

1821-1823 and 1831 Weston Road – Zoning By-law Amendment Application – Request for Directions Report

Date: August 20, 2021

To: Etobicoke York Community Council

From: Acting Director, Community Planning, Etobicoke York District

Ward: 5 - York South-Weston

Planning Application Number: 19 254711 WET 05 OZ

SUMMARY

On November 28, 2019, a Zoning By-law Amendment application was submitted to permit a 38-storey (124.7 m in height, including the mechanical penthouse) mixed-use building including a 6-storey podium and containing 446 dwelling units and 427 m² of non-residential floor area. The application proposes to amend the former City of York Zoning By-law 1-83 and City-wide Zoning By-law 569-2013 to establish zoning standards to facilitate the development of the proposal.

On April 19, 2021, the applicant appealed the Zoning By-Law Amendment application to the Ontario Land Tribunal (OLT) (formerly the Local Planning Appeal Tribunal), citing City Council's failure to make a decision on the application within the prescribed timelines of the *Planning Act*. A Case Management Conference (CMC) for the Zoning By-law Amendment appeal is scheduled for September 7, 2021.

This report recommends that City Council direct the City Solicitor, together with appropriate City staff, to oppose the current proposal at the OLT and continue discussions with the Applicant to resolve outstanding issues.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor and appropriate City staff to attend the Ontario Land Tribunal hearing to oppose the appeal respecting the Zoning By-law Amendment application (File 19 254711 WET 05 OZ), as proposed for the lands at

1821-1823 and 1831 Weston Road, and to continue discussions with the Applicant in an attempt to resolve outstanding issues and report back on outcomes of such discussions as appropriate.

2. In the event that the Ontario Land Tribunal allows the appeals in whole or in part, City Council direct the City Solicitor to request that the issuance of any final Order(s) be withheld until such time as the City Solicitor advises the Tribunal that:
 - a. The final form and content of the Zoning By-law is satisfactory to the Chief Planner and Executive Director, City Planning and the City Solicitor;
 - b. The owner has provided a revised Transportation Impact Study including a revised Parking Justification, satisfactory to the General Manager, Transportation Services and the Chief Planner and Executive Director, City Planning;
 - c. The owner has provided dimensions for all parking spaces and parking aisles complying with the minimum dimensional requirements, as per Section Nos. 200.5.1 and 200.5.1.10 of City of Toronto By-law 569-2013 to the satisfaction of the General Manager, Transportation Services;
 - d. The owner has provided accessible parking spaces in accordance with the supply and dimensional requirements of City of Toronto Zoning By-law 579-2017 to the satisfaction of the General Manager, Transportation Services;
 - e. The owner has provided one shared-use Type 'G' loading space for the proposed mixed-use development and each required loading space providing minimum dimensions as per Section No. 220.5.1.10 of City of Toronto Zoning By-law 569-2013 to the satisfaction of the General Manager, Transportation Services;
 - f. The owner has entered into an appropriate agreement with the City introducing, at no cost to the City, any ultimately-approved traffic control signal timing adjustments and additional phases, including any hardware modifications, required at the signalised intersections in the immediate vicinity of the site to facilitate forecast traffic from the subject development, which shall be completed to the satisfaction of the General Manager, Transportation Services.

The following definitions have been included in the zoning by-law amendment for this development:

- Car-share means the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car-sharing organisation and where such an organisation may require that use of cars be reserved in advance, charge fees based on time and/or kilometres driven, and set membership

requirements of the car-sharing organisation, including the payment of a membership fee that may or may not be refundable; and

- Car-share parking space means a parking space that is reserved and actively used for car-sharing.

g. The owner has submitted a Functional Servicing Report to determine the storm water runoff, sanitary flow and water supply demand resulting from this development and whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposed development, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;

h. The owner has made satisfactory arrangements with Engineering and Construction Services and entered into the appropriate agreement with the City for the design and construction of the cul-de-sac and any improvements to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support this development, according to the accepted Functional Servicing Report and Traffic Impact Study accepted by the General Manager, Transportation Services and the Chief Engineer and Executive Director, Engineering and Construction Services.

i. The owner has provided space within the development for installation of maintenance access holes and sampling ports on the private side, as close to the property line as possible, for both the storm and sanitary service connections, in accordance with the Sewers By-law Chapter 68-10, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;

j. The owner has addressed all outstanding issues raised by Urban Forestry, Tree Protection and Plan Review as they relate to the Official Plan and Zoning By-law Amendment applications, to the satisfaction of the Supervisor, Tree Protection and Plan Review;

k. The owner has submitted a revised Landscape Plan and/or Tree Inventory and Preservation Plan Report and that Tree Preservation matters are resolved to the satisfaction of the General Manager, Parks, Forestry and Recreation;

l. The submitted Noise and Vibration Feasibility Study, has been peer reviewed by a third-party Noise and Vibration Consultant retained by the City of Toronto at the owner's expense, to the satisfaction of the Chief Planner and Executive Director, City Planning;

m. The submitted Derailment Protection Report, has been peer reviewed by a third-party consultant retained by the City of Toronto at the owner's expense, to the satisfaction of the Chief Planner and Executive Director, City Planning;

n. The owner has provided a revised Pedestrian Level Wind Study, including wind tunnel test, to the satisfaction of the Chief Planner and Executive Director, City Planning.

o. The owner has provided information regarding the current number and type of rental units on the land and, if required, has addressed all rental replacement requirements in accordance with the Official Plan and City standards to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor;

p. Community benefits and other matters in support of the development have been secured in a Section 37 Agreement executed by the owner and registered on title to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.

3. In the event the Ontario Land Tribunal (formerly Local Planning Appeal Tribunal) allows the appeal in whole or in part, City Council authorize the City Solicitor to enter into an agreement pursuant to Section 37 of the Planning Act securing the following as matters required to support the development:

a. The owner shall enter into an agreement to convey a road widening along the frontage of the property on Weston Road to the satisfaction of the Chief Planner and Executive Director, City Planning, the General Manager, Transportation Services and the City Solicitor;

b. The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of Item PG32.3 of the Planning and Growth Management Committee, and as updated by Toronto City Council at its meeting held on December 5, 6 and 7, 2017 through the adoption of Item PG23.9 of the Planning and Growth Management Committee, and as may be further amended by City Council from time to time; and

c. The owner shall satisfy the requirements of the Toronto District School Board and the Toronto Catholic District School Board regarding warning clauses and signage with respect to school accommodation issues.

4. City Council authorize the City Solicitor and other City staff to take any necessary steps to implement the foregoing.

FINANCIAL IMPACT

City Planning Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

DECISION HISTORY

On March 10, 2016, City Council adopted a motion requesting that City Planning staff undertake a review of the current planning framework for Weston Village, generally between Parke Street and Wilby Crescent/Wright Avenue. The motion can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.EY12.31>.

The subject site is located within this area. It should be noted that while the planning framework study is on the City Planning Division work program, a start date for this work has yet to be identified.

A Preliminary Report on the application dated February 18, 2020, was considered by Etobicoke Community Council on March 12, 2020 authorizing staff to conduct a community consultation meeting with an expanded notification area. Community consultation is summarized in the Comments section of this Report. The Preliminary Report can be found at:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.EY14.4>

SITE AND SURROUNDING AREA

Weston Road is oriented approximately northwest-southeast, at approximately a 45 degree angle to the rest of the street grid of the City. However for the purposes of this report, Weston Road will be described as being oriented east-west.

The subject site is located on the north side of Weston Road, south/east of Lawrence Avenue West in the community of Weston (see Attachment 2: Location Map). The site is rectangular in shape and is approximately 3,365 m² in area. The site is bounded by Weston Road to the south, existing development to the east (1765 - 1775 Weston Road), a Metrolinx parking lot to the west (1865 Weston Road) and the Weston GO/UP Station and rail corridor to the north. The site is currently occupied by a 3-storey place of worship (the Bethel Apostolic Church of Jesus Christ) and a 2-storey mixed-use building containing a restaurant and office use at-grade and two residential units above. The site is adjacent to the Weston GO/UP Express Station.

Surrounding uses include:

North: Adjacent to the lands is the Weston GO/UP Station and Metrolinx rail corridor. Across the rail corridor is a 2-storey Toronto EMS Station, and three 1-storey restaurant/retail buildings, all fronting Lawrence Avenue West. Further north is a residential area consisting of 1 to 2-storey detached dwellings. To the northeast are a variety of employment and retail/service uses located within three 1-storey multi-unit buildings.

East: Adjacent to the lands are two 25-storey apartment buildings, the Weston Mount Dennis Community Place Hub, and associated open-space. Further east across Wright Avenue is a gas station, 1-storey car dealership, 2-storey day care centre, and the southeastern extension of the Weston GO/UP Station.

South: Across Weston Road are 2-storey mixed-use buildings and a place of worship fronting Weston Road. Further south are two 20-storey apartment buildings fronting Hickory Tree Road, and the Humber River Valley. To the southwest is a 21-storey apartment building fronting Weston Road.

West: Adjacent to the lands is the parking lot for the Weston GO/UP Station. Further west is a 2-storey place of worship and a 1-storey bank located on the northeast corner of the intersection of Lawrence Avenue West and Weston Road. Across Lawrence Avenue West is a 17-storey mixed-use building with a 1-storey podium.

THE APPLICATION

Description

This application proposes a mixed-use development with a building height of 38-storeys (124.7 m, including the mechanical penthouse) including a 6-storey podium. The proposal would have a gross floor area of 32,495 m², of which 427 m² would be used for retail space. The retail use and access to the residential lobby would be located at-grade fronting Weston Road. A road widening of 3.4 m along the Weston Road frontage is identified on the submitted plans.

The applicant is proposing 446 residential units, of which: 51 (11.4%) would be studio units; 200 (44.9%) would be 1-bedroom units; 149 (33.4%) would be 2-bedroom units; and 46 (10.3%) would be 3-bedroom units.

The proposed podium would be 'T'-shaped with the front of the podium stretched across the Weston Road frontage of the site to each side yard and an elongated extension into the rear yard with 10.0 m and 6.5 m side yard setbacks from the east and west side of the extension, respectively. The side yard setback at the front of the podium on the west side would be 2 m from the ground floor, then 2.3 m from the 2nd to 6th floors. On the east side, the side yard setback at the front of the podium would be 9 m on the ground floor, then 2 m from the 2nd to 6th floors. The front (south) yard setback along Weston

Road would be approximately 0.3 to 0.6 m from the new property line (after the road widening), and the rear (north) yard setback would be 18.4 m. Above the 6th floor, the podium steps back to the tower component of the building 5.6 m from the south, 8.0 m from the west, 14.5 m from the south and 10 m from the east.

The tower component would be located in the centre of the 'T'-shaped podium and would have a floor plate size of approximately 809 m². The tower would be setback approximately 5.5 m from the new south property line (after the road widening), 10.0 m from the east property line, 10.0 m from the west property line and 32.9 m from the north property line.

Vehicular access would be provided via Weston Road, with a driveway running perpendicular to Weston Road along the east property line. The driveway would provide access to the loading/servicing area (containing one combined Type 'G' and Type 'B' loading space) enclosed in the rear of the building, and the below-grade parking garage. The applicant proposes a total of 242 parking spaces including 202 resident parking spaces, 30 visitor parking spaces, 6 car share parking spaces and 4 parking spaces for retail uses; all within a three-level below-grade parking garage. A total of 447 bicycle parking spaces would be provided including 402 long term spaces within the underground parking garage and 1st floor and 45 short term spaces at-grade.

The proposed building would contain 757.8 m² (1.7 m² per unit) of indoor amenity space on the 7th floor and 1,196.2 m² (2.7 m² per unit) of outdoor amenity space located at-grade and on the roof of the podium with direct access to the indoor amenity space on the 7th floor.

Detailed project information can be found on the City's Application Information Centre at:

<https://www.toronto.ca/city-government/planning-development/application-information-centre/>.

See Attachment 1 of this report, for the project data information.

Reasons for Application

An application to amend the former City of York Zoning By-law 1-83 and City-wide Zoning By-law 569-2013 is required to establish zoning standards to facilitate the development of the proposal such as building height and setbacks.

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application has not been submitted.

POLICY CONSIDERATIONS

The Growth Plan (2020) identifies the site as within a major transit station area (MTSA) generally defined as the area within an approximately 500 to 800 metre radius of a transit station. The Growth Plan requires that, at the time of the next municipal comprehensive review (MCR), the City update its Official Plan to delineate MTSA boundaries. The City is currently undertaking an MCR to delineate MTSA boundaries however at the time of the writing of this report there are no established MTSA in the City of Toronto.

The subject site is on an *Avenue* and is designated *Mixed Use Areas* in the Official Plan. The site is also subject to Site and Area Specific Policy No. 51 (SASP 51) which applies to lands located in the Weston Area.

The adjacent lands to the east and the lands across Weston Road to the south are designated *Apartment Neighbourhoods*. The lands directly to the west are designated *Mixed Use Areas* and are subject to Site and Area Specific Policy No. 45 (SASP 45) which applies to the lands located within Weston Village.

The site is zoned RM2 (Residential Multiple) by the former City of York Zoning By-law 1-83, and subject to site specific Zoning By-law 865 which site-specific zoning provisions exclusively for the adjacent property to the east (1765 - 1775 Weston Road). The RM2 zone allows for a range of residential uses including apartment buildings. The site is also zoned RA (Residential Apartment) by City-wide Zoning By-law 569-2013. The site is subject to Exception 423, which identifies the former City of York By-law 865 as the prevailing by-law.

