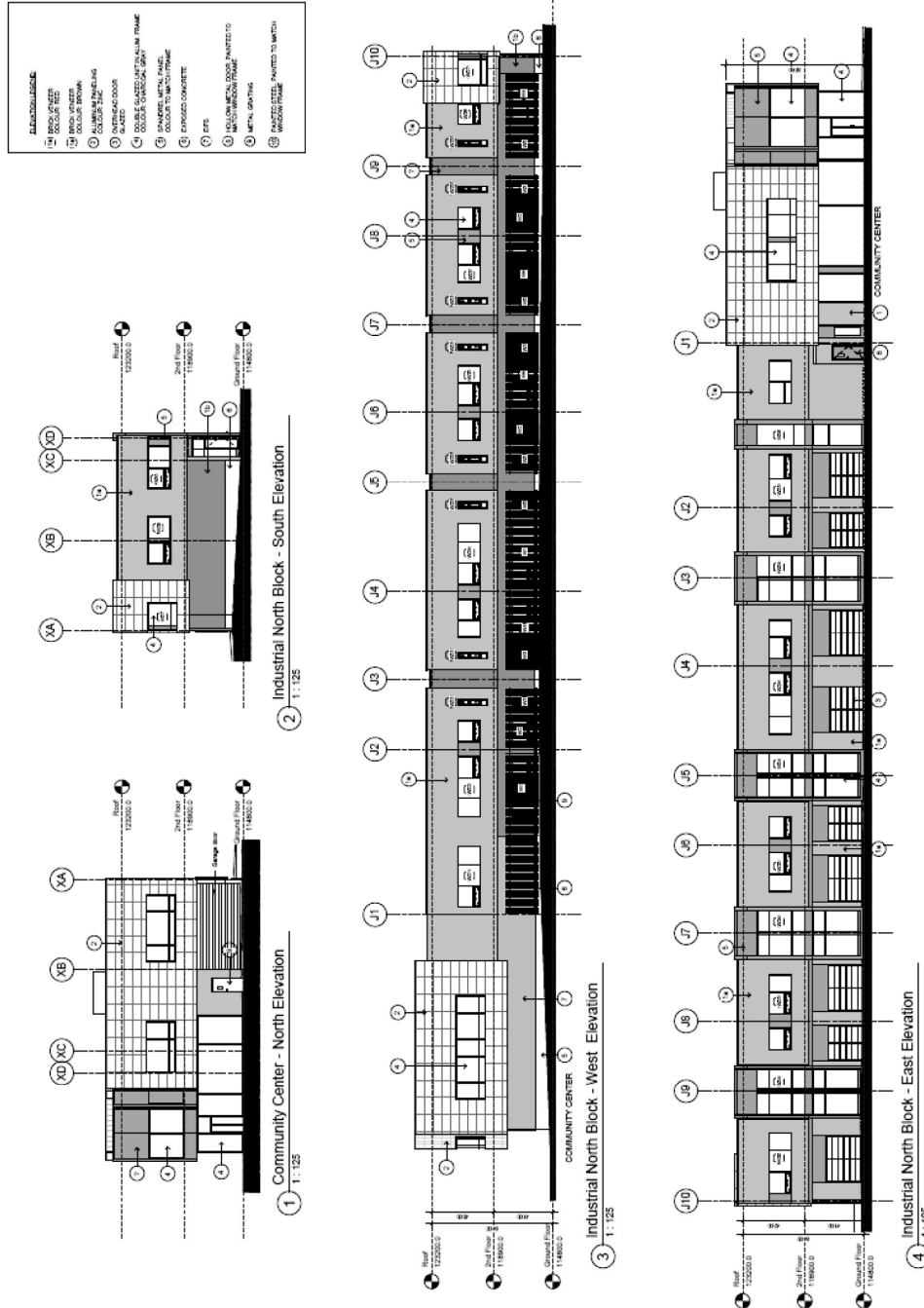
Townhouse Typical Elevations

Applicant's Submitted Drawing

Not to Scale  
10/18/2013

File # 11\_286663 0Z

# Attachment 4: Non-Residential Units and