

Authority: Ontario Land Tribunal Decision issued on February 21, 2020 and Ontario Land Tribunal Order issued on August 16, 2022 in Tribunal File PL141078

CITY OF TORONTO

BY-LAW 1335-2023(OLT)

To adopt an amendment to the Official Plan for the City of Toronto respecting the lands located within the area bordered by Bathurst Street to the east, Wellington Street West to the north, Strachan Avenue to the west and the Metrolinx rail corridor to the south.

Whereas the owner of the lands appealed a proposed official plan amendment to the Local Planning Appeal Tribunal, continued as the Ontario Land Tribunal, pursuant to Section 22(7) of the Planning Act, R.S.O. 1990, c. P.13, as amended; and

Whereas the Local Planning Appeal Tribunal, by its Decision issued on February 21, 2020 and the Ontario Land Tribunal Order issued on August 16, 2022 in File PL141078 approved amendments to the Official Plan for the City of Toronto with respect to the lands;

The Ontario Land Tribunal orders:

1. The attached Amendment 273 to the Official Plan is hereby in force pursuant to the Planning Act, as amended.

Pursuant to the Local Planning Appeal Tribunal Decision issued on February 21, 2020 and Ontario Land Tribunal Order issued on August 16, 2022 in File PL141078.

AMENDMENT 273 TO THE OFFICIAL PLAN

LANDS LOCATED WITHIN THE AREA BORDERED BY BATHURST STREET TO THE EAST, WELLINGTON STREET WEST TO THE NORTH, STRACHAN AVENUE TO THE WEST AND THE METROLINX RAIL CORRIDOR TO THE SOUTH

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

1. Map 18 – Land Use - is amended by redesignating part of the lands known as 51-53 Strachan Avenue and 677, 715, 801a and 805 Wellington Street West from 'Employment Areas' to 'Parks and Other Open Spaces – Parks', as shown on the attached Schedule 1;
2. Map 18 – Land Use - is amended by redesignating part of the lands known as 28 Bathurst Street, 51-53 Strachan Avenue, and 2 Tecumseth Street from 'Employment Areas' to 'Mixed-Use Areas' and 'Neighbourhoods', as shown on the attached Schedule 1;
3. Chapter 6, Section 14, Garrison Common North Secondary Plan, is amended by deleting Subsection 10.1 and replacing it with the following:

(a) South Niagara Area

The South Niagara Area is located generally between Wellington Street West, Bathurst Street, Strachan Avenue, and the Metrolinx Rail Corridor, as shown on Map 14-1 as "South Niagara Area" and as shown on Maps 14-4, 14-5, and 14-6 as shown on the attached Schedules 3, 4 and 5 respectively.

Any new development within the South Niagara Area will be respectful of the existing and adjacent Niagara neighbourhood characteristics. The area to the north consists of low rise residential and office uses as well as a large park space at the centre of the neighbourhood, with mid-rise buildings on the periphery at Strachan Avenue and Bathurst Street. Tree-lined streets permeate the neighbourhood. New development and the expansion of park space south of Wellington Street West, will appropriately transition to the area to the north. The area character will be further enhanced through the preservation and adaptive reuse of heritage resources, respect for the existing neighbourhood, the preservation of mature trees and the planting of new trees, and the provision of enhanced landscaping on both public and private lands.

(i) South Niagara Area General Policies

- (A) Construction of new buildings will incorporate elements of sustainability and environmental responsibility with respect to building materials, internal infrastructure, outdoor spaces, green roofs, and opportunities to utilize or generate renewable energy.

- (B) A comprehensive traffic and loading study will be required for any significant development within the South Niagara area to demonstrate how conflicts with area traffic will be mitigated. All new loading areas and operations will also be screened from view of the adjacent neighbourhood and employ noise mitigation measures to the satisfaction of the Chief Planner and Executive Director, City Planning Division, and the General Manager, Transportation Services.
- (C) All new significant development applications located within the South Niagara Area will be required to submit a Construction Management Plan and implement the Plan to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor.

