

## **41-75 Four Winds Drive – Zoning By-law Amendment Application – Request for Directions Report**

Date: November 1, 2021

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Ward: 7 - Humber River-Black Creek

**Planning Application Number: 20 226957 WET 07 OZ**

### **SUMMARY**

---

On December 9, 2020, an application was submitted to amend the former City of North York Zoning By-law 7625 and city-wide Zoning By-law 569-2013 for lands at 41-75 Four Winds Drive. The application proposes to permit three buildings of 9, 11 and 32 storeys consisting of 560 residential units and 1,422 square metres of commercial gross floor area, with a total gross floor area of 43,745 square metres and a Floor Space Index of 4.1 times the area of the lot. Vehicular parking is proposed at grade and within a one and four-level underground parking garage consisting of 350 spaces.

The proposal does not conform to the built form policies of the Official Plan, and the emerging policies of the Council adopted Keele Finch Secondary Plan. As such, the proposal is not consistent with the PPS (2020) and does not conform with the Growth Plan.

On May 26, 2021, the Zoning By-law amendment application was appealed to the Ontario Land Tribunal ("OLT") by the applicant pursuant to Section 24(11) of the *Planning Act* citing City Council's failure to make a decision on the applications within 90 days after the application was deemed complete.

This report recommends that City Council direct the City Solicitor, together with appropriate City staff, to oppose the current proposal at the OLT and to 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 No. 20 226957 WET 07 OZ),

as proposed for the lands at 41-75 Four Winds Drive, 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 Ontario Land Tribunal that:

a. The final form and content of the amending Zoning By-laws are satisfactory to the Chief Planner and Executive Director, City Planning, and the City Solicitor;

b. The owner has provided a revised Functional Servicing Report, a revised Stormwater Management Report, and a revised Geotechnical Report, such reports to be reviewed to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;

c. The owner has provided a revised Transportation Impact Study, such report to be reviewed to the satisfaction of the General Manager, Transportation Services;

d. The owner has provided a revised Pedestrian Wind Study, such report to be reviewed with recommendations implemented as part of the amending Zoning By-laws and/or secured as a legal convenience in a development agreement, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

e. The owner has provided a revised Land Use Compatibility Study, such report to be peer reviewed by a third party consultant on behalf of the City and at the owners expense, with recommendations to be implemented as part of the amending Zoning By-laws and/or secured as a legal convenience in a development agreement, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

f. The owner has provided additional information related to the underground garage with off-site access from 455 Sentinel Road to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

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

h. The owner has provided a revised Tree Preservation Plan and a revised Landscape Concept Plan to the satisfaction of the General Manager of Parks, Forestry & Recreation

3. In the event the Ontario Land Tribunal allows the appeal in whole or in part, and the implementing amending Zoning By-laws are enacted prior to the earlier of September 18, 2022 or the day the City passes a community benefits charge by-law, City Council authorize the City Solicitor to enter into an agreement pursuant to Section 37 of the *Planning Act*, securing appropriate services, facilities and other community benefits as may be required by the Chief Planner and Executive Director, City Planning Division.

4. In the event the Ontario Land Tribunal allows the appeal in whole or in part and the implementing amending Zoning By-laws are enacted after the earlier of September 18, 2022 or the day the City passes a community benefits charge by-law, City Council authorize the City Solicitor to secure Community benefits and other matters in support of the development in a development 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.

5. In the event the Ontario Land Tribunal allows the appeal in whole or in part, City Council authorize the City Solicitor to enter into an agreement to secure the following as matters required to support the development:

a. 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

b. 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.

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

## **FINANCIAL IMPACT**

---

The 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

---

In February 2003, City Council enacted Official Plan Amendment 526 of the former City of North York Official Plan and By-law 92-2003 to the former City of North York Zoning By-law 7625 to permit residential apartment buildings and townhouses in conjunction with commercial uses on the site. Specifically, By-law 92-2003 would permit three buildings with a range of heights from 11.9 metres to 14.8 metres, a maximum lot coverage of 41 percent and a maximum Floor Space Index of 0.77 times the area of the lot. The 2003 approval was not realized on the site.

On December 16, 2020, City Council adopted Official Plan Amendment 483, the Keele Finch Secondary Plan ("KFSP"), but withheld the enactment of the Bill to bring it into full force and effect. The KFSP is the result of the Keele Finch Plus Study to examine parameters for leveraging transit investments to achieve compatible growth, place-making, and community building for the area around Keele Street and Finch Avenue West.

Concurrent with the adoption of the KFSP, on December 16, 2020, City Council adopted Official Plan Amendment 482, the delineated Protected Major Transit Station Area ("PMTSA") for the Sentinel Road Light Rail Transit Station area, as Site and Area Specific Policy 585 ("SASP 585"). OPA 482 was completed in accordance with Section 16(15) of the *Planning Act* and was developed to complement the KFSP, in advance of the completion of the City's Municipal Comprehensive Review ("MCR"). OPA 482 provides a comprehensive official plan framework for the Keele Finch area and supports the City in advancing its requirements to delineate its MTSA's. The inclusion and delineation of the PMTSA for the Sentinel Road Light Rail Transit Station in the Official Plan identifies minimum density targets, and would enable inclusionary zoning to be implemented in this area when such a framework is in effect. The decision documents for both the KFSP and SASP 585 can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.PH19.1>

On March 3, 2021, Etobicoke York Community Council adopted the Preliminary Report on the subject application, authorizing staff to conduct a community consultation meeting with an expanded notification area. The decision document can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.EY22.8>

## SITE AND SURROUNDING AREA

---

The subject site is an irregular shaped lot with an area of 1.06 hectares fronting on Four Winds Drive. The site is currently occupied by a one-storey shopping centre and a two-storey office building used as a medical clinic with a gross floor area of 2,996 square metres and a surface parking lot for tenants and customers. There are two agreements registered on title that allows for access and maintenance to the abutting properties. The first agreement is registered on title with the property to the east at 37 Four Winds Drive that allows vehicular access to their underground parking garage via the subject site. The second agreement is registered on title with the property to the west at 455 Sentinel Road for access and maintenance of their one-level underground garage that is situated underneath the subject site.

Surrounding land uses include:

North: Across Four Winds Drive is the Finch Hydro Corridor with pedestrian trails and allotment gardens. Further north is Murray Ross Parkway and low-rise buildings consisting of detached, semi-detached and townhouse residential dwellings.

South: Immediately south is the two-storey University City Recreation and YMCA Child Care Centre at 453 Sentinel Road. Further south is Fountainhead Park and Finch Avenue West.

East: Immediately east are four four-storey apartment buildings at 37 Four Winds Drive with vehicular access via the subject site. Further east are five 11-storey apartment buildings and twelve townhouse buildings at 1 to 33 Four Winds Drive. Southeast is the 2-storey James Cardinal McGuigan Catholic Secondary School and the Finch West TTC subway station main entrance at the northwest corner of Finch Avenue West and Keele Street.

West: Immediately west is a 13-storey apartment building at 455 Sentinel Road where the associated underground garage is located on the subject site. Further west is Sentinel Road and four 22-storey apartment buildings.

See Attachment 4 for the location map.

## **PROPOSAL**

---

### **Description**

This application proposes to amend the former City of North York Zoning By-law 7625 and the city-wide Zoning By-law 569-2013 for the property at 41-75 Four Winds Drive to permit one residential building of 11-storeys (41.0 metres including the mechanical penthouse) being Building B with a floor plate of 1,159 square metres located on the southern portion of the site, and two mixed-use buildings of nine and 32-storeys (35.1 metres and 105.6 metres respectively including the mechanical penthouse) on the northern portion of the site fronting on Four Winds Drive. The nine-storey building, being Building C, would have a floor plate of 994 square metres. The 32-storey building, being Building A, would have a floor plate of 778 square metres. The proposed buildings would result in a gross floor area of 43,745 square metres consisting of 42,323 square metres for residential use and 1,422 square metres for commercial use. A total of 1,947 square metres of indoor amenity space located in the first, second and third storeys, and 1,186 square metres of outdoor amenity space located at-grade, and in the second and third storeys of the three buildings is proposed. A Floor Space Index of 4.1 times the area of the lot and a lot coverage of 45 percent is proposed.

The application proposes 560 residential dwelling units consisting of: 45 (eight percent) bachelor units; 329 (59 percent) one-bedroom units; 102 (18 percent) two-bedroom units; and 84 (15 percent) three-bedroom units.

Vehicular and loading access to the site would be provided by two private driveway entrances on Four Winds Drive. A total of 350 vehicular parking spaces and 488 bicycle parking spaces are proposed at-grade, within a second level underground garage addition to the existing one-level underground garage beneath Building B, and within a four-level underground garage beneath both Building A and Building C. Vehicular access to the two underground garages is proposed off-site at 455 Sentinel Road to the west and on the first storey of the nine-storey building. Each building would be serviced with one Type "G" loading space.

Refer to Table 1 for a summary of the key statistics pertaining to each proposed building.

Table 1 – Key Statistics of Each Proposed Building

	Building A	Building B	Building C
Gross Floor Area (sq.m.)			
Residential	22,347	11,309	8,667
Retail	632	0	790
Total	22,979	11,309	9,457
Residential Amenity (sq.m.)			
Indoor	671 (2.2 sq.m./unit)	643 (4.4 sq.m./unit)	633 (5.5 sq.m./unit)
Outdoor	631 (2.0 sq.m./unit)	290 (2.0 sq.m./unit)	283 (2.4 sq.m./unit)
Residential Units			
Bachelor	28 (9.3%)	7 (4.8%)	10 (8.8%)
1 Bedroom	174 (57.8%)	83 (57.2%)	72 (63.1%)
2 Bedroom	62 (20.6%)	22 (15.2%)	18 (15.8%)
3 Bedroom	37 (12.3%)	33 (22.8%)	14 (12.3%)
Total	301 (100%)	145 (100%)	114 (100%)
Building Height (Storeys)	32	11	9

See Attachment 1 for the Application Data Sheet, Attachments 2 and 3 for a three dimensional representation of the project in context, Attachment 10 for the proposed site plan drawing, and Attachments 11 to 14 for the proposed elevations.

Detailed project information can be found on the City's Application Information Centre at: [www.toronto.ca/41FourWindsDr](http://www.toronto.ca/41FourWindsDr)

## Reasons for Application

The proposal requires amendments to the former City of North York Zoning By-law 7625 (including By-law 92-2003) and city-wide Zoning By-law 569-2013 for the lands at 41-75 Four Winds Drive to vary performance standards to allow for: the increase in building heights, increase in the Floor Space Index, increase in the lot coverage percentage, increase in the number of dwelling units, a reduction in vehicular parking spaces, and the reduction in side yard setbacks, among other standards.

## Site Plan Control

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

## POLICY CONSIDERATIONS

---

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 (2020) 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 plan for the prescribed densities. Protected major transit station areas ("PMTSAs") will become a subset of the MTSAs in the City. Policy 2.2.4.5 of the Growth Plan (2020) states the City may delineate MTSAs before the MCR is completed provided the delineation is for a PMTSA in accordance with Section 16(15) of the *Planning Act*. The subject site is within the PMTSA for the under construction Sentinel Road Light Rail Transit Station, adopted by City Council as OPA 482 and SASP 585.

The subject site is designated *Mixed Use Areas* in the Official Plan. The site is also located within the Council adopted Keele Finch Secondary Plan ("KFSP") where it is designated *Mixed Use Areas A*. Further, the site is within an area identified to achieve a minimum Floor Space Index of 1.9 times the area of the block delineated in the Council adopted SASP 585.