Community facility Elevations



362 Wallace Avenue

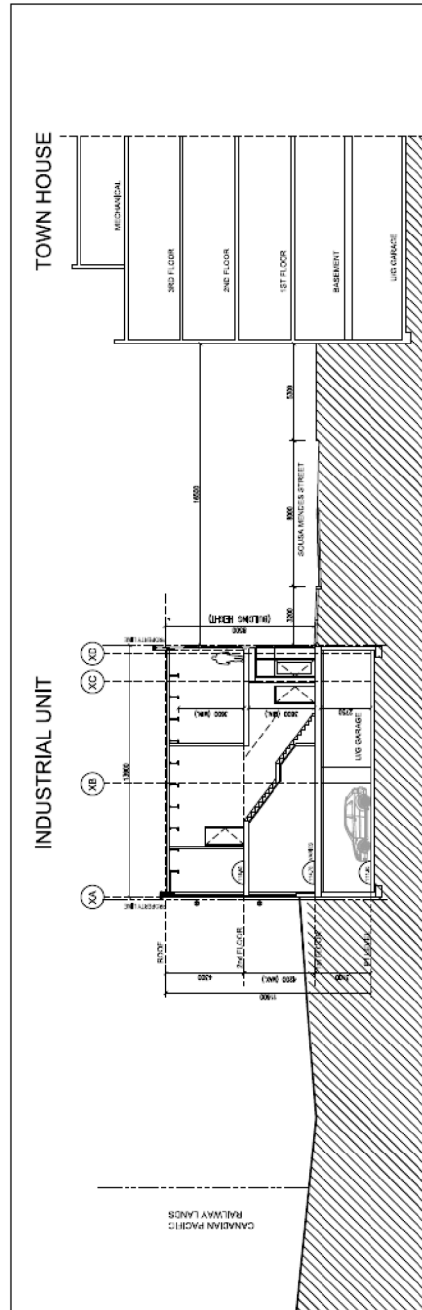
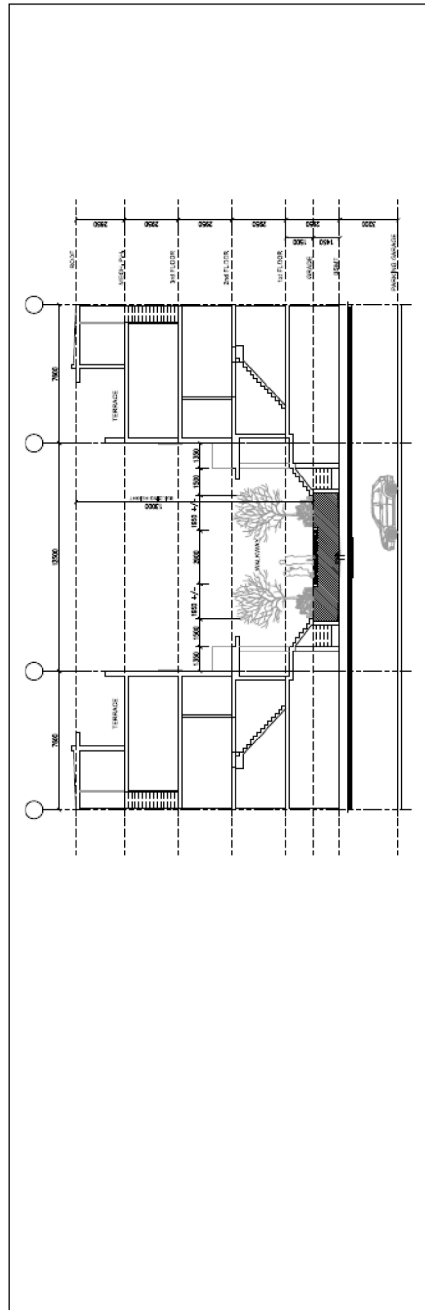
Light Industrial Units and Community Centre Elevations