The lands are subject to the Weston Urban Design Guidelines which correspond to SASP 51. The Weston Station Master Plan, initiated by Metrolinx to provide a vision for the short and long term development of Weston Station and adjacent properties, also applies to the subject site.

Other Guidelines that are relevant in the consideration of the proposal include: City-Wide Tall Buildings Design Guidelines; Growing Up: Planning for Children in New Vertical Communities; Retail Design Manual; Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings; Best Practices for Bird-Friendly Glass; Best Practices for Effective Lighting, and Toronto Green Standard Version 3.

Information on applicable policy documents can be found in Attachment 6.

COMMUNITY CONSULTATION

A virtual community consultation meeting was hosted by City staff on December 7, 2020. Approximately 76 people participated, as well as the Ward Councillor.

Following a presentation by City staff and the Applicant, the following issues and comments for the proposed development were raised by community members:

- Potential for direct access from the development to the adjacent Weston Station;
- Potential for additional ground floor outdoor amenity and green space;
- Potential for additional green infrastructure and green building design;
- Appropriateness of the proposed parking standard;
- Appropriateness of proposed tower height;
- Appropriateness of the proposed podium height and massing;
- Compatibility with nearby residential mixed-use developments and the character of Weston Road (interest in a 3-storey podium);
- Compatibility with potential future development of the Metrolinx lands;
- Compatibility with the adjacent rail corridor and mitigation of potential impacts;
- Clarification on the tenure of the proposal (rental vs. condo) and potential for affordable housing;
- Impact of shadows and wind on the site and surrounding areas;
- Traffic impacts on Lawrence Avenue West;
- Potential for bike lanes on Weston Road;
- Existing sewage and stormwater capacity;
- Potential heritage value of 1831 Weston Road (previously an old theatre); and
- Use of Section 37 to provide substantial community benefits above and beyond the minimum required.

In addition to the virtual community consultation meeting, Planning staff received emails from community members, the concerns of which are reflected in the above list of issues.

COMMENTS

The proposal has been reviewed against the *Planning Act*, PPS, Growth Plan, Official Plan, Site and Area Specific policies and design guidelines as outlined in the Policy Considerations section and Attachment 6 of this report.

Planning Act

Section 2 of the *Planning Act* requires municipalities to have regard for matters of provincial interest, including, amongst other matters: (h) the orderly development of safe and healthy communities; (j) the adequate provision of a full range of housing, including affordable housing; (p) the appropriate location of growth and development; (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians; and (r) the promotion of built form that, (i) is well designed, (ii) encourages a sense of place and (iii) provides for public spaces that are of

high quality, safe, accessible, attractive and vibrant. These provincial interests are further articulated through the PPS and the Growth Plan.

Provincial Policy Statement (2020) (PPS)

The City is a development area and infill is encouraged under these policies. However, the direction of both the PPS and the Growth Plan is that planning authorities are responsible for identifying appropriate locations for growth. Intensification and redevelopment is to be provided in areas that take into account the existing building stock or area, and availability of infrastructure and public service facilities that meet projected needs. While the PPS encourages intensification and efficient development, it recognizes the existing local context is important and that well-designed built form contributes to overall long-term economic prosperity.

While the PPS encourages intensification and efficient development, it recognizes that local context is important and that well-designed built form contributes to overall long-term economic prosperity. The PPS indicates that the Official Plan is the most important vehicle for implementing the PPS and planning authorities shall identify appropriate locations for intensification and redevelopment. Policy 4.8 states that zoning and development permit by-laws are important for implementation of the PPS and that planning authorities shall keep their zoning and development permit by-laws up-to-date with their Official Plan and the PPS. The proposal in its current form does not conform with the Official Plan policies for the area.

Through its Official Plan, the City has identified appropriate locations and opportunities for intensification. Although growth is intended to occur on this site as it is located along an *Avenue* and designated *Mixed Use Areas*, the built form and massing of the current proposal is not in conformity with the *Avenues*, *Mixed Use Areas* and Built Form policies of the Official Plan.

The current proposal does not conform with the municipally established policies, and therefore is not consistent with the PPS to the extent that it does not comply with the municipal direction for growth. A decision by City Council to oppose the current proposal given the inconsistency with long term economic prosperity policies and non-conformity with Official Plan policies, as described below, will be consistent with the PPS.

The Growth Plan (2020)

The Growth Plan (2020) states that applying the policies of the plan will support the achievement of complete communities that: feature a diverse mix of land uses, including residential and employment uses; provide a diverse range and mix of housing options to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes; and provide for a more compact built form and a vibrant public realm.

The Growth Plan (2020) contains policies pertaining to population and employment densities that should be planned for in major transit station areas (MTSAs) along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan requires that, at the time of the next municipal comprehensive review (MCR), the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs achieve appropriate densities.

The subject site is located along a priority transit corridor associated with the UP Express and Kitchener GO Line. The Weston GO/UP Station is located directly adjacent to the north of the subject site. MTSAs relating to higher-order transit stations have not yet been delineated in the Toronto Official Plan.

It is staff's opinion that the proposal in its current form does not conform to the policy direction for the efficient use of land and growth envisioned for this site. Although growth is intended to occur on this site, the proposal in its current form does not conform to the policy direction for growth established through the City's Official Plan. The proposed development, particularly with respect to building setbacks, podium massing and built form does not fit within the existing and planned context of the area. The proposal does not conform to the Growth Plan as it does not comply with the municipal direction for location and form of growth.

A decision by City Council to oppose the current proposal given the non-conformity with Official Plan policies, as described below, will conform with the Growth Plan.

Land Use

This application has been reviewed against the Official Plan policies, Site and Area Specific Policy No. 51 and design guidelines described in the Policy Consideration section of this report and Attachment 6. Given the existing and planned context for the subject property and the surrounding area, the proposed built form and massing in its current form cannot be supported by staff.

Land Use Designation

The subject site is located on an *Avenue*. Official Plan policies 2.2.3.1 and 2.2.3.2 require reurbanization of *Avenues* to be achieved through the preparation of Avenue Studies. Although the Weston Neighbourhood has been identified by City Council as a priority area for a review of the current planning framework, an Avenue Study has not been completed and is not currently scheduled.

Official Plan policy 2.2.3.4 allows for Development in *Mixed Use Areas* on *Avenues* prior to an Avenue Study provided that proponents of development address the larger context and examine the implications for the segment of the Avenue in which the proposed development is located. Among the criteria for the review of a segment is an

assessment of the impacts of the incremental development of the entire Avenue segment at a similar form, scale and intensity, appropriately allowing for distinguishing circumstances and ensuring that the development would not adversely impact any adjacent *Neighbourhoods* or *Apartment Neighbourhoods*. The applicant submitted an Avenue Segment Study which conceptualizes the redevelopment of Weston Road from King Street in the north to Victoria Avenue West in the south.

Official Plan policy 2.3.1.4 directs that, where significant intensification of land adjacent to an *Apartment Neighbourhood* is proposed, Council will determine, at the earliest point in the process, whether or not a Secondary Plan, area specific zoning by-law or area specific policy will be created in consultation with the local community following an Avenue Study, or area based study. City Council has determined that an area based study is required in this area through their direction of March 10, 2016 (EY12.31). The current proposal is not in keeping with the existing planned context of the area. Until a new planned context is determined through the planning framework study as directed by City Council, intensification is premature.

The subject site is designated *Mixed Use Areas*. *Mixed Use Areas* are made up of a broad range of residential, commercial and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities. Official Plan policy 4.5.2 requires development to locate and mass new buildings provide a transition between areas of different development intensity and scale by providing appropriate setbacks and/or stepping down of heights, to locate and mass new buildings to frame the edges of streets with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces. The current proposal is not in keeping with this policy direction.

Existing and Planned Context of Weston Road

Weston Road is the commercial main street of the Weston neighbourhood. The existing *Avenue* area context is a mix of 1 to 3-storey commercial and mixed-use buildings fronting Weston Road and older apartment buildings with heights up to 25-storeys.

The subject site is located immediately east of SASP 45, corresponding to Weston Village which is recognized in the Weston Urban Design Guidelines as the neighbourhood retail and community centre for the area. SASP 45 and the Weston Urban Design Guidelines require a maximum height of 8-storeys with a 3-storey streetwall for development fronting Weston Road within the Weston Village area. This sets out the planned context for the area in the immediate vicinity of the site.

Additionally, the Weston Station Master Plan provides the long term vision and development options for the Weston Station and surrounding area and includes the subject site as well as the station parking lot to the west. The preferred long-term concept identified in the Weston Station Master Plan incorporates the subject site as

part of a mixed-use multi-building development including a tall building and several mid-rise buildings. Another concept identifies two tall buildings on the lands. These concepts are predicated on the joint redevelopment of both the Metrolinx lands and the subject site and conceptualize the future development vision for the area.

The subject site and lands further east along Weston Road are located within an area identified by the Weston Urban Design Guidelines as a location for residential intensification which will be sensitive to its surroundings with a maximum height of 8-storeys and a 6-storey streetwall. The adjacent lands to the east are designated *Apartment Neighbourhoods*. Although *Apartment Neighbourhoods* are considered stable areas of the City where significant growth is not anticipated, opportunities may exist for additional townhouses or apartments on underutilized sites or through redevelopment of underutilized or vacant sites.

The existing policy framework sets a clear direction for a mid-rise character with a maximum height of 8-storeys along Weston Road in this area. However, staff recognize that Weston is a neighbourhood in transition and there may be opportunities for buildings with heights in excess of 8-storeys, especially in proximity to higher order transit. Staff note that, in order to make exceptions to the 8-storey height limit, proposals would have to achieve a high quality of design and meet or exceed minimum City standards as well as conform to Official Plan policy 2.2.3.4 which sets the criteria for Development in *Mixed Use Areas* on *Avenues* prior to an Avenue Study, or an area specific study in accordance with policy 2.3.1.4.

Further, in order to assess appropriate built form, the Mid-Rise Building Performance Standards and the City-Wide Tall Building Design Guidelines may apply only to the extent they supplement and do not supercede the intent of existing SASPs or the Weston Urban Design Guidelines.

Built Form

The Built Form policies of the Official Plan direct new development to fit harmoniously into its existing and/or planned context by creating appropriate transitions in scale to existing and/or planned buildings. Further, development in *Mixed Use Areas* will locate and mass new buildings to provide appropriate transition towards areas of different intensity and scale.

This application has been reviewed against the Official Plan policies and design guidelines described in the Policy Consideration Section of this report. The proposed height and density differs significantly from the character of the surrounding area. Given the existing and planned context for the subject property and the surrounding area, the proposed built form in its current form does not conform to the policies and does not meet the intent of the guidelines and, as such, cannot be supported by staff.

Weston Road Streetwall

The subject site is located within a transition area of the Weston neighbourhood, being designated *Mixed Use Areas* but falling within the *Apartment Neighbourhood* – Weston Road Corridor sub-area of the Weston Urban Design Guidelines. Two "tower-in-the-park" style apartment buildings are located to the east of the subject site, while across Weston Road to the south are 2-storey commercial/mixed-use main street buildings.

Although the Weston Urban Design Guidelines envision a maximum streetwall height up to 6-storeys, this is in relation to an 8-storey mid-rise building, not a tall building development, which presents a different built form presence along the street. The height and massing of the proposed 6-storey podium does not sufficiently address the main street context established by both historic and more recent development along Weston Road. The applicant should revise the height and setbacks of the podium to provide a lower, pedestrian scaled streetwall experience along the Weston Road frontage consistent with the main street scale and rhythm. A prominent setback above the 3rd floor (or 9 m, which in this development is above the second storey) should be incorporated to create a clear pedestrian perception zone consistent with the Weston Road context. Tall buildings, which have podiums with comparable front yard setbacks, are located at the north west and south west corners of Weston Road and Lawrence Avenue West. Both of which have 1 or 2-storey podiums, consistent with the main street scale of Weston Road.

In its current form, the proposed podium and 6-storey streetwall does not conform to Built Form policy 3.1.2.5 as it does not fit harmoniously with the existing and/or planned context of Weston Road.

Tower Setbacks and Floor Plate Size

The Official Plan notes that not every site is appropriate for a tall building and they should only be considered where they can fit into the existing or planned context, and where the site's size, configuration and context allows for the appropriate design criteria to be met. Policy 3.1.3.10 and 3.1.3.11 directs that the tower portion of the tall building should provide appropriate separation distances from side and rear lot lines as well as other towers and limit and shape the size of tower floorplates above the base building to reduce the physical and visual impacts on the public realm, limit shadow impacts, maximize access to sunlight and open view, limit and mitigate pedestrian level wind impacts and provide access to daylight and protect privacy in interior spaces.

The Tall Buildings Design Guidelines identify separation distance and floor plate size as two of the key factors affecting sky view, privacy, wind and the amount of sunlight and shadows that reach the public realm and neighbouring properties. Towers must be built to minimize impact on surrounding streets, parks, public and private open space, as well as existing or future buildings on adjacent sites. The Guidelines direct towers to be

setback a minimum of 12.5 m from side and rear property lines to provide a separation distance of at least 25 m between towers on adjacent sites. Additionally, for mid-rise buildings and podiums, a minimum 5.5 m setback is required for walls incorporating windows facing the property line so that there would be a window-to-window separation distance of at least 11 m between buildings facing each other closer to grade.