The site is zoned "Local Shopping Centre" C2 (12) in the former City of North York By-law 7625, as amended. The C2 zone permits a range of commercial uses. Exception (12) pertains to a site specific provision that allows for certain residential uses and a maximum Floor Space Index of 0.77, among other site specific standards. The site is zoned "Commercial Residential" CR 0.77 (c0.77; r0.77) SS3 (x238) in the city-wide Zoning By-law 569-2013, as amended. The standards of By-law 7625 are carried forward into By-law 569-2013.

Urban Design Guidelines that are relevant in the consideration of the proposal include: City-Wide Tall Buildings Design Guidelines; Avenues and Mid-rise Buildings Study and Performance Standards; Privately Owned Publicly-Accessible Space (POPS) Urban Design Guidelines; Growing Up: Planning for Children in New Vertical Communities;

Retail Design Manual; and Pet Friendly Design Guidelines and Best Practices for Multi-Unit Buildings.

See Attachment 9 for the policy considerations summary applicable to the subject proposal.

## **COMMUNITY CONSULTATION**

---

A community consultation meeting took place virtually on May 18, 2021 using the WebEx videoconferencing program. The meeting was attended by 70 people in addition to the applicant, city staff and the Ward Councillor. Comments and issues raised at the virtual meeting, and through phone and written correspondence are noted below.

### **Built Form**

- Building A at 32 storeys is out of scale compared to the existing buildings in the area.

### **Servicing**

- Insufficient sewer, water, and electrical capacity to serve the proposal.

### **Community Facilities and Services**

- Impact to the existing capacity of the recreation and day care centre to the south of the site to accommodate additional residents.

### **Transportation**

- Increased vehicular traffic to the area.
- Need for additional transportation infrastructure such as bike lanes to provide better transportation options in the area.

### **Noise**

- Noise and dust from construction activity.

### **Shadow**

- Lack of sunlight for residents living in buildings adjacent the site.

### **Housing**

- Proposal should provide access to housing for the younger population.
- The need for a range of unit sizes, and to include affordable units.

### **Density**

- Support for some density on a site in proximity to the future Sentinel Road LRT station.
- Proposed density that does not align with the projected density based on the Keele Finch Plus Study.
- Proposal represents an overdevelopment without the concurrent development of amenities to support the increasing population.



## Land Use

- Concerns on the removal of the existing retail mall that serves the community of the immediate area, in particular the grocery market and the creation of a 'food desert'.
- Concerns on interruptions to the existing retail uses on the site, as many rely on these services on a daily basis.
- Suggestion that the proposal be revised for a student residence with dedicated amenities for the student population in the area.
- The need for on-site parkland.

## Other

- Concerns on the structural integrity of the proposed construction on top of an existing underground garage that serves the residential building to the west.
- Concerns on potential crime activity resulting from the increased density.

## COMMENTS

---

The proposal has been reviewed against the *Planning Act*, PPS, Growth Plan, Official Plan, Secondary Plan policies and design guidelines as outlined in the Policy Considerations section and Attachment 9 of this report.

Staff have determined that the proposal is not consistent with the PPS (2020) and does not conform with the Growth Plan (2020) for the reasons outlined below.

### Planning Act

Planning staff have reviewed the application having regard to relevant matters of provincial interest, including subsections 2 h) which speaks to 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 safety and r) which speak to the appropriate location for growth and development and 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.

### The Provincial Policy Statement (PPS 2020)

The PPS 2020 is to be read in its entirety. The language in each policy, including the Implementation and Interpretation policies assists decision makers in understanding how the policies are to be implemented. The PPS 2020 contains minimum standards and municipalities can go beyond these standards unless doing so would conflict with other policies of the PPS.

From an intensification and land use perspective, this application is generally consistent with policies that promote efficient land use patterns (Policies 1.1.1, 1.1.2, 1.1.3.1 and 1.1.3.2) for a mix of residential and retail uses in an area identified in the Official Plan

for intensification and a varied mix of land uses. However it is noted the proposal would result in a reduction of non-residential gross floor area than what currently exists.

From a built form perspective, Policy 1.7.1 e) indicates long-term economic prosperity should be supported by encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes. Policy 1.1.3.4 states appropriate development standards be promoted to facilitate intensification and a compact form. Development standards are established in the Official Plan and the recently Council adopted but not yet in force KFSP. Supporting documents in the form of urban design guidelines further implement the Official Plan direction.

PPS 2020 establishes that the Official Plan is the most important vehicle for implementation of the PPS 2020, and the level of intensification proposed through this development combined with the proposed density and massing of the current proposal are not in conformity with the Built Form policies of the Official Plan or the direction of the KFSP. This proposal is not consistent in this regard as the proposed mass, scale, and height does not fit in its immediate existing and planned context, and does not complement the building typologies that form the existing and planned context of the area. As such, it is staff's opinion that the proposed development is not consistent with the PPS 2020 as the proposed building is contrary to the built form established for this site by the municipal policies and guidelines.

With regard to land use compatibility, Policy 1.2.6.1 states sensitive land uses, including the residential uses proposed on the site, be planned to avoid, or minimize potential adverse effects from odour, noise and other contaminants from nearby major facilities. A Land Use Compatibility study has been submitted and is currently in the process of being peer reviewed by a third party consultant. At this time, staff cannot make a determination if the proposal is consistent with Policy 1.2.6.1.

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

The subject site is within the strategic growth area as defined in the Growth Plan.

With regard to land use intensification, Policy 2.2.1.2 refers to forecasted growth that will be allocated to strategic growth areas, locations with existing transit and areas with existing or planned public service facilities. Policy 2.2.1.4 refers to the achievement of complete communities that a) feature a diverse mix of land uses and convenient access to local stores, services and public service facilities and e) provide for a more compact built form and vibrant public realm. Although this proposal conforms to the Growth Plan in this respect, it is noted the proposal would result in a reduction of non-residential gross floor area than what currently exists.

With regard to housing, Policy 2.2.1.4 refers to the achievement of complete communities that c) provide a diverse range and mix of housing options. Policy 2.2.6.3 states that to municipalities will consider available tools to require residential development to incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes. Although this proposal conforms to the Growth Plan in

providing a mix of residential unit sizes, it has not explored opportunities to include affordable housing units as part of achieving a complete community.

With regard to built form, Policy 2.2.1.3 indicates municipalities will undertake integrated planning to manage forecasted growth which will c) provide direction for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact form. Policy 2.2.2.3 indicates municipalities will develop a strategy to achieve the minimum intensification target which will b) identify the appropriate type and scale of development in strategic growth areas and transition of built form to adjacent areas. In conjunction with the built form policies that direct the scale and form of development for the subject site. The strategy has been further informed by Council's adoption of the KFSP and SASP 585 that provide direction for land use permissions including identifying the appropriate built form for the site being tall buildings having a maximum height of 40 metres. Staff are of the opinion the proposal does not conform to the overarching policy directions of 2.2.1.3 and 2.2.2.3 of the Growth Plan as the proposal's scale and form does not address the built form direction of the Official Plan and the emerging policy direction of the KFSP.

## **Land Use**

The site is designated *Mixed Use Areas* in the Official Plan. Policy 4.5.2 of the Official Plan states development in *Mixed Use Areas* will a) create a balance of a mixture of uses that reduces automobile dependency and meets the needs of the local community. The site is within the *Sentinel Node*, situated along a *Retail Permitted* section of Four Winds Drive, and designated *Mixed Use Areas A* in the KFSP. Policy 3.1.3 of the KFSP states development within the *Sentinel Node* will provide for residential intensification, along with new or improved community facilities, and neighbourhood-servicing shops and services. Policy 4.1.1 states *Mixed Use Areas A* will have a mix of land uses and active-uses at grade to foster a rich pedestrian experience and an animated public realm. Vehicle-related uses are not permitted. Policy 4.3.4 states ground floor retail and service uses should be provided or protected for.

The proposal seeks to provide 42,323 square metres of residential gross floor area, and 1,422 square metres of retail gross floor area. A Planning Rationale report was submitted in support of the application. The report concludes the proposed mix of uses will complement the area's needs. It is staff's opinion that the mix of land uses generally conforms to the *Mixed Use Areas* designation of the Official Plan, and the emerging policy direction of the KFSP. However, staff are of the opinion the proposal should include additional non-residential uses in order to replace the current amount of commercial retail and office space, should this proposal be approved in some form, in order to meet the intent of the policy direction of the KFSP for an animated public realm with retail uses that will continue to meet the needs of the local community.

## **Density**

The proposal results in a Floor Space Index of 4.1 times the area of the lot. Utilizing the area boundary identified in the Council adopted SASP 585, the inclusion of this

development will result in a Floor Space Index of approximately 2.5 times the area of the block, which meets the minimum 1.9 Floor Space Index as stipulated in SASP 585 for the proposed Protected Major Transit Station Area.

Although the proposed density does not appear to conflict with the emerging policy direction of SASP 585, staff have concerns with the proposed massing and height of the three proposed buildings resulting in a Floor Space Index of 4.1 times the area of the lot. Additional comments on the appropriateness of the proposal's mass and building heights is discussed in the Built Form section of this Report.

## **Built Form**

Policy 1.1.3.4 of the PPS states appropriate development standards should be promoted to facilitate intensification in a compact built form. Policy 2.2.2.3 of the Growth Plan states all municipalities will develop a strategy to achieve minimum intensification targets and intensification throughout delineated built up-areas, which will: b) identify the appropriate type and scale of development and transition of built form to adjacent areas. The Official Plan and urban design guidelines provide the municipal strategy in identifying the appropriate height and mass of the development.

Policy 3.1.2.1 of the Official Plan states development will be located and organized to fit with its existing and planned context by a) generally locating buildings parallel to the street with consistent front yard setbacks, c) locating main building entrances on the prominent building facades so they front onto a public street, park or open spaces, and are clearly visible and accessible from a public street, and d) providing ground floor views from and access to adjacent streets, parks and open spaces. Policy 3.1.2.3 states development will protect privacy within adjacent buildings by providing setbacks and separation distances. Policy 3.1.2.5 states that new development will be massed to define the edges of streets, parks and open spaces at good proportion. Policy 3.1.2.6 states development will be required to provide good transition in scale between areas of different building heights and/or intensity of uses. Policy 3.1.3.4 states that mid-rise buildings will be designed to have heights generally no greater than the width of the adjacent right-of-way, and to maintain street proportion and open views to the sky from the public realm. Policy 3.1.3.10 states that tall buildings will be designed to reduce the physical and visual impacts of the tower on the public realm, and limit shadow impacts on the public realm.

Policy 3.3.3 of the KFSP indicates the subject site shall have modest infill development. Section 7.1 of the KFSP directs development be designed and sited to integrate with the surrounding public realm, prioritizes for the pedestrian, and frames the streets. Section 7.2 provides direction for tall buildings on the site to have a maximum height of 40 metres, tower separation of 30 metres, and a maximum floor plate of 750 square metres.

Guideline 1.3 of the Tall Building Guidelines directs tall buildings to fit within the existing or planned context by providing a transition down to lower-scaled buildings. Guideline 3.2.1 directs the floor plate size be 750 square metres. Guidelines 3.2.2 and 3.2.3 direct a tower be sited three metres from the base building along a street, and a minimum

12.5 metres from side and rear property lines in order to achieve a minimum 25 metre separation distance between towers.

Mid-rise Performance Standard No. 4A states a building's mass should fit within an angular plane of 45 degrees after a building height of 80 percent of the abutting street's right-of-way. Performance Standard Nos. 12 and 13 state balconies and mechanical penthouses should not negatively impact the public realm and penetrate applicable angular planes.

### **Siting and Massing**

The application proposes a tall building of 32 storeys (105.6 metres) and two buildings of nine and 11 storeys (35.1 metres and 41.0 metres) in a mid-rise typology. The siting and massing of the proposed buildings does not conform to the built form policies of the Official Plan that requires development to fit within its existing and planned context. The proposed buildings are not sited parallel to the street with consistent front yard setbacks with the neighbouring properties to the east along Four Winds Drive, nor are the proposed buildings sited and designed to allow for the main entrances to be located on a public street and clearly visible from Four Winds Drive. The current proposal would result in the main residential entrances located along private driveways away from Four Winds Drive, and is not in conformity to Policy 3.1.2.1 of the Official Plan.