Applicant's Submitted Drawing

Not to Scale  
10/18/2013

File # 11\_286663 0Z

## Attachment 5: Building Section – Typical



## Building Sections, Typical

**362 Wallace Avenue**

Applicant's Submitted Drawing

Not to Scale  
10/18/2013

File # 11\_286663 0Z

## Attachment 6: Project Rendering



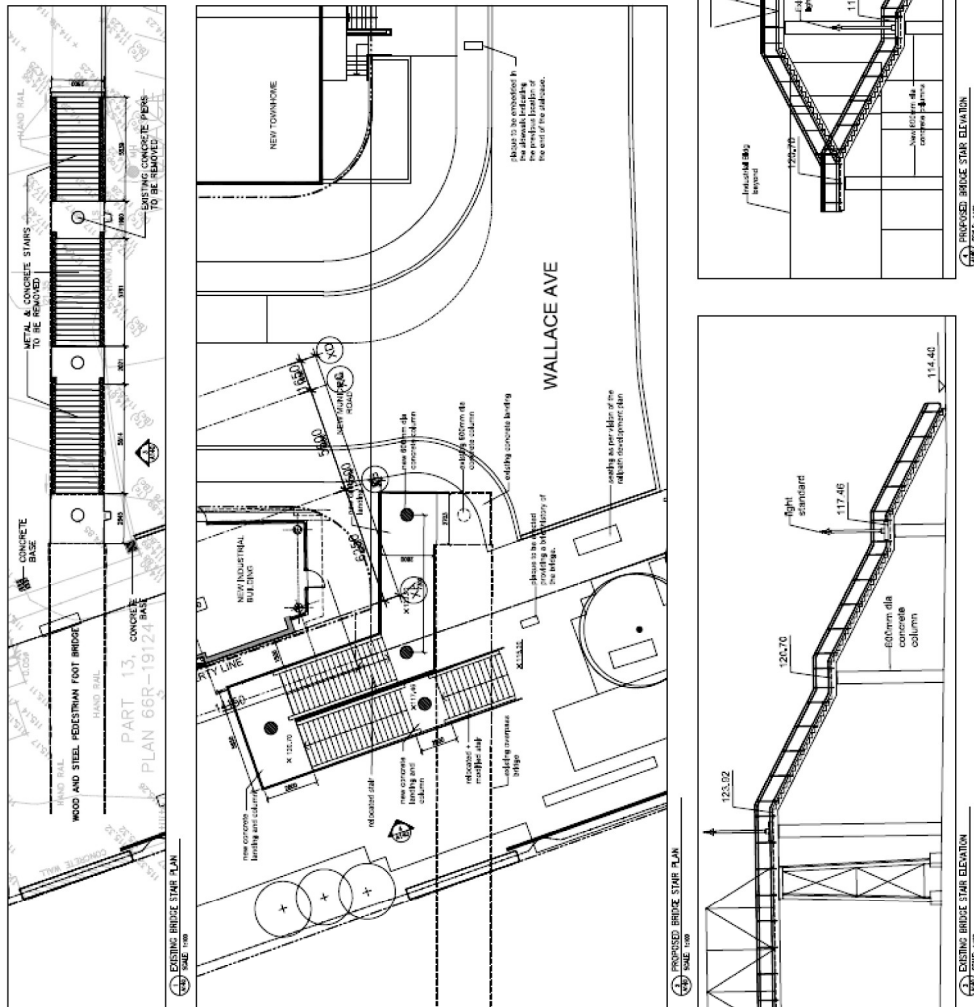
**Project Rendering - View of Wallace Anue**  
 Applicant's Submitted Drawing