(ii) South Niagara Area Built-Form Policies

In order to encourage a built form which respects the low-rise character of existing adjacent neighborhoods and respects transitions to new and proposed green spaces and the Fort York National Historic Site, the following built form policies, in addition to the Built Form Policies in Chapter 3 and 4 of this Plan, will apply to all development within the South Niagara Area:

- (A) Building design and massing will create a comfortable pedestrian environment, integrate with the public realm, and transition to protect the adjacent low-scale neighbourhood areas, parks and open spaces, and Fort York National Historic Site.
- (B) Buildings adjacent to park spaces will provide a transition that limits shadowing and maintains sky-view adjacent to the park spaces.
- (C) Mid-rise buildings with a maximum height of 11-storeys are permitted within the lands noted as "Mid Rise" on Map 14-5.
- (D) Despite the maximum permitted building height, all proposed Mid-rise buildings will be contained within a 45-degree angular plane measured from the abutting property line of all lands subject to the *Neighbourhoods* designation, but excluding laneways.
- (E) Despite Policies 14.10.1.(a).(ii).(C) and (D), in locations shown with 'asterisk' on Map 14-5, additional storeys may be permitted, provided the proposed taller elements are consistent with the direction of the South Niagara Strategy with regard to: transition to low-rise *Neighbourhoods* and *Parks and Open Spaces*, protection and enhancement of view corridors to and from Fort York national Historic Site, maintain sky view, and limit shadowing, to the

satisfaction of Chief Planner and Executive Director, City Planning Division.

- (F) Despite Policy 14.10.1.(a).(ii).(C) in locations shown with 'mid-rise' building height on Map 14-5, through review of a Zoning By-law amendment application, Council will consider a built form and massing approach to new development created through a comprehensive design proposal which may encroach into the 45-degree angular plane, provided the built form of the proposal does not exceed the maximum building heights noted on Map 14-5, and also includes an intermediate built form between the taller elements and the low rise *Neighbourhood* to effectively buffer the development from the adjacent *Neighbourhood*, achieves a desirable relationship to the Fort York National Historic Site, and the provides transition which implements the intent of the South Niagara Strategy, to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

(iii) South Niagara Area Land Use Policies

In order to encourage a mix of uses that will provide for a range of employment opportunities, commercial, community, and residential space, site and area specific land use policies will apply to all development within the South Niagara Area:

- (A) Any new development on the lands at 28 Bathurst Street and 2 Tecumseth Street will be required to provide a minimum of 1.0 times the lot area (net of lands conveyed to the City for streets, park space and multi-use paths), of residentially compatible employment space.
- (B) Within any new development containing residential units, a variety of residential unit sizes, tenure, and levels of affordability, including units that can accommodate families with children, will be encouraged.
- (C) A minimum of 10percent of the residential units contained within any new mixed-use or residential development will be marketed and constructed as three bedroom units, and additionally, a minimum of 20percent of the residential units will be marketed and constructed as two-bedroom or two bedroom plus den units.
- (D) Residential uses are not permitted on the lands known in the year 2013 as 677 Wellington Street West.
- (E) The City Works yard operations located on the lands known in the year 2013 as 701 Wellington Street West will be protected and may be expanded, provided there is sufficient land remaining to

construct the proposed multi-use pathway, a potential vehicle access to the Works Yard, and any landscape/safety buffering from the Works Yard and rail corridor, to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

- (F) Prior to the enactment of any Zoning By-law amendment for the purposes of permitting any residential and or other sensitive uses on lands within the South Niagara Area, a Work Yard Compatibility Study (WYCS) will be submitted by the applicant to the satisfaction of the General Manager of Transportation Services and the Chief Planner and Executive Director, City Planning Division, that evaluates how the proposed sensitive uses including residential uses would affect the ability of the City Works Yard to perform normal 24/7 service activities.
- (G) On the lands shown as "Site and Area Specific Policy 9" on Map 14-1, a mixed-use development containing residential, retail, office, market gardening, public parkland, and light industrial uses is permitted in single or mixed-use buildings.

(iv) South Niagara Area Park Space and Connection Policies

In order to protect, enhance, and expand area park spaces, multi-modal connections, and the public realm, the following Public Space and Connections policies will apply to all development within the South Niagara Area:

- (A) New public streets and pedestrian/cycling paths, will be provided generally in accordance with Map 14-4. The City will consider alternative alignments and configurations of this new street through the review of future development applications within the South Niagara Area and the adaptive reuse of the Wellington Destructor.
- (B) The City will secure land for these new streets, bicycle connections, pedestrian walkways as a condition of the approval of development within the South Niagara Area, or by other means satisfactory to the Chief Planner and Executive Director, City Planning division, in consultation with appropriate civic officials.
- (C) The City will work with Metrolinx and the owners of 2 Tecumseth Street and 28 Bathurst Street, to achieve a new public street and multi-use path as shown on Map 14-4.
- (D) Vehicular access to the development blocks will be shared where possible.