Further, the proposed mid-rise typologies of Buildings B and C do not provide for a good street proportion on Four Winds Drive as required by Policy 3.1.3.4, as the buildings' mass penetrates an angular plane of 45 degrees after a height of 80 percent of the Four Winds Drive's right-of-way.

The proposal also does not conform to the emerging built form policies of the KFSP. Policy 7.2.19 of the KFSP requires infill development on the site to achieve building separation distances of 30 metres or more. The proposed building separation distance between Buildings A and B is 24 metres. Policy 7.2.18 requires tall buildings to have a tower floor plate of 750 square metres or less in order to enable sunlight to reach the public realm and to ensure fast moving shadows. The 750 square metre floor plate is also referenced in the Tall Building Guidelines. The proposed tower component of Building A has a floor plate of 778 square metres. Collectively, the three proposed buildings will result in a massing that overwhelms the planned context of the site, with insufficient open space between the buildings, and an inadequate level of natural sunlight, views and privacy for pedestrians and residents.

Staff will work with the applicant to revise the massing of the proposal to better conform to the policy direction of the Official Plan, and the emerging direction of the KFSP.

### **Building Heights**

The proposed building heights do not conform to the built form policy direction of the Official Plan that requires development to fit within its existing and planned context. Specifically, the proposed Building A's height of 32 storeys (105.6 metres) is a significant departure of the existing and planned building heights in the immediate

surrounding area, and does not conform to the policy direction of Policy 3.1.2.6 that requires development to provide good transition between areas of different building heights. Further, the proposed mid-rise form of Building B and Building C would result in heights of 11 and nine storeys respectively (41 metres and 35.1 metres). The proposed buildings would exceed the right-of-way width of Four Winds Drive of 20 metres and does not conform to Policy 3.1.3.4 of the Official Plan that requires mid-rise buildings to generally be no greater than the adjacent street's right-of-way.

The proposed building heights also do not conform to the emerging policy direction of the KFSP. Policy 7.3.3 and Map 9 states the maximum building heights for the subject site will be 40 metres, in order to achieve a desired public realm and character, ensure transit supportive densities, provide progressive transitions between taller developments and low-rise neighbourhoods, and to ensure the intensity of the uses does not exceed the capacity of the planned transportation network. The proposed building heights do not adhere to the direction of Policy 7.3.3. It is staff's opinion the overall heights of the proposal need to be reduced to better provide a built form that complements the existing and planned context of the surrounding area.

## **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.

The proposal provides for a total of 560 residential units, consisting of: 45 (eight percent) bachelor units; 329 (59 percent) one-bedroom units; 102 (18 percent) two-bedroom units; and 84 (15 percent) three-bedroom units. All of the proposed two-bedroom units are 87 square metres or larger in area, and all of the proposed three-bedroom units are 100 square metres or larger in area. The unit mix and sizes of the two-bedroom and three-bedroom units supports the unit mix objectives of the Official Plan housing policies, the Growing Up Guidelines, and the Growth Plan's growth management and housing policies to accommodate within new development a broad range of households, including families with children. Policy 8.3.5 of the KFSP directs 25 percent of the total unit mix be two-bedroom units and 10 percent of the total number of units as three or more three bedrooms. Staff will continue to work with the applicant to encourage a greater proportion of two-bedroom units. The percentage of two and three-bedroom units of the total unit count will be secured in the amending Zoning By-laws should this application be approved in some form.

## **Residential Amenity Space**

Policy 3.1.2.11 of the Official Plan indicates amenity spaces are encouraged to be high quality and well designed. Policy 3.1.2.13 states outdoor amenity spaces should have access to daylight and direct sunlight, and have comfortable wind, shadow and noise conditions, and promote use in all seasons. Guideline 2.3 of the Growing Up Guidelines indicates development should locate and protect amenity spaces from shadow and wind impacts. Guideline 4.1.1 of the Pet Friendly Guidelines indicates 10 percent of amenity

space be allocated as pet friendly spaces, including pet relief areas, wash stations and off-leash areas.

The proposal provides for a total of 1,947 square metres of indoor amenity space, and 1,186 square metres of outdoor amenity space collectively for the three buildings. The distribution of amenity space meets or exceeds the Zoning By-law standard for indoor and outdoor amenity space for each proposed building. Staff will continue to work with the applicant on the location and functionality of the amenity spaces for each of the proposed buildings. The minimum ratio of amenity space per unit will be secured in the amending Zoning By-laws should this application be approved in some form.

### **Shadow Impact**

Policy 3.1.3.10 b) of the Official Plan states tall buildings should be designed to limit shadow impacts on the public realm and surrounding properties. Policy 5.2.2 b) of the KFSP states the Finch Hydro Corridor is to be improved including providing pedestrian walkways. Guideline 1.4 of the Tall Building Guidelines refers to maintaining access to sunlight for surrounding streets, parks and open spaces. Mid-rise Performance Standard no. 4A states a building's mass should adhere to an angular plane of 45 degrees above a streetwall height of 80 percent of the abutting street's right-of-way width to maintain a minimum of 5 hours of sunlight on pedestrian sidewalks.

Shadow Studies were submitted in support of the application, showing net new shadows cast on March 21, June 21, September 21 and December 21. The Finch Hydro Corridor with pedestrian trails, along with a potential east-west pedestrian sidewalk on the north side of Four Winds Drive will have incremental shadows cast from the proposed development between 9:18 am to 3:18 pm during the spring and fall equinoxes. Portions of the open spaces of surrounding properties and pedestrian connections will also have incremental shadows cast between 9:18 am to 5:18 pm during the spring and fall equinoxes. Staff will continue to work with the applicant to minimize incremental shadow impacts to preserve the comfort and utility of the surrounding public realm.

### **Pedestrian Wind Impact**

Policy 3.1.2.1 f) of the Official Plan states development will be located and organized to fit its context by providing comfortable wind conditions at the street and adjacent open spaces to preserve their utility. Policy 3.1.2.13 d) states residential outdoor amenity spaces should provide comfortable wind conditions. Policy 4.5.2 e) indicates development in *Mixed Use Areas* will be located and mass new buildings to maintain comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces. Guideline 2.4 of the Tall Building Guidelines indicates publicly accessible open spaces should be located and designed to maximize safety, comfort and amenity by protecting such spaces from wind. Guideline 2.5 indicates private amenity areas be protected from pedestrian-level wind. Guidelines 3.2.1, 3.2.2, 3.2.3 and 4.3 indicates towers be organized, oriented, sited and articulated to minimize negative wind conditions.

A Preliminary Pedestrian Wind Study was submitted in support of the application. The study concludes the proposal would mostly result in comfortable wind conditions with the exception of the areas between the proposed buildings and at the building corners. Staff reviewed the study and require a quantitative assessment be undertaken along with a minimum 15 sensor locations, including the various existing and proposed open spaces on and surrounding the site. Wind mitigation measures to ensure the proposal will provide for comfortable wind conditions on and surrounding the site through massing and permitted projections should be implemented in the amending Zoning By-laws and as legal conveniences in a development agreement. Additional wind mitigation measures such as landscaping solutions will be secured through the Site Plan Control process.

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

A Transportation Impact Study was submitted in support of the proposal. Staff have identified additional information is required prior to accepting the findings of the Transportation Impact Study including revisions to the proposal to address the concerns.

Policy 3.1.2.4 of the Official Plan directs new development to locate and organize vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets, parks and open spaces. Guideline 2.3 of the Tall Building Guidelines provides direction for loading and servicing components of a tall building be located away from the public realm and to consolidate such components if possible. Performance Standard 16A of the Mid-rise Performance Standard nos. 16A and 17 states loading and servicing functions should be provided from rear lanes and not detract from the pedestrian realm. Guideline 2.4 of the Mall Redevelopment Guide directs mall redevelopment to limit surface parking.

### **Traffic Impact and Site Access**

The Transportation Impact Study indicates the proposed development would not require improvements to the existing transportation infrastructure. Staff is satisfied with the traffic analysis provided in the study. However, staff have concerns with the proposed number of driveway accesses to the site and the location of the proposed loading space for Building C due to insufficient space for truck movement. Staff will work with the applicant to revise the siting of the buildings in relation to driveway accesses and service areas to minimize their impact on the property and to improve the overall attractiveness of the surrounding public realm.

The proposal also requires vehicular access to the underground garage off-site from an existing access at 455 Sentinel Road to the west. No information has been provided by the applicant to indicate vehicles will have legal access rights to the site via an off-site garage entrance. Also, no information has been provided on how the proposal can be constructed without impacting the operations and structural integrity of the existing garage that currently serves the residents of 455 Sentinel Road. Additional information is required should this proposal be approved in some form.



## Loading Spaces

The proposal provides for three Type "G" loading spaces, one to serve each proposed building. Based on Zoning By-law standards, the proposed Buildings A and C requires an additional Type "B" loading space each to service the retail gross floor area. Staff have requested additional analysis be provided to justify reducing the loading space requirements or revise the proposal to accommodate for the additional loading spaces.

## Vehicular Parking

The proposal provides a total of 350 parking spaces consisting of: 280 residential spaces; 56 visitor spaces; and 14 retail spaces provided in a four-level underground garage, a one-level underground garage extension beneath the existing underground garage, and a surface parking area. The Transportation Impact Study submitted in support of the application indicates the proposed number of parking spaces is sufficient in conjunction with transit investments in the area that will offer modal choice for residents. Staff reviewed the study and require proxy site surveys to be conducted to justify the reduced parking rates. Further, staff have concerns with the lack of any accessible parking spaces, whereas a minimum of 13 spaces are required based on the current proposal.

The proposal includes 25 surface parking spaces along the eastern boundary of the site. In conjunction with comments provided in the Site Layout section of this report, staff are of the opinion vehicular parking spaces should be located within a designated garage away from view in the public realm.

## Bicycle Parking

The proposal provides 406 long-term and 82 short-term spaces to be located on bicycle racks at grade, and in the first and second levels of the underground garage. The proposed number of bicycle parking spaces meets the Zoning By-law and Tier 1 Toronto Green Standards. Staff will continue to work with the applicant on the placement of the bicycle parking spaces closer to pedestrian entrances through the Site Plan Control process.

## **Site Layout**

Policy 3.1.14 of the Official Plan states design measures to promote pedestrian safety and security be applied to streetscapes, open spaces and new buildings. Policy 3.1.15 states new development lots be designed to a) expand and enhance the public realm network c) enhance the walking and cycling networks by providing new and enhanced pedestrian and cycling connections and f) provide the integration of green infrastructure. Policy 3.1.22 states scenic routes with public views should be preserved by a) creating or extending scenic routes or views when an opportunity arises. Policy 3.1.2.4 states development will locate and organize vehicular and loading functions to minimize their impact to the public realm. Guideline 2.1 of the Mall Redevelopment Guide directs Mall redevelopment to expand and enhance the public realm network with new streets and other forms of pedestrian and cycling connections.

Policy 2.4.1 of the KFSP directs development be well connected by c) formalizing connections that represent key desire lines. Policy 5.4.1 and Map 5 of the KFSP

identifies a trail connection along the Hydro Corridor. Policy 5.4.4 directs driveways be wide enough to accommodate two-way vehicular traffic, a minimum 1.5 metres of landscaping and support pedestrian and cycling movement.

