

**22 John Street, 33 King Street and 2 Elsmere Avenue  
(The Weston Community Cultural Hub) - Official Plan  
Amendment and Zoning By-law Amendment Application  
– Final Report**

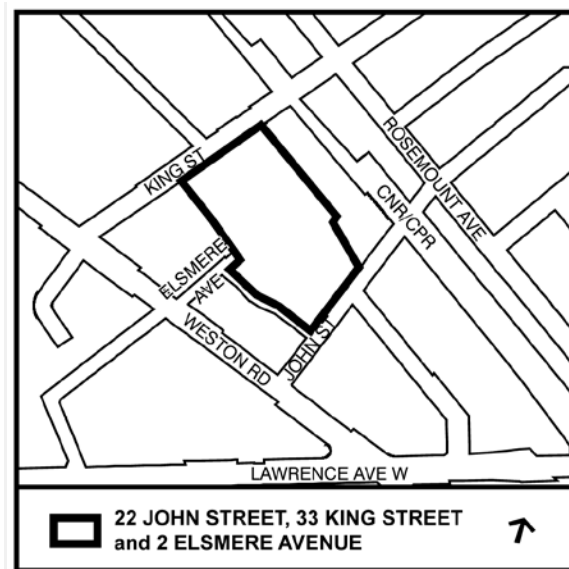
<b>Date:</b>	October 26, 2015
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Director, Community Planning, Etobicoke York District
<b>Wards:</b>	Ward 11 – York South-Weston
<b>Reference Number:</b>	15 170792 WET 11 OZ

**SUMMARY**

This application proposes to amend the Official Plan, the former City of York Zoning By-law No. 1-83 and City of Toronto Zoning By-law 569-2013 to permit the development of a 30-storey, 370-unit rental apartment building, seven at-grade townhouses and a 1,200 m<sup>2</sup> outdoor community open space at 22 John Street, which will be used for the enhanced Weston Farmers Market and public open space. A 794 m<sup>2</sup> Community Cultural/Hub with 26 affordable artist live/work units is also proposed at 33 King Street and 2 Elsmere Avenue, with 70 new Toronto Parking Authority (TPA) parking spaces on the lands municipally known as 14 John Street.

In addition, 3,897 m<sup>2</sup> of vacant ground floor space at 33 King Street is proposed to be converted to a self-storage facility. Parking for the proposed development at 22 John Street would be provided in an underutilized parking garage located at 33 King Street.

Planning staff are of the opinion the proposed development and its



implementing site-specific amendments to the Official Plan and Zoning By-laws are consistent with the 2014 Provincial Policy Statement, conform to the Provincial Growth Plan and are in keeping with the Official Plan policies for intensification of *Mixed Use Areas*. Furthermore, as a Signature Initiative of the Weston 2021 Revitalization Strategy, the proposal supports the social, cultural and economic renewal of the Weston community and facilitates the City's broader revitalization objective for the area.

At the time of writing this report, details of the Section 37 provisions and the terms and conditions of the Section 37 Agreement(s) were still being finalized. It is anticipated these matters will be concluded shortly and this information will be provided in a Supplementary Report to either Etobicoke York Community Council at its meeting of November 10, 2015 or City Council at its meeting of December 9 and 10, 2015.

This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-laws.

## **RECOMMENDATIONS**

---

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

1. City Council amend the Official Plan for the lands at 22 John Street, 33 King Street and 2 Elsmere Avenue substantially in accordance with the Daft Official Plan Amendment attached as Attachment No. 7 to the report dated October 26, 2015 from the Director, Community Planning, Etobicoke York District.
2. City Council amend former City of York Zoning By-law No. 1-83 for the lands at 22 John Street, 33 King Street and 2 Elsmere Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8 to the report dated October 26, 2015 from the Director, Community Planning, Etobicoke York District.
3. City Council amend Zoning By-law 569-2013 for the lands at 22 John Street, 33 King Street and 2 Elsmere Avenue substantially in accordance with the Draft Zoning By-law Amendment attached as Attachment No. 9 to the report dated October 26, 2015 from the Director, Community Planning, Etobicoke York District.
4. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendments as may be required.
5. Prior to introducing the necessary Bills to City Council for enactment, City Council require the owner to receive acceptance of the proposed site servicing and drainage from the Executive Director of Engineering and Construction Services.
6. Prior to introducing the necessary Bills to City Council for enactment, City Council require the owner to agree to enter into an Agreement or Agreements pursuant to Section 37(3) of the *Planning Act* satisfactory to the Chief Planner and Executive

Director, City Planning, and the City Solicitor. This Agreement(s) is to be registered on title to the lands at 22 John Street, 33 King Street and 2 Elsmere Avenue, in a manner satisfactory to the City Solicitor at the owner's expense.

Generally, the recommended Section 37 community benefits include the provision, construction and maintenance of the following:

- i. A Community/Cultural Hub at 33 King Street;
- ii. 26 affordable artist live/work units at 33 King Street to be secured for at least 25 years to the satisfaction of the Director of the Affordable Housing Office and the City Solicitor;
- iii. A publically accessible Artist's Courtyard located between 33 King Street and 22 John Street;
- iv. An enhanced Weston Farmer's Market space; and
- v. Residential parking spaces for 22 John Street at 33 King Street.

The following matter is also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

- i. The owner shall provide and maintain 432 dwelling units on the site of 33 King Street as rental housing for a period of at least 20 years, from the date the Zoning By-law is in force and effect, with all existing associated facilities and amenities of the building to be secured for the existing rental housing units.

### **Financial Impact**

The recommendations in this report have no financial impact.

The Affordable Housing Office in consultation with relevant City Divisions, as directed by City Council at its meeting of March 31, 2015, will report through Executive Committee to City Council on the final funding and program for the Community/Cultural Hub, the artist live/work units and the open space area required for final approval.

A Final Report from the Affordable Housing Office is targeted for the December 1, 2015 meeting of Executive Committee. The Final Reports from City Planning and the Affordable Housing Office would both be considered by City Council at its meeting of December 9 and 10, 2015.

### **DECISION HISTORY**

In July 2010, City Council directed the Project Director, Tower Renewal Office to work with the Chief Planner and Executive Director, City Planning, the Executive Director, Social Development, Finance and Administration, the General Manager, Economic

Development and Culture and other divisions as required, to assess the opportunities in the Weston and Mount Dennis area to apply tower renewal concepts. The decision of City Council can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.EX45.52>

In May 2011, City Council adopted a staff report prepared by the Economic Development and Culture Division entitled *Creative Capital Gains: An Action Plan for Toronto*, which tabled a report on behalf of Toronto's Creative Capital Advisory Council, a volunteer council co-chaired by the Chair of the Economic Development Committee and leaders in business, creative industries and not-for-profit arts community. This report made a number of recommendations to the City designed to enhance Toronto's place as a leading international cultural centre and to increase the role of culture in the economic and social development of the City. Its recommendations included: "3.2 - *Support the development of the Cultural/Creative Hub in Weston Mount Dennis and use it to showcase the community's history.*" The decision of City Council and accompanying reports can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.ED3.3>

In March 2012, City Council adopted a staff report prepared by City Planning and Social Development Finance and Administration staff entitled *Weston 2021 Revitalization Strategy - Request for Direction Report*, which provided a summary and update on City and agency initiatives in the Weston community. It recommended that Council endorse the revitalization approach and the establishment of an inter-divisional implementation team to coordinate the revitalization initiatives in the community of Weston. In particular, the report described the significant efforts by the community, stakeholders and staff in supporting this initiative, including the Weston Design Charrette held during 2011, and the work of the not-for-profit Urban Land Institute (ULI) Technical Assistance Panel (TAP). The purpose of the TAP was to bring together experts in the field of real estate, planning and development to collaborate on the complex land use and redevelopment matters in Weston. The objective was to determine the feasibility of the Weston Design Charrette findings in developing the Feasibility Study for a Community/ Cultural Hub in Weston Mount Dennis. In an effort to support and stimulate social, cultural and economic revitalization and to further establish the community of Weston as a destination, the strategy also identified the Weston Community/Cultural Hub as one of its Signature Initiatives. The decision of City Council and accompanying documents can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.EY13.3>

In August 2012, the Toronto Parking Authority (TPA) issued *The Development Opportunity – 16 John Street in the Historic Village of Weston – For Sale By Expression of Interest (EOI)*, prepared by Lennard Commercial Realty. Through the EOI, the Rockport Group was chosen as the successful bidder. To achieve its vision for the community, Rockport's proposal includes Woodburn Capital (owners of the adjoining apartment building at 33 King Street) and Toronto Artscape as active participants.

In December 2013, City Council authorized the sale of part of 22 John Street to accommodate a pedestrian bridge over the Georgetown South rail corridor/Union-Pearson Express line at the John Street location as well as to support redevelopment of the surface parking lot at 22 John Street, which includes a residential component, a replacement municipal parking facility, an enhanced Farmer's Market and a Cultural Hub. The decision of City Council can be viewed at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.GM26.17>

In August 2014, City Council adopted a staff report prepared by the Affordable Housing Office entitled *Development of a Community/Cultural Hub in Weston - Mount Dennis - Status Report* and directed staff to conduct the necessary due diligence on the Weston Mount Dennis Community/Cultural Hub Proposal and report to Council through the Executive Committee on funding and other resources required to proceed. The decision of City Council can be viewed at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.EX44.19>

In March 2015, City Council adopted a further staff report prepared by the Affordable Housing Office entitled *The Weston Community/Cultural Hub: Next Steps* and directed staff to report on the final funding and program for the Community/Cultural Hub, the 26 artist live/work units and the open space area when City Council considers the land use approvals for the overall project. A final report from the Affordable Housing Office on these matters is targeted for the December 1, 2015 meeting of Executive Committee. The decision of City Council can be viewed at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.EX4.6>

At its meeting of September 8, 2015 Etobicoke York Community Council considered a Preliminary Report on the proposed development and directed that a community consultation meeting be scheduled. The decision of City Council can be viewed at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.EY8.11>

## **ISSUE BACKGROUND**

### **Proposal**

The applicant is proposing the development of a 30-storey, 370-unit rental apartment building, seven at-grade townhouses and a 1,200 m<sup>2</sup> outdoor community open space at 22 John Street, which will be used for the enhanced Weston Farmers Market and public open space. A 794 m<sup>2</sup> Community/Cultural Hub with 26 affordable artist live/work units is also proposed at 33 King Street and 2 Elsmere Avenue, with 70 new Toronto Parking Authority (TPA) parking spaces on the lands municipally known as 14 John Street, which is currently vacant. It is intended that site access for servicing, loading and garbage pick-up for the proposed apartment building be provided via 14 John Street. The Community/Cultural Hub would be operated by Artscape.

In addition, 3,897 m<sup>2</sup> of vacant ground floor space at 33 King Street is proposed to be converted to a self-storage facility. Parking for the proposed development at 22 John

Street would be provided by an underutilized parking garage located at 33 King Street (see Attachments 1a and 1b: Site Plan and Attachments 2a, 2b, 2c and 2d: Elevations).

Further information on the proposal is contained in Attachment 6: Application Data Sheet.

### **Site and Surrounding Area**

The subject property is located at the northeast quadrant of Weston Road and John Street and is comprised of three properties, 22 John Street, 33 King Street and 2 Elsmere Avenue. The overall site is irregular in shape and is approximately 1.75 ha (4.32 acres) in area. The 22 John Street site is currently occupied by a Toronto Parking Authority paid parking lot.

Surrounding land uses include:

North: A 31-storey rental apartment building municipally known as 33 King Street and the 35 King Street Business Centre, Costi Employment Services, a TPA parking lot, a Toronto Public Library, senior's residence, institutional and residential uses and two local schools (H.J. Alexander Community School and St. John the Evangelist Catholic School).

South: A car dealership, rental apartment buildings, institutional, residential and local business uses, the new Weston Go Station and professional offices including a pharmacy.

East: Metrolinx and Canadian Pacific Railway (CPR) rail corridor, residential uses, a low-rise apartment building, local and professional businesses and C.R. Marchant Middle School.

West: Vacant parcel of land (14 John Street) and surface parking, commercial and local business uses including a bank of Montréal, Royal Bank and Shoppers Drugmart.

### **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key objectives include: building strong, healthy communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. 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 subject lands are designated *Mixed Use Areas* on Land Use Map 14 in the Official Plan (see Attachment 3: Official Plan). This designation provides for a range of commercial, residential, and institutional uses, in single use or mixed use buildings, as well as parks, open spaces and utilities and provides criteria to direct the form and quality of development. It is one of four designations identified in the Official Plan providing opportunities for increased jobs and/or population. The Official Plan states that "*Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service employment in Toronto in the coming decades, as well as much of the new housing." However, not all *Mixed Use Areas* will experience the same scale or intensity of development. The policies of *Mixed Use Areas* require new development to provide a transition between areas of different development intensity and scale.

The Official Plan criteria to evaluate developments in *Mixed Use Areas* is set out in Policy 4.5.2, which requires developments in these areas to create a balance of high quality commercial, residential, institutional and open space uses that:

- (a) reduces automobile dependency and meets the needs of the local community;
- (b) provides new jobs and homes for Toronto's growing population on underutilized lands in the Downtown and other lands designated *Mixed Use Areas*;
- (c) locates and masses new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Plan, through means such as providing appropriate setbacks and/or stepping down of heights, particularly towards lower scale *Neighbourhoods*;
- (d) locates and masses new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes;
- (e) locates and masses new buildings to frame the edges of streets and parks with good proportion and maintaining sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- (f) provides an attractive, comfortable and safe pedestrian environment;
- (g) have access to schools, parks, community centres, libraries and childcare;
- (h) take advantage of nearby transit services;
- (i) provides good site access and circulation and an adequate supply of parking for residents and visitors;
- (j) locates and screens service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- (k) provides indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

The Built Form policies in Section 3.1.2 of the Official Plan were also utilized to assess the proposed development. Specifically, regard was given to Policy 3.1.2.1 which states:

"New development will be located and organized to fit within its existing and/or planned context. It will frame and support adjacent streets, parks and open spaces to improve the safety, pedestrian interest and casual views to these spaces from the development by:

- a) generally locating buildings parallel to the street or along the edge of a park or open space with a consistent front yard setback;
- b) locating main building entrances so that they are clearly visible and directly accessible from the public sidewalk;
- c) providing ground floor uses that have views into and, where possible, access to, adjacent streets, parks and open spaces; and
- d) preserving existing mature trees wherever possible and incorporating them into landscaping designs.

Other Built Form policies of the Plan that were considered in review of this application include policies 3.1.2.2, 3.1.2.3, 3.1.2.4 and 3.1.2.5. Section 3.1.3 Built Form – Tall Buildings, and specifically policies 3.1.3.1 and 3.1.3.2, were also considered in conjunction with the City-wide Tall Building Design Guidelines.

Section 3.2.1 Housing policies, were also considered in the assessment and evaluation of this proposal.

Other Official Plan policies that provided guidance in the review of this application were Site and Area Specific Policies No. 45 and 51 which apply to lands located in the Weston Village and Weston Area.

SASP 45 states that new buildings within Weston Village will have a maximum height of 8 storeys (24 metres). They should be sited at the front lot line and oriented to the adjacent street, similar to existing low-rise buildings along Weston Road. On John Street, building height will be limited to 3 storeys (9 metres) at the street frontage but may step back to 8 storeys (24 metres) maximum. Part (b) of this policy provides further provisions for the reinforcement of the Weston Village as a focal point of the Weston Community.

SASP 51 states that view corridors to the Humber Valley from street intersections of Weston Road in the Weston community should be maintained. Links between the Weston community and the Humber Valley should be improved by adding and improving existing pedestrian connections including: an expansion of the pedestrian/bicycle trail system north of Cruickshank Park and establishing additional amenities for park users such as a café, retail pavilion and washrooms. Part (b) of this policy states that a significant open space feature should be provided in the Lawrence employment area.