- (E) The City will seek to employ reduced pavement widths along all of part of the new road network, where appropriate, in order to accommodate traffic calming, and multiple modes of transportation safely within the right-of-way.
- (F) The City will seek to strengthen pedestrian and cycling connections between the existing rights-of-way, the expanded Stanley Park, the Fort York Pedestrian and Cycling Bridge, and the West Toronto Rail Path.
- (G) The City will work with the Toronto Transit Commission to explore and implement opportunities for a transit route utilizing the new street infrastructure in the South Niagara Area.
- (H) The conservation and expansion of the community gardens within the southern expansion of Stanley Park will be encouraged. Through the design of the Stanley Park southern expansion, Parks, Forestry and Recreation Staff will consider the addition of electrical and water servicing connections to the area.
- (I) City Planning and Parks, Forestry and Recreation Staff will work with Build Toronto to ensure that the north landing of the Fort York Pedestrian and Cycling Bridge will be designed so that opportunities for passive and/or active recreation within this park space are maximized.
- (J) The ultimate design of park spaces on the lands designated as 'Parks and Open Space Areas – Parks and Other Open Space Areas' through this plan will reference the course of the Garrison Creek, which currently flows in a culvert underneath these lands.
- (K) Parks, Forestry and Recreation staff will explore opportunities to incorporate the Maple Green Inc. building (c.1901), adjacent to Strachan House at 51-53 Strachan Avenue, into the design and programming of the Stanley Park south expansion.
- (L) Where possible, and as determined through the Zoning By-law Amendment and Site plan review processes, publicly accessible private spaces and walkway connections will be provided within the South Niagara Area.
- (M) The new park space at the west end of the 28 Bathurst Street site will be designed so as to provide for views into Fort York National Historic Site and connect the pedestrian and cycling path along the rail corridor with the south terminus of Tecumseth Street.

(v) South Niagara Area Heritage Policies

In order to reference, protect and adapt the significant contextual and Built Heritage of the South Niagara Area and adjacent Fort York National Historic Site, the following Heritage policies will apply to all development within the South Niagara Area:

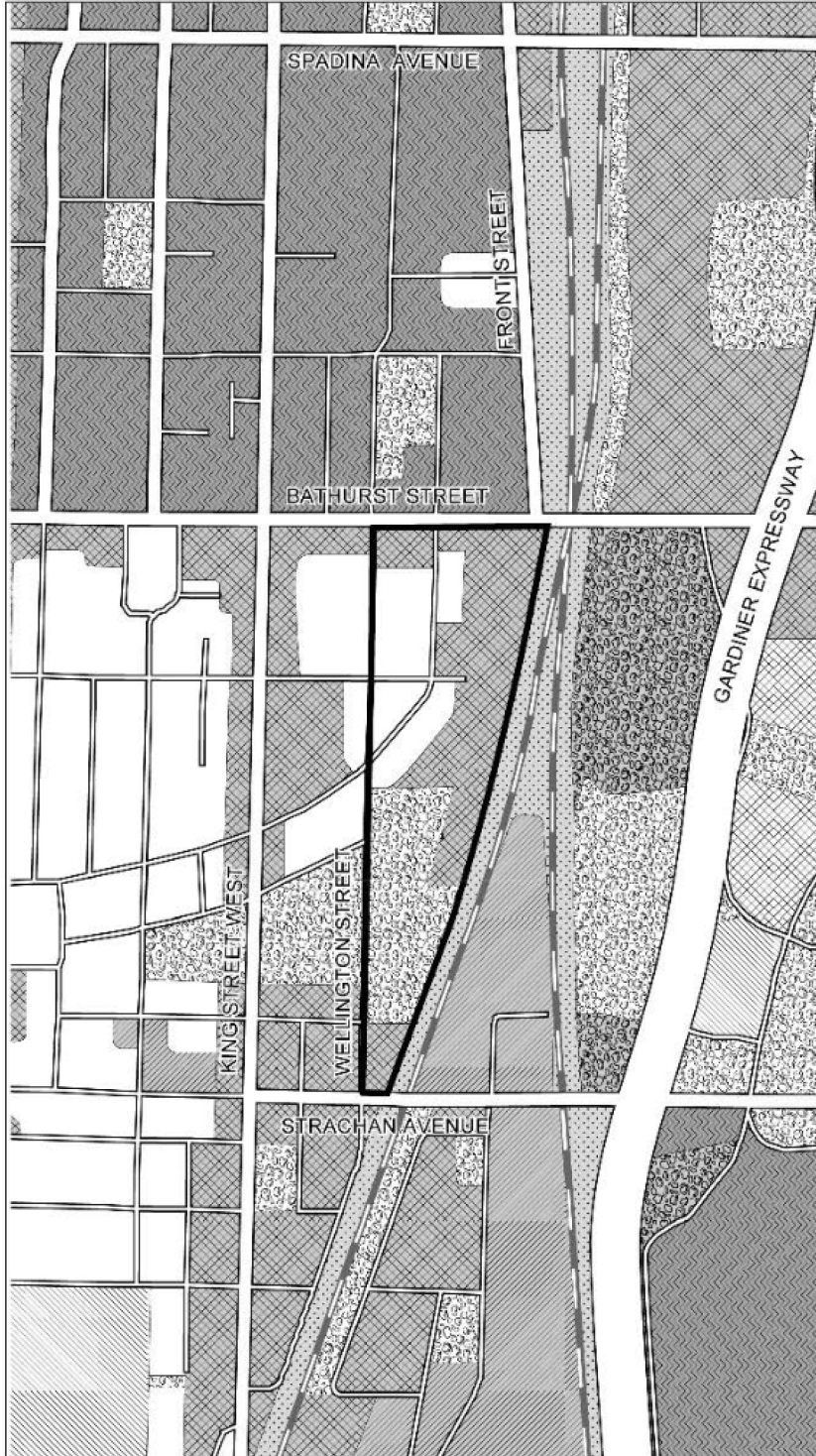
- (A) Properties currently listed on the City of Toronto Inventory of Heritage Properties and those that are designated under either Parts IV or V of the Ontario Heritage Act will be conserved in accordance with relevant legislation, City policy and the Standard and Guidelines for the Conservation of Historic Places in Canada.
- (B) Properties identified as having potential cultural heritage value or interest will be evaluated and conserved as appropriate, either by the City or through an appropriate review process.
- (C) Development and alterations will respect, conserve and maintain the integrity of the existing and potential cultural heritage properties and be of a scale, form, material and character that supports and complements these resources.
- (D) A Heritage Impact Assessment will be required for development applications that affect existing and potential heritage resources within this policy area.
- (E) All development applications will require, at minimum, a Stage 1 Archaeological Assessment as a condition of a complete application.
- (F) The City will not permit development and/or site alteration on lands adjacent to a protected heritage property except where the proposed development and/or site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.
- (G) New buildings will be required to demonstrate and achieve a compatible relationship with the listed and designated heritage buildings through consideration of matters including, but not limited to building height, massing, scale, setbacks, stepbacks, roofline and profile, materials and architectural character.
- (H) Any redevelopment of the lands at 2 Tecumseth Street and 28 Bathurst Street will be required, as a condition of approval, through public art contribution, or other means in consultation with the Manager of Heritage Preservation Services, to provide reference to the built, natural and/or contextual heritage of the South Niagara Area and surroundings.