A Block Context Plan was submitted in support of the application, and illustrates the layout on the site itself, but did not include the surrounding lands as required by the City's Development Guide terms of reference. Staff requires more information on how the proposed site layout will relate spatially with the surrounding public realm network, including formalizing existing and creating new pedestrian connections to the abutting sites, and across Four Winds Drive towards the hydro corridor. Further, the proposed amount of vehicular infrastructure on the site, including the number of driveways and the 25 vehicular surface parking spaces do not adequately minimize their impacts to the safety, attractiveness of the potential public realm on site, and the surrounding public realm.

### **Streetscape**

Policy 3.1.1.13 of the Official Plan states sidewalks will be designed to provide safe, attractive, interesting and comfortable spaces for all users, and Policy 3.1.2.10 states development will provide amenity for pedestrians by including sustainable design elements and landscape improvements, among other measures. Policy 5.4.1 and Map 5 of the KFSP identifies this section of Four Winds Drive as an area for streetscape improvements with wider sidewalks, enhanced plantings, bioswales and/or other green street initiatives, street furniture and pedestrian amenities. Policy 7.1.10 a) of the KFSP states buildings be setback approximately 10 to 12 metres from the street edge in order to protect mature trees and reinforce the green landscaped character of the area.

The proposal provides for a building setback of approximately 1 to 2 metres from the property line along Four Winds Drive, resulting in a boulevard width of 6 metres from the proposed building face to the curb along Four Winds Drive. The proposed building setback and resulting streetscape condition does not conform to Policies 5.4.1 and 7.1.10 a) of the KFSP that requires a 10 to 12 metre building setback in order to reinforce a green landscaped character, and to provide opportunities for enhanced streetscape improvements. Further, staff note the review of the submitted site plans and landscape plans do not show the correct minimum public sidewalk width of 2.1 metres. Staff will continue to work with the applicant in increasing the proposed building setbacks and the overall streetscape treatment on this section of Four Winds Drive.

### **Parkland**

The City of Toronto Parkland Strategy is a 20-year strategic city-wide plan that guides long-term planning for new parks, park expansions and improvements, and improved access to existing parks. The Strategy includes a new methodology to measure and assess parkland provision, using the baseline of residential population against the area of parkland available across the city. According to the Strategy's methodology, the development site is currently in an area with 4-12 square metres of parkland per person, which is below the city-wide average provision of 28 square metres of parkland per person (2016).

The applicant is required to satisfy the parkland dedication requirement through a cash-in-lieu payment. The non-residential component of this proposal is subject to a two percent parkland dedication while the residential component is subject to a cap of 10 percent parkland dedication.

The value of the cash-in-lieu of parkland dedication will be appraised through Corporate Real Estate Management. The appraisal will be conducted upon the submission of an application for the first above ground building permit and is valid for six months. Payment will be required prior to the issuance of said permit.

### **Privately-Owned Publicly Accessible Open Space**

Privately-owned publicly accessible open space of an undisclosed size is proposed east of Building A, fronting on Four Winds Drive to the north and the proposed driveway to the east. Policy 3.1.1.20 of the Official Plan states POPS provided through development will be sited in highly visible locations, integrated with the broader public realm, and be informed by the City's Urban Design Guidelines. Policy 5.3.10 of the KFSP states POPS may be pursued to complement the area's public parks and open space network, and the site is identified as a conceptual POPS location on Map 5 of the KFSP. Staff supports the principle of providing POPS as part of redevelopment of the lands, but have concerns with the lack of information provided as part of the application, and would encourage the POPS be sited and designed to better complement the area's parkland system. Should the application be approved in some form, staff will require that the POPS location be secured in the amending Zoning By-laws and in a development agreement, with its final design to be secured through the Site Plan Control approval process.

### **Downsview Airport**

The subject site is within the Outer Surface area of the Downsview Airport runway, an area that extends upwards 243.8 metres above sea level with a radius of 4,000 metres from the threshold of the airport's runway. The KFSP permits a maximum building height of 40 metres on the subject site based on aviation studies undertaken as part of the Keele Finch Plus Study, among other good planning considerations. Further, Schedule "D", the Airport Hazard Map to the former North York Zoning By-law 7625, permits a maximum building/structure height of 30.48 metres for the site.

As part of the approval of the Downsview Airport appeal, it was confirmed that the Downsview Airport will cease operations by 2023.

### **Land Use Compatibility**

The subject site is within proximity to various industrial operations east of Keele Street. As part of the Keele Finch Plus Study, a Noise, Air and Safety Study was undertaken to inform the land use policy direction for the KFSP to ensure compatibility in regards to air emissions, noise quality and safety impacts to sensitive land uses. It is anticipated that development applications proposing sensitive land uses within the Keele Finch study

area will require site specific studies to identify the potential impacts and site specific mitigation strategies.

A Land Use Compatibility/Mitigation study was submitted in support of the application. The study is currently in the process of being peer reviewed by a third party consultant at the applicant's expense. Any mitigation measures that are recommended from the peer review will need to be secured as part of the proposal, should the application be approved in some form.

### **Servicing and Stormwater Management**

A Functional Servicing and Stormwater Management Report was submitted in support of the application. The proposal will be serviced by connections to the existing watermain and sanitary sewer on Four Winds Drive. Stormwater is proposed to be drained to the storm sewer on Four Winds Drive and supplemented with an on-site cistern tank. City staff have identified a number of revisions required to the Functional Servicing Report, Stormwater Management Report, and Geotechnical Report. All revisions must be made to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

In the event that the OLT allows the Zoning By-law Amendment appeal in whole or in part, the final Order should be withheld pending the confirmation that all revisions required to submission materials related to site servicing have been made to the satisfaction of staff. Should it be determined that any improvements are required to the municipal infrastructure the owner must make satisfactory arrangements and enter into the appropriate agreement with the City for the design and construction of any improvements.

### **Tree Preservation**

City of Toronto By-laws provide 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 applicant submitted an Arborist Report, a Tree Preservation Plan and a Landscape Concept Plan in support of the application. The Arborist Report indicates there are 38 trees on and within proximity of the site, and is proposing the removal of 26 trees to accommodate the proposed development. The Landscape Concept Plan shows the planting of 31 new trees resulting in a total of 43 trees on and surrounding the site. Staff reviewed the documentation and are requesting additional information be provided to justify the removal of otherwise healthy trees.

### **Toronto Green Standard**

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.

Should this application be approved in some form, the applicant is required to meet Tier 1 of the TGS. The applicant will also be 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.

### **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.

A Community Services and Facilities Report was submitted in support of the application. Staff reviewed the report in conjunction with the Keele Finch CS&F Profile as part of the Keele Finch Plus Study on community CS&F needs. Should the application be approved in some form, staff recommend the following CS&F contributions may be considered as community benefits and secured in a development agreement:

- A 465 square metre community agency space on-site;
- A non-profit child care facility on-site or securing a financial contribution towards the provision of a facility within vicinity of the site; and/or
- Securing financial contributions towards improvements to recreation facilities in the vicinity of the site.

### **School Boards**

The Toronto District School Board ("TDSB") and the Toronto Catholic District School Board ("TCDSB") advised the population generated from this proposal can be accommodated by existing schools in the surrounding area. However, should growth in this area exceed the accommodation levels of the local schools, this development will require both warning clauses in the future offers of residential purchase agreements, and the posting of signs on the site to advise residents that students may be accommodated in schools outside of the immediate area.

The obligations to erect signs and inclusion of warning clauses in future purchase agreements will be secured as a legal convenience matter in a development agreement, should this application be approved in some form.

## **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*.

Section 37 density bonusing benefits were not discussed in the absence of an agreement on the proposal's density and height. Notwithstanding, it has been determined that potential benefits could include: provision for affordable housing units; contribution of on-site public art; local streetscape and parkland improvements, on-site community agency space, on-site or contributions towards an off-site non-profit child care facility, and contributions towards to recreation facility improvements.

Should this proposal be approved in some form by the OLT before the authority to apply Section 37 density bonusing lapses, 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. Should this proposal be approved in some form by the OLT after the transition provisions of the current Section 37 is no longer applicable, and the new provisions as stipulated by the Community Benefits Charge By-law applies, City Planning staff recommends staff be authorized to secure the appropriate facilities, services and matters as stipulated in the By-law.

## **Conclusion**

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), and the Toronto Official Plan.

Staff are of the opinion that the proposal is not consistent with the PPS (2020) and conflicts with the Growth Plan (2020). Further, the proposal does not conform to the policies of the Toronto Official Plan, and the emerging policy direction of the KFSP, particularly as it relates to a built form that complements the existing and planned context, providing appropriate building separation and transition in scale to neighbouring buildings, providing for connections on the site as part of a greater public realm, and ensuring the appropriate mitigation measures for the sensitive land uses from adverse impacts. The proposal does not represent good planning and is not in the public interest.

Staff recommends continued discussions with the applicant to consider revisions to the proposal which addresses the issues set out in this report. Should discussions not result in a satisfactory outcome, this report also recommends that the City Solicitor, with appropriate staff, attend the OLT hearing in opposition to the application.

Development on this site could be supported if the siting and massing of the proposed buildings are revised to better fit with and complement the existing and planned context of the area, confirmation that off-site vehicular access and construction will not impact the operations and structural integrity of the existing underground garage; and providing an overall site layout that better integrates with the surrounding public realm network, among other matters identified in this report.

## **CONTACT**

---

Henry Tang, Senior Planner, Community Planning  
Tel. No.: 416-392-7572, E-mail: Henry.Tang@toronto.ca

## **SIGNATURE**

---

Michael Mizzi, MCIP, RPP,  
Director, Community Planning  
Etobicoke York District

## **ATTACHMENTS**

---

### **City of Toronto Data/Drawings**

- Attachment 1: Application Data Sheet
- Attachment 2: 3D Model of Proposal in Context
- Attachment 3: 3D Model of Proposal in Context
- Attachment 4: Location Map
- Attachment 5: Official Plan Land Use Map
- Attachment 6: Keele Finch Secondary Plan Land Use Map
- Attachment 7: Site and Area Specific Policy 585 Minimum Densities Map
- Attachment 8: Zoning Map
- Attachment 9: Policy Considerations

### **Applicant Submitted Drawings**

- Attachment 10: Site Plan
- Attachment 11: North Elevations
- Attachment 12: East Elevations
- Attachment 13: South Elevations
- Attachment 14: West Elevations

Attachment 1: Application Data Sheet

**Municipal Address:** 41-75 Four Winds Dr. **Date Received:** December 8, 2020

**Application Number:** 20 226957 WET 07 OZ

**Application Type:** OPA / Rezoning, Rezoning

**Project Description:** Zoning By-law Amendment to permit three buildings of 9, 11 and 32 storeys. The proposed development will provide a total of 43,745 m<sup>2</sup> of gross floor area, comprised of 42,323 m<sup>2</sup> of residential area and 1,422 m<sup>2</sup> of retail/commercial area, resulting with a Floor Space Index of 4.14 across the Subject Lands. The proposal contemplates 560 residential units, including 45 (8%) bachelor units, 329 (59%) one bedroom units, 102 (18%) two bedroom units, and 84 (15%) three bedroom units.

<b>Applicant</b>	<b>Agent</b>	<b>Architect</b>	<b>Owner</b>
MHBC Inc.		MSA	Berncray Holdings Inc.