Not to Scale  
 10/18/2013

**362 Wallace Avenue**

File # 11\_2866663 0Z

## Attachment 7: Pedestrian Bridge Stair Realignment



## Pedestrian Bridge Stair Relocation

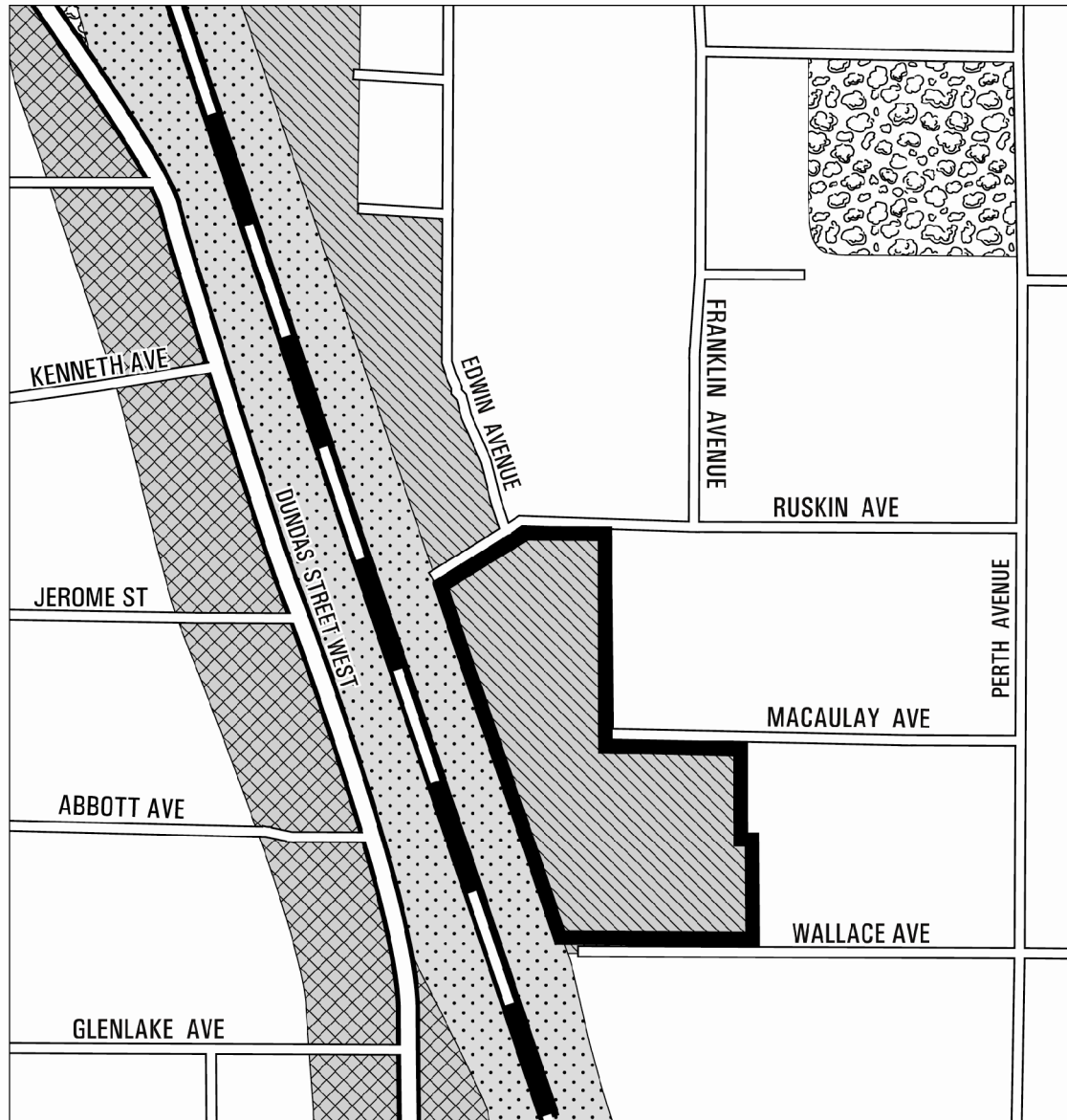
### Applicant's Submitted Drawing

Not to Scale  
10/18/2013

**362 Wallace Avenue**

File # 11\_286663 0Z

## Attachment 8: Official Plan



**Toronto** City Planning  
Official Plan

362 Wallace Avenue

File # 11\_286663



↑  
Not to Scale  
11/18/11



File # 11 286663 CMB

Not to Scale  
Zoning By-law 438-86 as amended  
Extracted 11/17/2011



### Attachment10: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	11 286663 STE 18 OZ
Details	OPA & Rezoning, Standard	Application Date:	October 4, 2011
Municipal Address:	362 WALLACE AVE		
Location Description:	PLAN M22 LOTS 17 TO 20 33 TO 41 46 TO 50 AND PT LOT 45 CLSD MACAULEY AVE **GRID S1801		
Project Description:	Employment Lands Conversion. OPA and Rezoning application for redevelopment of the lands - mixed use development including new North South public roadway connecting Ruskin Ave and Wallace Ave and extending Macaulay Ave for 20 2 storey industrial units flanking CPR and 9 Residential construction blocks containing 169 stacked townhouse dwelling units. Included in proposal is a 3 storey community facility building fronting onto Ruskin Ave. All parking spaces to serve the units to be located below grade accessible from both Ruskin Ave and Wallace Ave.		
<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
KREGG FORDYCE ARCHITECT		Kregg Fordyce	SOMERSET WALLACE DEVELOPMENT