The Guidelines direct tower floor plates to be limited to 750 m² or less, and provides flexibility for non-residential or very tall buildings, where greater tower separation, setbacks and stepbacks are achieved. The proposed tower would have a floor plate size of 809 m².

The application proposes podium setbacks of 2.0 m from the east and west lot lines, and tower setbacks of 10.0 m from both east and west side lot lines. Both the east and west facades of the podium would include windows while the east wall would have balconies projecting to a depth of 2.0 m (0 m setback from the east lot line).

As noted previously, the Weston Station Master Plan identifies the Metrolinx lands as being a potential redevelopment site that could accommodate tall buildings. To the east of the subject site, are two 25-storey apartment buildings surrounded by green space and parking, and designated *Apartment Neighbourhoods* in the Official Plan.

The Weston Go Station parking lot immediately to the west of the subject site is also identified as having the potential to accommodate additional infill, sensitive to the existing context and policy framework (SASP 45 and the Weston Urban Design Guidelines) and in keeping with the other requirements of the appropriate Building Performance Standards and the City-Wide Tall Building Design Guidelines. The lands to the east of the subject site have potential for infill development between the subject site and nearest existing apartment building to the east, in keeping with the direction of the Weston Urban Design Guidelines and appropriate Building Performance Standards.

Although the timing of redevelopment of any adjacent property is presently unknown, development potential must be protected for the long-term. "First-to-the-post" development, where the development potential on adjacent properties is negatively impacted or limited due to a proposal failing to provide adequate setbacks, separation distances or other such built form requirements on-site to meet City standards, does not represent good planning. As further noted below, Metrolinx has also expressed concern with the proposed setbacks. The proposed development must provide a minimum side yard setback of 5.5 m for any wall containing windows on the podium, and a minimum side yard setback of 12.5 m for the tower component in order to not limit development potential on adjacent lands.

Combined with the insufficient setbacks, the floor plate size of 809 m², the proposal does not comply with the directions of the Tall Buildings Design Guidelines and results in a building massing that is out of scale with its surroundings. The tower floor plate size must be limited to a maximum of 750 m² in order to ensure that the proposal's impact on

surrounding streets, parks, public and private open space, as well as existing or future buildings on adjacent sites is minimized. A reduced tower floor plate could also assist in providing appropriate tower setbacks.

The Tall Buildings Design Guidelines indicate that sites that cannot provide the minimum tower setbacks and stepbacks may not be appropriate for tall buildings.

Avenue Segment Review

Official Plan policy 2.2.3.4 allows for development in *Mixed Use Areas* on *Avenues* prior to an Avenue Study provided that proponents of development address the larger context and examine the implications for the segment of the Avenue in which the proposed development is located.

To comply with Official Plan policy 2.2.3.4 the applicant submitted an Avenue Segment Study which conceptualizes the redevelopment of Weston Road from King Street in the north to Victoria Avenue West in the south. The analysis of the segment study applied the City-Wide Tall Building Design Guidelines and the Mid-Rise Building Performance Standards to envision the redevelopment of soft sites within the study area, including tower separation distances of 25 m and 750 m² floorplates for tall-buildings. The Weston GO Station parking lot and other lands located at the northeast corner of Weston Road and Lawrence Avenue West were conceptualized as being large enough to accommodate two 8-storey (25.5 m) mixed-use buildings, a new public road and a new public plaza associated with the Weston GO Station. The apartment buildings adjacent to the east of the subject site were conceptualized as remaining in place with an 8-storey (25.5 m) mid-rise infill building being located between the proposed development and the closest existing apartment building. The infill mid-rise building would have a 0 m setback from the west property line.

Staff note that, although the Avenue Segment Study conceptualizes all redevelopment along Weston Road as complying with the City-Wide Tall Building Design Guidelines and the Mid-Rise Building Performance Standards, the proposed building itself does not, as discussed in the previous sections. The Avenue Segment Study does not show tall buildings on the Weston GO Station parking lot as envisioned by the Weston Station Master Plan, therefore it is unclear how a deficient tower setback on the subject site would impact the development of a tall building on the adjacent site. Further, the application proposes a 2 m podium setback from the east property line with balconies projecting 2 m to the property line. A 2 m podium setback with 2 m balconies would not be compatible with an adjacent mid-rise building which would be permitted, under the Mid-Rise Building Performance Standards and the Weston Urban Design Guidelines, to have a 0 m west side yard setback with a party wall.

Staff are of the opinion that the proposal does not comply with Official Plan policy 2.2.3.4, requiring an assessment of the impacts of the incremental development of the entire Avenue segment at a similar form, scale and intensity as the proposal, and

ensuring that the development would not adversely impact any adjacent sites designated *Apartment Neighbourhoods*.

Height and Density

The existing policy framework sets a clear direction for a mid-rise character with a maximum building height of 8-storeys along Weston Road in this area. While staff recognize that Weston is a neighbourhood in transition and there may be opportunities for buildings with heights in excess of 8-storeys, the proposal does not achieve a high quality of design, is not located and massed to fit within the existing and planned context, does not fit with the character of the area, and does not fit harmoniously with the existing and/or planned context.

The proposed building does not meet the minimum standards set by the City-Wide Tall Buildings Design Guidelines and does not conform to Official Plan policy 3.1.3 regarding tall buildings, policy 2.2.3.4 which sets the criteria for development in *Mixed Use Areas* on *Avenues* prior to an Avenue Study or policy 2.3.1.4 requiring an area study to be undertaken before intensification occurs in *Mixed Use Areas* adjacent to *Apartment Neighbourhoods*.

In its current form the proposed application does not provide appropriate setbacks, stepbacks, floorplate size or streetwall height to meet the design criteria for tall building development on the subject site and as such does not demonstrate that the proposed increase in height and density beyond the provisions of the existing policy framework can be appropriately accommodated. The applicant should work with adjacent land owners to achieve a development that does not negatively impact adjacent lands.

Sun, Shadow, Wind

This application has been reviewed against the Official Plan policies and design guidelines described in the Policy Consideration Section of this report. Given the existing and planned context for the subject property and the surrounding area, the built form impacts, including the sun, shadow and wind impacts are not supported by staff.

The Weston Station Master Plan envisions a future station plaza open space associated with the Weston GO Station to be located adjacent to the rail corridor. The proposed tall building and oversized tower floorplate, would create adverse shadow impacts during the morning and early afternoon hours during the March and September equinoxes, limiting access to sunlight for the future plaza.

The pedestrian wind study indicates that adverse wind impacts would be experienced on the amenity spaces and on the southeast and southwest corner of the building on public sidewalks. Amenity spaces should have a sitting condition especially in summer. The public sidewalks should have a leisurely walking condition or better. The "fast walking" condition in summer and "uncomfortable" condition in winter still exists for the

rooftop amenity spaces. This should be mitigated with massing articulations and stepbacks.

A revised wind assessment and shadow impact study would be required should the design of the building be altered from the proposal in its current form.

In the event the Ontario Land Tribunal (OLT) allows the appeal in whole or in part, it is recommended that City Council direct the City Solicitor to request that OLT withhold its order until the owner has provided a revised Pedestrian Level Wind Study, including wind tunnel test, to the satisfaction of the Chief Planner and Executive Director, City Planning.

Site Layout and Organization

Amenity Areas

The size of the proposed outdoor amenity space is acceptable. However, the proposed location of the rooftop outdoor amenity space is expected to be uncomfortable due to wind conditions. Consideration should be given to relocating the outdoor amenity space or mitigating the wind impact through architecture and massing (stepbacks, setbacks and other massing moves) and not simply through the addition of screening, landscaping or a 2 m high wall around the outdoor amenity space.

Additionally the at-grade outdoor amenity space is expected to be shadowed substantially throughout the year. Outdoor amenity spaces should be located in comfortable, highly accessible and visible spaces on the site and protected from the adverse impacts of wind and shadow. They should provide play areas for future residents including children. Indoor and outdoor pet amenity areas are also to be provided in keeping with Pet Friendly Guidelines.

The size of the proposed indoor amenity space (1.7 m²) is deficient from the minimum 2.0 m² per unit required by Zoning By-law 569-2013. Official Plan policy 3.1.2.11 encourages amenity areas to be provided to consider the needs of all ages and abilities over time and throughout the year.

In staff's opinion, the proposal in its current form does not provide appropriate indoor and outdoor amenity space.

Bicycle Parking and Storage

The proposed total supply of 447 bicycle spaces is acceptable. The bicycle spaces would be provided within the underground parking garage, the 1st floor and at-grade outdoors. During the Site Plan application review process, staff would confirm the final location and infrastructure used for bicycle parking.

Road Widening

In order to satisfy the Official Plan requirement of a 27 metre right-of-way for this segment of Weston Road, a 3.39 to 3.46 m road widening dedication is required across the frontage of the site.

In the event the Ontario Land Tribunal (formerly Local Planning Appeal Tribunal) allows the appeal in whole or in part, it is recommended that City Council direct the City Solicitor to enter into an agreement pursuant to Section 37 of the *Planning Act* securing an agreement to convey a road widening along the frontage of the property on Weston Road to the satisfaction of the Chief Planner and Executive Director, City Planning, the General Manager, Transportation Services and the City Solicitor.

Public Realm and Streetscape

The Public Realm policies of the Official Plan (Section 3.1.1) as well as OPA 479 recognize that a well-designed public realm is developed by creating comfortable, inviting, safe and accessible streets, parks and open spaces which are vital elements in creating a vibrant city. The Tall Building Design Guidelines require a minimum boulevard width of 6.0 m from the curb to the building face to provide adequate space between the front of the building and adjacent street curbs to safely and comfortably accommodate pedestrian movement, streetscape elements, and activities related to the uses at grade.

The proposal would result in a boulevard width of approximately 5.4 m along Weston Road. Three new street trees are proposed along with a 2.1 m wide sidewalk and bicycle parking spaces.

Official Plan Policy 3.1.2.5 directs new development to provide amenity for adjacent streets to make them attractive, interesting, comfortable and functional for pedestrians. In order to meet the direction of Policy 3.1.2.5 the proposed building should have a setback from Weston Road which ensures that a minimum boulevard width of 6.0 m is provided.

Growing Up: Planning for Children in New Vertical Communities

The Growing Up Guidelines state that at least 10% of units should be three-bedroom units and 15% should be two-bedroom units. The proposed 149 two-bedroom units (33.4%) and 46 three-bedroom units (10.3%) supports the unit mix objectives of the Growing Up Guidelines.

Although the proposal in its current form meets the City's unit mix objectives, the proposed two and three-bedroom units do not adequately support the unit size objectives of the Growing Up Guidelines to accommodate a broad range of households, including families with children, within new development.

The Guidelines recommend ideal unit sizes for two-bedroom units (90 m²) and three-bedroom units (106 m²). Out of 149 two-bedroom units and 46 three-bedroom units, 0 are larger than 87 m² and 100 m², respectively. These unit sizes are identified by the Growing Up Guidelines as representing an acceptable diversity of sizes for such bedroom types while maintaining the integrity of common spaces to ensure their functionality.

Noise and Vibration

The applicant submitted an Environmental Noise and Vibration Assessment to determine potential noise and vibration impacts on the proposed development and compliance with provincial regulations and guidelines. City staff will retain a third party consultant to undertake a peer review of this study, at the cost of the applicant. The review may be undertaken later in the review process once the design of the building and site are further evolved.

In the event the Ontario Land Tribunal (OLT) allows the appeal in whole or in part, it is recommended that City Council direct the City Solicitor to request that OLT withhold its order until the submitted Noise and Vibration Feasibility Study, has been peer reviewed by a third-party Noise and Vibration Consultant retained by the City of Toronto at the owner's expense, to the satisfaction of the Chief Planner and Executive Director, City Planning.

Derailment Protection

The subject site is located adjacent to the Metrolinx/CP Rail Corridor to the north. Metrolinx and other rail companies have established a set of criteria for new development adjacent to rail corridors, including minimum setbacks and the requirement for safety barriers. The applicant submitted a Derailment Protection Report to demonstrate how the proposed development would provide protection to the residential component of the site. City staff will retain a third party consultant to undertake a peer review of this study, at the cost of the applicant. The review may be undertaken later in the review process, however required mitigation measures may require additional revisions to the design of the building and site organization.

In the event the Ontario Land Tribunal (OLT) allows the appeal in whole or in part, it is recommended that City Council direct the City Solicitor to request that OLT withhold its order until the submitted Derailment Protection Report, has been peer reviewed by a third-party retained by the City of Toronto at the owner's expense, to the satisfaction of the Chief Planner and Executive Director, City Planning.

Metrolinx

The application was circulated to Metrolinx staff who provided comments dated January 13, 2020. Metrolinx staff have raised concerns with the proposed tower setback of 7.5 m from the shared lot line noting that the proposal limits the development potential of the Metrolinx lands. Metrolinx has requested that the tower setback on the west side of the property adjacent to their site be increased to 12.5 m, in line with City standards.

Housing

The Growth Plan recognizes the importance of planning for a range and mix of uses on lands near existing and planned frequent transit, including second units and affordable housing to support existing and planned transit service levels. No affordable housing units are being proposed.