**EXISTING PLANNING CONTROLS**

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	Yes
Zoning:	CR 0.77 (c0.77; r0.77) SS3 (x238)	Heritage Designation:	No
Height Limit (m):	14.8	Site Plan Control Area:	Yes

**PROJECT INFORMATION**

Site Area (sq m): 10,564      Frontage (m): 110      Depth (m): 96

<b>Building Data</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Ground Floor Area (sq m):				
Residential GFA (sq m):			42,323	<b>42,323</b>
Non-Residential GFA (sq m):	4,276		1,422	<b>1,422</b>
<b>Total GFA (sq m):</b>	<b>4,276</b>		<b>43,745</b>	<b>43,745</b>
Height - Storeys:	1		32	<b>32</b>
Height - Metres:	9		106	<b>106</b>
Lot Coverage Ratio (%): 0		Floor Space Index:	4.14	



<b>Floor Area Breakdown</b>	<b>Above Grade (sq m)</b>	<b>Below Grade (sq m)</b>
Residential GFA:	42,323	
Retail GFA:	1,422	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

<b>Residential Units by Tenure</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Rental:				
Freehold:				
Condominium:			560	<b>560</b>
Other:				
<b>Total Units:</b>			<b>560</b>	<b>560</b>

**Total Residential Units by Size**

	<b>Rooms</b>	<b>Bachelor</b>	<b>1 Bedroom</b>	<b>2 Bedroom</b>	<b>3+ Bedroom</b>
Retained:					
Proposed:		45	329	102	84
<b>Total Units:</b>		<b>45</b>	<b>329</b>	<b>102</b>	<b>84</b>

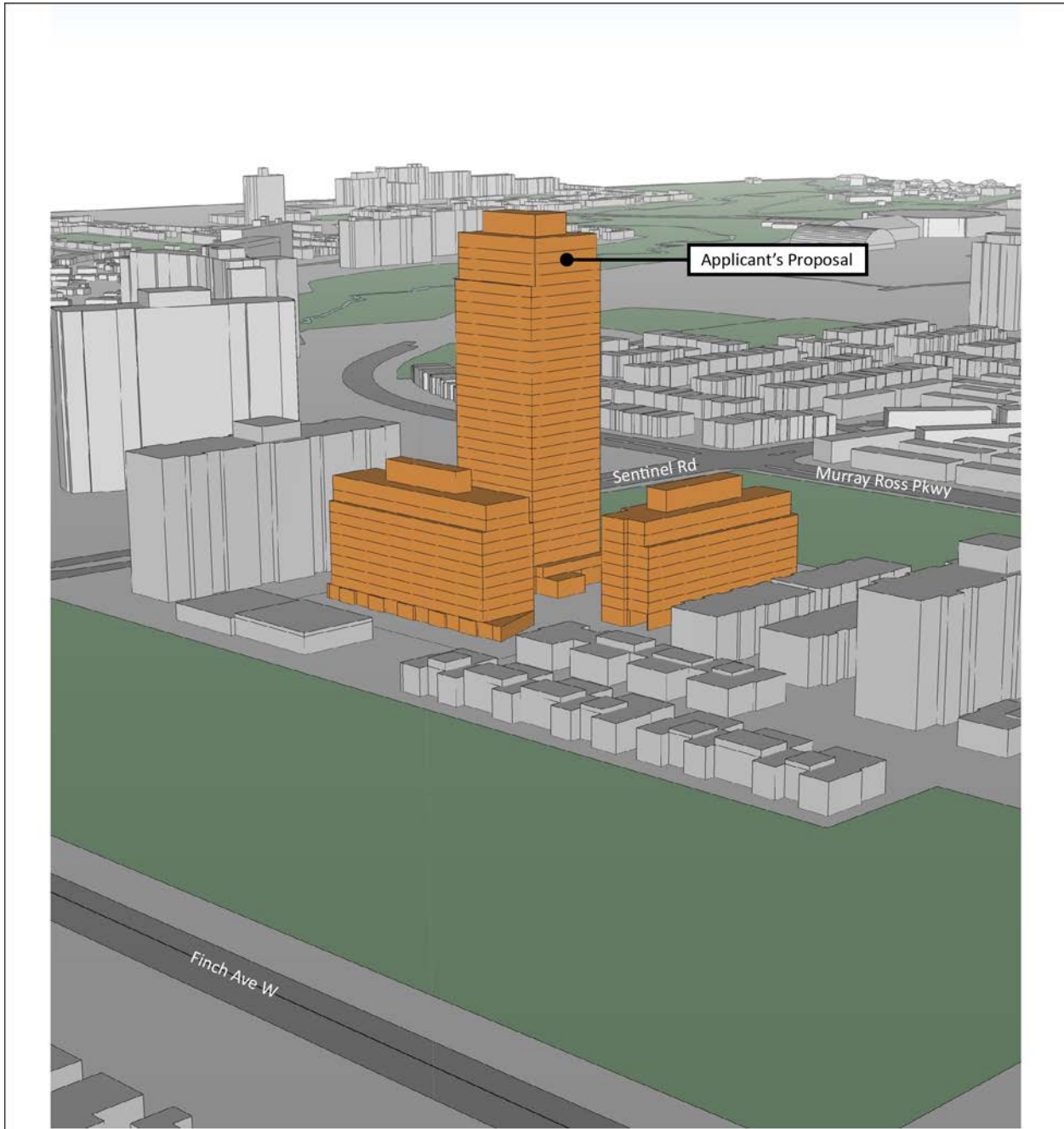
**Parking and Loading**

Parking Spaces: 350      Bicycle Parking Spaces: 488      Loading Docks: 3

**CONTACT:**

Henry Tang, Senior Planner, Community Planning  
(416) 392-7572  
Henry.Tang@toronto.ca

Attachment 2: 3D Model of Proposal in Context Looking Northwest

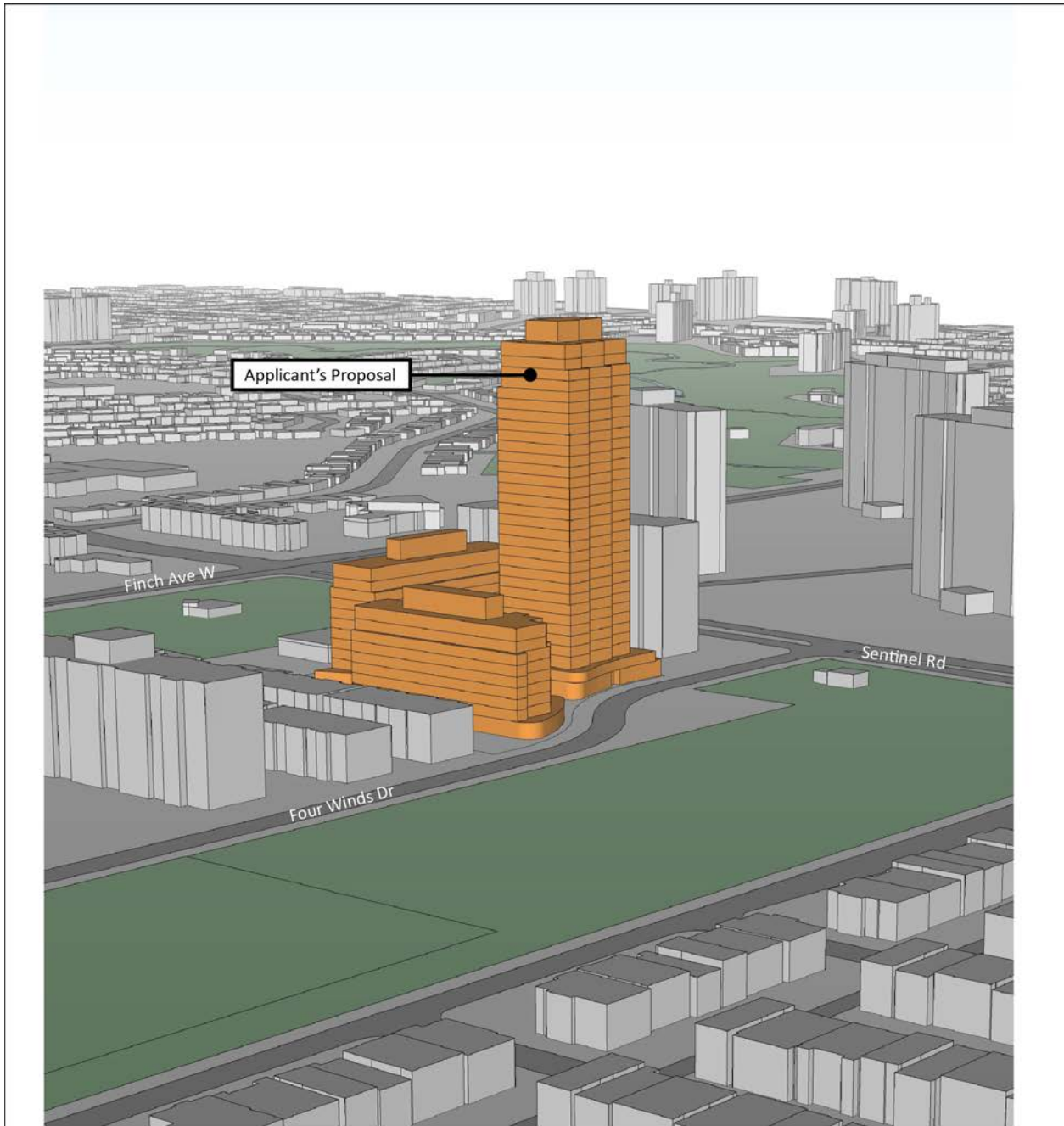


**View of Applicant's Proposal Looking Northwest**



01/07/2021

Attachment 3: 3D Model of Proposal in Context Looking Southeast

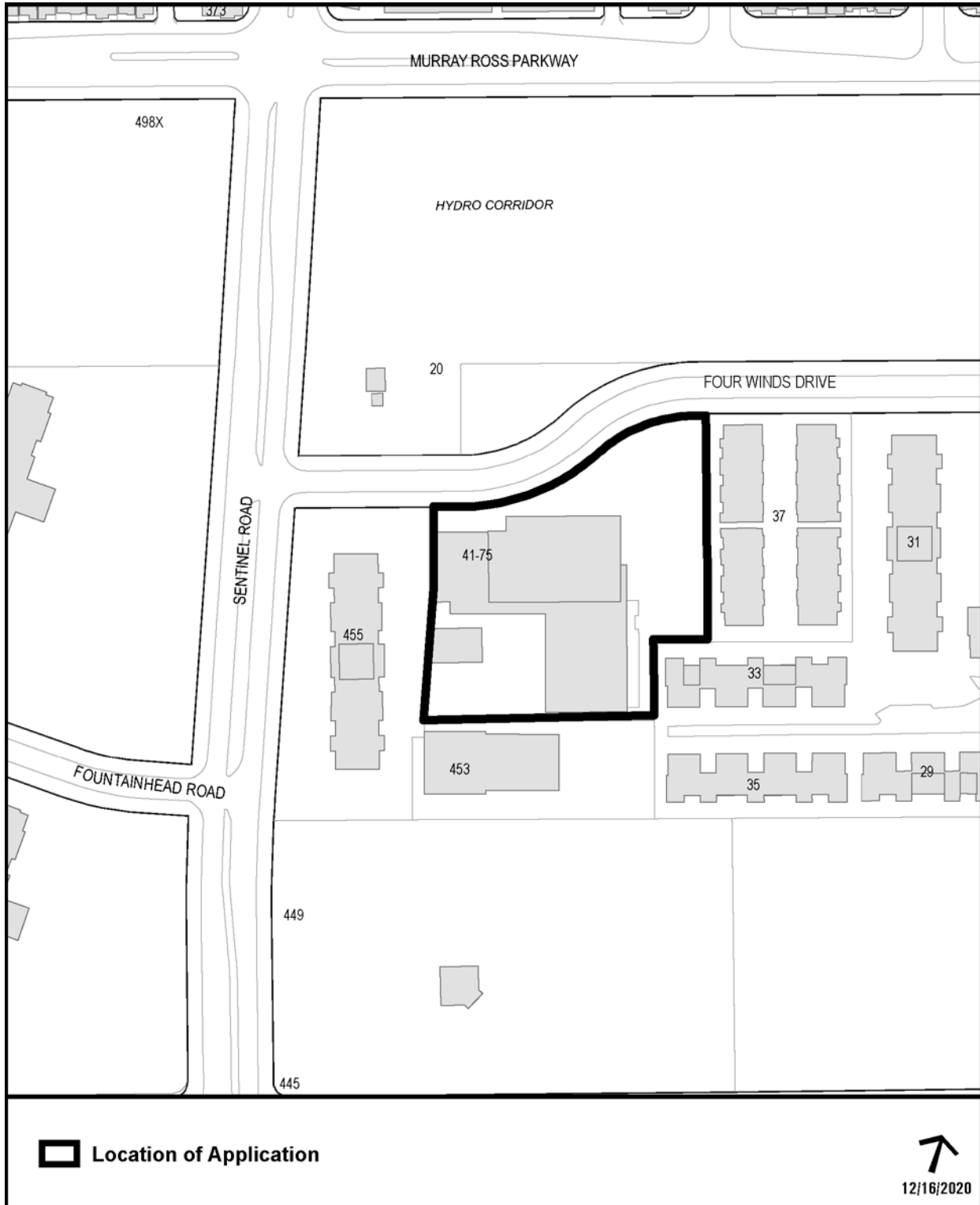


**View of Applicant's Proposal Looking Southeast**



01/07/2021

Attachment 4: Location Map







Attachment 5: Official Plan Land Use Map



41-75 Four Winds Drive

Official Plan Land Use Map #16

File # 20 226957 WET 07 0Z

 Location of Application	 Parks & Open Space Areas	 General Employment Areas
 Neighbourhoods	 Natural Areas	 Core Employment Areas
 Apartment Neighbourhoods	 Parks	 Utility Corridors
 Mixed Use Areas	 Other Open Space Areas	