### **City-Wide Tall Building Design Guidelines**

In May 2013, Toronto City Council adopted the updated City-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to



ensure they fit within their context and minimize their local impacts. The City-wide Guidelines are available at <http://www.toronto.ca/planning/tallbuildingdesign.htm>

In Policy 1 in Section 5.3.2 Implementation Plans and Strategies for City-Building, the Official Plan states that Guidelines will be adopted to advance the vision, objectives, and policies of the Plan. Urban Design Guidelines specifically are intended "to provide a more detailed framework for built form and public improvements in growth areas." The City-wide Tall Building Design Guidelines address this policy, helping to implement Chapter 3.1 The Built Environment and other policies within the Plan related to the design and development of tall buildings in Toronto.

## **Zoning**

The site is zoned MCR (Main Street Commercial/Residential Zone) in the former City of York Zoning By-law No. 1-83. This zoning permits a range of uses including residential uses such as townhouses and apartments, and non-residential uses such as retail stores, restaurants, recreational uses, theatres, hotels, institutional uses and office, among others (see Attachment 4).

The property at 33 King Street also has a site specific prevailing Zoning By-law No. 197 that permits the existing development and provides specific permissions relative to parking provisions.

Site Specific Zoning By-law No. 261 applies to 22 John Street and provides specific restrictions relative to the operation of any open air market. However, this by-law is not subject to this application.

The site is also zoned CR (Commercial Residential Zone) 2.5(c2.5; r2.0) with a density provision of 2.5 times the area of the lot and is subject to Development Standard Set SS2, in the current City of Toronto Zoning By-law 569-2013 (see Attachment 5). This zoning, while still under appeal at the Ontario Municipal Board, permits a mix of commercial and residential uses. In addition, the King Street site is subject to Exception CR 973 and the John Street site to Exception CR 974. Building setbacks, angular planes and other performance standards affecting the lands are outlined in the Development Standards Set No. 3 (SS3) of the Zoning By-law.

Exception CR 973 provides site specific development provisions relative to 33 King Street and indicates that Site-Specific Zoning By-law 197 of the former City of York Zoning By-law No. 1-83 continues to prevail. Exception CR 974 also provides site specific development provisions relative to 22 John Street and indicates that Site-Specific Zoning By-law 16(261) of the former City of York Zoning By-law No. 1-83 continues to prevail.

## **Site Plan Control**

The proposal is subject to Site Plan Control. A Site Plan application was received on August 18, 2015 and is being reviewed concurrently with this application.

## **Tree Preservation**

This application is subject to the provisions of the City of Toronto Private Tree Protection By-law. An Arborist Report, Tree Inventory and Tree Preservation Plan were submitted with the application, which has been reviewed by Urban Forestry staff.

As identified by the applicant's Arborist, the proposed development would require removal and/or injury of 15 private trees. As a result, an application to Urban Forestry – Tree Protection and Plan Review to Injure or Destroy Trees, along with the associated application fees, is required. All Urban Forestry matters would be addressed by the applicant through the Site Plan Control approval process.

## **Archaeological Assessment**

The site is located within an area of Archeological Significance. The applicant submitted a Stage 1 Archeological Assessment Report which has been reviewed by Heritage Preservation Services staff. Heritage Preservation Services staff have advised the report is satisfactory and there are no further archaeological concerns.

## **Reasons for the Application**

An Official Plan Amendment is required to permit the proposed height of the development at 22 John Street, as it does not conform to Site and Area Specific Policy No. 45 of the Plan.

A Zoning By-law Amendment is required to amend the former City of York Zoning By-law No. 1-83 and City of Toronto Zoning By-law 569-2013 to permit the height and density being proposed and to implement appropriate site-specific development standards to facilitate the proposed development.

An amendment to Site Specific Zoning By-law No. 197 for 33 King Street is also required to allow for additional uses on the ground floor (self-storage) and to amend the parking requirement to recognize the accommodation of required parking for the 22 John Street development.

## **Community Consultation**

On March 19, 2014 and June 2, 2015 the Ward Councillor held community information sessions to obtain feedback on the proposal. Planning and other City staff were in attendance with the applicant and between 80-100 area residents attended each meeting. Notification for the meeting was arranged by the Ward Councillor. Issues and concerns raised by the community included:

- Density, height and built form;
- Potential shadow impacts;
- Potential noise and vibration issues;
- Pedestrian-level winds;
- Demands on existing City infrastructure (stormwater, sanitary and water);
- Public realm enhancements on John Street;

- Enhancement of the existing Weston Farmer's Market;
- Provision of parking for visitors and patrons to the Weston Farmer's Market;
- Community use of the Community/Cultural Hub;
- Removal of visible on-site hydro poles/lines; and
- Lack of loading and garbage collection.

A Community Consultation Meeting was held respecting the proposed development on October 7, 2015. Approximately 125 members of the public attended. Although a number of residents spoke in support of the proposal, other residents raised issues related to:

- Density, height and built form;
- Traffic congestion;
- Community/Cultural Hub programming;
- Tenure of the proposed development;
- Enhancement of the existing Weston Farmer's Market;
- Provision of parking for visitors and patrons to the Weston Farmer's Market;
- Site maintenance;
- The state of good repair of the proposed development over time; and
- Potential Section 37 matters.

### **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.

### **COMMENTS**

#### **Provincial Policy Statement and Provincial Plans**

Part (1), Section (2) of the *Planning Act* sets out matters of provincial interest which City Council shall have regard to when carrying out its responsibilities, including: the orderly development of safe and healthy communities; the conservation of features of significant architectural, cultural, historical archeological interest; the adequate provision of social, cultural and recreational facilities; the adequate provision of employment opportunities; the adequate provision of a full range of housing, including affordable housing; and the appropriate location of growth and development. The Provincial Policy Statement (PPS) 2014 provides policy direction on matters of provincial interest related to land use planning and development.

This proposal provides for the provision of new affordable rental housing, that will provide live/work opportunities. The proposal would also provide for the provision of a Community/Cultural Hub in one of the City's Neighbourhood Improvement Areas (NIA's).

The proposal is consistent with the 2014 PPS. It would accommodate residential infill growth through intensification, supporting the policy objectives related to focusing

growth in existing settlement areas. The proposal would also provide additional cultural facilities, support efficient land use, reduce land consumption related to residential development and make efficient use of infrastructure.

City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe. In this case, Section 2.2.2 of the Growth Plan states that population and employment growth will be accommodated by directing a significant portion of new growth to the built-up areas of the community through intensification. As this site is located in a built up area, and the proposal is intensifying the use of land for housing, the proposal conforms and does not conflict with the Growth Plan.

## **Land Use**

The site is designated *Mixed Use Areas* in the Official Plan. Staff are of the opinion the proposed development conforms to the *Mixed Use Areas* designation and its development criteria, and is supportive of the Built Form policies of the Official Plan.

The proposal supports the City's Official Plan policy direction by promoting the efficient use and re-use of underutilized land and infrastructure by facilitating residential intensification on the existing Toronto Parking Authority paid parking lot. If approved, the proposal would also provide for a mix of housing types in both a tall building and townhouse form and create opportunities to increase the City's purpose built rental housing stock. It also provides for civic open space and a cultural component that would provide increased opportunities for public engagement and social interaction.

The proposal provides for adequate transition and appropriate built form relationships to the surrounding land uses and fits within the existing built context. Furthermore, the utilization of vacant parking spaces and re-purposing of vacant interior space at 33 King Street for the use of a Community/Cultural Hub with artist live/work units is in keeping with the City's Tower Renewal Initiative for the reuse and renewal of concrete apartment towers situated in community revitalization areas.

## **Density, Height and Massing**

The Official Plan requires development in *Mixed Use Areas* to comply with articulated development criteria, including appropriate built form location, massing and transitions, and appropriate screening of service areas. The purpose of these policies, in addition to facilitating attractive developments, is to ensure no adverse impacts on existing neighbourhoods, parks, streetscapes and open spaces. Built Form policies in the Official Plan further elaborate on required considerations for assessing building density, height and massing, including: framing of street edges and parks in order to create comfortable sun and wind conditions; placing main building entrances so they are directly visible and accessible from the public sidewalk; providing for active ground floor uses with views and access to adjacent streets, parks and open spaces; and screening and organizing servicing and vehicular access to minimize impacts on the site and its surroundings.

The proposed development would consist of a 30-storey apartment tower that steps down to 7 storeys with seven 5-storey grade related townhouses that include a roof top amenity area. The proposed development would have an area of 27,359 m<sup>2</sup> representing a density of 4.8 times the area of the lot. Main residential entrances with direct access to John Street and to the open spaces with front yard grading and landscaping would also be provided to create more active, animated and interesting ground floor relationships to the adjacent street and open space areas from the apartment building, townhouses and the artist live/work units.

Residents at the community meetings expressed concern with respect to the height of the proposed tower and the potential to establish a precedent for tall buildings in Weston Village. The tower would have a maximum floor plate of 750 m<sup>2</sup>, in compliance with the City-wide Design Guidelines for Tall Buildings and have a maximum height of 30 storeys or 100 m. Given the presence of the adjacent 31 storey building at 33 King Street, as well as other tall buildings in the vicinity, staff are of the opinion the proposal would not establish a precedent for tall building development in the Weston Village area. Rather, the proposed building would generally fit the existing built form context.

The massing, design and layout of the proposed development are also in keeping with the City-wide Tall Building Design Guidelines and the Built Form policies of the Official Plan that envision slender tower elements in order to increase access to light and views, increase privacy and improve skyviews while minimizing the extent of shadows. Shadows from the slender tower would move through the site and the surrounding area more quickly throughout the day allowing for increased sun penetration to the Weston Farmer's Market. Additionally, the development would frame and support John Street and would provide for an enhanced relationship between the new development and the public street; maintain an appropriate overall scale and pattern of development within its context and provide consolidated service areas (parking, loading and garbage) to minimize their impact on the public street and open space.

The proposed building would be set back from the rail corridor in compliance with the residential setback requirements of Metrolinx and Canadian Pacific Railway (CPR) for residential developments adjacent to rail corridors. The massing and placement of the proposed building would frame the Weston Farmers Market, which would be enhanced as part of this development and referred to as Weston Place. The proposed location and separation distance from the rail corridor and the slender design of the tall building would result in an inviting and comfortable pedestrian environment, reduce the potential for noise impacts on prospective tenants and enhance the public realm.

### **Sun, Shadow and Wind**

The Official Plan *Mixed Use Areas* development criteria in Section 4.5.2, as well as the Built Form policies of Sections 3.1.2 and 3.1.3, outline the requirements for tall buildings to adequately limit shadowing and uncomfortable wind conditions on neighbouring streets, properties and open spaces. In addition, these policies require that new buildings frame adjacent streets, parks and open spaces in good proportion, including the use of

weather protection such as canopies and awnings, to maintain sunlight and comfortable wind conditions for pedestrians.

The applicant submitted a Shadow Study illustrating the shadow movements associated with the proposed development during the spring and fall equinoxes and summer solstice. The study illustrates the proposed building would introduce a slender shadow that extends onto the adjacent lands designated *Neighbourhoods* to the east, as well as on the proposed open space and street network. The shadows will have impacts on individual properties for approximately an hour during the course of the day. As a result, the shadow impact analysis demonstrates that the proposed development would not result in any unacceptable shadow impacts on the adjacent properties.

There are no public parks or open spaces in the immediate vicinity of the subject site other than the H.J. Alexander Community School to the north, which would not be affected by the shadows cast by the proposed building.

Based on the shadow study, the projected shadow impacts of the proposed building on neighbouring properties, the community open space area and the proposed street network would be adequately limited and be in accordance with the applicable Official Plan policies. City Planning staff accept the findings of this analysis.

A Pedestrian Level Wind Study was also provided. The study concluded that as a result of the placement and orientation of the proposed buildings in framing the street, wind conditions would be adequately limited on neighbouring properties, streets and open space areas. Detailed design elements such as stepbacks, projecting cornices, building overhangs and permanent canopies as well as site features such as feature walls and landscaping which further ensure acceptable pedestrian level wind conditions will be evaluated through the Site Plan approval process.

## **Servicing**

A Functional Servicing Report was submitted with this application. This report provides methods for providing water, sanitary and storm services for each of the properties related to the proposed development. It also addresses stormwater management methods by determining the allowable site release rate, and provides a means for suitable attenuation methods and treatment of storm water runoff with respect to the Toronto Wet Weather Flow Management Guidelines and the Ministry of the Environment and Climate Change Stormwater Management Guidelines.

Connections to the existing watermain, sanitary sewer and storm sewer along John Street will service the proposed building and there is sufficient capacity to service the development. The Functional Servicing Report has been reviewed by Engineering and Construction Services staff who are awaiting acceptance of its findings from Toronto Water. It is recommended that City Council require this acceptance to be provided prior to the introduction of the necessary Bills for enactment. Additional detailed review will occur through the Site Plan approval process.

## **Traffic Impact and Site Access**

The site has good access to public transit, which includes local T.T.C bus routes, the new Weston GO station and the Union Pearson (UP) Express Line, which are all within convenient walking distance from the site.

An Urban Transportation Considerations Report was submitted with this application to review the potential traffic impacts of the proposed development on the local street network.

The report examined parking, loading, vehicular access and the proposed pick-up/drop-off facility at 22 John Street.

In this report, the consultant states that the proposed development will generate approximately 110 and 85 new two-way trips during the morning and afternoon peak hours, respectively. These estimates were derived from trip generation surveys of various proxy sites throughout the City, and take into account the removal of traffic volumes that are currently being generated by existing uses on the property that will be eliminated as a result of the proposal. The report concluded that:

- The development is appropriate from an urban transportation standpoint;
- The modifications to the existing 33 King Street parking garage to provide parking for residents of 22 John Street and visitors is an efficient reuse of existing parking transportation infrastructure;
- The proposed vehicular parking supply will meet the needs of residents, residential visitors and the general public; and
- The overall traffic impacts associated with the development would be relatively modest and manageable.

The consultant's report concludes that the overall traffic impacts of the development are relatively modest and can be accommodated on the adjacent road network.

With respect to site access, the proposed new residential development at 22 John Street would provide one full-movement entrance driveway for passenger pick-up/drop-off to the building, which is located between South Station Street and the terminus of John Street. A new driveway would be constructed at the relocated Toronto Parking Authority (TPA) lot on the north side of John Street north of the existing public lane (Pantelis Kalamaris Lane). Existing driveway locations from King Street to the existing parking, pick-up/drop-off and loading areas at 33 King Street are proposed to be maintained.

In addressing the potential for increased vehicular traffic on John Street that may result from the proposed development, Transportation Services staff requested the applicant's transportation consultant conduct a further review. Specifically, staff requested an examination of the interlocking left-turn movements resulting from the location of the

proposed driveway for 22 John Street in relation to the existing John Street/South Station Street unsignalised intersection.

Based on further analysis, the consultant concluded there would be no queuing difficulty for the southbound-to-eastbound left-turn from John Street to South Station Street due to the low volumes expected for this movement. Similarly, no queuing difficulty is expected for the northbound-to-westbound left-turn movements from John Street to the 22 John Street driveway, due to the closure of John Street north of the driveway. On this basis, Transportation Services staff have indicated they have no objection to the proposed 22 John Street driveway location.

Transportation Services staff further advise that the traffic impacts of the proposal are acceptable and no road improvements are required to accommodate the proposed development traffic volumes. However, further vehicular site access, manoeuvring and vehicular site circulation matters would be addressed through the Site Plan approval process.

### **Parking and Loading**

At present, a four-level parking garage exists at 33 King Street, where only two levels of parking are being utilized. The other two levels have remained vacant for some time. As part of the re-purposing of the vacant space, parking for the proposed development at 22 John Street would be provided in this underutilized parking garage and be accessed by an elevated pedestrian bridge. A total of 563 parking spaces currently exist. 506 parking spaces would accommodate the residents of both buildings, with the remaining 57 parking spaces being used for commercial parking, which would accommodate visitors and users of the non-residential components of the project, including the Weston Farmers Market. 70 additional paid parking spaces would also be provided in the new Toronto Parking Authority lot being proposed at 14 John Street.