Official Plan Policy 3.2.1.5 (a) requires the securing of existing rental units that have affordable and mid-range rents. Official Plan Policy 3.2.1.5 (b) requires the identification and securing of needed improvements to the existing rental housing, without pass through of costs to tenants. Official Plan Policy 3.2.1.6 (b) requires at least the same number, size and type of rental housing units to be secured with similar rents for at least 10 years and an acceptable tenant relocation and assistance plan is provided if a development would result in the loss of six or more rental housing units.

A Rental Housing Declaration of Use and Screening Form has confirmed that rental dwelling units exist on the subject site. The applicant is to confirm the number of existing rental dwelling units and identify their occupancy status. A tenant relocation and assistance plan for occupied units is requested, per Official Plan Policy 3.2.1.12.

In the event the Ontario Land Tribunal (OLT) allows the appeal in whole or in part, it is recommended that City Council direct the City Solicitor to request that OLT withhold its order until the owner has provided information regarding the current number and type of rental units on the land and, if required, has addressed all rental replacement requirements in accordance with the Official Plan and City standards to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.

Cultural Heritage

Heritage Planning staff do not consider any of the existing buildings to have sufficient heritage value to warrant conservation under the provisions of the *Ontario Heritage Act*.

Archaeological Assessment

An archaeological resource assessment identifies and evaluates the presence of archaeological resources also known as archaeological sites. Whether a property has

archaeological resource potential can be confirmed at the searchable database TO maps. An archaeological assessment may also be required if a property is identified on the City of Toronto's Inventory of Heritage Properties as part of the Heritage Impact Assessment process.

The site is identified as having archaeological resource potential. The applicant submitted a Stage 1 Archaeological Assessment which determined that there are no further archaeological concerns regarding the subject property. Heritage Planning staff concurs with this determination.

Traffic Impact, Access and Parking

A Transportation Impact Study was submitted in support of the proposal. The consultant concludes that the subject development is expected to have a minimal impact on the intersections within the study area. Despite this, Transportation Services staff have identified additional information required prior to accepting the findings of the Transportation Impact Study.

Vehicular access to the site is proposed via a driveway to run perpendicular to Weston Road along the east property line.

A combined Type 'G' and Type 'C' loading space would be located at-grade at the rear of the building, which would satisfy the minimum loading requirements according to Zoning By-law 569-2013.

A total of 242 parking spaces are proposed including 202 resident parking spaces, 30 visitor parking spaces, 6 car share parking spaces and 4 parking spaces for retail uses. Transportation Services staff identified issues and outstanding requirements with the information submitted. Transportation Services staff have identified a number of conditions required to ensure the proposal meets City standards.

In the event the Ontario Land Tribunal (OLT) allows the appeal in whole or in part, it is recommended that City Council direct the City Solicitor to request that OLT withhold its order until the owner satisfies the following conditions to the satisfaction of staff:

- a. Submits a revised Transportation Impact Study including a revised Parking Justification;
- b. Provides dimensions for all parking spaces and parking aisles complying with the minimum dimensional requirements, as per Section Nos. 200.5.1 and 200.5.1.10 of City of Toronto By-law 569-2013;
- c. Provided accessible parking spaces in accordance with the supply and dimensional requirements of City of Toronto Zoning By-law 579-2017;

d. Provides one shared-use Type 'G' loading space for the proposed mixed-use development and each required loading space providing minimum dimensions as per Section No. 220.5.1.10 of City of Toronto Zoning By-law No. 569-2013;

e. Enters into an appropriate agreement with the City introducing, at no cost to the City, any ultimately-approved traffic control signal timing adjustments and additional phases, including any hardware modifications, required at the signalised intersections in the immediate vicinity of the site to facilitate forecast traffic from the subject development; and

The following definitions have been included in the zoning by-law amendment for this development:

- Car-share means the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car-sharing organisation and where such an organisation may require that use of cars be reserved in advance, charge fees based on time and/or kilometres driven, and set membership requirements of the car-sharing organisation, including the payment of a membership fee that may or may not be refundable; and
- Car-share parking space means a parking space that is reserved and actively used for car-sharing.

Servicing

City staff have identified revisions required to the submitted Geohydrology Assessment and Functional Servicing and Stormwater Management Implementation Report. All revisions must be made to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

In the event the Ontario Land Tribunal (OLT) allows the appeal in whole or in part, it is recommended that City Council direct the City Solicitor to request that OLT withhold its order until conditions have been fulfilled to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services:

a. The owner has submitted a Functional Servicing Report to determine the storm water runoff, sanitary flow and water supply demand resulting from this development and whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposed development;

b. The owner has made satisfactory arrangements with Engineering and Construction Services and enter into the appropriate agreement with the City for the design and construction of the cul-de-sac and any improvements to the municipal infrastructure, should it be determined that upgrades are required to

the infrastructure to support this development, according to the accepted Functional Servicing Report and Traffic Impact Study; and

c. The owner has provided space within the development for installation of maintenance access holes and sampling ports on the private side, as close to the property line as possible, for both the storm and sanitary service connections, in accordance with the Sewers By-law Chapter 68-10.

Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Should the application be approved, Parks staff are recommending that the parkland dedication requirement be satisfied through cash-in-lieu of an on-site parkland dedication.

Tree Preservation

City of Toronto By-laws provide for the protection of trees situated on both private and City property. The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law). The application indicates that there are no existing trees located on the subject site.

The Arborist and Preservation Report indicates the development proposes to preserve three protected privately-owned trees. However, Urban Forestry staff have identified two of the preserved trees as having a high potential to incur significant impacts due to their location in proximity to the proposed underground parking garage. The Urban Forestry Division requires a revision to the Arborist Report and/or Tree Preservation Plan showing the two trees to be removed, or for the building and underground garage to the setback at least 2.0 m from the subject trees. Once received, the revisions will be reviewed by City staff.

Urban Forestry staff require an *Application to Injure or Destroy Trees* for two of the subject trees.

The applicant has submitted a Landscape Plan that proposes 8 new trees on private property and none on the City road allowance due to space restrictions. Urban Forestry advises that the proposed trees are acceptable at this time, however the plan must be revised to reflect the comment regarding the two existing trees.

In principal, Urban Forestry does not object to the development of the subject lands; however, they are not in the position to support the proposed application at this time until the revised Arborist Report and Tree Preservation Plan are submitted and the required tree removal/injury application is submitted and processed.

In the event the Ontario Land Tribunal (OLT) allows the appeal in whole or in part, it is recommended that City Council direct the City Solicitor to request that OLT withhold its order until:

a. The owner has addressed all outstanding issues raised by Urban Forestry, Tree Protection and Plan Review as they relate to the Zoning By-law Amendment application, to the satisfaction of the Supervisor, Tree Protection and Plan Review; and

b. The owner has submitted a revised Landscape Plan and/or Tree Inventory and Preservation Plan Report and that Tree Preservation matters are resolved to the satisfaction of the General Manager, Parks, Forestry and Recreation.

Energy Strategy

The applicant is encouraged to coordinate with the Energy Efficiency Division staff as they progress through design development with any further analysis, including:

- Compliance with the Toronto Green Standard Version 3, especially if targeting Tier 2 or higher levels of performance;
- District energy-ready design;
- Integration of low-carbon energy solutions; and
- Back-up power for resilience during grid disruptions.

Toronto Green Standard

City Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner.

School Boards

The Toronto District School Board (TDSB) advised that projected accommodation levels at local schools warrant the use of warning clauses such as signs at points of egress and ingress of the development site and warning clauses in all offers of purchase and sale/lease/rental/tenancy agreements. The TDSB requested the warning clauses be placed into a site plan agreement as a condition of pre-approval.

The Toronto Catholic District School Board (TCDSB) advised that sufficient space exists within the local elementary and secondary schools to accommodate additional students from the development as proposed.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the *Planning Act*. The proposal in its current form would be subject to Section 37 contributions under the *Planning Act*. Planning staff has not met with the Applicant regarding Section 37 contributions because the application in its current form is not acceptable.

Should the OLT approve the application, Section 37 contributions would need to be secured in accordance with Policy 5.1.1 of the Official Plan. City Planning staff, recommend staff be authorized to negotiate an appropriate agreement for Section 37 benefits with the applicant, in consultation with the Ward Councillor.

Community Services Assessment

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions, such as recreation, libraries, childcare, schools, public health, human services, cultural services and employment services.

The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

This report recommends that if the OLT approves the application, the following potential CS&F contributions should be considered as part of any Section 37 Agreement:

- Securing a non-profit, licensed child care facility to be integrated within the proposed development in accordance with the Child Care Development Guideline; or alternatively, funding contributions towards new child care facilities;
- Contributions towards the revitalization of Weston Library Branch as identified by the TPL FMP; and/or
- Contributions towards the replacement of the Falstaff Community Recreation Centre as identified by the PFR FMP and Implementation Strategy.

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), the Toronto Official Plan, the Weston Urban Design Guidelines, the City-Wide Tall Building Design Guidelines and other city-wide guidelines. The current proposal is not consistent with the PPS (2020), does not conform with the Growth Plan (2020) and does not conform with the Toronto Official Plan, particularly as it relates to Land Use and Built Form. In addition, the proposal in its current form is not consistent with the direction provided by implementing area specific and city wide guidelines.

This report recommends that the City Solicitor, with appropriate staff, attend the OLT in opposition to the application in its current form and continue discussions with the Applicant in an attempt to resolve outstanding issues.

Development on this site could be supported, if it provides appropriate setbacks, separation distances, massing, building height and density, as directed in the Official Plan, the Weston Urban Design Guidelines, and the City-Wide Tall Building Design Guidelines in cooperation with adjacent property owners.

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SIGNATURE

Sarah Henstock, MCIP, RPP
Acting Director, Community Planning
Etobicoke York District

ATTACHMENTS

City of Toronto Data/Drawings

- Attachment 1: Application Data Sheet
- Attachment 2: Location Map
- Attachment 3: Official Plan Land Use Map
- Attachment 4: Site and Area Specific Policy 51
- Attachment 5: Existing Zoning By-law Map
- Attachment 6: Policy Considerations

Applicant Submitted Drawings

- Attachment 7: Site Plan
- Attachment 8: Elevations

APPLICATION DATA SHEET

Municipal Address: 1821-1823 WESTON RD **Date Received:** November 27, 2019

Application Number: 19 254711 WET 05 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: The applicant is proposing a 38-storey mixed use building with a 7-storey podium, containing 446 residential units and approximately 426 square metres of retail use at-grade. Three levels of underground parking are proposed with vehicular entry to the site proposed from Weston Road.

Applicant	Agent	Architect	Owner
WESTON ROAD LIMITED PARTNERSHIP			WESTON ROAD LIMITED PARTNERSHIP GP INC

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	SASP 51
Zoning:	RA (u489)(x423) in Zoning By-law No. 569-2013	Heritage Designation:	No
Height Limit (m):		Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq m): 3,365 Frontage (m): 41 Depth (m): 87

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			1,476	1,476
Residential GFA (sq m):			32,068	32,068
Non-Residential GFA (sq m):	1,076		426	426
Total GFA (sq m):	1,076		32,494	32,494
Height - Storeys:			36	36
Height - Metres:			118	118

Lot Coverage Ratio (%): 43.86 Floor Space Index: 9.66

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	32,068	
Retail GFA:	426	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			446	446
Other:				
Total Units:			446	446

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		51	200	149	46
Total Units:		51	200	149	46