  
Not to Scale  
12/15/2020

# Attachment 6: Keele Finch Secondary Plan Land Use Map



## Keele Finch Secondary Plan

Map 3 - Land Use

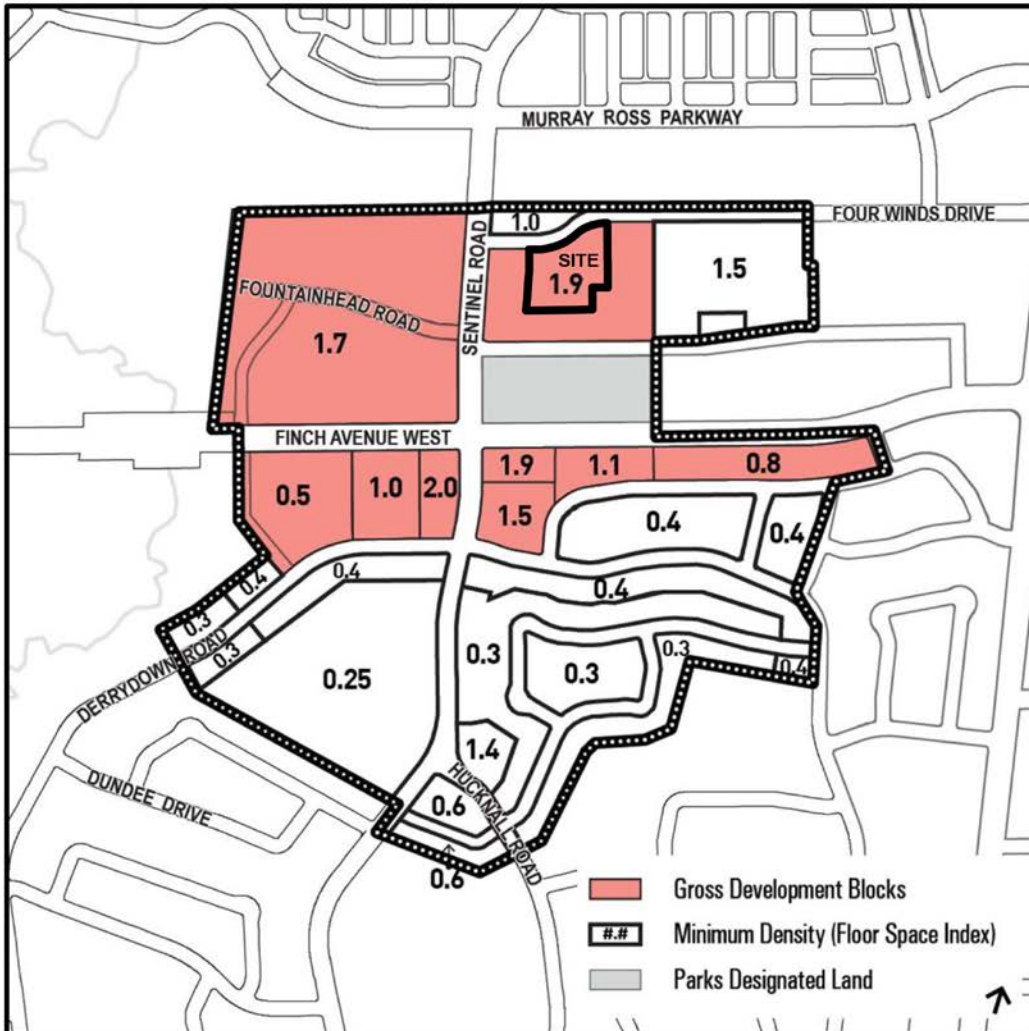


- Secondary Plan Boundary
- ▭ York University Secondary Plan Area
- ..... Conceptual York University Street Network
- ▭ Neighbourhoods
- ▭ Apartment Neighbourhoods
- ▭ Mixed Use Areas A
- ▭ Mixed Use Areas B
- ▭ Mixed Use Areas C
- ▭ General Employment Areas
- ▭ Core Employment Areas A
- ▭ Core Employment Areas B
- ▭ Natural Areas
- ▭ Parks
- ▭ Other Open Spaces

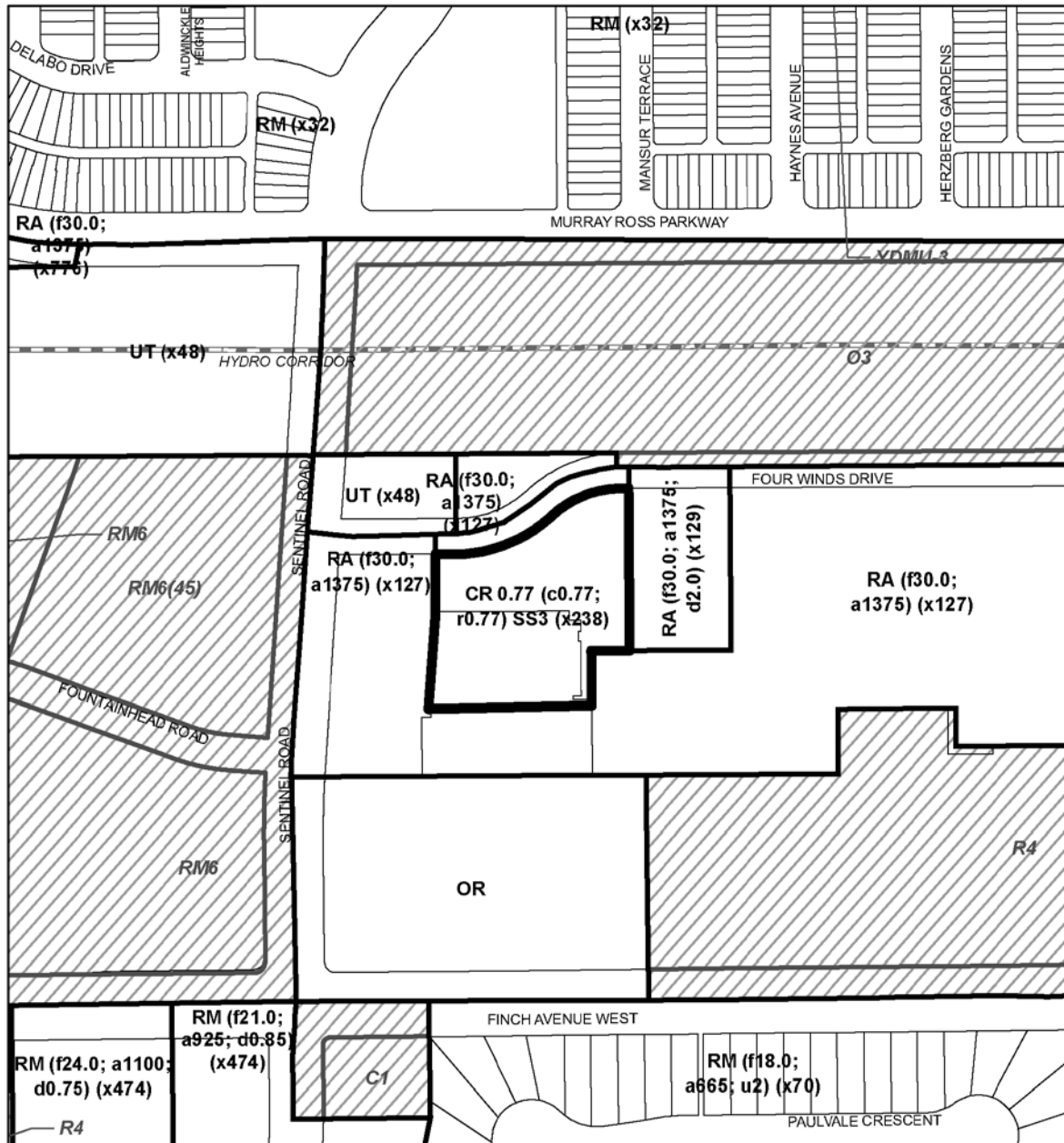
Not to Scale  
February 2020



Attachment 7: Site and Area Specific Policy 585



Attachment 8: Zoning



Zoning By-law 569-2013

41-75 Four Winds Drive

File # 20 226957 WET 07 OZ



Location of Application

- |                          |                               |
|--------------------------|-------------------------------|
| RM Residential Multiple  | CR Commercial Residential     |
| RA Residential Apartment | OR Open Space Recreation      |
|                          | UT Utility and Transportation |



See Former City of North York By-law No. 7625

- |     |  |
|-----|--|
| R4  | One-Family Detached Dwelling Fourth Density Zone |
| RM6 | Multiple-Family Dwellings Sixth Density Zone     |
| C1  | General Commercial Zone                          |
| O3  | Semi-Public Open Space Zone                      |



Not to Scale  
Extracted: 12/15/2020



## Attachment 9: Policy Considerations

### **Planning Act**

Section 2 of the *Planning Act* sets out matters of provincial interest which City Council shall have regard to in carrying out its responsibilities, including, but not limited to: the orderly development of safe and healthy communities; the adequate provision of employment opportunities; the appropriate location of growth and development; the promotion of development that is designed to be sustainable, support public transit and oriented to pedestrians; and the promotion of a built form that is well designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

### **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 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 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 4.6 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. 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 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 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 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 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 (2020) 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 plan for the prescribed densities. Protected major transit station areas ("PMTSAs") will become a subset of the MTSAs in the City. Policy 2.2.4.5 of the Growth Plan (2020) states the City may delineate MTSAs before the MCR is completed provided the delineation is for a PMTSA in accordance with Section 16(15) of the *Planning Act*. The subject site is within the PMTSA for the under construction Sentinel Road Light Rail Transit Station, adopted by City Council as OPA 482 and SASP 585.

Staff have reviewed the proposed development for consistency with the PPS (2020) and for conformity with the Growth Plan (2020). The outcome of staff analysis and review are summarized in the Comments section of the Report.

## **Toronto Official Plan**

This application has been reviewed against the policies of the City of Toronto Official Plan, the Keele Finch Secondary Plan and SASP 585 as noted below.

### **Chapter 2 – Shaping the City**

#### *Section 2.2 Structuring Growth in the City: Integrating Land Use and Transportation*

This section states the Plan protects the integrity of the City's transportation network, and steers future growth to areas that are well served by transit. The integration of transportation and land use planning is critical in achieving the overall aim of increasing accessibility throughout the City.