- (I) The City will seek the retention, conservation, rehabilitation, reuse and restoration of listed and designated heritage buildings within the South Niagara Area by means of one or more appropriate legal agreements.
- (J) Any proposed redevelopment of the lands within the South Niagara Area will enhance and protect the view corridors shown on Map 14-6.
- (K) All significant development within the South Niagara Area visible from Fort York National Historic Site will be required to provide a massing study which demonstrates the visual impact of the proposed development on the Fort. This massing study will have regard for the topography of the area.
- (L) Any potential blank walls, such as railway crash walls or parking garages, facing Fort York National Historic Site will be designed in such a manner so as to not detract from the character or the views from Fort York National Historic Site, to the satisfaction of Chief Planner and Executive Director, City Planning Division, in consultation with the General Manager, Economic Development and Culture.
- (M) The Wellington Destructor, located at 677 Wellington Street is a valuable architectural and contextual heritage resource which is recommended to undergo an adaptive re-use process to provide for community and cultural space. The City will promote the reuse and refurbishment of the Wellington Destructor and explore opportunities to establish a cultural / community facility within and around the existing building. Additions to the building, which comply with the City's Official Plan Heritage Policies and which are sympathetic to the Destructor's heritage character, and are consistent with the policies of the South Niagara Strategy, may be considered, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, to provide additional floor space on site in order to achieve adaptive re-use of the site, subject to necessary planning or heritage approvals, community and cultural uses, office uses, small-scale retail uses, food related uses, and other non-residential uses compatible with the surrounding community will be permitted at 677 Wellington Street West.
- (N) Through the review of a Zoning By-law amendment application on the lands at 2 Tecumseth Street, the City may also consider the potential to exchange land with the developer of 2 Tecumseth Street, if appropriate within the context of the adaptive reuse of the Wellington Destructor, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, The Executive Director of Real Estate Services, and the General Manager,

Economic Development and Culture, in consultation with the Ward Councillor.