278 bicycle parking spaces are also proposed, which meets the City's Toronto Green Standards Tier 1 requirement and the requirements of City-wide Zoning By-law 569-2013. This requirement will form part of the Site-Specific Zoning By-laws for these lands. 252 spaces will be provided for residents with the remaining 26 spaces being provided for visitors. Transportation Planning staff will provide further comments on the proposed location of bicycle parking spaces and the types of infrastructure required to accommodate them through the Site Plan approval process.

The applicant is proposing one Type "G" loading space to service the proposed development that will be accessed via 14 John Street, which does not form part of the application for this site. This is in keeping with the requirements of City-wide Zoning By-law 569-2013. The final configuration of this loading space, as well as appropriate truck circulation supporting this configuration, would be secured through the Site Plan approval process.



## **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/C of the Official Plan illustrates the level of local parkland provision across the City, as calculated on the basis of hectares of local parkland per 1,000 people. The proposed development site is in the third highest quintile of parkland provision with 0.80 to 1.56 hectares of local parkland per 1,000 people. The site is also in a parkland priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

The Parkland Dedication requirement for this site will be satisfied by the construction and maintenance of the enhanced Weston Farmer's Market space. Funding arrangements will be identified in the final funding model report from the Affordable Housing Office targeted for the December 1, 2015 meeting of Executive Committee. Should the model be approved, the parkland dedication amount to be paid as cash-in-lieu would be determined at the time of building permit issuance.

## **Streetscape**

The primary street frontage for the proposed development would be John Street. The current proposal includes a number of on-site soft and hard landscape treatments that would transition into the public realm along John Street. Some of these treatments include decorative concrete pavers and concrete strip details, trees and shrubs, lighting, planter boxes, pedestrian concrete paving and a wide sidewalk along the John Street frontage. These details among others would connect the Metrolinx pedestrian bridge and amphitheatre area to the enhanced Weston Farmers Market and John Street public realm.

As part of the Weston 2021 Revitalization Strategy, the renewal of John Street was identified as a Quick Start Initiative that would be implemented via a streetscape plan. The John Street Revitalization and Public Realm Improvement Plan was developed for John Street by the Urban Land Institute and DTAH, a Toronto based architecture, landscape architecture and urban design firm. The Public Realm Plan provides a vision for John Street with recommendations for transforming the roadway from a secondary commercial street into a vibrant market district. The Plan also prompted the John Street Pilot Project, which was launched in June 2012 and ran through the summer months. During this time, the roadway was temporarily closed to allow for a public sidewalk café with seating areas and planters. The project was designed to demonstrate the potential of John Street to assist with the revitalization of the overall neighbourhood. Some of the recommendations of the Public Realm Improvement Plan include wider sidewalks and curbs, narrowed roadway widths to accommodate wider sidewalks and traffic calming, decorative street lighting, trees and street furniture.

In an effort to further implement the John Street Revitalization and Public Realm Improvement Plan, the City's Public Realm staff in consultation with other City staff, the Ward Councillor and the applicant, are working to design and implement an inviting pedestrian environment along the street that seamlessly coordinates the proposed landscape elements of the development with the public realm.

## **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. This is proposed to be secured in the Section 37 Agreement as a legal convenience.

The Site Specific Zoning By-law will secure performance measures for Tier 1 development features including automobile infrastructure, cycling infrastructure and storage and collection of recycling and organic waste. Other applicable TGS performance measures will be secured through the Site Plan approval process.

## **Section 37**

Section 37 of the *Planning Act* authorizes a municipality, with appropriate approved Official Plan provisions, to pass by-laws increasing the height or density otherwise permitted by a Zoning By-law in return for the provision of community benefits by the applicant.

The provision of appropriate community benefits has been reviewed with the Ward Councillor. However, at the time of writing this report, details of the Section 37 provisions and terms and conditions of the Section 37 Agreement(s) were still being finalized. It is anticipated these matters will be concluded shortly and this information will be provided in a Supplementary Report to either Etobicoke York Community Council at its meeting of November 10, 2015 or City Council at its meeting of December 9 and 10, 2015.

Generally, the recommended Section 37 community benefits include the provision, construction and maintenance of the following:

- i. A Community/Cultural Hub at 33 King Street;
- ii. 26 affordable artist live/work units at 33 King Street to be secured for at least 25 years to the satisfaction of the Director of the Affordable Housing Office and the City Solicitor;
- iii. A publically accessible Artist's Courtyard located between 33 King Street and 22 John Street;
- iv. An enhanced Weston Farmer's Market space; and
- v. Residential parking spaces for 22 John Street at 33 King Street.

The following matter is also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

- i. The owner shall provide and maintain 432 dwelling units on the site of 33 King Street as rental housing for a period of at least 20 years, from the date the Zoning By-law is in force and effect, with all existing associated facilities and amenities of the building to be secured for the existing rental housing units.

## **Rental Housing**

The Housing Policies in Section 3.2.1 of the Official Plan were considered when assessing this proposal, in particular Policy, 3.2.1.3 which states "Investment in new rental housing, particularly affordable rental housing, will be encouraged by a co-ordinated effort from all levels of government through the implementation of a range of strategies, including effective taxation, regulatory, administrative policies and incentives."

Staff also considered Policy 3.2.1(5) that provides that significant new development on sites containing 6 or more rental units, where the existing rental units will be kept in the new development, will secure the tenure of buildings where there are affordable or mid-range rents, and may also secure improvements to the existing buildings at no extra cost to the tenants.

A total of 26 new affordable rental dwelling units would be created at 33 King Street and would be secured in Agreement(s) between the City of Toronto and the owners for at least 25 years. In addition, the owner has agreed to maintain the 432 existing dwelling units in 33 King Street as rental housing for a period of at least 20 years, with all the existing associated facilities and amenities of the building to be secured for the tenants. The owner has also agreed that any of the costs of the work associated with this development proposal will not be passed on to existing tenants.

## **Conclusion**

Over the last several years a number of City divisions, outside agencies, stakeholders and area residents along with the Ward Councillor have all engaged in various activities and initiatives aimed at revitalizing the community of Weston. In addition, several years of discussion that have taken place regarding the proposed development.

The revitalization objective identified in the Weston 2021 Revitalization Strategy contemplates a myriad of strategic actions aimed at renewing the Weston Community over the short, intermediate and long-term. It was also identified through the review of the feasibility of the Weston Design Charrette findings that revitalization could only be successfully implemented by the development of both public and private partnerships and investments in the area. The 22 John Street application is a key example of such cooperation and partnership.

The new Weston Go Station and Union Pearson (UP) Express line, the Weston Station Master Plan, which includes a greened tunnel cover area that will be used for public open space, the John Street pedestrian bridge and amphitheatre, the John Street Revitalization

and Public Realm Improvement Plan combined with the proposed development will support the social, cultural and economic renewal of the Weston community in advancing the City's broader revitalization objective for the area.

The proposed development is appropriate and desirable from a land use planning and urban design perspective. It is in keeping with the City's Official Plan Built Form, *Mixed-Use Areas* intensification policies and the City-wide Tall Building Guidelines, is consistent with the 2014 Provincial Policy Statement and conforms to the Provincial Growth Plan. It would also have modest and manageable impacts on the local transportation system.

Staff are therefore recommending the application to amend the Official Plan and Zoning By-laws be approved by City Council.

## **CONTACT**

Natasha Laing, Senior Planner  
Tel. No. (416) 394-8205  
Fax No. (416) 394-6063  
E-mail: nlaing@toronto.ca

## **SIGNATURE**

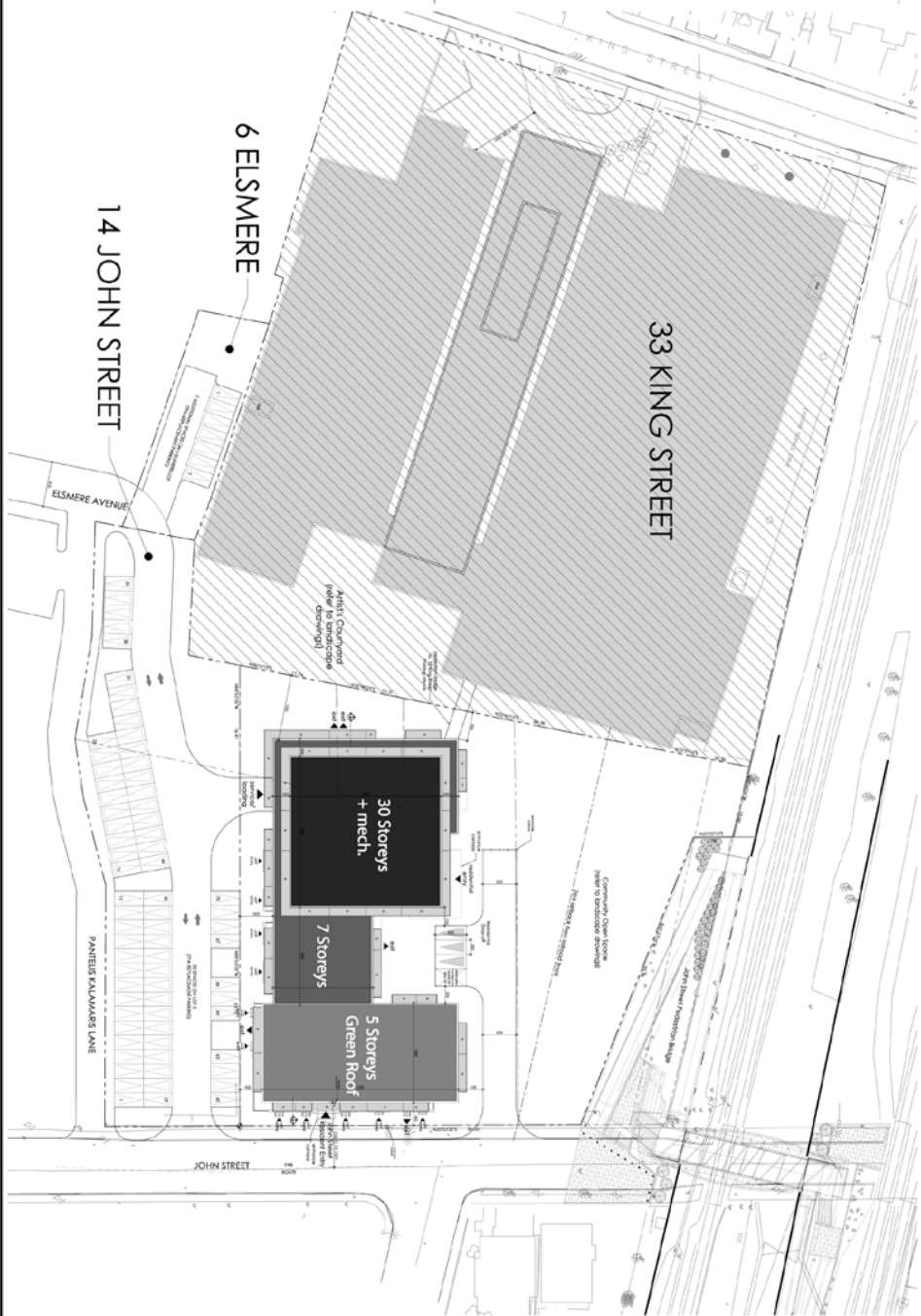
---

Neil Cresswell, MCIP, RPP  
Director of Community Planning  
Etobicoke York District

## **ATTACHMENTS**

- Attachment 1a: Site Plan (22 John Street)
- Attachment 1b: Site Plan (33 King Street)
- Attachment 2a: Elevations (22 John Street)
- Attachment 2b: Elevations (22 John Street)
- Attachment 2c: Partial Elevations (33 King Street)
- Attachment 2d: Partial Elevations (33 King Street)
- Attachment 3: Official Plan
- Attachment 4: Zoning (Former City of York Zoning By-law No. 1-83)
- Attachment 5: Zoning (City of Toronto Zoning By-law 569-2013)
- Attachment 6: Application Data Sheet
- Attachment 7: Draft Official Plan Amendment
- Attachment 8: Draft Zoning By-law Amendment  
(Former City of York Zoning By-law No. 1-83)
- Attachment 9: Draft Zoning By-law Amendment  
(City of Toronto Zoning By-law 569-2013)

**Attachment 1a: Site Plan – 22 John Street**



**Site Plan**

Applicant's Submitted Drawing

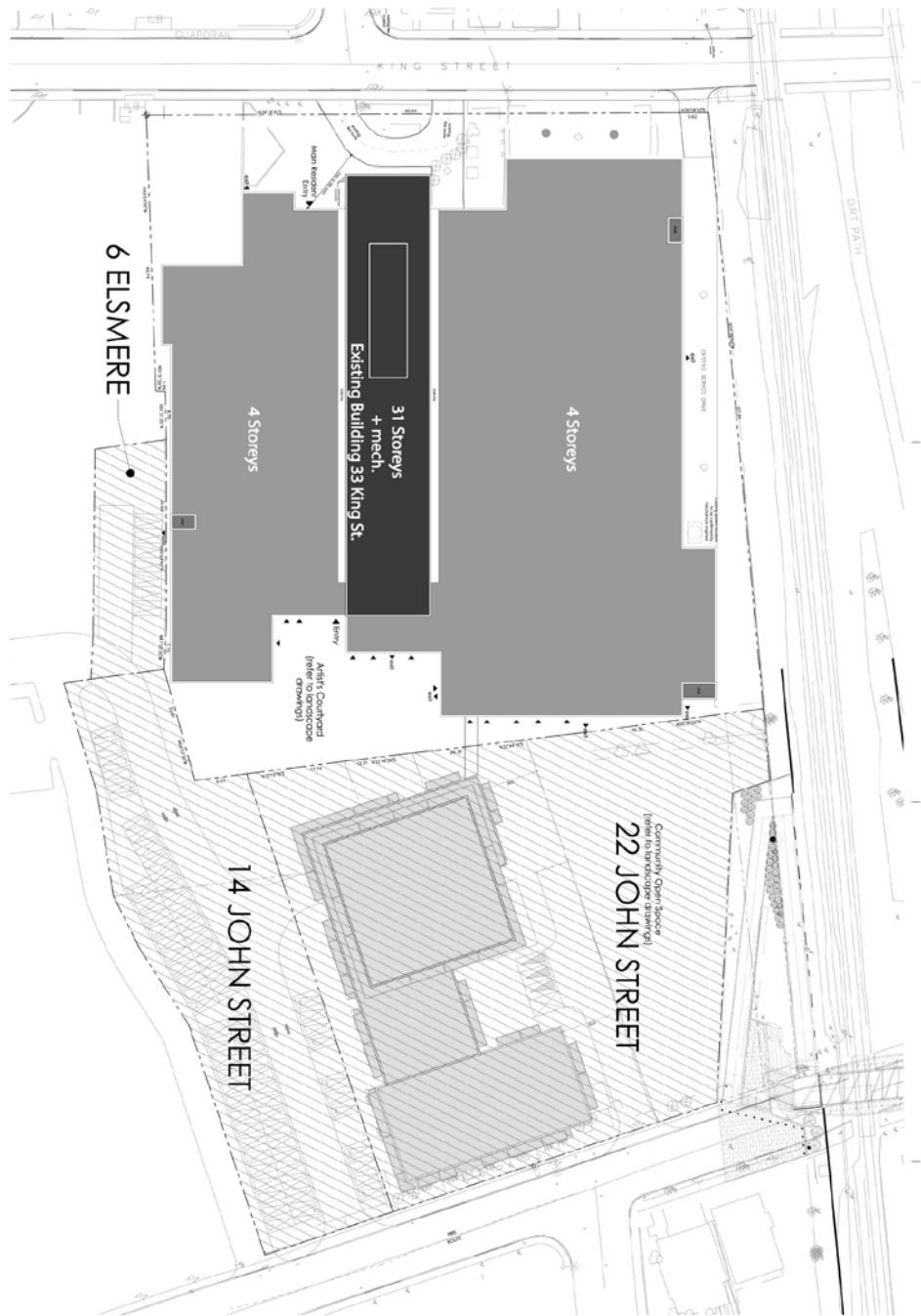
Not to Scale  
10/26/2015

**22 John Street**

(33 King Street and 2 Elsmere Avenue)