### **Chapter 3 – Building a Successful City**

#### *Section 3.1.1 The Public Realm*

This section provides direction on the importance of the public realm including streets, sidewalks, internal pedestrian connections, open space areas, parks and public buildings.

#### *Section 3.1.2 Built Form*

This section states the development must not only fit on its site and program, but also in terms of how the site, building and its streetwall fit within the existing and/or planned context of the neighbourhood and the City. Each new development should promote and achieve the overall objectives of the Plan.

### *Section 3.1.3 Built Form - Building Types*

This section provides direction for three scales of building types - townhouse and low-rise apartments, mid-rise and tall buildings. The built form relationships and design of these building types is informed by urban design guidelines to ensure the proper form and fit with their context.

### *Section 3.2.3 - Parks and Open Spaces*

This section provides direction on the need for parks and open spaces.

## **Chapter 4 – Land Use Designations**

### *Section 4.5 Mixed Use Areas*

The site is designated *Mixed Use Areas* on Map 14 of the Official Plan. *Mixed Use Areas* are intended to provide a broad range of commercial, residential and institutional uses in a single-use or mixed use building.

See Attachment 5 for the subject site's Official Plan land use designation.

## **Chapter 5 - Implementation**

### *Section 5.1.1 Height and/or Density Incentives*

This section refers to Section 37 of the *Planning Act* and establishes the provisions under which Section 37 may be used.

### *Section 5.3.2 Implementation Plans and Strategies for City-building*

This section indicates detailed action-oriented plans, programs and strategies will be needed to implement the Official Plan and to adapt to changing circumstances and challenges over the life of the Official Plan. Policy 5.3.2.1 states implementation plans, strategies and guidelines will be adopted to advance the vision, objectives and policies of this Plan.

### *Section 5.6 Interpretation*

This section establishes how the policies are to be understood and interpreted. Policy 5.6.1 states that the Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making. Policy 5.6.1.1 states policies should not be read in isolation. When more than one policy is relevant, all appropriate policies are to be considered in each situation.

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

## **Keele Finch Secondary Plan and Site and Area Specific Policy 585**

The application is located within the Council adopted Keele Finch Secondary Plan ("KFSP") area and once in full force and effect would designate the property *Mixed Use Areas A* on Map 3 of the Secondary Plan. The KFSP policy direction for the subject site allows for a mix of land uses with a maximum building height of 40 metres in order to achieve a desired public realm and character, ensure transit supportive densities are

achieved, and ensure buildings do not impede on the operations of the Downsview Airport.

See Attachment 6 for the land use designation of the KFSP.

The site is also within an area identified to achieve a minimum Floor Space Index of 1.9 times the area of the block delineated in SASP 585 - The Sentinel Road Light Rail Transit Station Area.

See Attachment 7 for the Minimum Density Map of the SASP.

The Province is the approval authority on delineated PMTSAs, and Council's decision on SASP 585 has been sent to the Ministry of Municipal Affairs for approval. Council also withheld the introduction of the Bill to enact the KFSP Official Plan amendment until such time as the Ministry makes a decision on SASP 585. The decision document can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.PH19.1>

The KFSP represents City Council's most current vision and policy direction for the site and surrounding area.

The outcome of staff analysis and review of relevant Official Plan policies and designations, Secondary Plan policies and designations, and SASPs noted above are summarized in the Comments section of the Report.

## **Zoning**

The site is zoned "Local Shopping Centre" C2 (12) in the former City of North York By-law 7625, as amended. The C2 zone permits a range of commercial uses including shopping centres, restaurants, retail stores, personal service shops and other non-residential uses. Exception (12) pertains to a site specific provision that allows for certain residential uses with a maximum number of dwelling units and vehicular parking ratios, contained within three buildings with a maximum height of 14.8 metres, a maximum Floor Space Index of 0.77 and a maximum lot coverage of 41 percent, among other site specific standards.

The site is zoned "Commercial Residential" CR 0.77 (c0.77; r0.77) SS3 (x238) in city-wide Zoning By-law 569-2013, as amended. The standards of By-law 7625, including the site specific exception (12) are carried forward into By-law 569-2013.

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

See Attachment 8 for the subject site's zoning designation.

## **Design Guidelines**

Part III of the PPS 2020 under the section titled "Guidance Material" states that guidance material and technical criteria may be issued from time to time to assist planning authorities and decision-makers with implementing the policies of the Plan. Policy 5.2.5.6 of the Growth Plan 2020 indicates supporting documents, such as design guidelines, will direct the development of a high quality public realm and compact built form in achieving minimum intensification and density targets of the Plan. Policy 5.3.2.1 of the Official Plan states guidelines will be adopted to advance the vision, objectives, and policies of the Plan. Urban design guidelines specifically are intended to provide a more detailed framework for built form and public realm improvements in growth areas. The following design guidelines were used in the evaluation of this application.

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

City Council has adopted city-wide Tall Building Design Guidelines ("Tall Building Guidelines") and directed City Planning staff to use these Guidelines in the evaluation of tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The link to the guidelines can be found here: <https://www.toronto.ca/legdocs/mmis/2013/pg/bgrd/backgroundfile-57177.pdf>.

### **Avenues and Mid-rise Buildings Study and Performance Standards**

City Council adopted the Avenues and Mid-rise Buildings Study and an addendum ("Mid-rise Performance Standards") containing performance standards for mid-rise buildings. They identify a list of best practices and establish a set of performance standards for new mid-rise buildings. Key issues addressed include maximum allowable building heights, setbacks and step backs, sunlight and skyview, pedestrian realm conditions, transition to Neighbourhoods and Parks and Open Space Areas and corner sites. The link to the guidelines can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/mid-rise-buildings/>.

The Mid-Rise Building Performance Standards Addendum are to be used together with the 2010 approved Mid-Rise Building Performance Standards in the preparation of area studies or during the evaluation of development applications, where mid-rise buildings are proposed and Performance Standards are applicable, until such time as City Council adopts updated Mid-Rise Building Design Guidelines. Council's decision is here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7> and <http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>.

### **Privately Owned Publicly-Accessible Space (POPS) Urban Design Guidelines**

In July 2014, Toronto City Council adopted the Draft Urban Design Guidelines for Privately Owned Publicly-Accessible Spaces ("POPS") and directed City Planning staff to apply these guidelines in evaluating locations, programming and designs of POPS in order to effectively contribute to the City's overall open space network in a meaningful way. The purpose of the Guidelines is to not only provide direction for the provision of

POPS, but also to facilitate collaborative discussions between City staff, local residents and the development community in the location and design of new publicly-accessible spaces and the revitalization of existing POPS. The guidelines can be found here: <https://www.toronto.ca/wp-content/uploads/2017/08/8527-draft-design-guidelines-for-privately-owned-publicly-accessible-space-Di....pdf>

### **Growing Up: Planning for Children in New Vertical Communities**

On July 28, 2020, City Council adopted the Growing Up Urban Design Guidelines ("Growing Up Guidelines") and directed City Planning staff to apply the Guidelines in the evaluation of new multi-unit residential development proposals. The objective of the Growing Up Guidelines is for developments to increase liveability for larger households, including families with children living in vertical communities, at the neighbourhood, building, and unit scale. The guidelines indicate that a building should provide a minimum 25 percent large units of which 10 percent should be three-bedroom units, and 15 percent should be two-bedroom units. The guidelines can be found here: <https://www.toronto.ca/legdocs/mmis/2020/ph/bgrd/backgroundfile-148362.pdf>

### **Retail Design Manual**

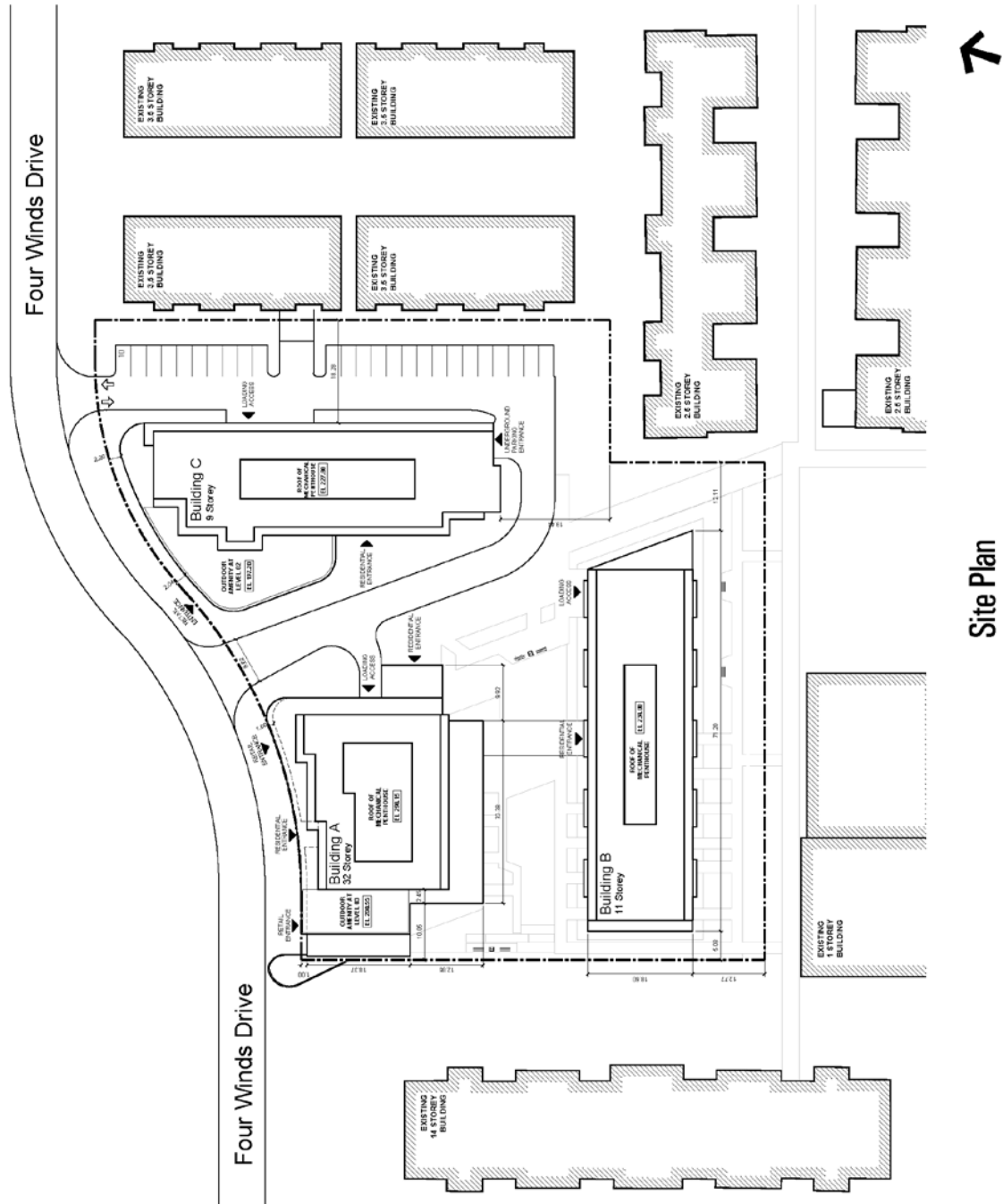
City Council adopted the Retail Design Manual on October 27, 2020. The Retail Design Manual is a collection of best practices and is intended to provide guidance on developing successful ground floor retail spaces. The intent is to provide aspirational retail design best practices to inform, guide, inspire 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 manual can be found here: <https://www.toronto.ca/wp-content/uploads/2020/01/960d-Toronto-Retail-Design-Manual-December-2019.pdf>