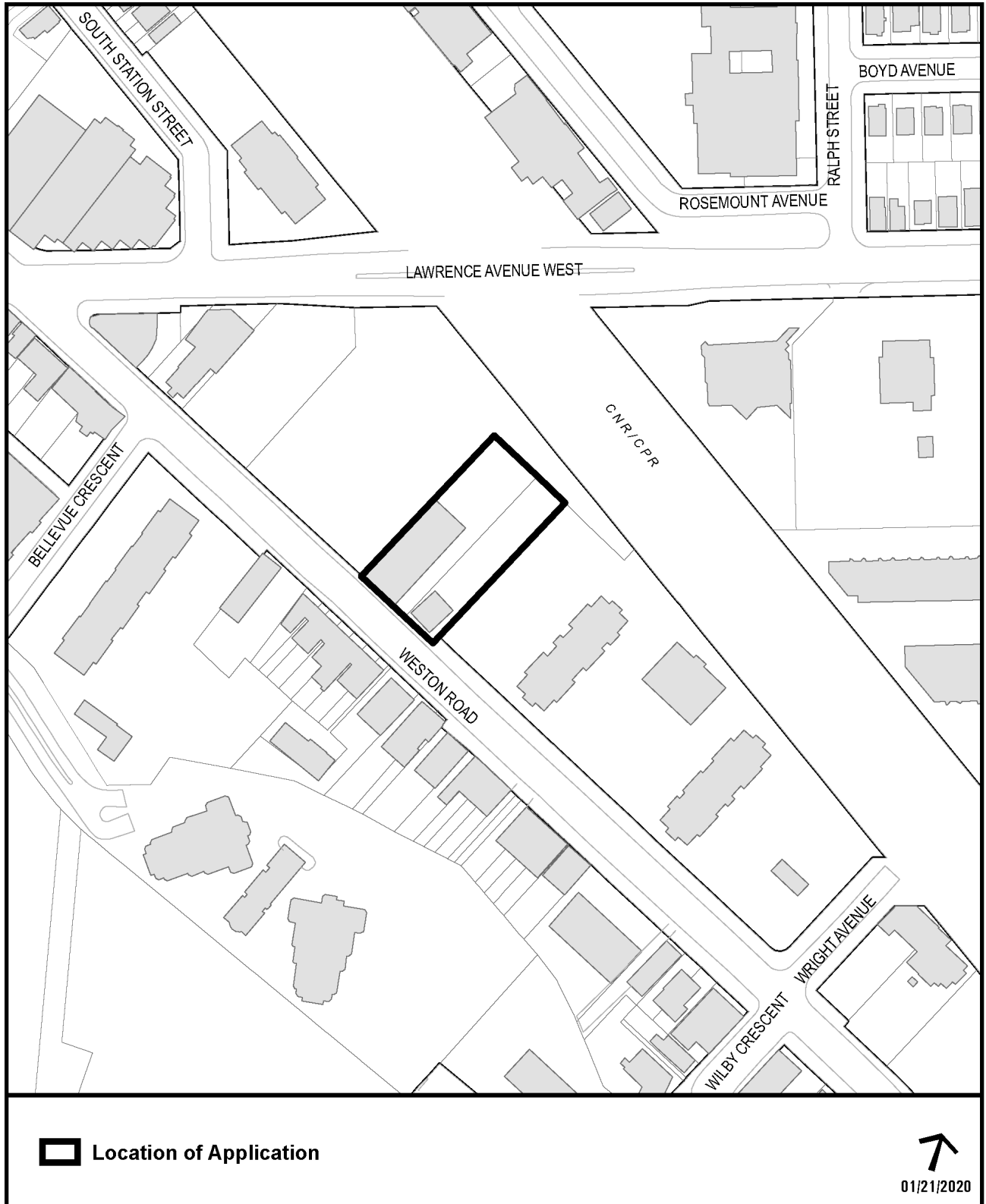
Parking and Loading

Parking Spaces: 242 Bicycle Parking Spaces: 447 Loading Docks: 2

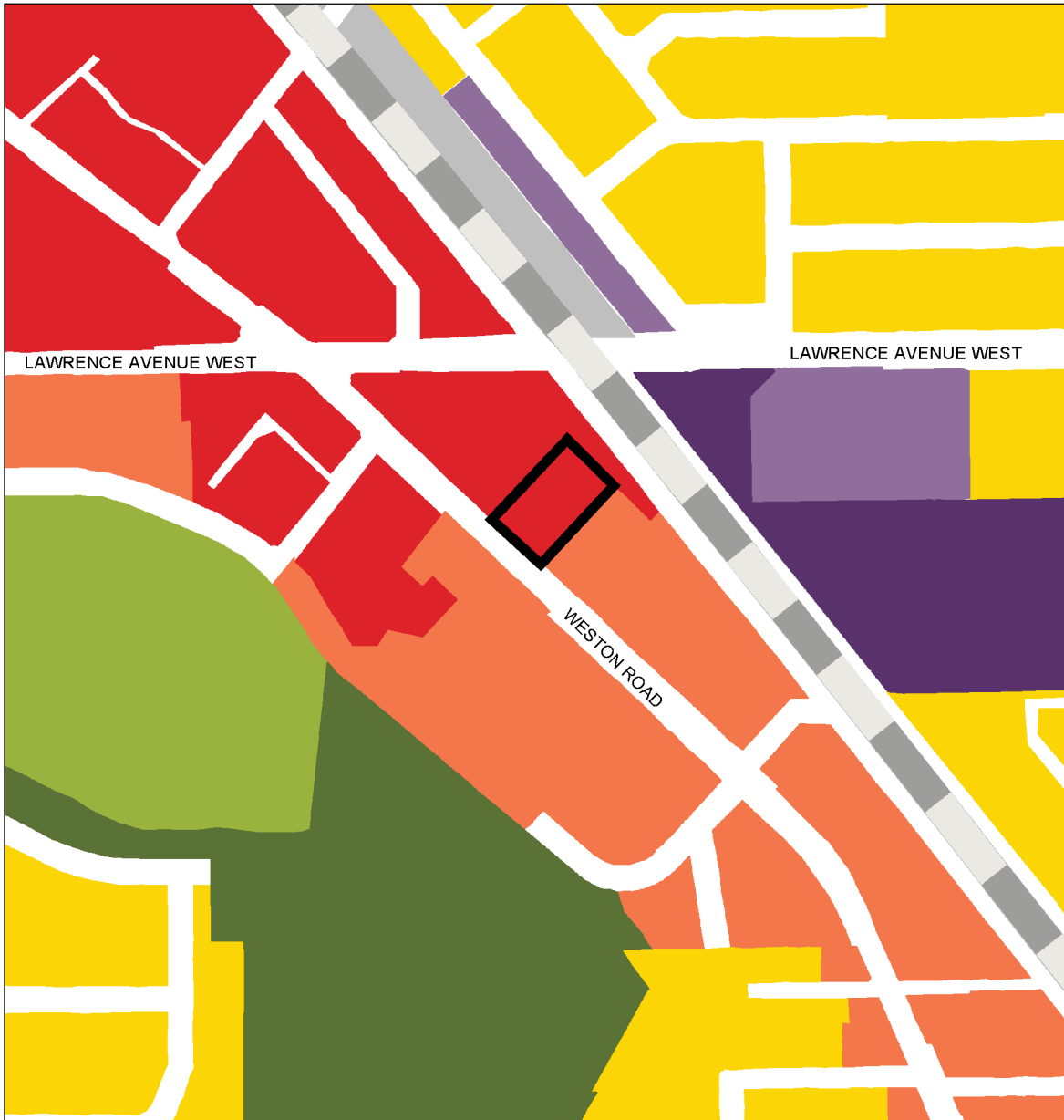
CONTACT:

Rory McNeil, Planner
(416) 394-5683
Rory.McNeil@toronto.ca

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



1821-1823 & 1831 Weston Road

Official Plan Land Use Map #14

File # 19 254711 WET 05 OZ

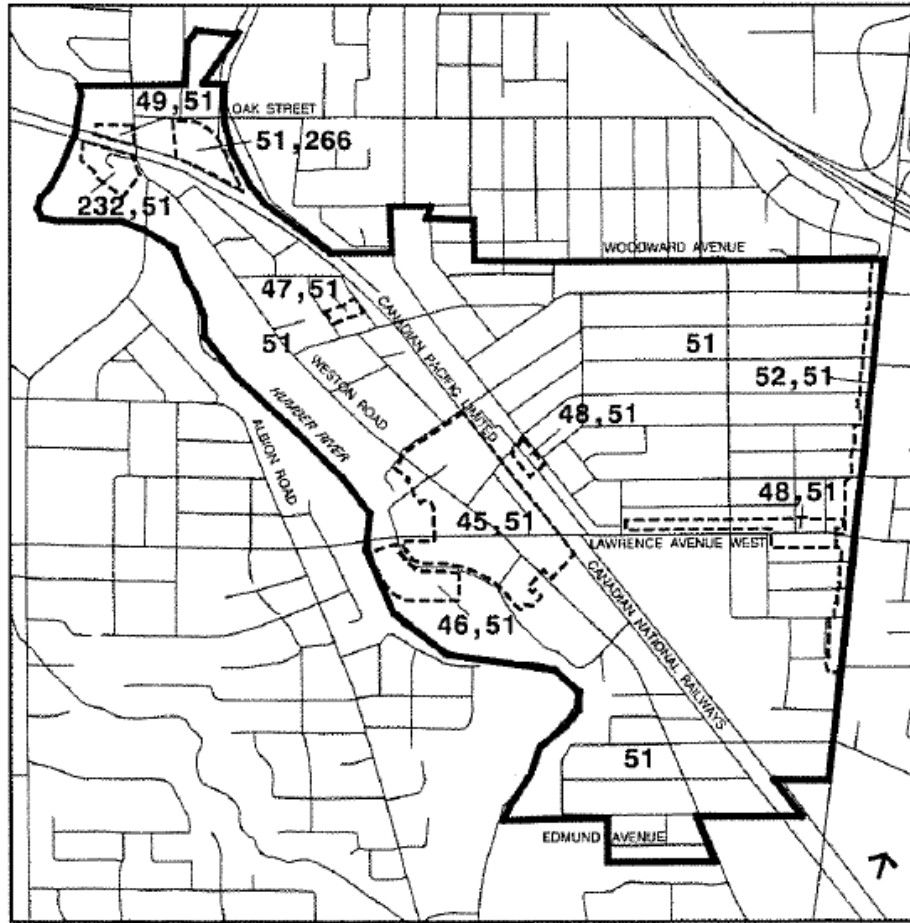
Location of Application	Natural Areas	Institutional Areas	General Employment Areas
Neighbourhoods	Parks	Regeneration Areas	Core Employment Areas
Apartment Neighbourhoods	Other Open Space Areas	Utility Corridors	Special Policy Area
Mixed Use Areas			

Not to Scale
 01/20/2020

Attachment 4: Site and Area Specific Policy 51

51. Weston Area

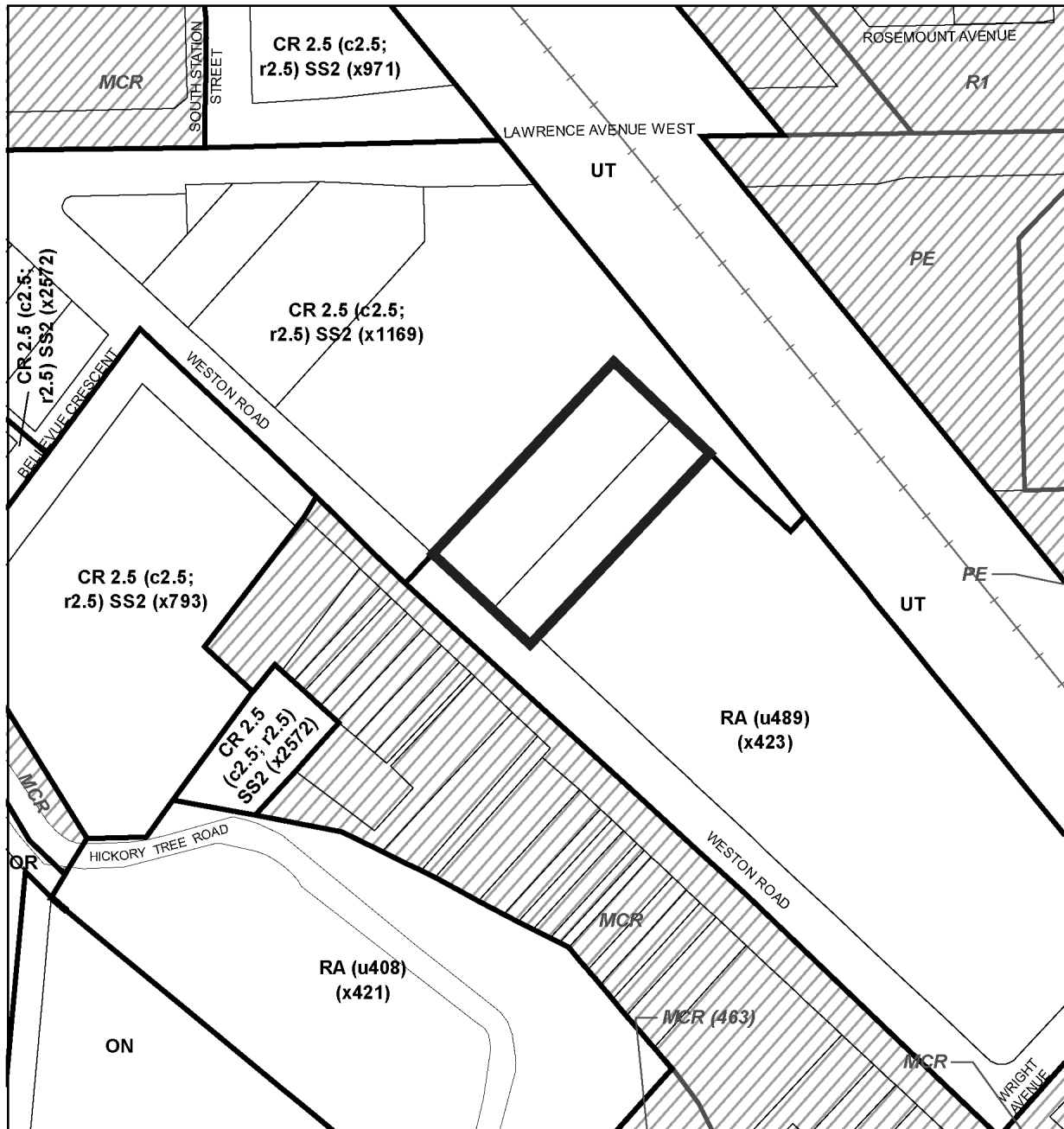
- a) View corridors to the Humber Valley from street intersections of Weston Road in the Weston community should be maintained. Links between the Weston community and the Humber Valley will be improved by adding and improving existing pedestrian connections including: an expansion of the pedestrian/bicycle trail system north of Cruickshank Park and establishing additional amenities for park users such as a café, retail pavilion, and washrooms.



45

- b) A significant open space feature should be provided in the Lawrence employment area.