- (O) The requirement to provide 1 times the lot area of residentially compatible employment space (net of lands conveyed to the City for streets, multi-use pathways, and/or parks) at 2 Tecumseth Street, may be satisfied on the lands at 677 Wellington Street, subject to arrangements satisfactory to the Chief Planner and Executive Director, City Planning Division in consultation with appropriate civic officials.
 - (P) The City will explore opportunities to retain the original paving within the proposed new woonerf/public street located on the west end of the Wellington Destructor site where possible.
4. Chapter 6, Section 14, Garrison Common North Secondary Plan, is amended by amending 'Map 14 - 1 - Site and Area Specific Policies' as shown on the attached Schedule 2;
 5. Chapter 6, Section 14, Garrison Common North Secondary Plan, is amended by adding 'Map 14 - 4 - South Niagara Urban Structure Map' as shown on the attached Schedule 3;
 6. Chapter 6, Section 14, Garrison Common North Secondary Plan, is amended by adding 'Map 14 - 5 - Built Form and Heights' as shown on the attached Schedule 4;
 7. Chapter 6, Section 14, Garrison Common North Secondary Plan, is amended by adding 'Map 14 - 6 - Key Views and Vistas' as shown on the attached Schedule 5;
 8. Chapter 6, Section 14, Garrison Common North Secondary Plan, is amended by adding 'Map 14 - 4 - South Niagara Urban Structure Map', 'Map 14 - 5 - Built Form and Heights', and 'Map 14 - 6 - Key Views and Vistas' as shown on the attached Schedules 3, 4, and 5 respectively, to the 'List of Maps' section.

Schedule 1



South Niagara Strategy

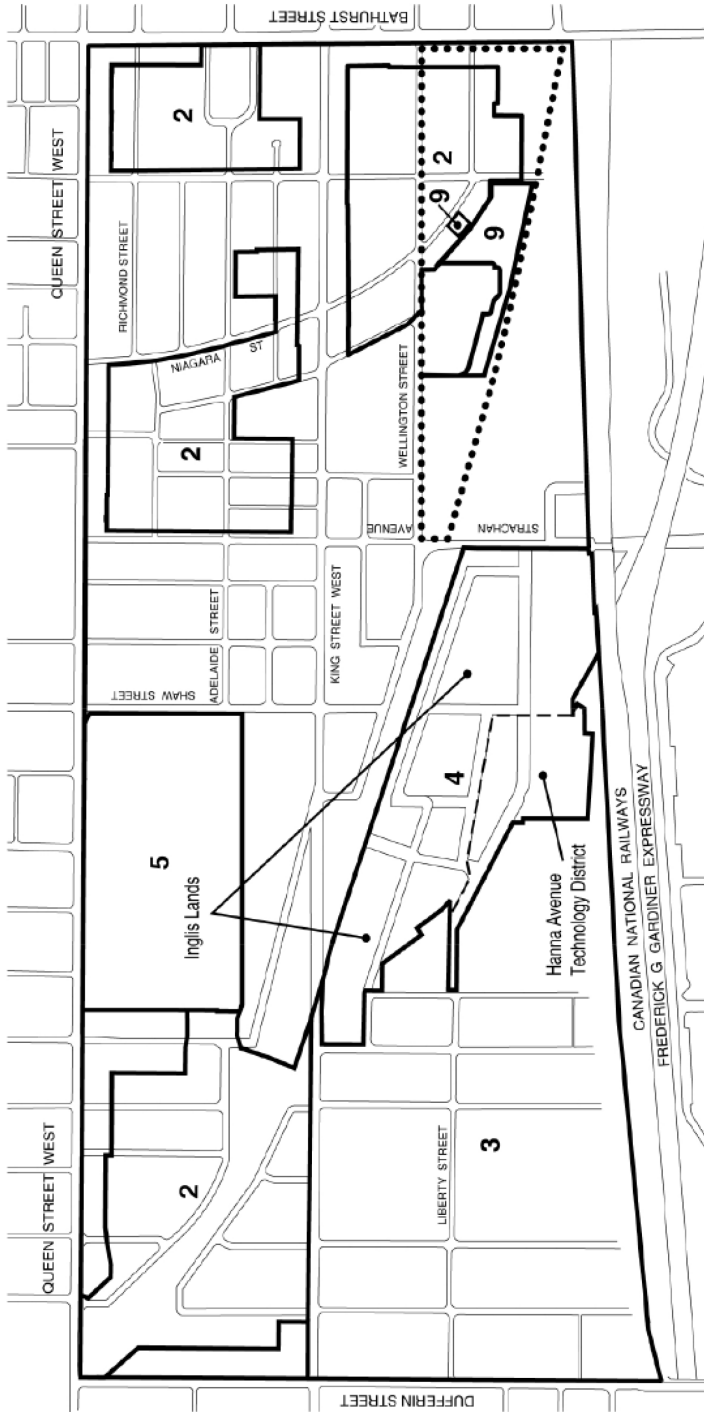
Toronto City Planning
Official Plan Amendment
 Amendments to Land Use Map 18