File # 15 170792 WET 11 0Z

# Attachment 1b: Site Plan – 33 King Street



**Site Plan**

Applicant's Submitted Drawing

Not to Scale  
10/26/2015

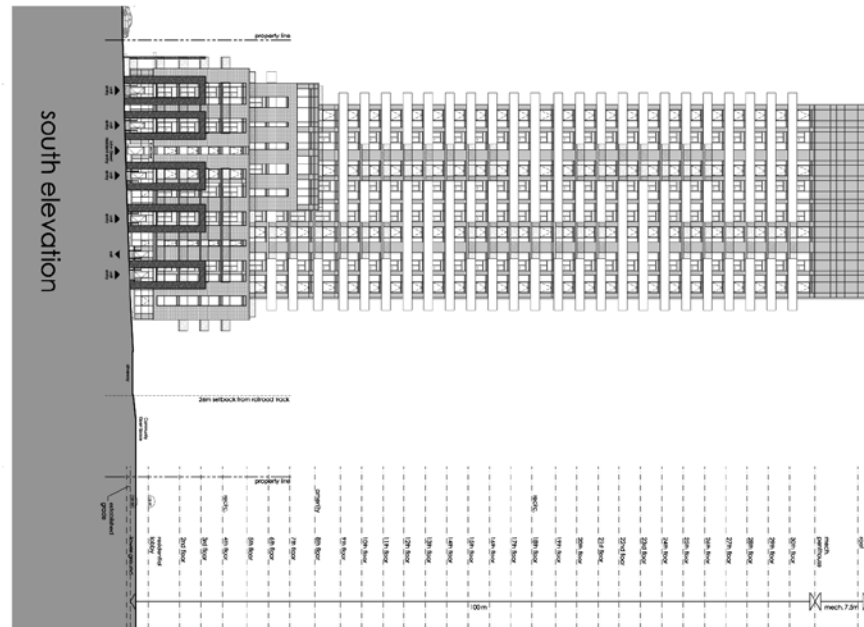
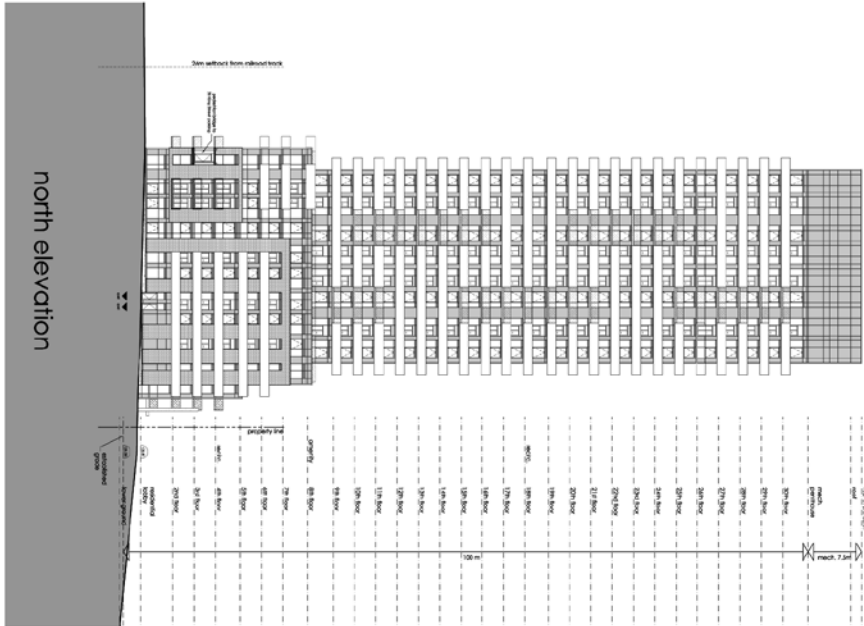


**33 King Street**

(22 John Street and 2 Elsmere Avenue)

File # 15 170792 WET 11 0Z

**Attachment 2a: Elevations – 22 John Street**



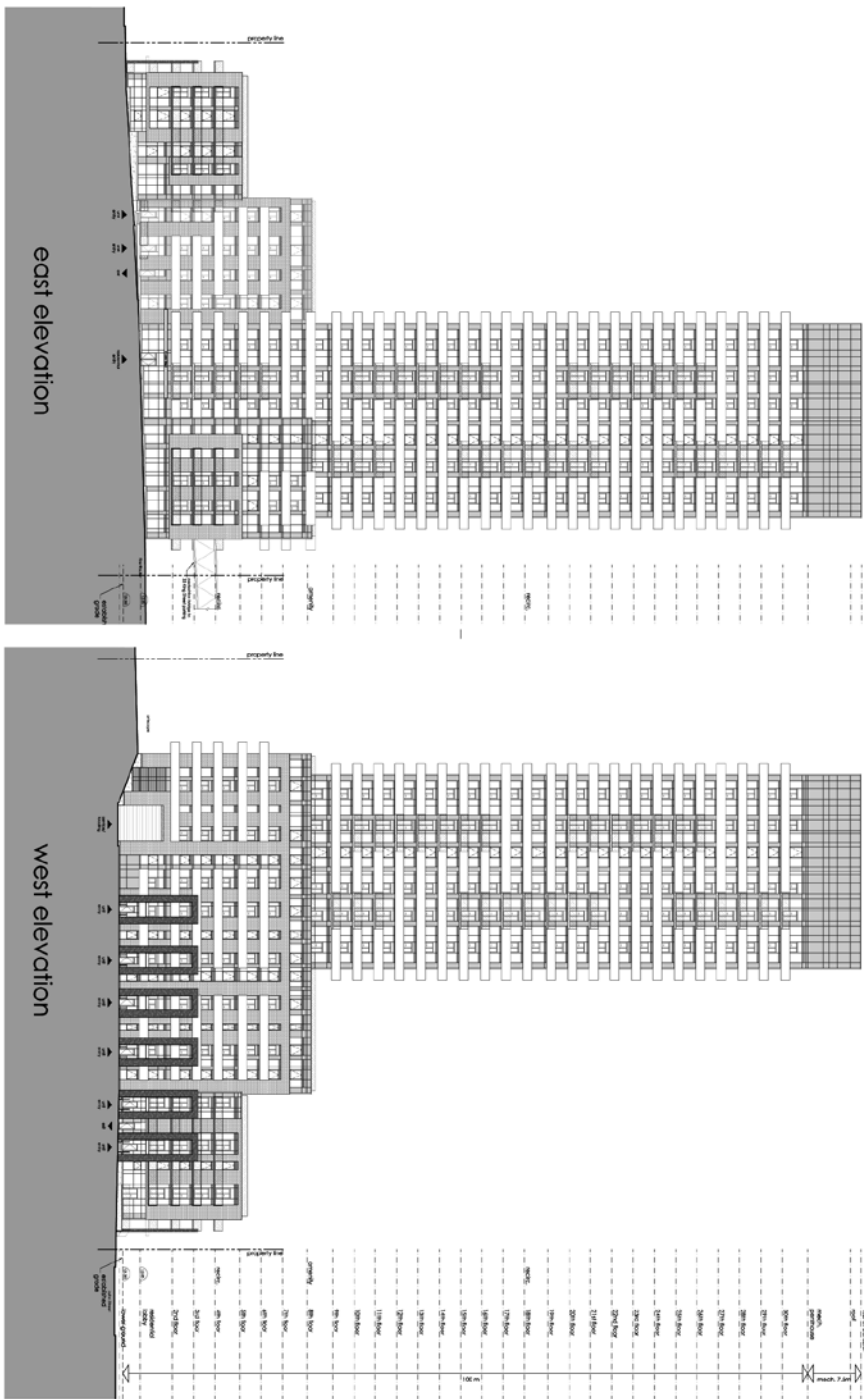
**Elevations**  
 Applicant's Submitted Drawing

Not to Scale  
 08/14/2015

**22 John Street,**  
 (33 King Street and 2 Elsmere Avenue)

File # 15 170792 WET 11 0Z

**Attachment 2b: Elevations – 22 John Street**



**Elevations**

Applicant's Submitted Drawing

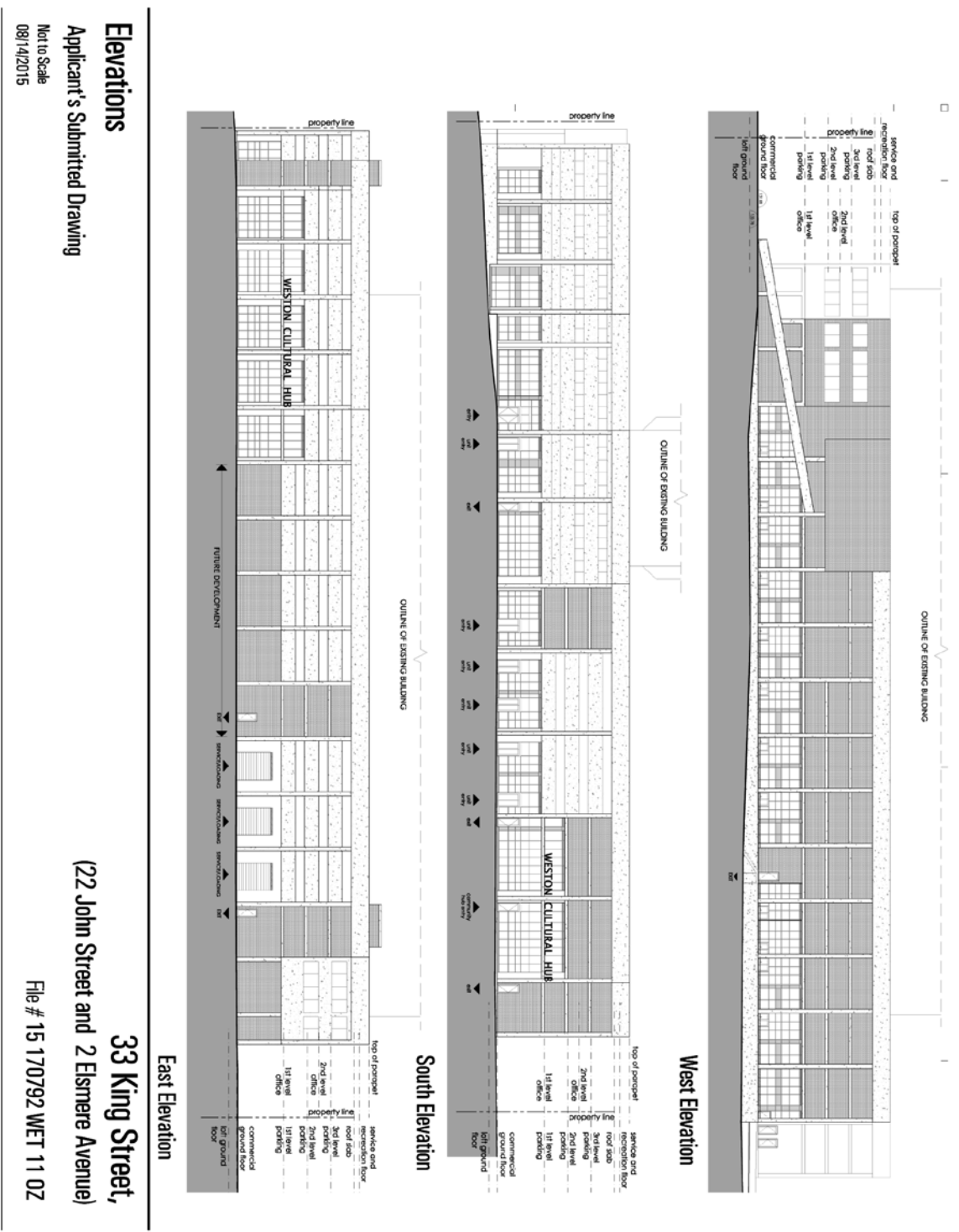
Not to Scale  
08/14/2015

**22 John Street,**  
(33 King Street and 2 Elsmere Avenue)

File # 15 170792 WET 11 0Z



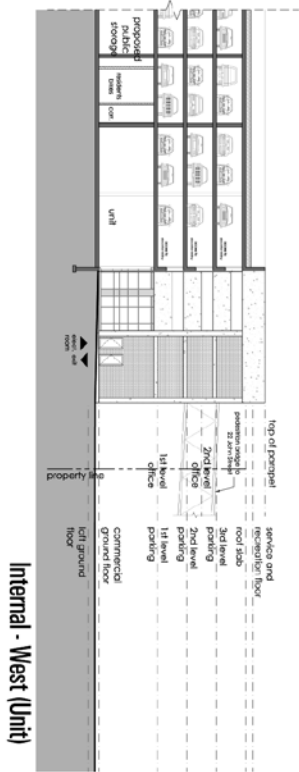
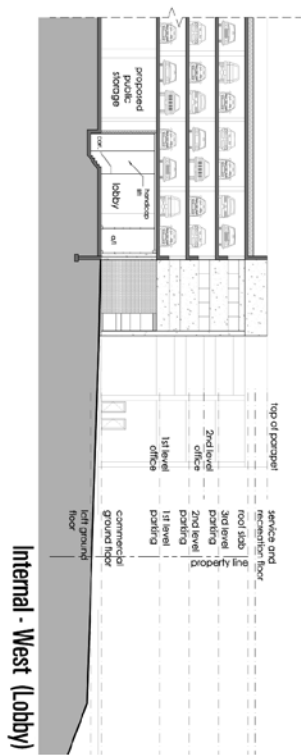
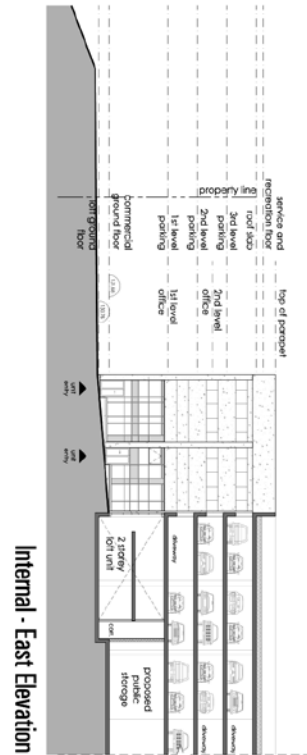
## Attachment 2c: Partial Elevations – 33 King Street