Attachment 5: Existing Zoning By-law Map



Zoning By-law 569-2013

1821-1823 & 1831 Weston Road

File # 19 254711 WET 05 0Z



Location of Application

RA Residential Apartment
CR Commercial Residential

ON Open Space Natural
OR Open Space Recreation
UT Utility and Transportation



See Former City of York By-law No. 1-83

R1 Residential Zone
MCR Mixed Commercial Residential Zone
PE Prestige Employment Zone
CE Commercial Employment Zone



Not to Scale
Extracted: 01/21/2020

Attachment 6: Policy Considerations

Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

The Provincial Policy Statement (2020)

The Provincial Policy Statement (2020) (the "PPS") provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- the efficient use and management of land and infrastructure;
- ensuring the sufficient provision of housing to meet changing needs including affordable housing;
- ensuring opportunities for job creation;
- ensuring the appropriate transportation, water, sewer and other infrastructure is available to accommodate current and future needs; and
- protecting people, property and community resources by directing development away from natural or human-made hazards.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the *Planning Act* and all decisions of City Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by City Council shall also be consistent with the PPS.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

Provincial Plans

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. City Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of City Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial

Plans. All comments, submissions or advice affecting a planning matter that are provided by City Council shall also be consistent with the PPS and conform with Provincial Plans.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) came into effect on August 28, 2020. This was an amendment to the Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan (2020), establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the *Planning Act*.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space, and better connected transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan (2020), builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan (2020), take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. In accordance with Section 3 of the *Planning Act* all decisions of City Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan (2020). Comments, submissions or advice affecting a planning matter that are provided by City Council shall also conform with the Growth Plan (2020).

The Growth Plan (2020) contains policies pertaining to population and employment densities that should be planned for in major transit station areas (MTSAs) along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan requires that, at the time of the next municipal

comprehensive review (MCR), the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSA's achieve appropriate densities.

The subject site is located along a priority transit corridor associated with the UP Express and Kitchener GO Line. The Weston GO/UP Station is located directly adjacent to the north of the subject site. MTSA's relating to higher-order transit stations have not yet been delineated in the Toronto Official Plan.

The Growth Plan requires that, at the time of the next Municipal Comprehensive Review (MCR), the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSA's are planned to achieve appropriate densities. On June 29, 2020, City Council approved a work plan (Item PH14.4) for the Growth Plan Conformity and MCR of the Toronto Official Plan and established August 4, 2020 as the commencement of the City's MCR. Regarding MTSA's, the MCR work plan includes a three-phased implementation approach to delineate and set density targets for the 180+ MTSA's in Toronto.

As such, there are no established MTSA's in the City of Toronto, therefore the MTSA policies of the Growth Plan should not be used to justify greater building heights and densities. Not all properties within a 500 to 800 metres of a transit station will necessarily be delineated within an MTSA boundary, so it is premature to rely on those policies as a basis to support additional height and densities. The site is suitable for appropriate redevelopment and intensification as identified by the Official Plan, but any support for additional height and density should be based on good planning given the local context and the in-force policies.

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan and Site and Area Specific Policy No. 51.

Key policies include:

Chapter 2 - Shaping the City

The subject site is located on an *Avenues* as identified on Map 2 – Urban Structure.

Map 3 - Right-of-Way Widths Associated with Existing Major Streets of the Official Plan identifies the portion of Weston Road fronting the site as an existing major street having a 27 metre right-of-way width.

Map 4 - Higher Order Transit Corridors of the Official Plan identifies the existing GO Rail Line adjacent to the site and the location the Go Station at Weston Road and Lawrence Avenue West.

Avenues

Section 2.2.3, *Avenues: Reurbanizing Arterial Roads*, states that *Avenues* are important corridors along major streets where reurbanization is anticipated and encouraged to

create new housing and job opportunities while improving the pedestrian environment, the look of the street, shopping opportunities and transit service for community residents. A framework for change is to be tailored to the situation of each *Avenue* through a local *Avenue* Study that includes community consultation to establish a vision and implementation plan for: how the streetscape and pedestrian environment can be improved; where public open space can be created and existing parks improved; where trees should be planted; and how use of the road allowance can be optimized and transit service enhanced.

Policies 2.2.3.1 and 2.2.3.2 require reurbanization of *Avenues* to be achieved through the preparation of Avenue Studies, and that these studies must engage the local community. Policy 2.2.3.4 states that Development in Mixed Use Areas on Avenues, prior to an Avenue Study has the potential to set a precedent for the form and scale of reurbanization along the Avenue. In addition to the policies of the Plan for Mixed Use Areas, proponents of such proposals will also address the larger context and examine the implications for the segment of the Avenue in which the proposed development is located. This review will:

- a) include an assessment of the impacts of the incremental development of the entire Avenue segment at a similar form, scale and intensity, appropriately allowing for distinguishing circumstances;
- b) consider whether incremental development of the entire Avenue segment as identified in the above assessment would adversely impact any adjacent Neighbourhoods or Apartment Neighbourhoods;
- c) consider whether the proposed development is supportable by available infrastructure; and
- d) be considered together with any amendment to the Official Plan or Zoning By-law at the statutory public meeting for the proposed development.

Further, Policy 2.2.3.5 states that development requiring a rezoning will not be allowed to proceed prior to completion of an Avenue Study unless the review demonstrates to Council's satisfaction that subsequent development of the entire Avenue segment will have no adverse impacts within the context and parameters of the review.

Chapter 3 - Building a Successful City

Official Plan Amendments ("OPA") 479 (Public Realm) and 480 (Built Form) were adopted as part of the Five-Year Official Plan Review. On September 21, 2020 the Minister of Municipal Affairs and Housing issued Notices of Decision approving OPA 479 and OPA 480. The OPAs replace Sections 3.1.1, 3.1.2, and 3.1.3 of the Official Plan with new and revised policies for the public realm, built form, and built form types. While not in force at the time the application was submitted, understanding this continuing evolution of urban design principles is relevant to the review of the application.

The Public Realm

Section 3.1.1, The Public Realm, states that the public realm is the fundamental organizing element of the city and its neighbourhoods and plays an important role in

supporting population and employment growth, health, liveability, social equity and overall quality of life. Policy 3.1.1.1 identifies that the public realm is comprised of all public and private spaces to which the public has access including streets and lanes, parks and open spaces, and the parts of private and public buildings that the public is invited into. 3.1.1.2 requires the public realm to provide the organizing framework and setting for development; foster complete, well-connected walkable communities and employment areas that meet the daily needs of people and support a mix of activities; support active transportation and public transit use; provide a comfortable, attractive and vibrant, safe and accessible setting for civic life and daily social interaction; contribute to the identity and physical character of the City and its neighbourhoods; provide opportunities for passive and active recreation; be functional and fit within a larger network; and contribute to the City's climate resilience. Policy 3.1.1.3 provides that the City, together with its partners, will seek opportunities to expand and enhance the public realm.

Policy 3.1.1.13 requires sidewalks to be designed to provide safe, attractive, interesting and comfortable spaces for users of all ages and abilities. Further, Policy 3.1.1.14 requires that design measures which promote pedestrian safety and security will be applied to streetscapes, lanes, parks, other public and private open spaces, and all new and renovated buildings.

Policy 3.1.1.16 states the preservation, long-term growth and increase in the amount of healthy trees will be a priority for all development. Development proposals will demonstrate how the protection, provision and maintenance of trees and their growing spaces above and below ground will be achieved. Policy 3.1.1.17 requires access and enjoyment of the natural features of the City, such as ravines and valley lands, will be enhanced and protected by: improving physical and visual access from adjacent public streets, parks and open spaces and designing these into a comprehensive public realm network; ensuring that adjacent development, including new streets, parks and open spaces, building location, height, massing and organization, will preserve and enhance access, views and vistas between these natural features and the public realm; providing for public access along, into and through these natural open spaces, where appropriate; and minimizing shadows on natural features to preserve their utility and ecological health.

Built Form

Section 3.1.2, Built Form, is based on principles on key relationships of the location and organization of development, its massing and appropriate amenity within the existing and planned context to inform the built form and ensure each new building will promote and achieve the overall objectives of the Official Plan.

Policy 3.1.2.1 requires development be located and organized to fit with its existing and planned context. Development is to frame and support adjacent streets, lanes, parks and open spaces to promote civic life and the use of the public realm, and to improve the safety, pedestrian comfort, interest and experience, and casual views to these spaces from the development. Policy 3.1.2.3 requires development to protect privacy within adjacent buildings by providing setbacks and separation distances from neighbouring properties and adjacent building walls containing windows.

Policy 3.1.2.4 requires that development locate and organize vehicle parking and vehicular access, servicing, storage areas and utilities to minimize their impact and improve the safety and attractiveness of the public realm, the site and surrounding properties.

Policy 3.1.2.5 requires development to be located and massed to fit within the existing and planned context, define and frame the edges of the public realm with good street proportion, fit with the character, and ensure access to direct sunlight and daylight on the public realm by providing streetwall heights and setbacks that fit harmoniously with the existing and/or planned context; and stepping back building mass and reducing building foot prints above the streetwall height.

Policy 3.1.2.6 requires development to provide good transition in scale between areas of different building heights and/or intensity of use in consideration of both the existing and planned contexts of neighbouring properties and the public realm. Policy 3.1.2.7 requires transition in scale to be provided within the development site(s) and measured from shared and adjacent property line(s).

Policies 3.1.2.9 and 3.1.2.10 require the design of new building facades visible from the public realm to consider the scale, proportion, materiality and rhythm of the façade and development to promote civic life and provide amenity for pedestrians in the public realm to make areas adjacent to streets, parks and open spaces attractive, interesting, comfortable and functional.

Policies 3.1.2.11, 3.1.2.12 and 3.1.2.13 encourage new indoor and outdoor amenity spaces be provided in multi-unit residential development, and that it be high quality, well designed and consider the needs of all ages and abilities over time and throughout the year. Outdoor amenity spaces should be located above grade, have access to daylight, direct access to sunlight, provide comfortable wind, shadow and noise conditions, be located away from and physically separated from loading and servicing areas, have generous well designed landscaped areas to offer privacy and an interface with the public realm, accommodate mature trees and promote use in all seasons.

Section 3.1.3, Built Form - Building Types, states that there are three scales of building types. The built form relationships and design of these building types is informed by citywide urban design guidelines that help to ensure the appropriate form and fit with the existing and planned context. Tall Buildings are generally greater in height than the width of the adjacent right-of-way and should typically be designed to consist of three parts – a base, a tower and a top – carefully integrated into a single whole.

Policy 3.1.3.9 states that the base portion of tall buildings should respect and reinforce good street proportion and pedestrian scale and be lined with active, grade related uses. Policy 3.1.3.10 states that the tower portion of a tall building should be designed to reduce the physical and visual impacts of the tower onto the public realm; limit shadow impacts on the public realm and surrounding properties; maximize access to sunlight and open views of the sky from the public realm; limit and mitigate pedestrian level wind impacts; and provide access to daylight and protect privacy in interior spaces within the tower. Policy 3.1.3.11 states that policy 3.1.3.10 should be achieved by stepping back

the tower from the base building; generally aligning the tower with, and parallel to, the street; limiting and shaping the size of tower floorplates above base buildings; providing appropriate separation distances from side and rear lot lines as well as other towers; and locating and shaping balconies to limit shadow impacts. Policy 3.1.3.12 states that the top portion of tall buildings should be designed to integrate roof top mechanical systems into the building design; contribute to the surrounding skyline identity and character; and avoid up-lighting and excessive lighting.

Official Plan policy 3.4.21 states that major facilities such as transportation/rail infrastructure and sensitive land uses such as residential, will be appropriately designed, buffered and/or separated from each other.

Chapter 4 Land Use designations

Map 14 – Land Use Plan identifies the site as *Mixed Use Areas* (see Attachment 3: Official Plan Land Use Map) which are made up of a broad range of residential, commercial and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities.

Mixed Use Areas

Section 4.5 of the Plan indicates that the *Mixed Use Areas* designation provides for a range of residential, commercial and institutional uses, and provides criteria to direct the form and quality of development. 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.

Policy 4.5.2 includes criterion that directs the form and quality of development in this land use designation. It is the intent that development in *Mixed Use Areas* will:

- create a balance of high quality commercial, residential, institutional and open space uses that reduce automobile dependency and meet the needs of the local community;
- locate and mass new buildings to provide a transition between areas of different development intensity and scale by providing appropriate setbacks and/or stepping down of heights, particularly towards lower scale *Neighbourhoods*;
- locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes;
- locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- provide an attractive, comfortable and safe pedestrian environment;
- take advantage of nearby transit services;
- provide good site access and circulation and an adequate supply of parking for residents and visitors;
- locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences;

- provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development; and
- provide opportunities for green infrastructure including tree planting, stormwater management systems and green roofs.

The subject site abuts lands designated *Apartment Neighbourhoods* to the east. *Apartment Neighbourhoods* are made up of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of area residents. All land uses provided for in the *Neighbourhoods* designation are also permitted in Apartment Neighbourhoods. *Apartment Neighbourhoods* are considered stable areas of the City where significant growth is not anticipated, but where opportunities may exist for additional townhouses or apartments on underutilized sites or through redevelopment of underutilized or vacant sites. Further, policy 2.3.1.2 of the Healthy Neighbourhood policies indicate that compatible infill development may take place where there is sufficient space on a site to accommodate additional buildings or building additions while providing a good quality of life for both new and existing residents and improving site conditions by maintaining or substantially replacing and improving indoor and outdoor amenity space; improving landscaped open space; maintaining adequate sunlight and privacy for residential units; and adequately limiting shadowing on outdoor amenity space and landscaped open space.