File # 13 244184 STE TM

	Site Location		Utility Corridors
	Neighbourhoods		Institutional Areas
	Apartment Neighbourhoods		Regeneration Areas
	Mixed Use Areas		Employment Areas
			
Parks & Open Space Areas		Parks	
			
Other Open Space Areas		Other Open Space Areas	

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 Not to Scale
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Schedule 2



Not to Scale

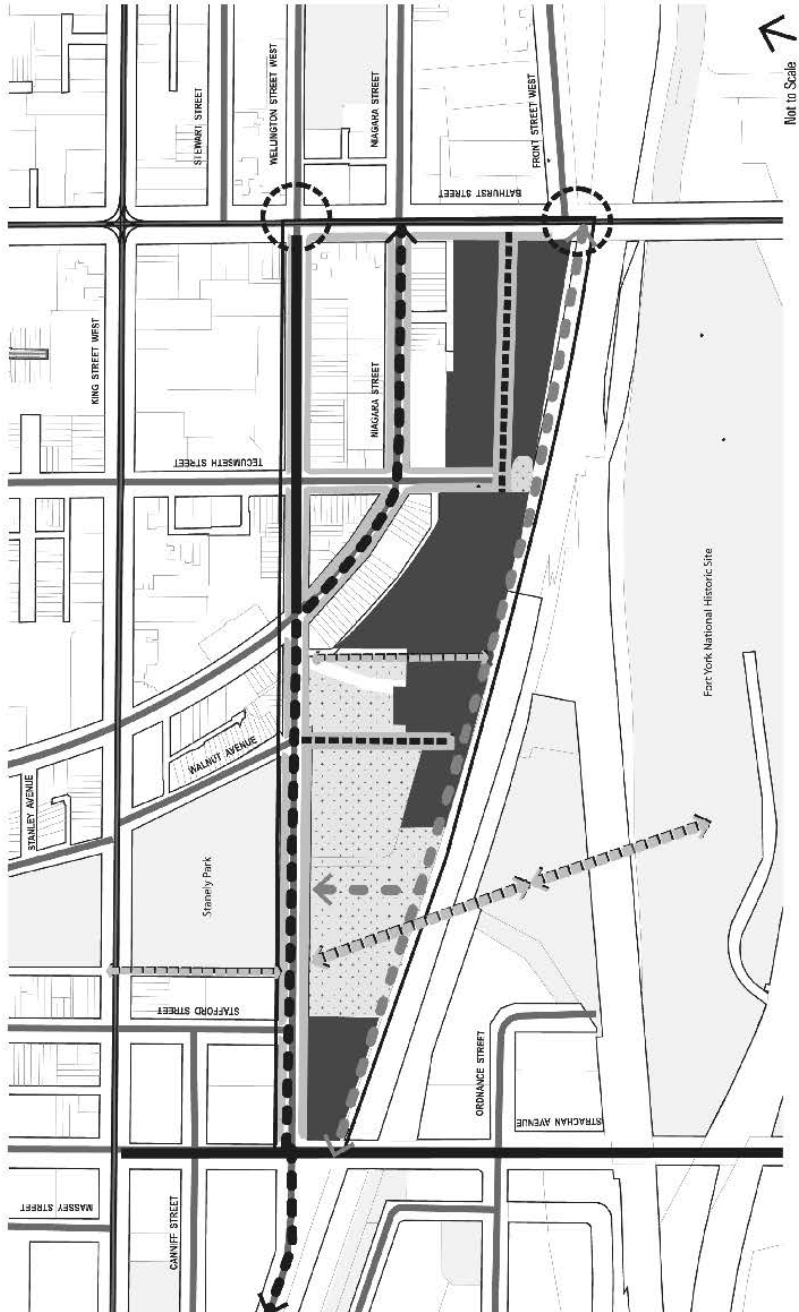


Garrison Common North Secondary Plan

MAP 14-1 Site and Area Specific Policies

- Secondary Plan Boundary
- 1 Site and Area Specific Policies
- South Niagara Area