### **Mall Redevelopment Guide**

The Mall Redevelopment Guide provides principles to consider during the redevelopment and/or intensification of mall or shopping centre sites. The principles are focused on the structuring urban design elements of mall sites, such as streets and blocks, parks and open spaces, and the interface of retail uses and the public realm. The guide can be found here: <https://www.toronto.ca/wp-content/uploads/2021/03/975e-CityPlanningMall-Redevelopment.pdf>

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

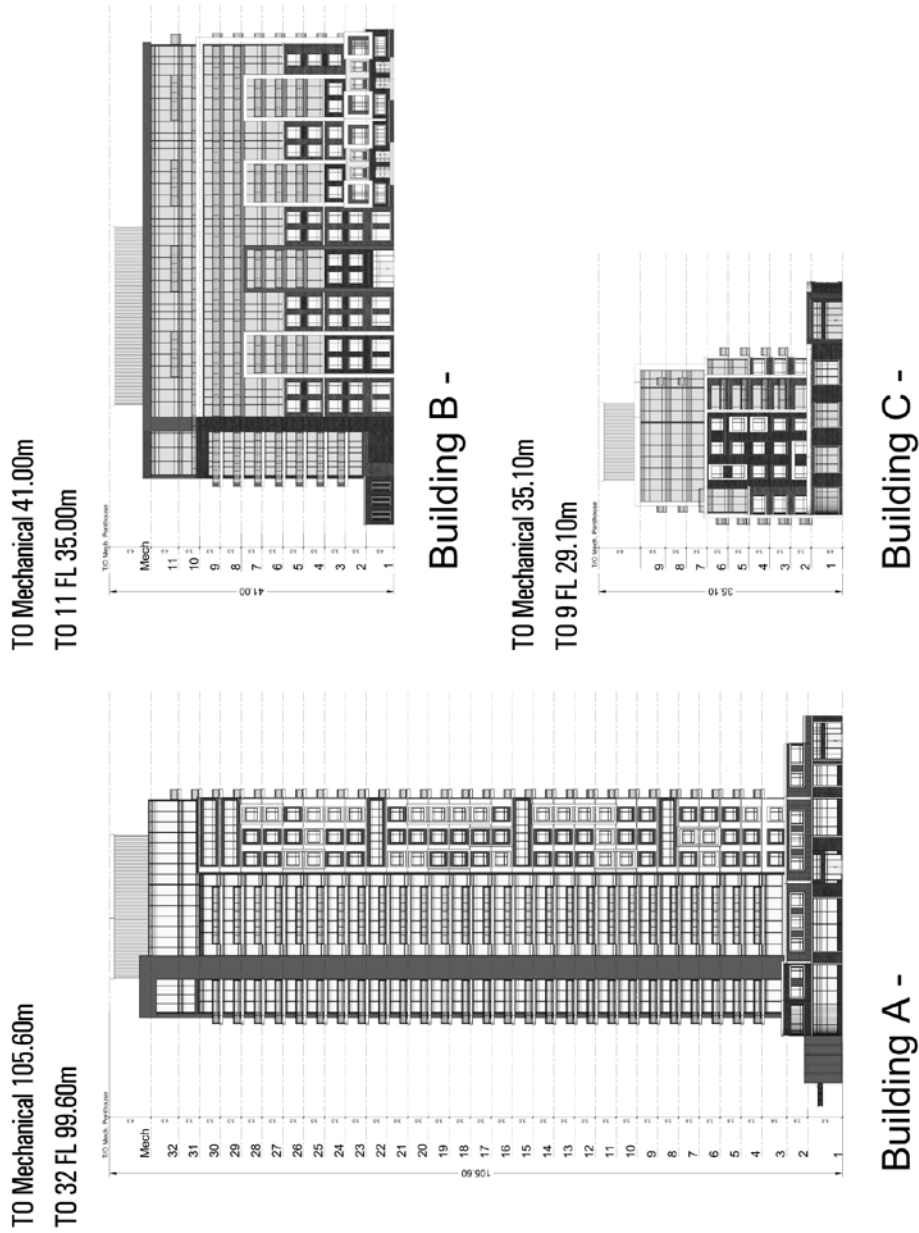
The purpose of the Pet Friendly Design Guidelines is to guide new developments in a direction that is more supportive of a growing pet population, considering opportunities to reduce the current burden on the public realm, and provide needed pet amenities for high density residential communities. The guidelines can be found here: <https://www.toronto.ca/wp-content/uploads/2019/12/94d3-CityPlanning-Pet-Friendly-Guidelines.pdf>



Site Plan

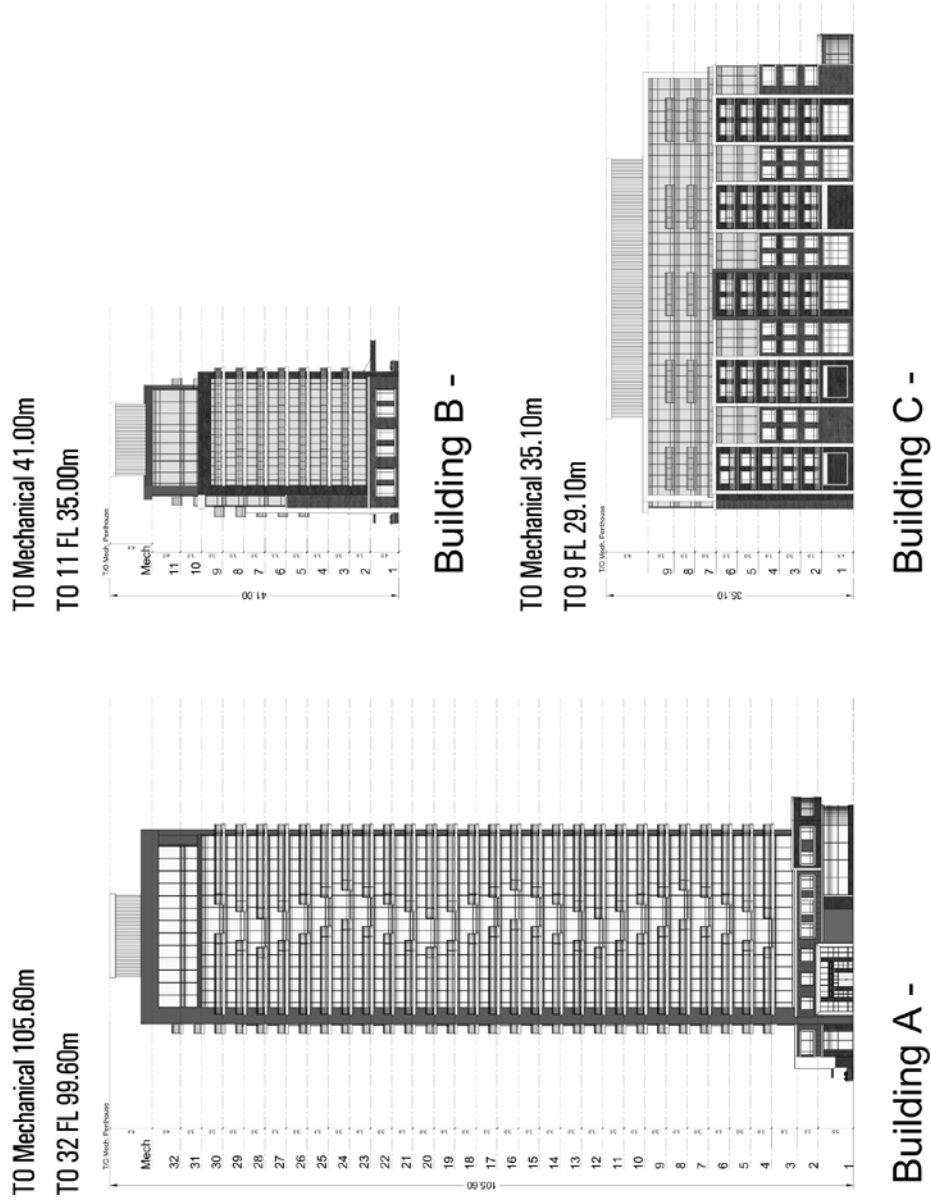


Attachment 11: North Elevation

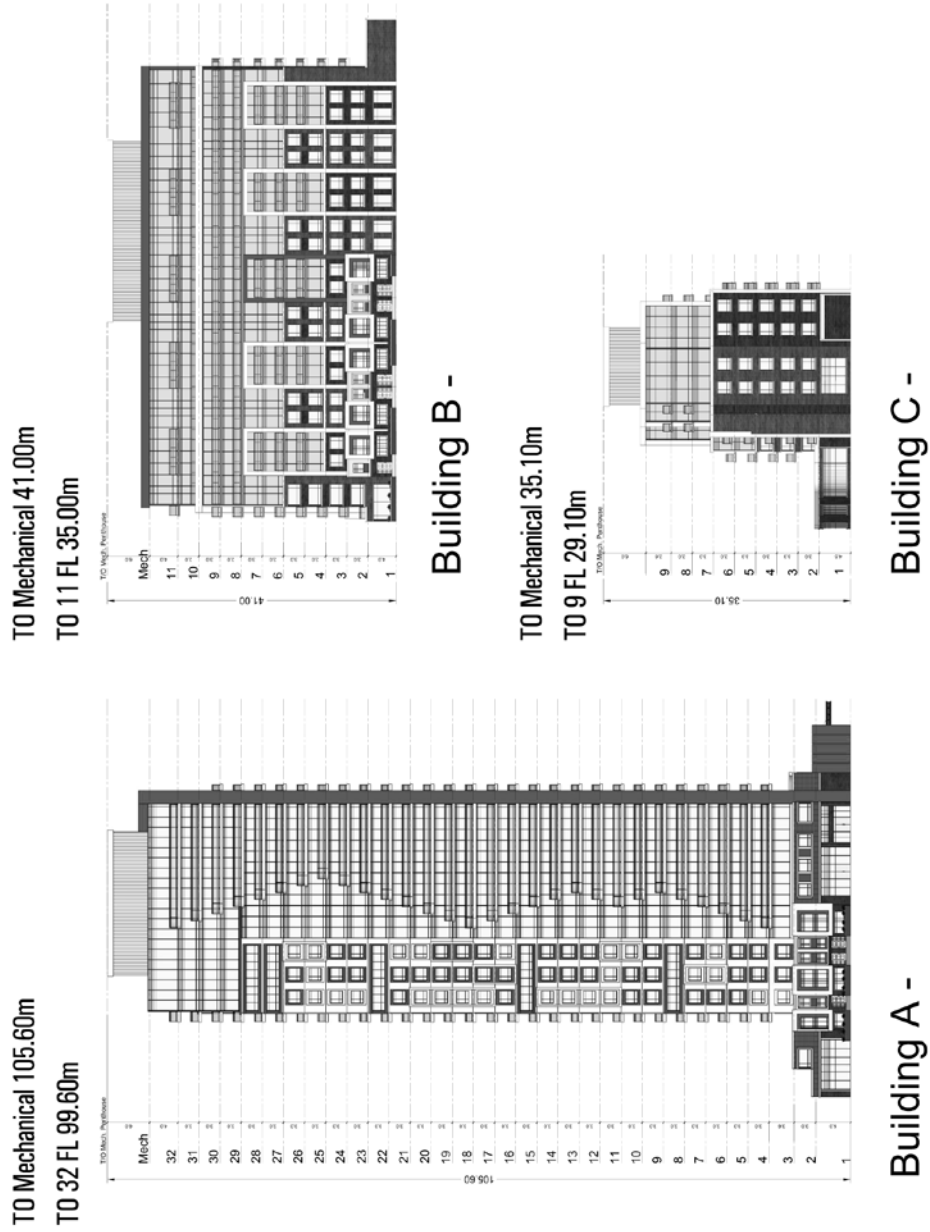


North Elevation

Attachment 12: East Elevation



Attachment 13: South Elevation



South Elevation

Attachment 14: West Elevation