**Elevations**  
 Applicant's Submitted Drawing  
 Not to Scale  
 08/14/2015

**33 King Street,**  
 (22 John Street and 2 Elsmere Avenue)  
 File # 15 170792 WET 11 0Z

## Attachment 2d: Partial Elevations – 33 King Street



**Elevations**  
 Applicant's Submitted Drawing  
 Not to Scale  
 08/14/2015








**33 King Street,**  
 (22 John Street and 2 Elsmere Avenue)  
 File # 15 170792 WET 11 0Z

### Attachment 3: Official Plan



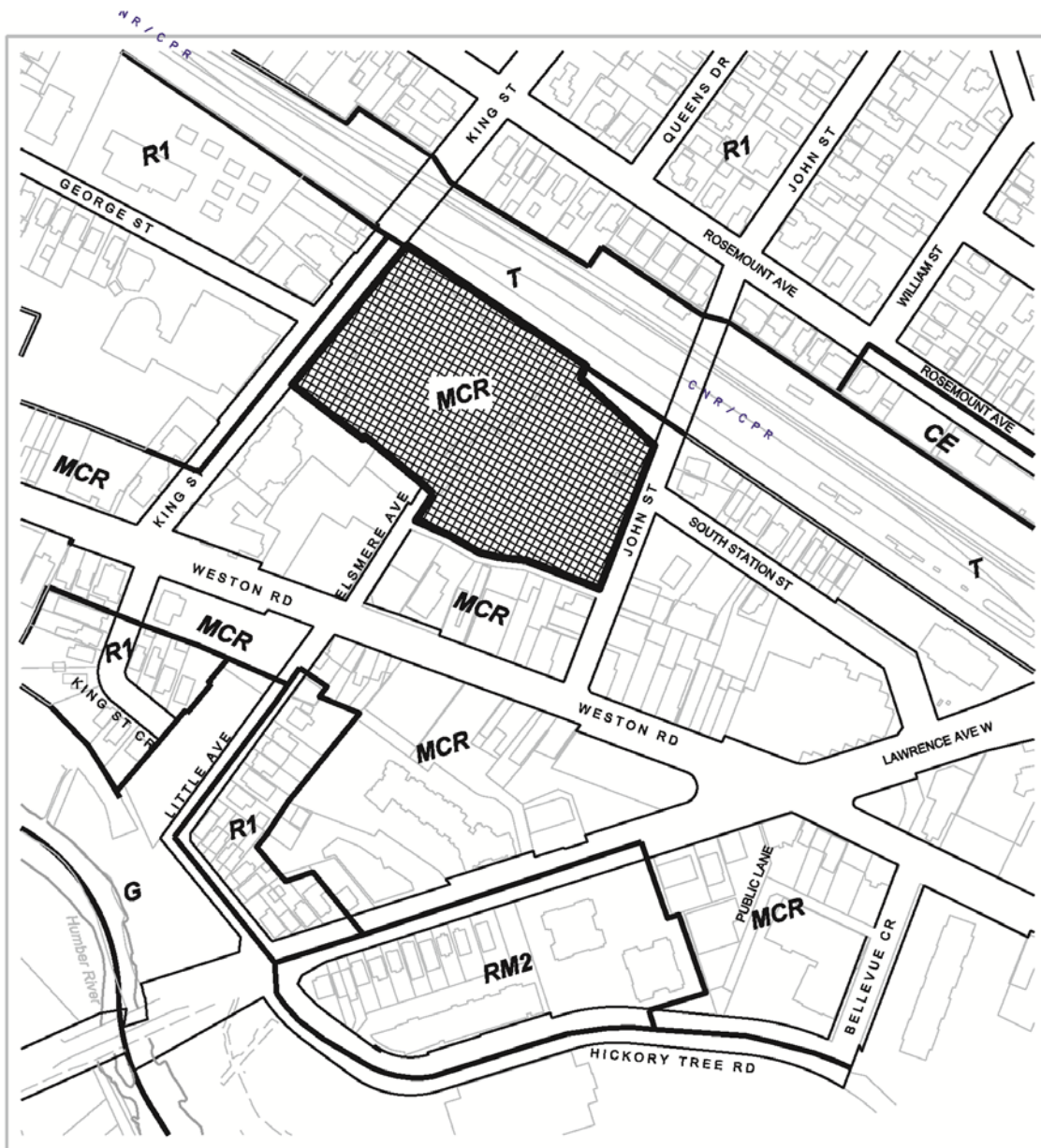
**TORONTO** City Planning  
**Extract from Official Plan**

**22 John Street, 33 King Street  
 and 2 Elsmere Avenue**  
 File # 15 170792 WET 11 0Z

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

↑  
 Not to Scale  
 08/07/2015

**Attachment 4: Zoning (Former City of York Zoning By-law No. 1-83)**



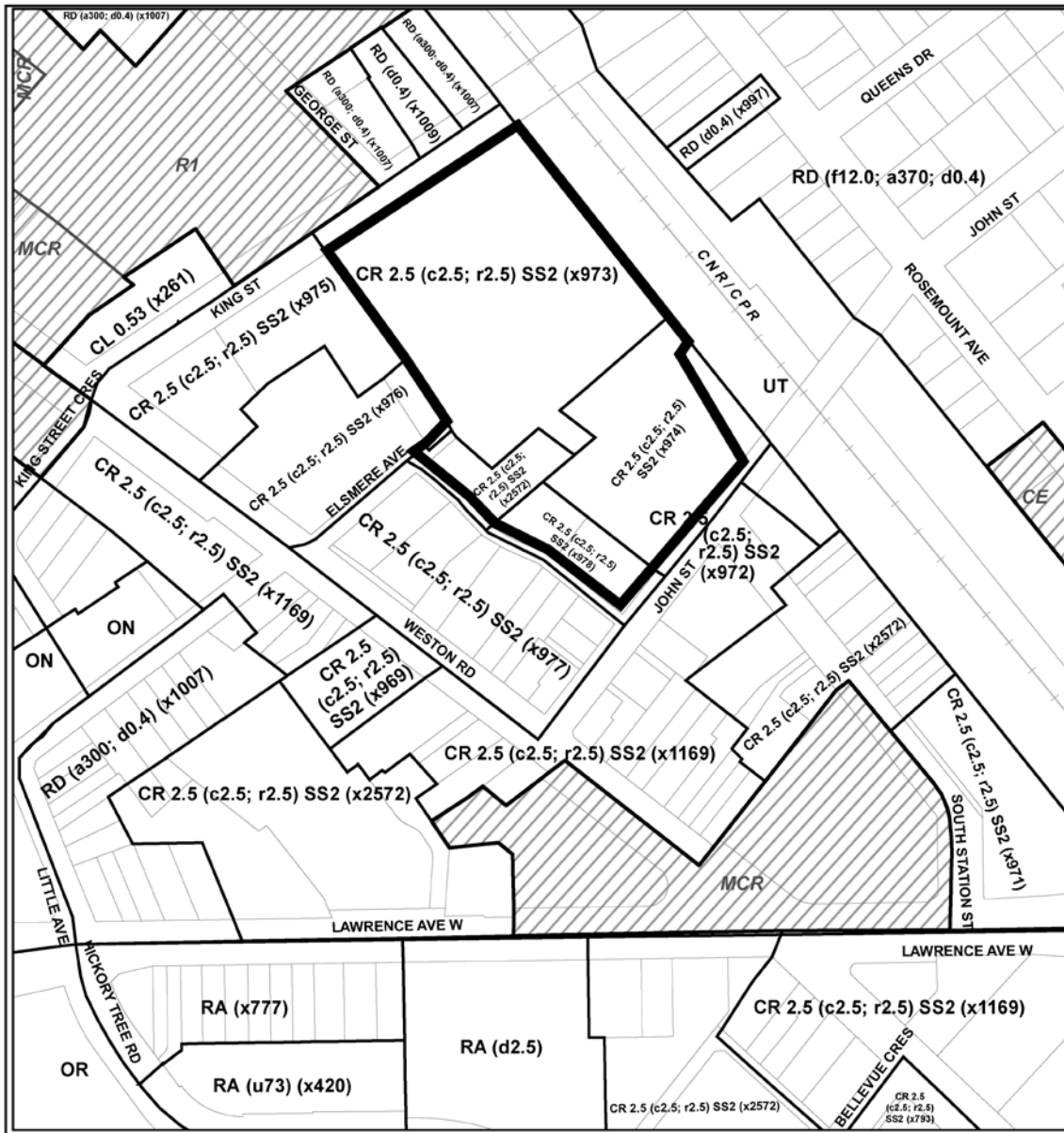
**TORONTO** City Planning  
Zoning

**22 John Street, 33 King Street,  
and 2 Elsmere Avenue**  
File # 15 170792 WET 11 0Z

- R1 Residential Zone
- MCR Mixed Commercial Residential
- CE Commercial Employment Zone
- T Transportation & Utilities
- G Green Open Space

↑  
Not to Scale  
Former York Zoning By-law 1-83  
Extracted 08/06/2015

## Attachment 5: Zoning (City of Toronto Zoning By-law 569-2013)



**TORONTO** City Planning  
**Zoning By-law 569-2013**

**22 John Street, 33 King Street and  
 2 Elsmere Avenue**  
 File # 15 170792 WET 11 OZ

<p> Location of Application</p> <p><b>RD</b> Residential Detached</p> <p><b>RA</b> Residential Apartment</p> <p><b>CR</b> Commercial Residential</p> <p><b>UT</b> Utility and Transportation</p>	<p><b>ON</b> Open Space Natural</p> <p><b>R1</b> Residential Zone</p> <p><b>MCR</b> Mixed Commercial Residential</p>	<p> See Former City of York Bylaw No. 1-83</p> <p style="text-align: right;">↑ Not to Scale Extracted 08/05/2015</p>
--	--	--

## Attachment 6: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	15 170792 WET 11 OZ
Details	OPA & Rezoning, Standard	Application Date:	June 9, 2015

Municipal Address: 22 JOHN STREET, 33 KING STREET and 2 ELSMERE AVENUE  
 Location Description: \*\*GRID W1102

Project Description: Proposed amendments to the Official Plan and Zoning By-laws to permit the development of a 30 storey, 370-unit rental apartment building, including 7 at-grade townhouses and a 1, 200 m<sup>2</sup> outdoor community open space at 22 John Street. A 794m<sup>2</sup> Creative Cultural Hub with 26 live/work units is also being proposed at 33 King Street with 70 new TPA parking spaces on the lands municipally known as 14 John Street. Parking for the proposed development at 22 John Street will be provided in the underutilized parking garage space at 33 King Street. In addition, 3,897 m<sup>2</sup> of vacant ground floor space at 33 King Street is proposed to be converted to a self-storage facility.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
22 JOHN STREET DEVELOPMENTS	Rockport Group		CITY OF TORONTO

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	SASP's 45 and 51
Zoning:	MCR and CR	Historical Status:	No
Height Limit (m):	8 Storeys	Site Plan Control Area:	Yes

### PROJECT INFORMATION

Site Area (sq. m):	17538	Height:	Storeys:	30	
Frontage (m):	85.93		Metres:	107.5	
Depth (m):	194 (irregular lot shape)				
Total Ground Floor Area (sq. m):	8,837				<b>Total</b>
Total Residential GFA (sq. m):	30,055		Parking Spaces:	558	
Total Non-Residential GFA (sq. m):	5,024		Loading Docks	2	
Total GFA (sq. m):	35,079				
Lot Coverage Ratio (%):	50.39				
Floor Space Index:	2.00				

### FLOOR AREA BREAKDOWN (upon project completion)

DWELLING UNITS	Rental	Residential GFA (sq. m):	Above Grade	Below Grade
Rooms:			30,055	0
Bachelor:	75	Retail GFA (sq. m):	0	0
1 Bedroom:	451	Office GFA (sq. m):	0	0
2 Bedroom:	292	Industrial GFA (sq. m):	0	0
3 + Bedroom:	10	Institutional/Other GFA (sq. m):	5,024	0
Total Units:	828			
	(incl. 33 King Street units)			

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	Natasha Laing, Senior Planner
	<b>TELEPHONE:</b>	(416) 394-8205

**Attachment 7: Draft Official Plan Amendment**

**Authority: Etobicoke York Community Council Item: ~ as adopted by the City of Toronto Council on ~, 20~**

**CITY OF TORONTO**

**Bill No. ~**

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

**To adopt Amendment No. 292 to the Official Plan for the City of Toronto respecting the lands located within Weston Village and municipally known as 22 John Street, part of 33 King Street and 2 Elsmere 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 text and map attached hereto are adopted as an amendment to the Official Plan for the City of Toronto.
2. This is Official Plan Amendment No. 292

ENACTED AND PASSED this \_\_\_\_ day of \_\_\_\_\_, A.D. 2015.

JOHN TORY,  
Mayor

ULLI S. WATKISS  
City Clerk

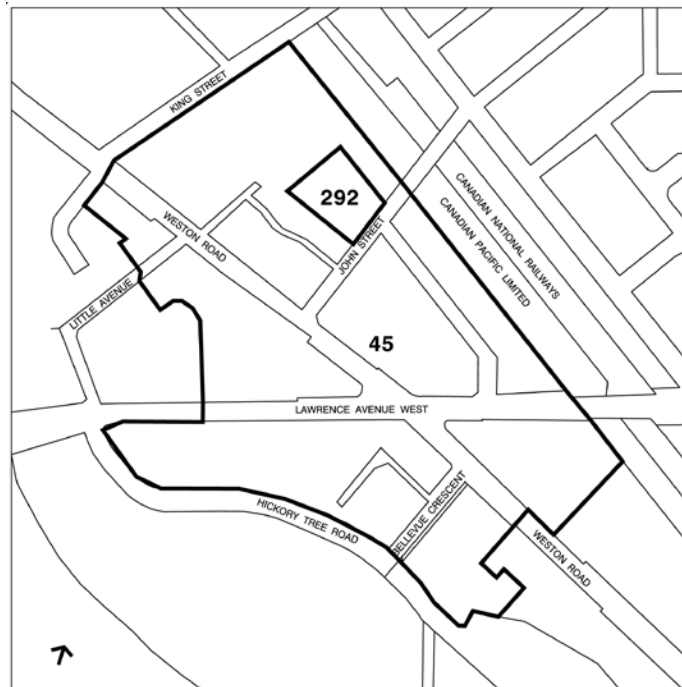
(Corporate Seal)

**SCHEDULE “A”**

1. Chapter 7, Site and Area Specific Policy No. 45, is amended by adding Site and Area Specific Policy No. 292 A(i) for the lands known municipally in 2015 as 22 John Street, part of 33 King Street and 2 Elsmere Avenue, as follows:

292. 22 John Street, part of 33 King Street and 2 Elsmere Avenue

New buildings within Weston Village on the John Street frontage will have a maximum height of 5 storeys and 19 metres and may step back to a maximum of 30 storeys and 100 metres (excluding mechanical penthouse).





**Attachment 8: Draft Zoning By-law Amendment  
(Former City of York Zoning By-law No. 1-83)**

Authority: Etobicoke York Community Council Item ~ as adopted by City of Toronto Council on ~, 2015

Enacted by Council: ~, 2015

**CITY OF TORONTO**

**BY-LAW No. XXXX-2015**

**To amend former City of York Zoning By-law No. 1-83, as amended, and By-law 197 with respect to the lands municipally known as 33 King Street, 22 John Street and 2 Elsmere 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 enacts:

1. Section 16 General Exceptions of By-law No. 1-83 is amended by adding the following subsection:

**(XXX) LANDS: 33 KING STREET, 22 JOHN STREET and 2 ELSMERE AVENUE**

Notwithstanding the provisions of former City of York Zoning By-law No. 1-83, the area subject to this By-law as delineated by heavy lines on Schedule “A” attached to and forming part of this By-law, and municipally known as 33 King Street, 22 John Street and 2 Elsmere Avenue, may be used for the purposes of two mixed-use buildings containing residential and non-residential uses subject to the following provisions:

- (a) The area subject to this By-law consists of at least the lands delineated by heavy lines and titled *Site A* and *Site B* on Schedule “A”, attached to and forming part of this By-law.

**SITE A – 22 John Street and 2 Elsmere Avenue**

NUMBER OF DWELLING UNITS

- (b) A maximum of 370 *dwelling units* are permitted.

MAXIMUM FLOOR SPACE INDEX

- (c) That maximum *floor space index* on *Site A* shall not exceed 4.8 and for the purposes of calculating *floor space index* it shall also exclude any roof top mechanical room and stair access to the roof.

MAXIMUM FLOOR PLATE

- (d) The maximum individual floor plate size per floor for floors 8 through 30 inclusive, shall not exceed 750 square metres.