Schedule 3



Toronto
 City Planning Division

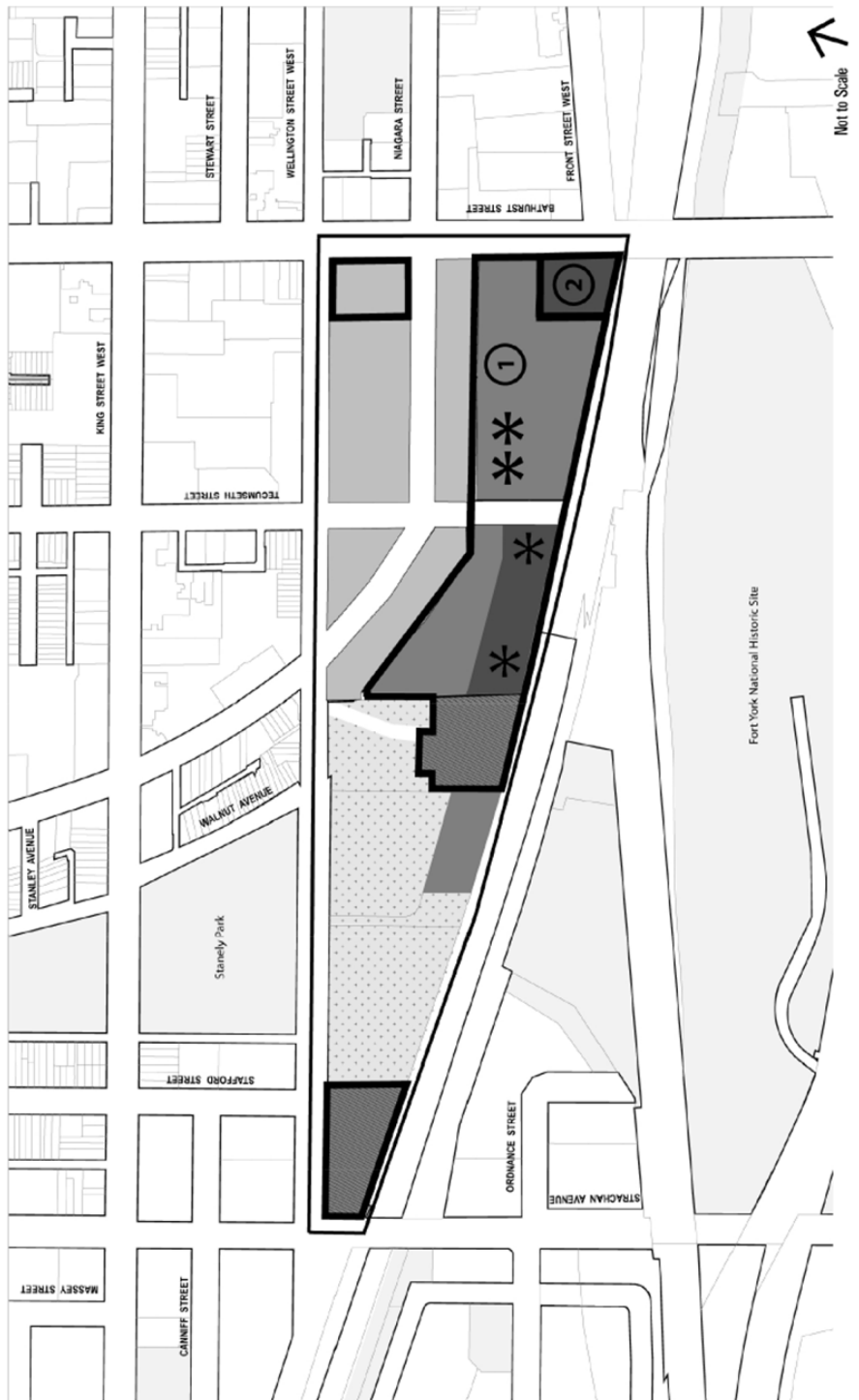
South Niagara Strategy
 MAP 14-4 Urban Structure Map

- Study Area
- Existing Streets
- Existing Bike Routes
- Future New Streets
- Suggested Bike Routes
- Multi-use Pathway
- Future Bridge
- Potential Connections (Existing & Proposed)
- Existing Park Space
- Future Park Space
- Sidewalks (Existing & Potential)
- Existing Streetcar Routes
- Improved Pedestrian Crossings
- Areas for Potential Future Improvements / Developments