Chapter 5 -Implementation: Making Things Happen

Policy 5.1.1 of the Official Plan allows for an increase in height and/or density in return for the provision of community benefits for a proposed development, in accordance with Section 37 of the *Planning Act*.

The Official Plan also includes policies for City-building that provide for more detailed oriented action plans, programs and strategies needed to implement the Plan and to adapt to changing circumstances and challenges over the life of the Plan. Policy 5.3.2.1 states that "Implementation plans, strategies and guidelines will be adopted to advance the vision, objectives and policies of this Plan." Though the policy goes on to acknowledge these plans, strategies and guidelines are not Official Plan policy unless added by amendment to the Plan, they do advance the vision, policies and objectives of the Plan. Urban design guidelines specifically are intended "to provide a more detailed framework for built form and public improvements in growth areas".

Site and Area Specific Policies No. 51 & 45

Site and Area Specific Policy No. 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 will 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.

The adjacent lands to the west of the subject site are within Site and Area Specific Policy No. 45, which provides policy direction and establishes the planned context for new development within Weston Village, including that new buildings within Weston Village would have a maximum height of 8-storeys (24 m in height) and should be sited at the front property line and oriented to the adjacent street, similar to existing low-rise buildings along Weston Road.

The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

Zoning

The site is zoned RM2 (Residential Multiple) by the former City of York Zoning By-law 1-83, and subject to site specific Zoning By-law 865 which provides site-specific zoning provisions exclusively for the adjacent property to the east (1765 - 1775 Weston Road). The RM2 zone allows for a range of residential uses including apartment buildings.

The site is also zoned RA (Residential Apartment) by City-wide Zoning By-law 569-2013. The site is subject to Exception 423 (see Attachment 7: Zoning Map), which identifies the former City of York By-law 865 as the prevailing by-law.

City-wide Zoning By-law 569-2013 can be found here: <https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>.

Weston Urban Design Guidelines

The Weston Urban Design Guidelines identify the site as being located within the Weston Road Corridor and adjacent to the Weston Village Sub-Area to the north. A key objective for the Weston Road Corridor identified by the Guidelines is to establish an appropriate built form and land use pattern for apartment buildings that addresses their relationship to the adjacent neighbourhoods, the Humber Valley and Weston Road. Provisions to guide development in the Weston Road Corridor include the following:

- All buildings fronting onto Weston Road will be oriented towards the adjacent street or streets with no more than a 4 m setback from the street line. Wherever possible, primary pedestrian access to these buildings will be from Weston Road.
- Buildings will be permitted to a maximum height of eight storeys (24 metres) along the Weston Road frontage with a minimum 3 m setback required above the sixth floor.

The link to the Guidelines is here: <https://www.toronto.ca/wp-content/uploads/2017/08/94c1-Toronto-Urban-Design-Guidelines-Weston.pdf>

City-Wide Tall Buildings Design Guidelines

In May 2013, Toronto City Council adopted the updated City-wide Tall Buildings 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.

Tall buildings are defined as buildings having a height that is greater than the width of the adjacent street right-of-way. Weston Road has a planned right-of-way width of 27 m at this location and the proposed tower height is 119 m, including the mechanical penthouse.

The Tall Buildings Design Guidelines identify separation distances, setbacks and floor plate size as key factors affecting sky view, privacy, wind and the amount of sunlight and shadows that reach the public realm and neighbouring properties. Towers must be built to minimize impact on surrounding streets, parks, public and private open space, as well as existing or future buildings on adjacent sites.

The Guidelines direct tower floor plates to be limited to 750 m² or less, and provides flexibility for non-residential or very tall buildings, where adequate tower separation, setbacks and stepbacks are achieved. The Guidelines direct towers to be setback a minimum of 12.5 m from side and rear property lines. One of the goals of this requirement is to ensure that a minimum separation distance of 25 m is established between tall buildings on different properties. This ensures that new development does not restrict adjacent sites from developing in a similar manner.

Staff note that the proposed tower floor plate size of 820 m² and side yard setbacks of 10.0 m and 7.5 m from the east and west property lines, respectively, do not meet the requirements of the Tall Buildings Design Guidelines. The Tall Buildings Design Guidelines indicate that sites that cannot provide the minimum tower setbacks and stepbacks may not be appropriate for tall buildings.

The City-wide Tall Buildings Design Guidelines are available at: <http://www.toronto.ca/planning/tallbuildingdesign.htm>.

Weston Station Master Plan

The Weston GO/UP Station was moved to its current location on the south side of Lawrence Avenue West in 2012. In preparation for the move, Metrolinx initiated a Master Plan process to assess the issues and opportunities associated with the relocated Weston Station and its long-term development potential. The resulting Weston Station Master Plan provides a vision for the short and long term development of the station and adjacent properties, including the subject site.

The preferred long-term concept identified in the Weston Station Master Plan incorporates the subject site into a mixed-use multi-building development including a tall building and several mid-rise buildings. Another concept identifies two tall buildings on the lands. These concepts are predicated on the joint redevelopment of both the Metrolinx lands and the subject site.

The application was circulated to Metrolinx staff who provided comments dated January 13, 2020. Metrolinx staff have raised concern with the proposed tower setback of 7.5 m from the shared lot line as limiting the development potential of the Metrolinx lands.

Metrolinx has requested that the proposal increase the tower setback to 12.5 m, in line with City standards.

Growing Up: Planning for Children in New Vertical Communities

In July 2020, Toronto City Council adopted updated Growing Up Urban Design Guidelines, and directed City Planning staff to apply the "Growing Up Guidelines" in the evaluation of new and under review multi-unit residential development proposals greater than 20 residential units and future city-wide and area-based planning frameworks. The objective of the Growing Up Urban Design Guidelines is that developments deliver tangible outcomes to increase liveability for larger households, including families with children at the neighbourhood, building and unit scale. The Guidelines are available at: <https://www.toronto.ca/citygovernment/planningdevelopment/planningstudiesinitiative/s/growing-up-planning-for-children-in-new-vertical-communities>.

Retail Design Manual

City Council adopted the Retail Design Manual on October 27, 2020. The Retail Design Manual is a collection of best practices and is intended to provide guidance on developing successful ground floor retail spaces. The intent is to provide aspirational retail design best practices to inform, guide, inspire and educate those involved in the design and development of retail uses. The best practices apply City-wide to all new development that includes retail uses, with a focus on retail uses that interface with the public realm. The link to the Manual is here: <https://www.toronto.ca/citygovernment/planning-development/official-plan-guidelines/design-guidelines/retaildesign/>

Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings

The objective of the Pet Friendly Design Guidelines is to guide new developments in a direction that is more supportive of a growing pet population, considering opportunities to reduce the current burden on the public realm, and provide needed pet amenities for high density residential communities.

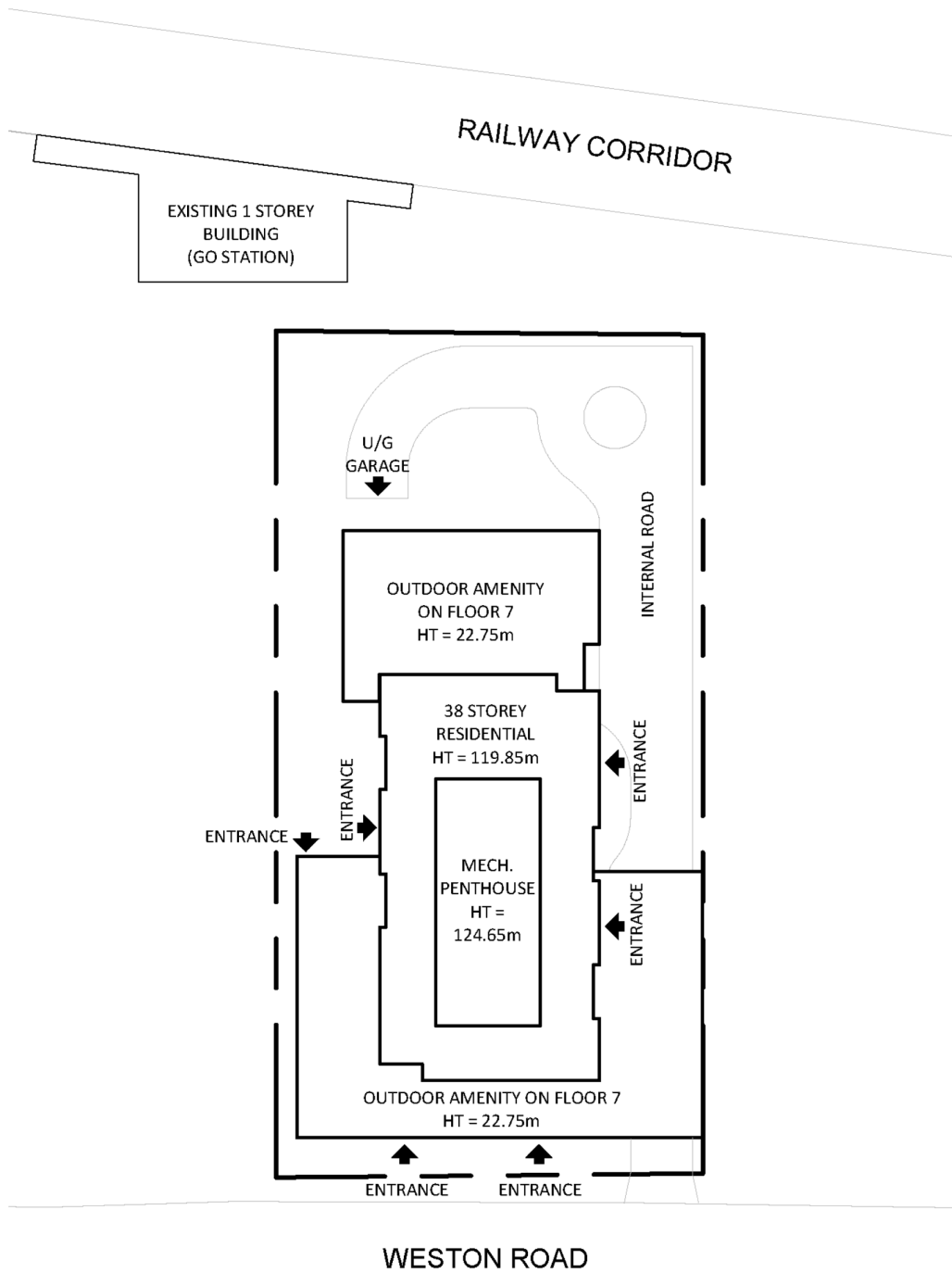
The Guidelines support all residents, pet-owners and non-pet-owners alike, by encouraging the design of new development to demonstrate a consideration for pets, as well as the impacts that they have on our parks, open space and the environment. The Guidelines are available at: <https://www.toronto.ca/wp-content/uploads/2019/12/94d3-CityPlanning-PetFriendlyGuidelines.pdf>

The Etobicoke Centre Urban Design Guidelines, Bloor-Kingsway Urban Design Guidelines, Etobicoke Centre Public Space and Streetscape Plan, Avenues and Mid-rise Buildings Study and Performance Standards, Growing Up Guidelines, Retail Design Manual and Pet Friendly Design Guidelines and Best Practices for new Multi-Unit Buildings have been used to inform the review of this application.

Best Practices for Bird-Friendly Glass and Best Practices for Effective Lighting

These performance measures are required as part of Tier 1 of the Toronto Green Standard for Bird Collision Deterrence and Light Pollution.