#### PLANNING CONTROLS

Official Plan Designation:	Employment Areas	Site Specific Provision:	
Zoning:	I2 D2	Historical Status:	N
Height Limit (m):	14	Site Plan Control Area:	Y

#### PROJECT INFORMATION

Site Area (sq. m):	12634	Height:	Storeys:	3
Frontage (m):	84.5		Metres:	13
Depth (m):	172.4			
Total Ground Floor Area (sq. m):	6258			<b>Total</b>
Total Residential GFA (sq. m):	15511		Parking Spaces:	241
Total Non-Residential GFA (sq. m):	3888		Loading Docks	0
Total GFA (sq. m):	19399			
Lot Coverage Ratio (%):	49.5			
Floor Space Index:	1.54			

#### DWELLING UNITS

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

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	15511	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	32	Office GFA (sq. m):	0	0
2 Bedroom:	116	Industrial GFA (sq. m):	3412	0
3 + Bedroom:	19	Institutional/Other GFA (sq. m):	476	0

**Attachment 11: Draft Official Plan Amendment**

Authority: Toronto and East York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

**CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. ~-20~**

**To adopt an amendment to the Official Plan  
for the City of Toronto  
respecting the lands known municipally in the year 2012, as  
362 Wallace Avenue**

WHEREAS authority is given to Council under the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

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

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

1. The attached Amendment No. \_\_\_\_ to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

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**AMENDMENT NO. \_\_\_\_ TO THE OFFICIAL PLAN**

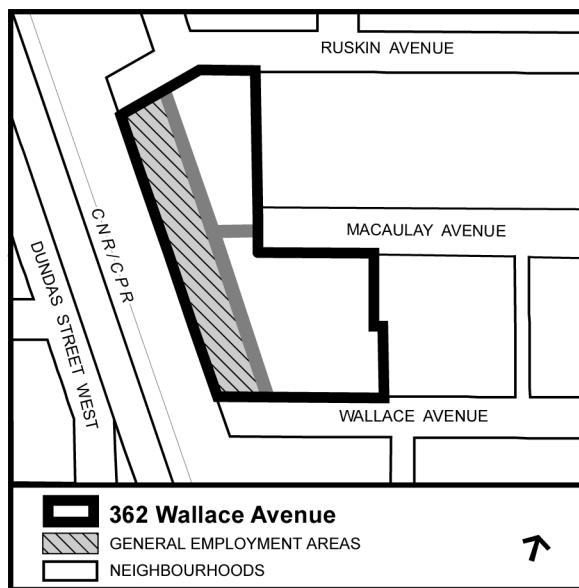
**LANDS MUNICIPALLY KNOWN IN THE YEAR 2012 AS**

**362 WALLACE AVENUE**

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The Official Plan of the City of Toronto is amended as follows:

1. Map 18, Land Use Plan, is amended by:
  - a) Re-designating the lands located at 362 Wallace from *Employment Areas* to *Neighbourhoods* and from *Employment Areas* to *General Employment Areas* as shown on the map below; and
  - b) Adding a new municipal street (Sousa Mendes Street) and extension of Macaulay Avenue as shown here:



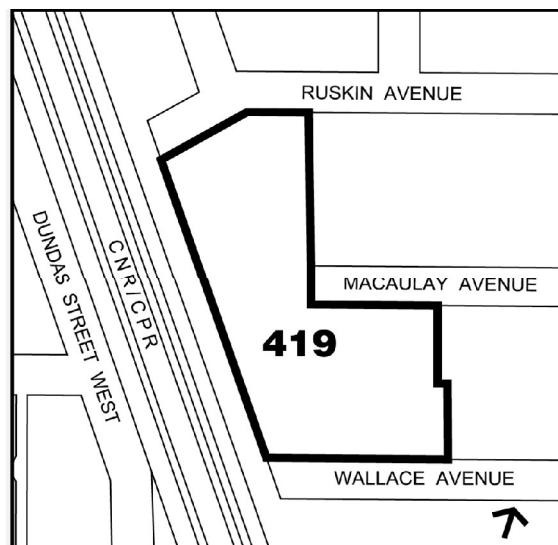
2. Chapter 7, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy No. 419 for the lands known municipally in 2012 as 362 Wallace Avenue as follows:

**419. 362 Wallace Avenue**

Residential uses on the site may be permitted if the following conditions are met:

- a) A new public road running north/south, generally from the southern terminus of Edwin Avenue, through the site to Wallace Avenue is provided;

- b) Macaulay Avenue is extended to meet the new public road described in (a) above;
- c) A minimum of 3,800 square metres of non-residential gross floor area is constructed on the site prior to or at the same time as any residential gross floor area;
- d) Only residentially-compatible employment uses are permitted on the lands designated General Employment Areas;
- e) Any required alterations to the Wallace Avenue pedestrian bridge must respect the heritage designation of the bridge and the bridge must remain open during the alterations;
- f) A 3 metre wide publicly accessible pedestrian connection through the site to allow access from the terminus of Macaulay Avenue to the West Toronto Railpath must be provided;
- g) Site design must not have any negative impact on the West Toronto Railpath, and the elevation of any building constructed adjacent to the West Toronto Railpath must provide overlook to the path; and
- h) The western terminus of Wallace Avenue should be designed as a meeting/gathering place, and any buildings constructed at the south end of the site should face onto this space and provide animation.



3. Chapter 7, Map 29, Site and Area Specific Policies, is revised to add the lands known municipally in 2012 as 362 Wallace Avenue shown on the map above as Site and Area Specific Policy No. 419.

## Attachment 12: Draft Zoning By-law

Authority: Toronto and East York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~  
 Enacted by Council: ~, 20~

### CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

### To amend Zoning By-law No. 438-86, as amended, With respect to the lands municipally known as 362 Wallace Avenue

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

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

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

- 1) None of the provisions of Section 2 with respect to *height*, *lot* and *grade* and Section 4(2) 4(4), 4(6), 4(7), 4(11), 4(12), 4(13), 4(16) , all of Section 9 of By-law No. 438-86 being "A By-law and specific amending By-law to regulate the use of land and erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various area of the City of Toronto", as amended, shall apply to prevent the erection and use of an *apartment building* and a *non-residential building* and uses and structures accessory thereto provided:

- a) The *lot* consists of those lands delineated by heavy lines on Map 1 attached to and forming part of this By-law;

#### **Gross Floor Area**

- b) The *residential gross floor* area of the *apartment building* on the *lot* shall not exceed 15,520 square metres, and it can only be located on Blocks A, B, C, D, E, F, G, H or I as shown on Map 2;
- c) The minimum *non-residential gross floor* area on the lot shall be 3,890 square metres and it can only be located on the blocks labeled as Industrial Units (N), Industrial Units (S) and Community Centre on Map 2 ;

#### **Non-residential uses**

- d) The non-residential uses permitted on the *lot* shall be: *community centre*, *day nursery*,

*public art gallery, bake-shop, caterer's shop, courier service, dry cleaning shop, duplicating shop, laundry shop, medical office, personal grooming establishment, retail store, restaurant, tailoring shop, take out restaurant, artist or photographers studio, custom workshop, software and design establishment, and office.*

e) Despite Section (d) above:

- i) *A retail store* is only permitted to a maximum gross floor area of 200 square metres per unit; and
- ii) *A restaurant* is only permitted to a maximum gross floor area of 200 square metres per unit;

### **Unit Type**

- f) The *apartment building* contains a minimum of 19, three-bedroom *dwelling units* and a minimum of 116, two-bedroom *dwelling units*;

### **Parking and Loading**

- g) *Parking spaces* will be provided and maintained below grade on the lot in accordance with the following ratios:
  - i) 0.8 *parking spaces* for each bachelor *dwelling unit* in the *apartment building*;
  - ii) 0.9 *parking spaces* for each 1-bedroom *dwelling unit* in the apartment building;
  - iii) 1.0 *parking spaces* for each 2-bedroom *dwelling unit* in the apartment building;
  - iv) 1.2 *parking spaces* for each 3-bedroom *dwelling unit* in the apartment building;
  - v) 0.13 visitor *parking spaces* for each *dwelling unit* in the apartment building;
  - vi) 20 *parking spaces* for the non-residential uses on the *lot*; and
  - vii) 0 *parking spaces* are required for the *community centre*;
- h) A maximum of 3 *parking spaces* required in Section (g) above may have dimensions of 2.6 by 4.45;
- i) The residential visitor *parking spaces* as described in Section (g)(ii) above must be dedicated for use visitors to the residents of the *apartment building*, and there must be no charge to use them;
- j) One Type "G" loading space must be provided and maintained on the *lot*;