BUILDING HEIGHT

- (e) The maximum building *height*, including all accessory structures, appurtenances, equipment or other projections shall not exceed the value in metres shown on Schedule "B1" attached to and forming part of this By-law. *Height* shall be measured from *grade*, which is established as the Canadian Geodetic Datum value of 128.395 metres. The following permitted exceptions to the maximum *height* are:
- i. appurtenances and equipment and associated window wall serving the building, the mechanical penthouse and stair(s) to the roof, located within an enclosed portion of the building located upon the roof, provided such elements do not exceed the said permitted maximum *height* by 7.5 metres.

ACCESS

- (f) At least one major building entrance shall provide direct access to the driveway.

BICYCLE PARKING

- (g) A minimum of 278 *stacked bicycle parking spaces* shall be provided and maintained on *Site A*, of which:
- i. A minimum of 252 *stacked bicycle parking spaces*, with a minimum length of 1.6 metres and a minimum width of 0.4 metres, shall be allocated for residents, which may be located below grade; and

- ii. A minimum of 26 *stacked bicycle parking spaces*, with a minimum length of 1.6 metres and a minimum width of 0.4 metres, shall be allocated for visitors.

#### PUBLICLY ACCESSIBLE OPEN SPACE

- (h) A minimum of 20% of the total area of *Site A* shall be provided as publicly accessible open space, in the shaded portion as shown on Schedule “C” attached to and forming part of this By-law. Publicly accessible open space shall be comprised of both hard and soft landscaping elements, and can include landscaped beds which may not be accessible.

#### AMENITY

- (i) Indoor *amenity space* shall be provided on *Site A* at a minimum rate of 2.0 square metres for each *dwelling unit*, and outdoor *amenity space* shall be provided on *Site A* at a minimum rate of 1.35 square metres for each *dwelling unit*.

#### REFUSE HANDLING

- (j) Refuse shall be stored and maintained within a refuse room located on the ground floor. Vehicular access to the refuse room shall be provided and maintained from the adjacent lot at 14 John Street.

#### LOADING

- (k) One Type “G” loading space shall be provided and maintained on *Site A*, and vehicular access to the loading space shall be provided and maintained from the adjacent lot at 14 John Street.

#### ADDITIONAL PERMISSIBLE USES FOR LANDS ADJACENT TO THE JOHN STREET FRONTAGE

- (l) *Home occupation units*, provided that the *home occupation units* are located on the ground floor.
- (m) Any other use permitted in the LCR Zone, provided that the uses are located on the ground floor.

#### PRESENTATION CENTRE

- (n) Nothing in this By-law shall prevent the erection or placement of a temporary presentation centre building on *Site A*. This temporary building shall be used exclusively for the purposes of real estate presentations and transactions in connection with the developments on *Site A* and on *Site B*.

### **SITE B – 33 King Street**

- (o) Schedule “B” of prevailing By-law No. 197 is hereby deleted and replaced with Schedules “A” and “B2” attached hereto.
- (p) Sub-section 4 of Section 1 of prevailing By-law No. 197 (Exception CR 973) is hereby amended by replacing “four hundred and ten (410) rental apartment units” with “four hundred and twenty (420) rental apartment units”.
- (q) Sub-section 2 of Section 1 of prevailing By-law No. 197 (Exception CR 973) is hereby amended by adding the following at the end of the sub-section: “ and may include 12 apartment units”
- (r) That sub-section 1 of Section 1 of prevailing By-law No. 197 is hereby amended in order to permit all existing permitted uses and the following additional permitted uses on the ground floor:
  - i. twenty-six (26) *artist live/work units*;
  - ii. *community centre*;
  - iii. *artist’s or photographer’s studios*;
  - iv. *multi-purpose area*; and
  - v. *self-storage warehouse*.

### **SITE A and SITE B**

#### **SETBACKS**

- (s) No portions of any building or structure located above *grade* shall be located otherwise than wholly within the areas delineated by heavy lines as shown on Diagrams “B1” and “B2”, attached to and forming part of this By-law, except that:
  - (i) cornices, light fixtures, ornamental elements, parapets, art and landscape features, architectural flutes, pillars, pergolas, trellises, terraces, bay windows, window sills, planters, ventilation shafts, guardrails, balustrades, railings, stair enclosures, doors, wheelchair ramps, fences, screens, site servicing features, awnings and canopies, and window washing equipment may extend beyond the heavy delineated lines as shown on Schedules “B1” and “B2”.

#### **PARKING**

- (t) A total of 558 parking spaces will be located on *Site B* and will serve both mixed-use buildings on the area subject to this By-law. The 558 parking

spaces existing at the time of the passing of this By-law are deemed to conform to the By-law as it is amended from time to time.

## DEFINITIONS

- (u) For the purposes of this By-law defined terms which are italicized shall have the same meaning as found in Section 2 of By-law No. 1-83, and the following additional defined terms shall apply:
- i. “amenity space” shall mean a common area or areas within the area subject to this By-law which are provided for the exclusive use of residents of a building for recreational or social purposes.
  - ii. “artist live/work unit” shall mean a *dwelling unit* that is also used for work purposes, provided only the resident or residents of such accommodation work in the *dwelling unit*, and provided the work component is restricted to a studio or workshop used for the production and display of art and photography, or a designer’s studio.
  - iii. “artist’s or photographer’s studio” shall mean a studio or workshop used for the production and display of art and photography, or a *designer’s studio*.
  - iv. “community centre” shall mean premises operated by or on behalf of a government or non-profit organization providing community activities, such as arts, crafts, recreational, social, charitable and educational activities.
  - v. “grade” shall mean an elevation of 128.395 metres Canadian Geodetic Datum.
  - vi. “height” shall mean the vertical distance between established *grade* and the highest point of the building or structure.
  - vii. “home occupation unit” shall mean a *dwelling unit* which may also be used for work purposes by the residents of the *dwelling unit*.
  - viii. “multi-purpose area or multi-purpose rooms” shall mean rooms or areas used for the display and exhibition of art, cultural and community events, and meeting, classroom and administration spaces, and uses to support parks and recreation programs.

- ix. “self-storage warehouse” shall mean premises where individual enclosed areas are made available to the public for keeping or storing goods or commodities.
- x. “Site A” shall mean any building or structure, above and below grade, located as shown on Schedule A and municipally known as 22 John Street and 2 Elsmere Avenue.
- xi. “Site B” shall mean any building or structure, above and below grade, as shown on Schedule A and municipally known as 33 King Street.
- xii. “stacked bicycle parking space” shall mean a horizontal bicycle parking space that is positioned above or below another bicycle parking space and equipped with a mechanical device providing floor level access to both bicycle parking spaces.

#### SEVERANCE

- (v) The provisions of this by-law shall apply collectively to the areas subject to this By-law notwithstanding any future severance, partition, or division of the areas subject to this By-law.

#### OTHER PROVISIONS

- (w) No person shall use land or erect or use any building or structure, excluding a temporary presentation centre on *Site A* unless the following municipal services are provided to the lot line and the following provisions are complied with:
  - xiii. All new public roads have been constructed to a minimum base curb and base asphalt and are connected to an existing public highway; and
  - xiv. All water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.
- (x) All other provisions of former City of York Zoning By-law No. 1-83 shall continue to apply except in the case where provisions of this Exception are in conflict, in which case the provisions of this Exception shall prevail.

Enacted and passed on \_\_\_\_\_, 2015.

JOHN TORY  
Mayor

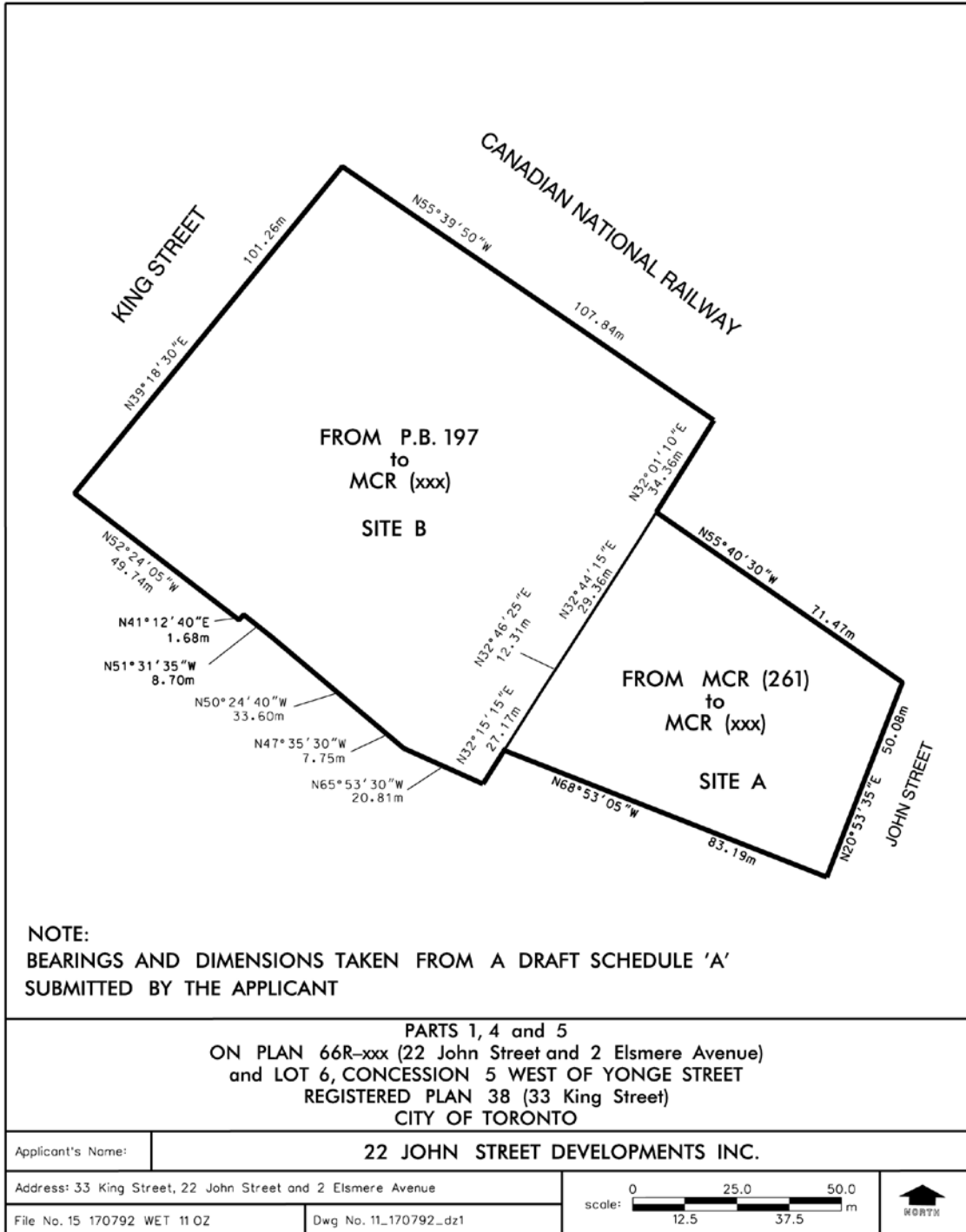
ULLI S. WATKISS  
City Clerk

(Seal of the City)