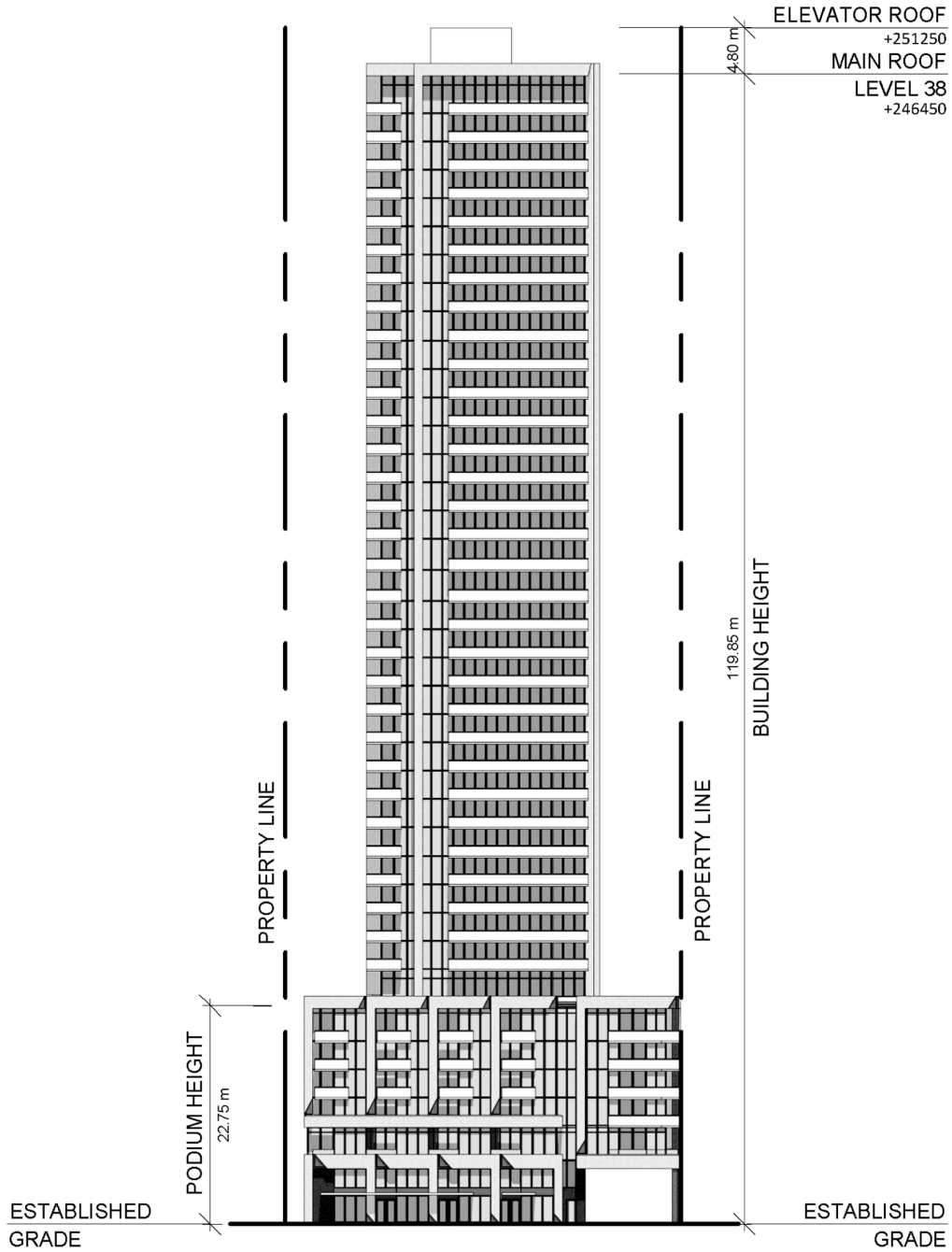
Attachment 7: Site Plan



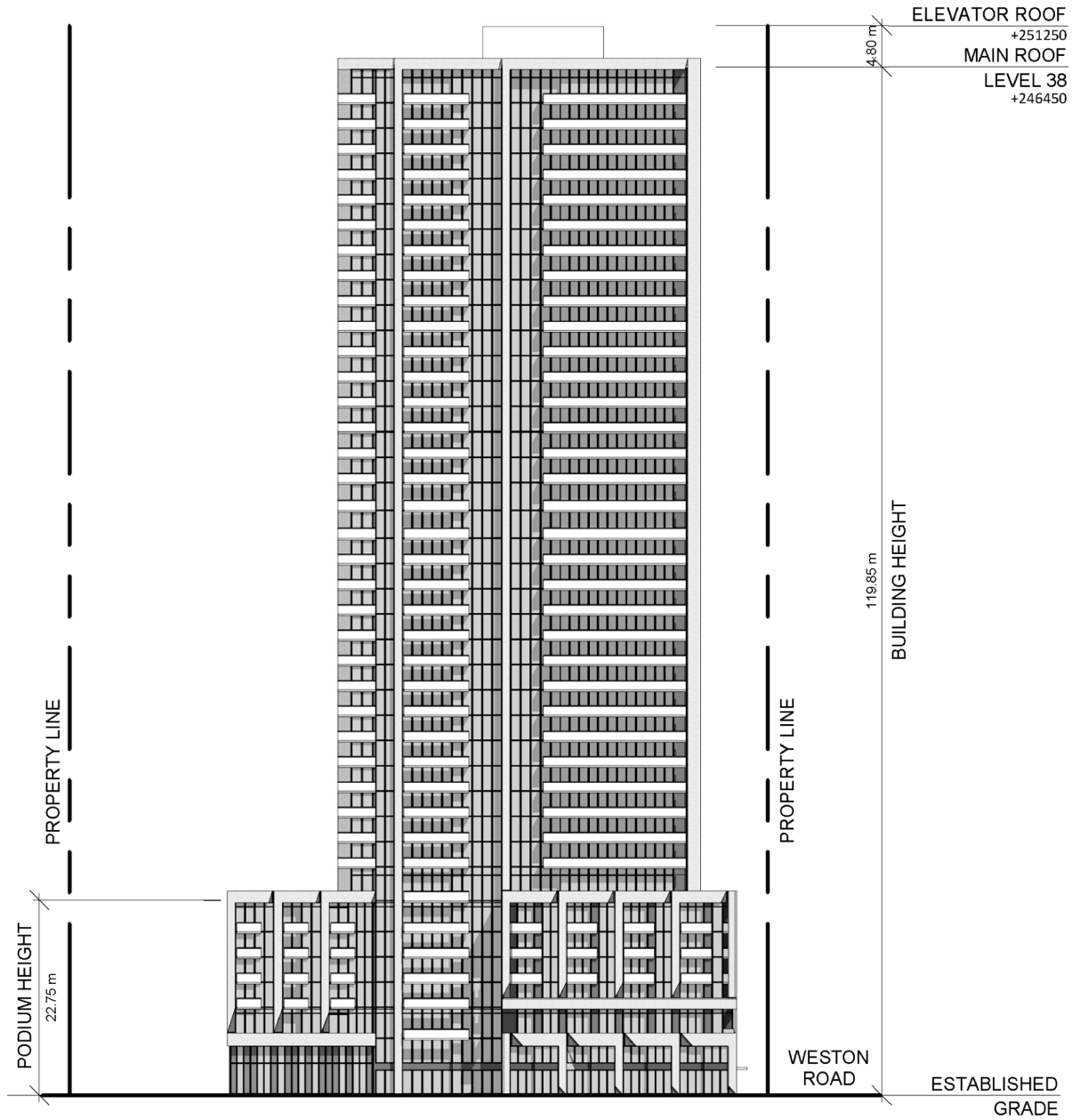
Site Plan



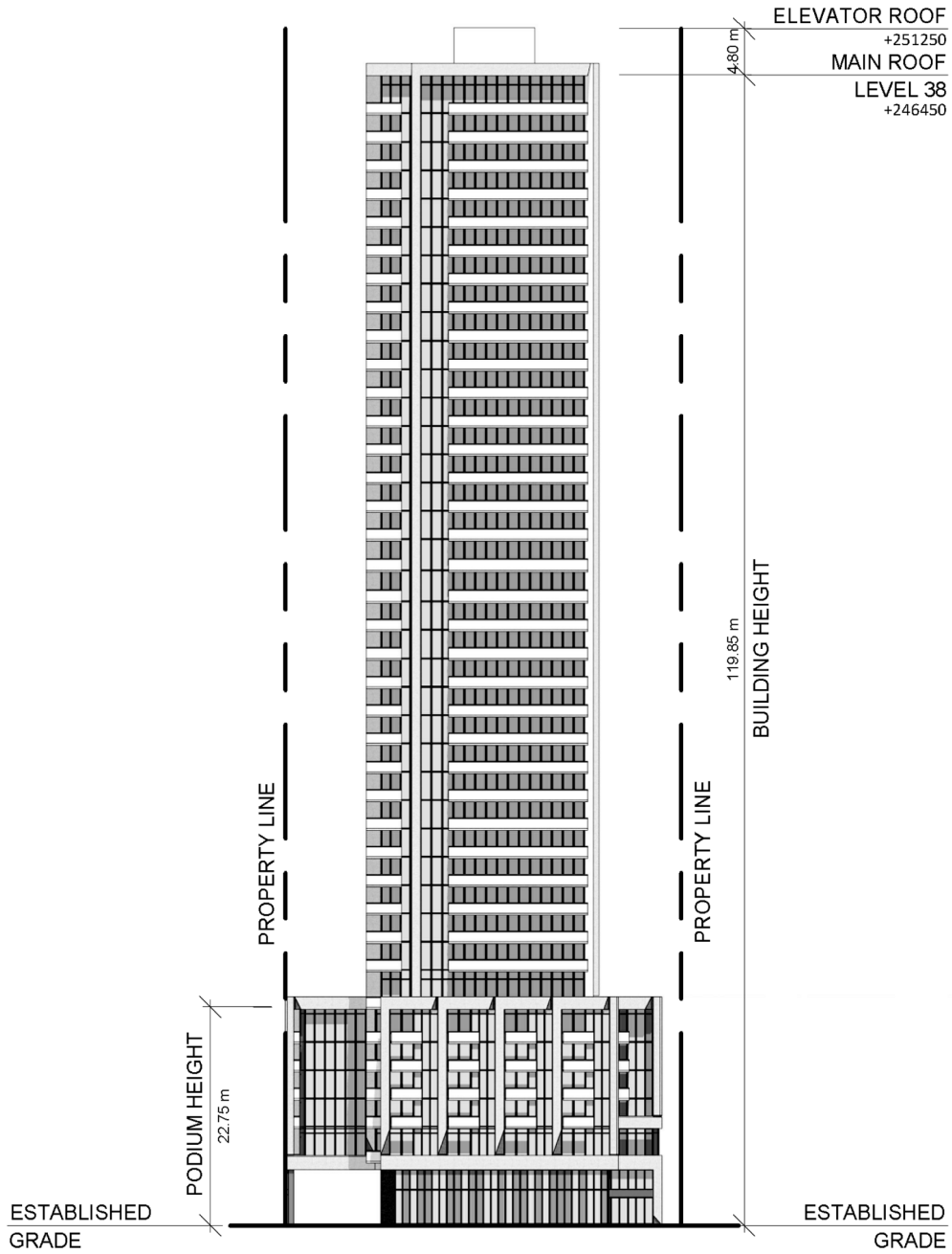
Attachment 8: Elevations



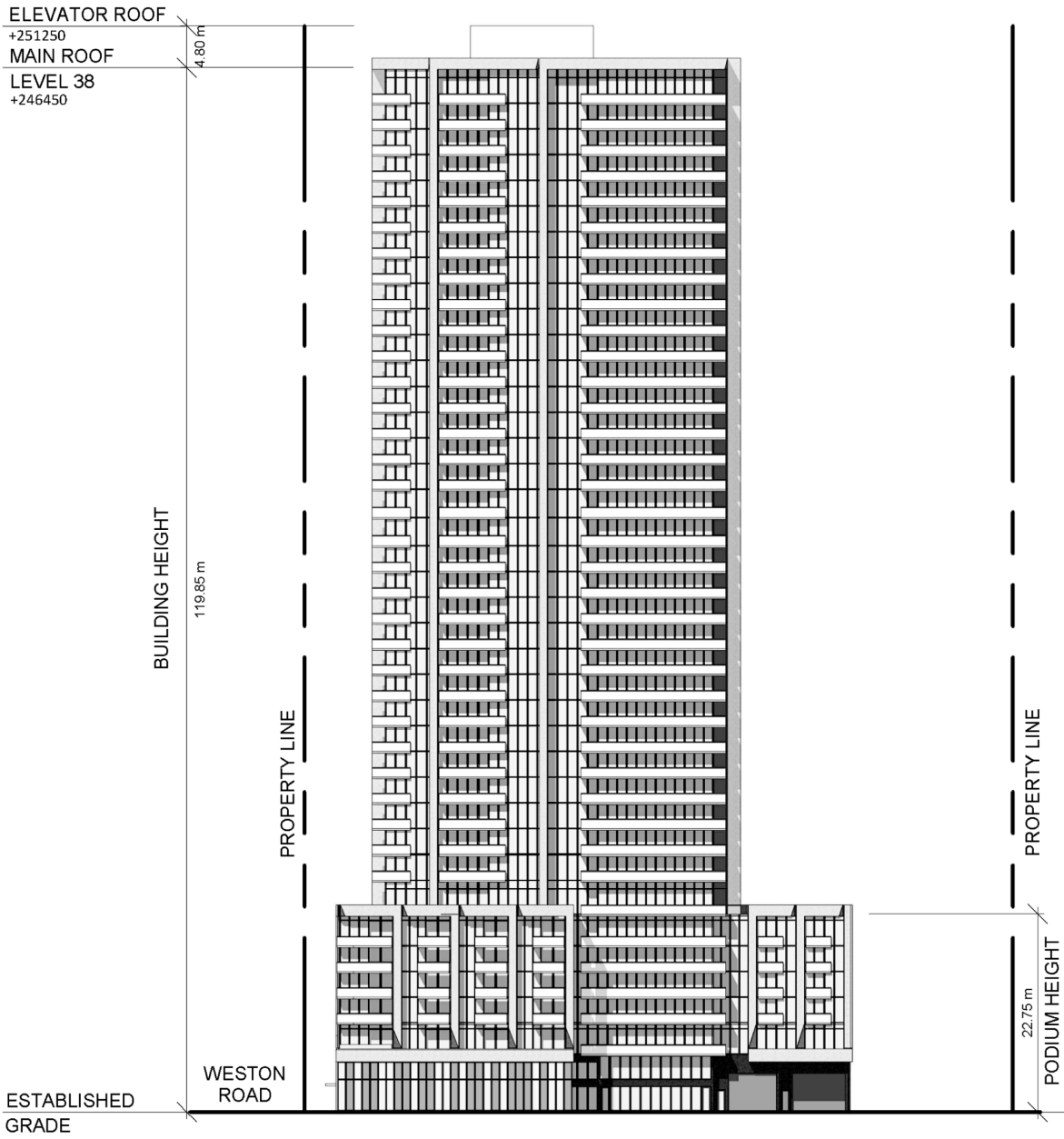
South Elevation



West Elevation



North Elevation



East Elevation