July 2014

Not to Scale

Schedule 4

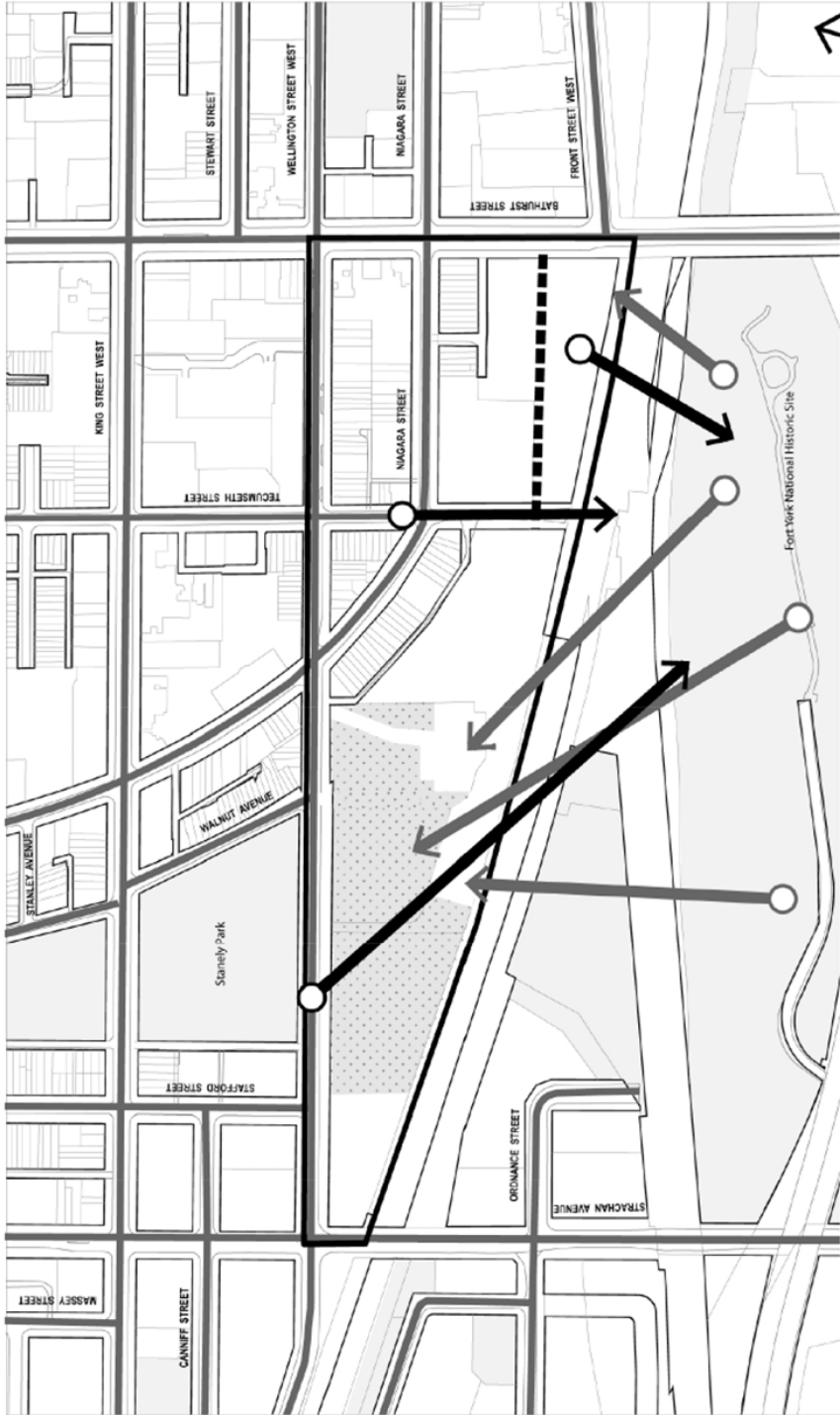


South Niagara Strategy
 MAP 14-5 Built Form and Heights



- Study Area
- Development subject to 45 Degree Angular Plane from Neighbourhood
- Building taller than 11 storeys subject to Max Tower Floorplate = 750 Sq.m
- Building taller than 11 storeys may be permitted subject to massing and shadow impact review
- Existing Park Space
- Future Park Space
- Low-rise (1-4 Storeys)
- Mid-rise (Max. 11 Storeys)
- Mid-rise only permitted subject to integration into existing heritage buildings
- Tall (Max. 20 Storeys)
- 1
- 2
- *

Schedule 5



South Niagara Strategy

MAP 14-6 Key Views & Vistas

- Study Area
- Existing Streets
- Future New Streets
- Views to Fort York Historic Site
- Views from Fort York Historic Site
- Existing Park Space
- Future Park Space

July 2014