**SCHEDULE A**



Schedule 'A' BY-LAW Number  
and to Section 16(xxx) of Zoning By-Law 1-83

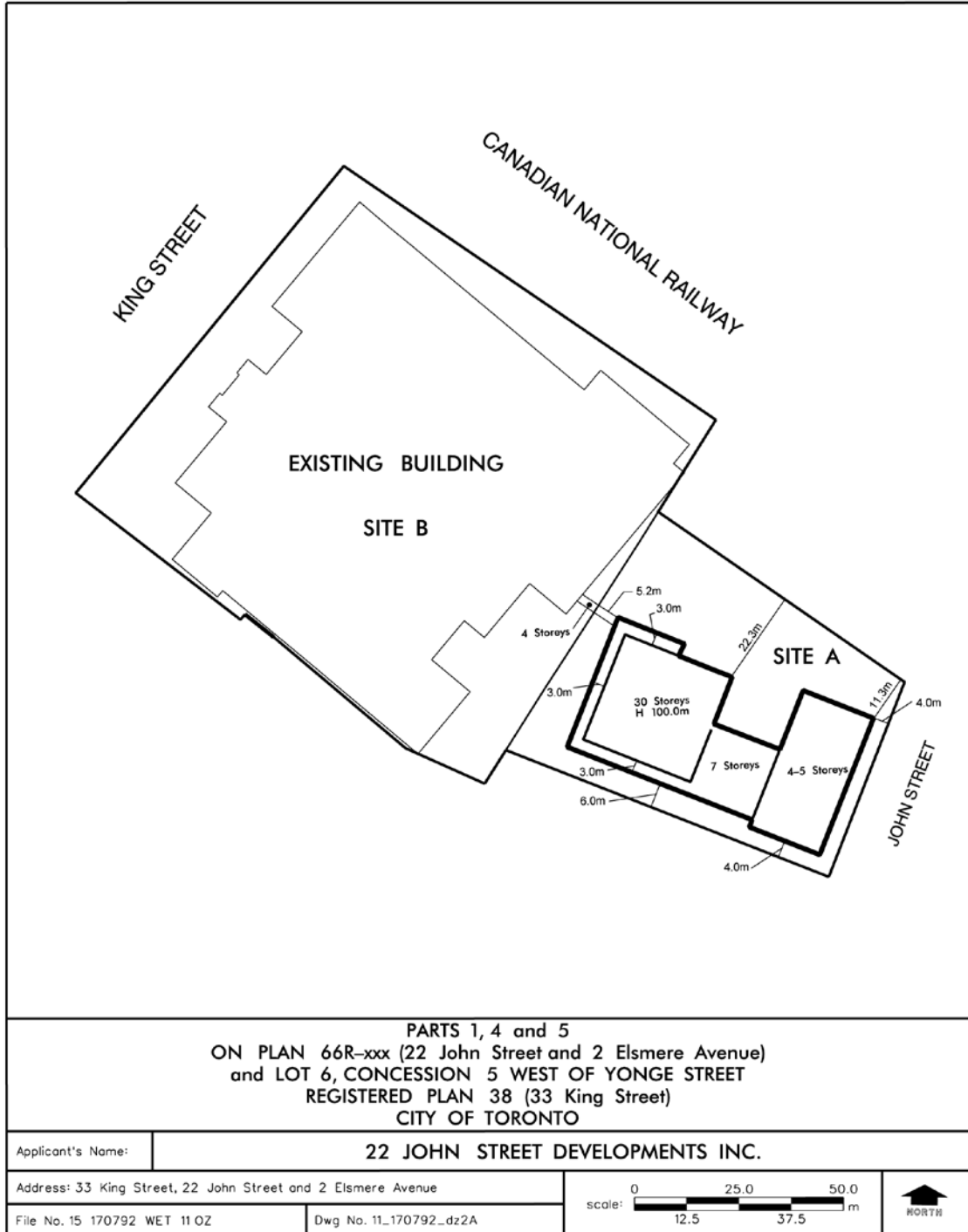




**SCHEDULE B1**



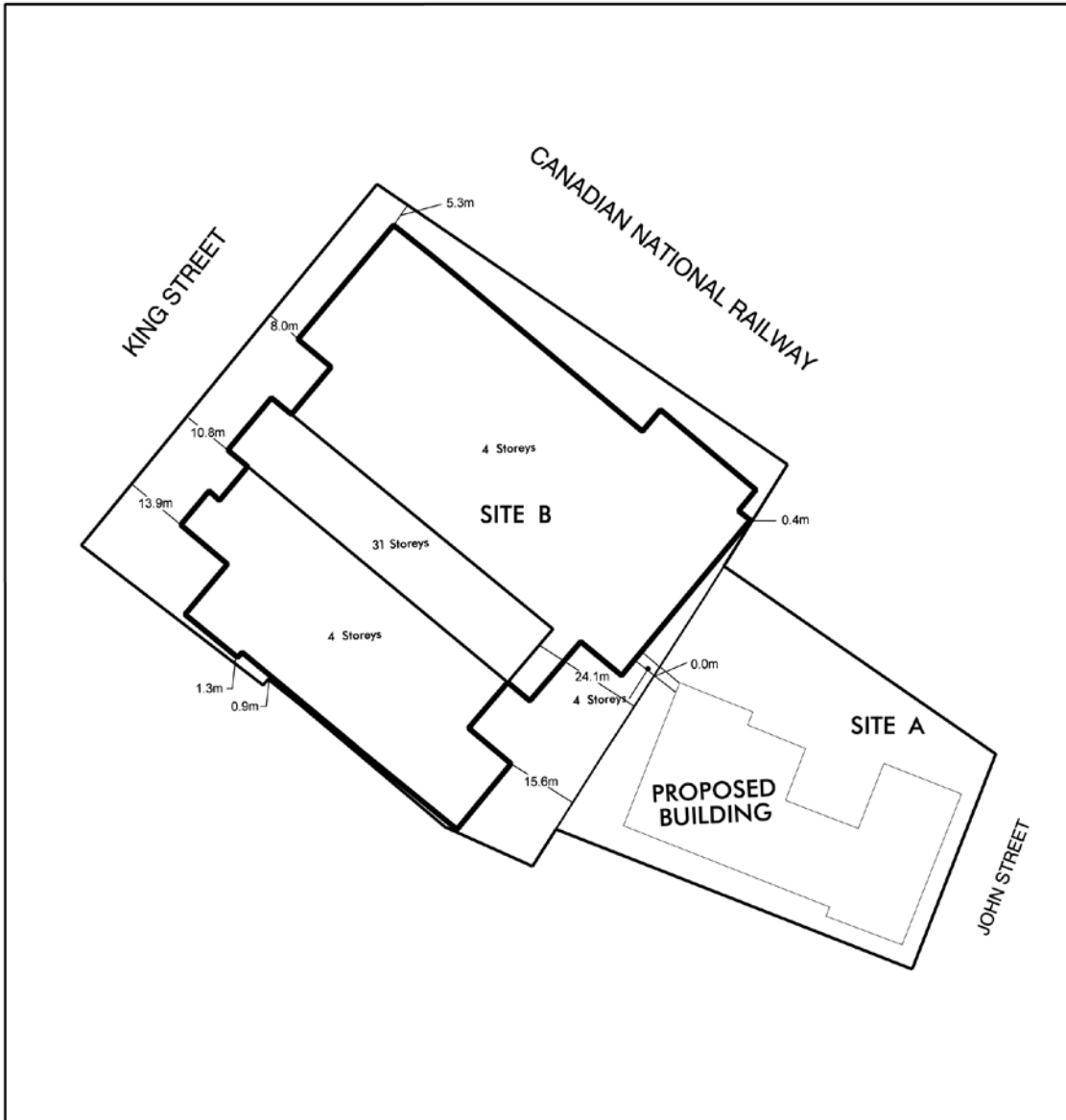
Schedule 'B1' BY-LAW Number  
and to Section 16(xxx) of Zoning By-Law 1-83



**SCHEDULE B2**



Schedule 'B2' BY-LAW Number  
and to Section 16(xxx) of Zoning By-Law 1-83



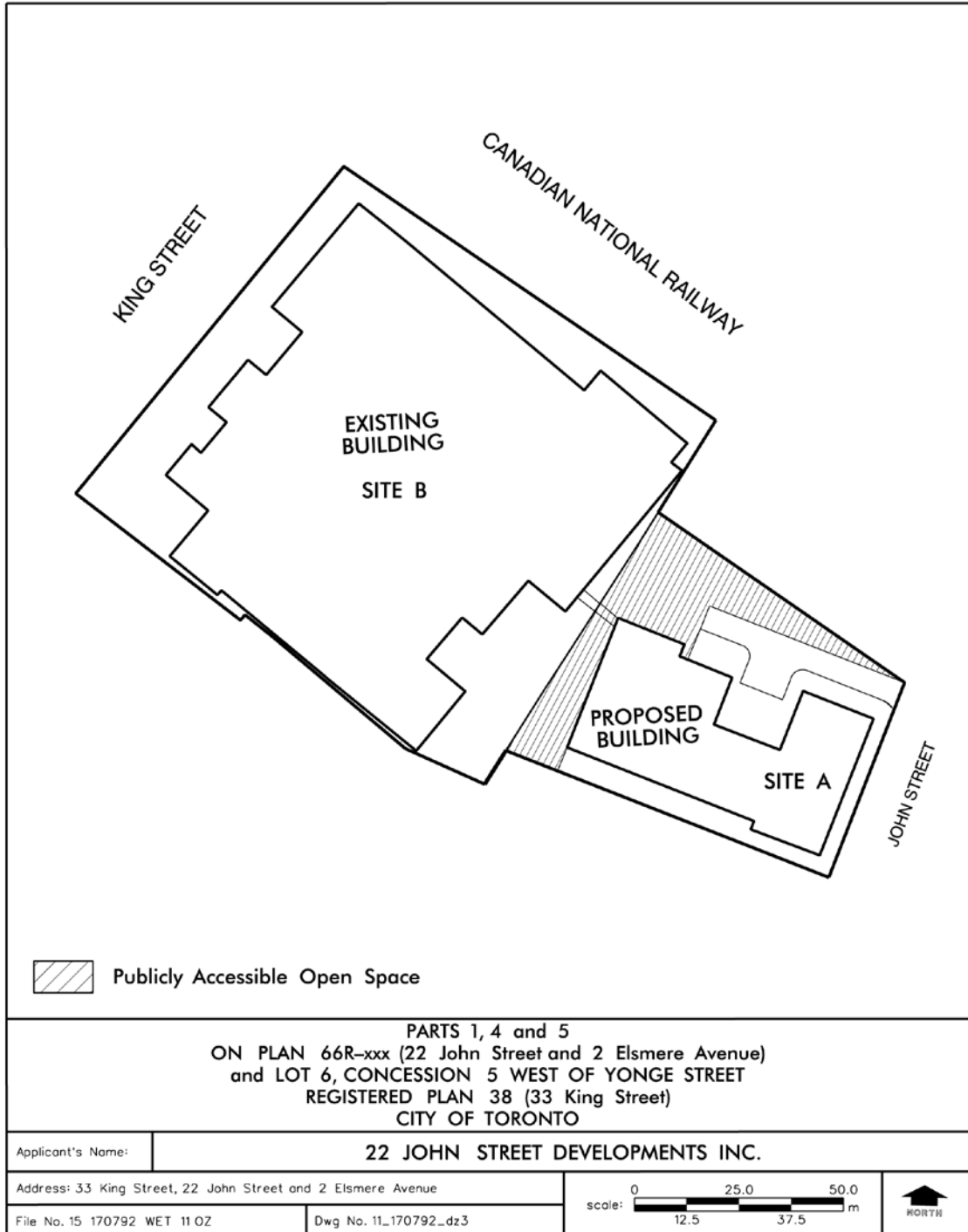
**PARTS 1, 4 and 5  
ON PLAN 66R-xxx (22 John Street and 2 Elsmere Avenue)  
and LOT 6, CONCESSION 5 WEST OF YONGE STREET  
REGISTERED PLAN 38 (33 King Street)  
CITY OF TORONTO**

Applicant's Name:	<b>22 JOHN STREET DEVELOPMENTS INC.</b>
Address: 33 King Street, 22 John Street and 2 Elsmere Avenue	scale:
File No. 15 170792 WET 11 02	

SCHEDULE C



Schedule 'C' BY-LAW Number  
and to Section 16(xxx) of Zoning By-Law 1-83



**Attachment 9: Draft Zoning By-law Amendment  
(City of Toronto Zoning By-law No. 569-2013)**

Authority: Etobicoke York Community Council Item ~ as adopted by City of Toronto Council on ~, 2015

Enacted by Council: ~, 2015

**CITY OF TORONTO**

**BY-LAW No. XXX-2015**

**To amend the City of Toronto By-law No. 569-2013, as amended, and By-law 197 with respect to the lands municipally known as 33 King Street, 22 John Street and 2 Elsmere 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. This By-law applies to the lands delineated by heavy lines on Diagram 1 attached to and forming part of this By-law.
2. Except as otherwise provided herein, the regulations of Zoning By-law No. 569-2013 continue to apply to the lands forming part of this By-law.
3. Zoning By-law No. 569-2013, as amended, is further amended by amending the zone label as shown on Diagram 1, and adding to Chapter 900.11.10 CR Exceptions, new exception CR XX, to apply to the lands as shown on Diagram 1 attached to and forming part of this By-law, so that it reads:

Exception CR XX

The area subject to this By-law consists of the lands delineated by heavy lines and titled **Site A** and **Site B** on Diagram 1, attached to and forming part of this By-law.

## **Site A – 22 John Street and 2 Elsmere Avenue**

### Site Specific Provisions:

- (A) None of the definitions of **amenity space, grade** and **home occupation unit**, and regulations of 5.10.40.70 (1),(2),(3),(4) and (5), 40.5.40.10(3),(4) and (5), 40.5.40.60, 40.10.40.50(1), 40.10.40.60, 40.10.40.70(2)(B),(C) and (G), 40.10.80.10(1), 40.10.90.10(1), 200.5.1(2), 200.5.1(3)(A), 200.5.1.10(2)(A),(B) and (C), 200.5.1.10(4), Table 200.5.10.1, 200.15.1(1), 200.15.10(1)(C), 230.5.1.10(4) and 230.40.1.20(2) will apply to prevent the erection or use of a **building, structure**, addition or enlargement if it complies with (B) to (K) and (P) to (S) below:
- (B) The following elements of a building may exceed the building **height** by 7.5 metres: appurtenances and equipment and associated window wall serving the building, antennas, elevator overruns, flagpoles, mechanical equipment (mechanical penthouse) and any associated enclosure structures, chimneys, parapets, guard rails, railings and dividers, pergolas, trellises, eaves, screens, stairs, satellite dishes, roof drainage, roof access, window washing equipment, lightning rods, architectural features, landscaping and elements of a green roof.
- (C) The following additional uses are permitted in the **building** adjacent to the John Street frontage:
  - (a) **home occupation units**, provided that the **home occupation units** are located on the ground floor.
  - (b) any other use permitted in the CR zone, provided that the uses are located on the ground floor.
- (D) The total **gross floor area** of all **buildings** and **structures** on **Site A** must not exceed 27,500 square metres.
- (E) The maximum individual floor plate size per floor for floors 8 through 30 inclusive, shall not exceed 750 square metres.
- (F) Outdoor **amenity space** must be provided at a minimum rate of 1.35 square metres for each **dwelling unit**.
- (G) A minimum of 278 **stacked bicycle parking spaces** must be provided and maintained on **Site A**, of which:
  - (a) A minimum of 252 **stacked long-term bicycle parking spaces** shall be allocated for residents, and shall have a

minimum length of 1.6 metres and a minimum width of 0.4 metres, and may be located below **grade**.

- (b) A minimum of 26 short-term **stacked bicycle parking spaces** shall be allocated for visitors, and shall have a minimum length of 1.6 metres and a minimum width of 0.4 metres.
- (H) A minimum of 20% of the total area of **Site A** shall be provided as publicly accessible open space, in the shaded portion as shown on Diagram 3 attached to and forming part of this By-law. Publicly accessible open space shall be comprised of both hard and soft landscaping elements, and can include landscaped beds which may not be accessible.
- (I) One Type “G” loading space shall be provided and maintained on **Site A**, and vehicular access to the loading space shall be provided and maintained from the adjacent lot at 14 John Street.
- (J) All waste and **recyclable material** shall be stored in the **building** and accessed from 14 John Street by vehicle.
- (K) Nothing in this By-law shall prevent the erection or placement of a temporary presentation centre on **Site A**. This temporary building shall be used exclusively for the purposes of real estate presentations and transactions in connection with the development on **Site A** and on **Site B**.

### **Site B – 33 King Street**

- (L) Schedule “B” of prevailing By-law No. 197 (Exception CR 973) is hereby deleted and replaced with Diagrams 1 and 2B attached hereto.
- (M) Sub-section 4 of Section 1 of prevailing By-law No. 197 (Exception CR 973) is hereby amended by replacing “four hundred and ten (410) rental apartment units” with “four hundred and twenty (420) rental apartment units”.
- (N) Sub-section 2 of Section 1 of prevailing By-law No. 197 (Exception CR 973) is hereby amended by adding the following at the end of the sub-section: “ and may include 12 apartment units”.
- (O) Sub-section 1 of Section 1 of prevailing By-law No. 197 (Exception CR 973) is hereby amended to permit all existing permitted uses and the following additional permitted uses on the ground floor:
  - i. twenty-six (26) **artist live/work units**;
  - ii. **community centre**;
  - iii. **artist’s or photographer’s studios**;

- iv. **multi-purpose area;** and,
- v. **self-storage warehouse.**

### **Site A and Site B**

- (P) No portions of any **building** or **structure** located above **grade** shall be located otherwise than wholly within the areas delineated by heavy lines as shown on Diagrams 2A and 2B, attached to and forming part of this By-law, except that:

cornices, light fixtures, ornamental elements, parapets, art and landscape features, architectural flutes, pillars, pergolas, trellises, terraces, bay windows, window sills, planters, ventilation shafts, guardrails, balustrades, railings, stair enclosures, doors, wheelchair ramps, fences, screens, site servicing features, awnings and canopies, and window washing equipment may extend beyond the heavy lines shown on Diagrams 2A and 2B.

- (Q) A total of 558 parking spaces will be located on **Site B** and will serve both mixed-use buildings subject to this By-law. The 558 parking spaces existing at the time of the passing of this By-law are deemed to conform to the By-law as it is amended from time to time.

- (R) For the purposes of this By-law, the terms which are shown in bold type are the terms as so defined by Chapter 800, Definitions of By-law 569-2013, as amended, except that the following definitions for the purposes of the area subject to this By-law shall apply as follows:

- xv. **amenity space** shall mean a common area or areas within the area subject to this By-law which are provided for the exclusive use of residents of a building for recreational or social purposes.
- xvi. **artist live/work unit** shall mean a **dwelling unit** that is also used for work purposes, provided only the resident or residents of such accommodation work in the **dwelling unit**, and provided the work component is restricted to a studio or workshop used for the production and display of art and photography, or a **designer's studio**.
- xvii. **artist's or photographer's studio** shall mean a studio or workshop used for the production and display of art and photography, or a **designer's studio**.
- xviii. **grade** shall mean an elevation of 128.395 metres Canadian Geodetic Datum.

- xix. **height** shall mean the vertical distance between established **grade** and the highest point of the building or structure.
- xx. **home occupation unit** shall mean a **dwelling unit** which may also be used for work purposes by the residents of the **dwelling unit**.
- xxi. **multi-purpose area or multi-purpose rooms** shall mean rooms or areas used for the display and exhibition of art, cultural and community events, and meeting, classroom and administration spaces, and uses to support parks and recreation programs.
- xxii. **Site A** shall mean any building or structure, above and below grade, located within the heavy lines shown on Diagram 1 and municipally known as 22 John Street and 2 Elsmere Avenue.
- xxiii. **Site B** shall mean any building or structure, above and below grade, located within the heavy lines shown on Diagram 1 and municipally known as 33 King Street.

(S) This Exception applies collectively to the area subject to this By-law, despite any future severance, partition, or division of the area subject to this By-law.

ENACTED AND PASSED this \_\_\_\_ day of \_\_\_\_\_, 2015.