### **Bike Parking**

- k) A minimum of 100 bike *parking spaces* will be provided for residents on the *lot*;
- l) A minimum of 28 bike *parking spaces* will be provided on the *lot* for visitors;
- m) A minimum of 2 bike *parking spaces* dedicated for use by the owners of the non-residential units on the *lot*;

### **Height**

- n) No portion of any building or structure, including all mechanical equipment, shall exceed the heights measured in metres from *grade* as shown on Map 2;

### **Projections**

- o) Despite Section (n) of this By-law the following projections are permitted on the *lot*:
  - i) Eaves and cornices shall not exceed a horizontal projection of 0.45 metres beyond the heavy lines shown on Map 2;
  - ii) Canopies shall not exceed a horizontal projection of 0.50 metres beyond the heavy lines shown on Map 2;
  - iii) Planters shall not exceed a 1.0 metre vertical projection beyond the heavy lines shown on Map 2;
  - iv) Stairs providing access to a residential unit shall not exceed a 1.5 metre vertical projection beyond the heavy lines shown on Map 2; and
  - v) Railings projecting beyond entrance stairs shall not exceed a 0.35 metre horizontal projection beyond the heavy lines shown on Map 2;

### **Implementation**

- p) No person shall erect or use any building or structure above grade prior to satisfying the following condition:
  - i) The owner shall enter into an agreement with the City of Toronto pursuant to Section 37 of the *Planning Act* to secure the facilities, services, and matters required in Section (q) herein, the said agreement to include provisions relating to indemnity, insurance, GST, termination, unwinding, registration and priority of agreement, and the indexing of any financial contributions and register against the title to the lot as a first charge;

### Section 37 of the Planning Act

- q) The owner of the *lot* at its own expense and in accordance with and subject to the agreement referred to in Section (p) herein shall provide the following facilities, services and matters to the City:
- i) the owner is responsible, at its own cost, for the construction and fitting out of a 475 square metre community facility on the site to the satisfaction of the Chief Planner and Executive Director, City Planning Division, and/or the Chief Corporate Officer, and/or the General Manager, Parks, Forestry and Recreation;
  - ii) the owner is responsible for the design, total cost and construction of the realignment of the eastern staircase of the Wallace Street Pedestrian Bridge, all to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the General Manager of Transportation Services;
  - iii) the owner is responsible, at its own cost, for an interpretive program on site to provide information to the public on the history of the Wallace Street Pedestrian Bridge, all to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
  - iv) the owner will provide for any improvements to the municipal infrastructure in connection with the site servicing report, as accepted by the Executive Director of Engineering and Construction Services should it be determined that upgrades to such infrastructure is required to support this development;
  - v) the owner shall comply with all parkland dedication conditions as listed in the Memorandum from the General Manager of Parks, Forestry and Recreation to the City Planning Division dated October 8, 2013;
  - vi) the owner will provide a water line connection from the site to the West Toronto Railpath generally in the location of the western terminus of Wallace Avenue which can be used by the city for a water fountain; and
  - vii) the owner will provide a separately metered hydro connection from the site to the West Toronto Railpath generally in the location of the western terminus of Wallace Avenue.

### 2) Definitions

- a) For the purpose of this By-law, the terms set forth in *italics*, subject to Section 2(i) and (ii) of this By-law have the same meaning as such terms have for the purposes of By-law No. 438-86, as amended, and
  - i) *grade* for Blocks A, B, C, F and G means 114.9 metres above Canadian Geodetic Datum;



- ii) *grade* for Blocks D and E means 115.10 metres above Canadian Geodetic Datum;
  - iii) *grade* for Blocks H and I means 114.65 metres above Canadian Geodetic Datum;
  - iv) *grade* for the non-residential building means 114.8 metres above Canadian Geodetic Datum;
  - v) *height* shall mean the vertical distance between *grade* and the highest point of the structure; and
  - vi) *lot* shall have the same definition as stated in By-law 438-86, except that 2 building may exist on this parcel of land.
- 3) Within the lands shown on Map 1 attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
- a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
  - b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