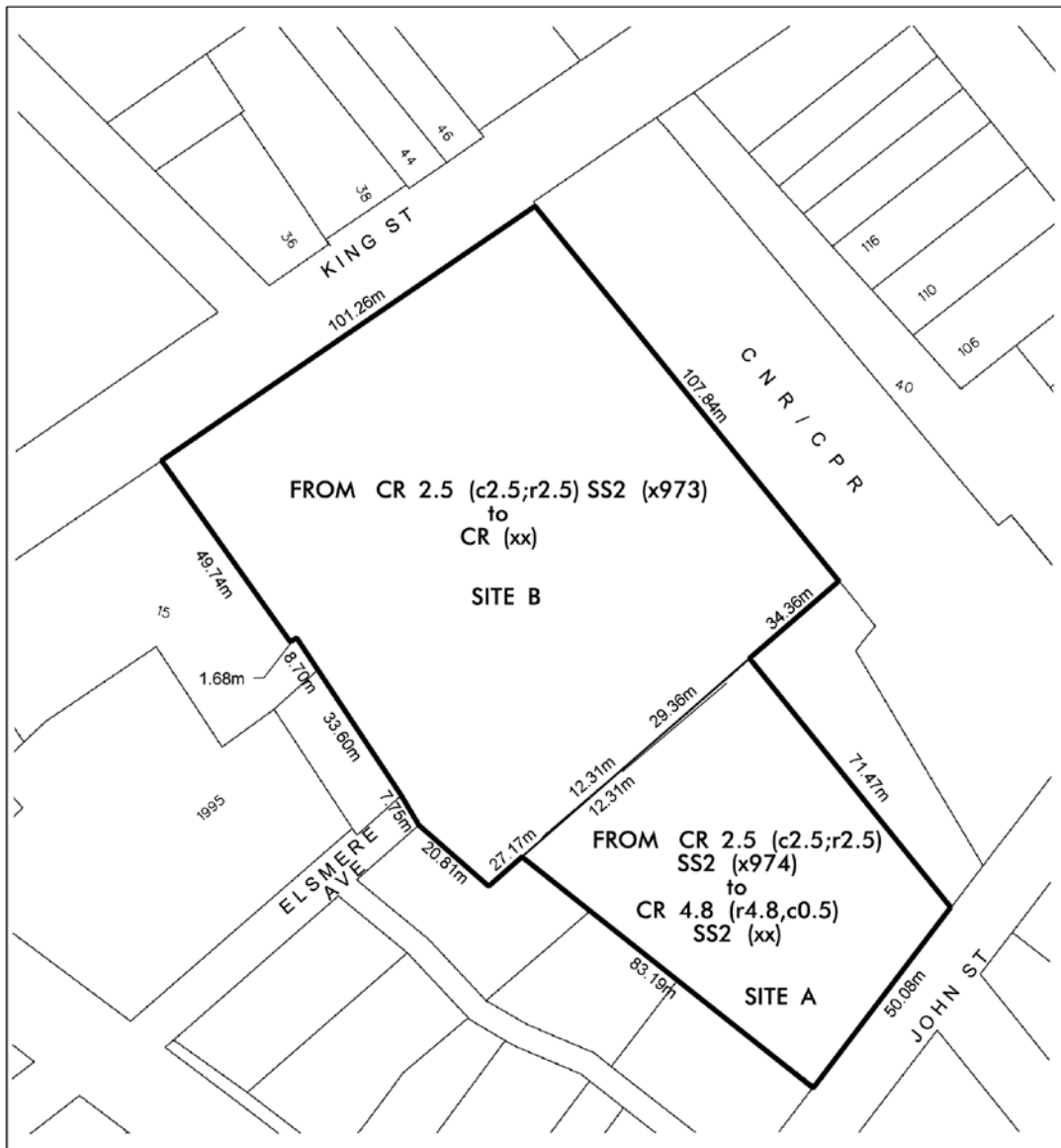
JOHN TORY  
Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)



# DIAGRAM 1



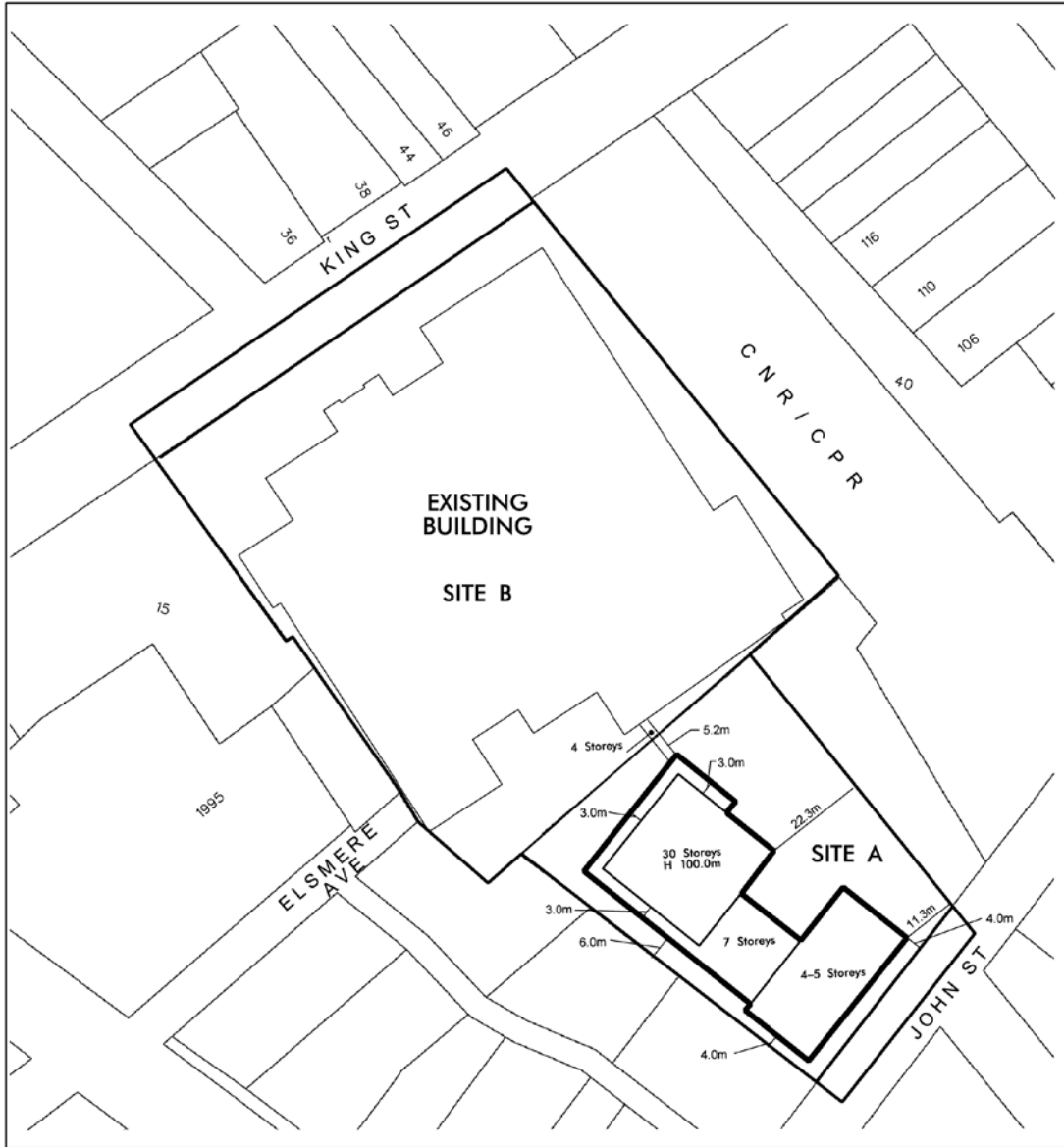
**TORONTO** City Planning  
 Diagram 1

33 King Street, 22 John Street  
 and 2 Elsmere Avenue

File # 15 170792 WET 11 0Z

City of Toronto By-Law 569-2013  
 Not to Scale  
 10/26/2015

# DIAGRAM 2A



 **TORONTO** City Planning

Diagram 2A

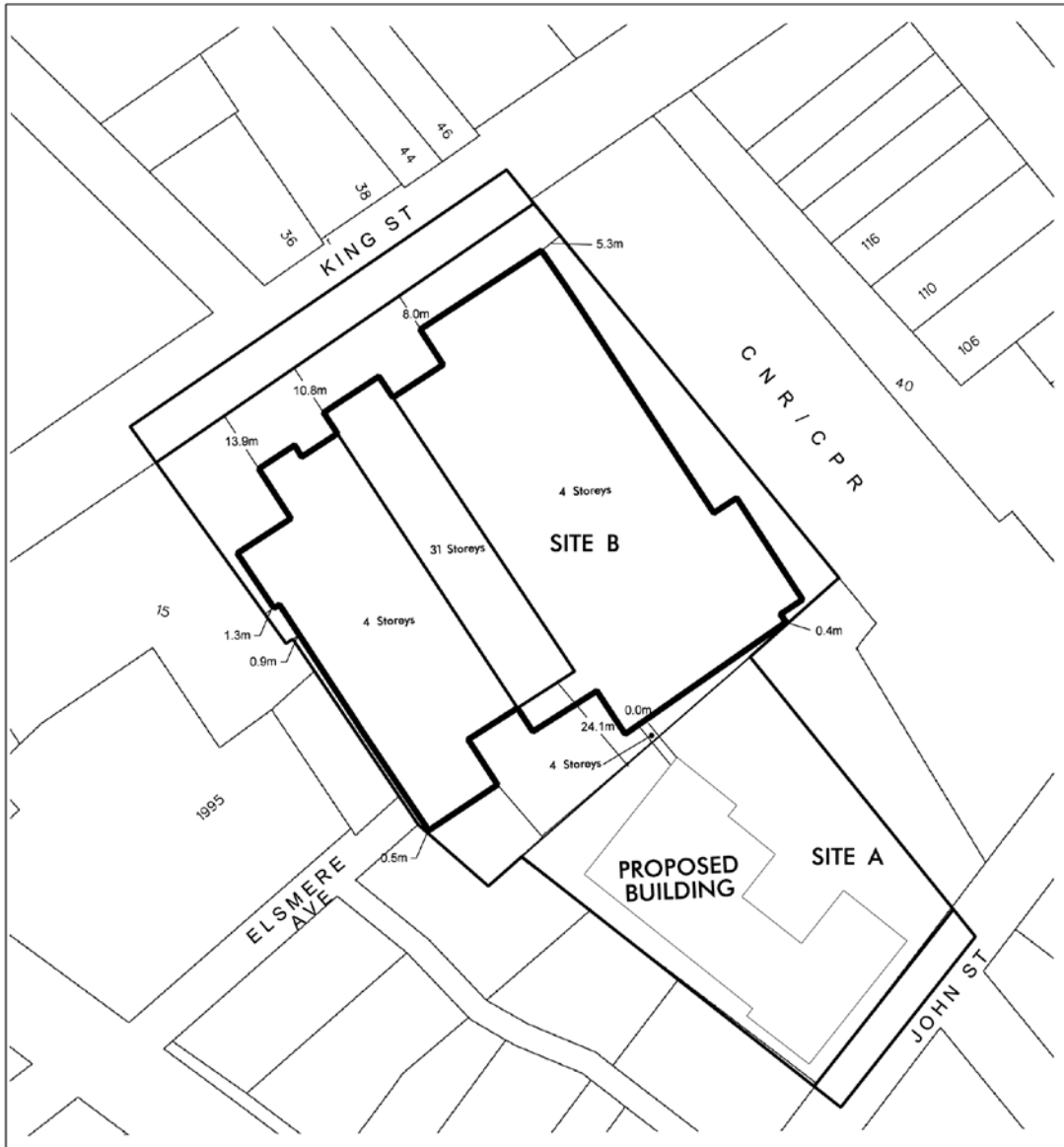
33 King Street, 22 John Street  
and 2 Elsmere Avenue

File # 15 170792 WET 11 0Z




City of Toronto By-Law 569-2013  
Not to Scale  
10/26/2015

# DIAGRAM 2B

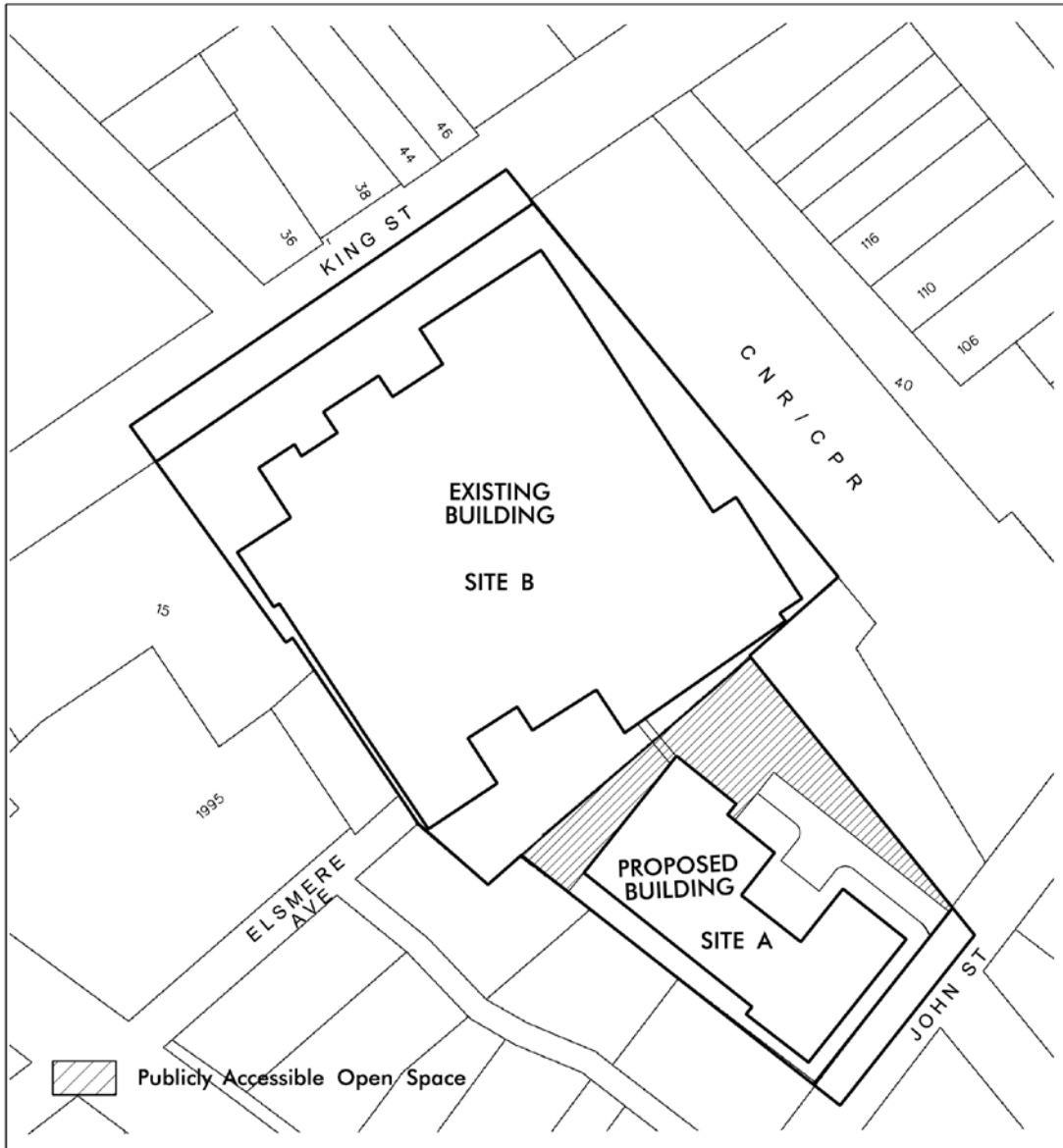


 **TORONTO** City Planning  
**Diagram 2B**

**33 King Street, 22 John Street  
and 2 Elsmere Avenue**  
File # 15 170792 WET 11 OZ

  
City of Toronto By-Law 569-2013  
Not to Scale  
10/26/2015

### DIAGRAM 3



**TORONTO** City Planning  
Diagram 3

33 King Street, 22 John Street  
and 2 Elsmere Avenue

File # 15 170792 WET 11 02



City of Toronto By-Law 569-2013  
Not to Scale  
10/26/2015