

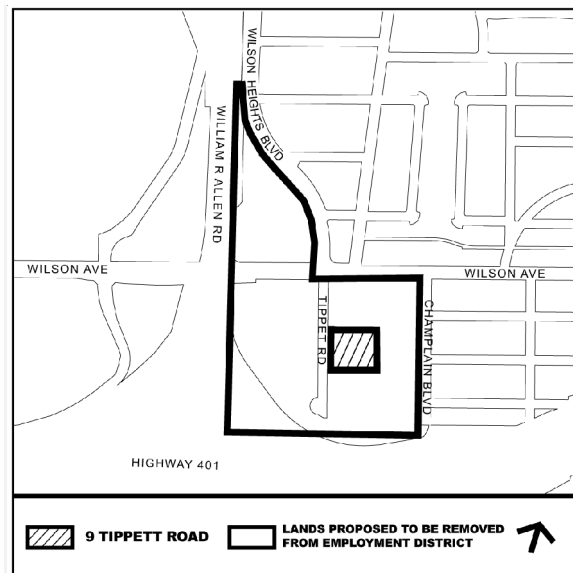
**9 Tippet Road - Official Plan and Zoning Amendment
Application - Preliminary Report**

Date:	October 21, 2011
To:	Planning and Growth Management Committee
From:	Chief Planner and Executive Director, City Planning Division
Wards:	Ward 10 – York Centre
Reference Number:	Pg11045 (File No. 11 255468 NNY 10 OZ)

SUMMARY

An application has been submitted to amend the City's Official Plan and Zoning By-law No. 7625 for the former City of North York to permit a residential development through the conversion of employment lands. This application proposes to remove the lands bounded by Wilson Heights Boulevard, Wilson Avenue, Champlain Boulevard, Highway 401 and Allen Road, which includes the property at 9 Tippet Road, from an *Employment District* on the Official Plan's Urban Structure Map 2. Also proposed is the redesignation of the lands municipally known as 9 Tippet Road from *Employment Areas* to *Mixed Use Areas*.

These amendments propose a residential development with 443 dwelling units having a gross floor area of 37,790 m². The building would have various heights and is proposed to wrap the western property line (Tippet Road) at 14 storeys, the southern property line at 7-storeys, the eastern property line at 11-storeys and be connected along the northern property line with a 2-storey amenity wing. Access to the site would be from a driveway off Tippet Road and all parking would be provided in a 2 level underground garage containing 465 vehicular parking spaces, including 66 spaces dedicated for visitors.



This report provides preliminary information on the above-noted application and seeks Planning and Growth Management Committee's directions on further processing of the application and on the community consultation process.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to review the change of land use proposed by this application concurrently and in the context of the statutory Five Year Review of the Official Plan, which includes a Municipal Comprehensive Review, that has been commenced by the City Planning Division.
2. Upon completion of the Municipal Comprehensive Review, staff be authorized to:
 - (i) Schedule a community consultation meeting for the lands at 9 Tippet Road, together with the Ward Councillor.
 - (ii) Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
 - (iii) Notice for the public meeting under the *Planning Act* be given according to the regulations of the *Planning Act*.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

525 Wilson Avenue and 9 Tippet Road

A rezoning application was submitted in October 2006 for a development site which consisted of both 525 Wilson Avenue and 9 Tippet Road. The application was approved by City Council on September 26-27, 2007. The applicant appealed a condition of the approval to the Ontario Municipal Board (OMB), which subsequently approved the rezoning in December 2008.

The OMB approved proposal amends the Zoning By-law to permit a mixed use building on the north portion of the site at 525 Wilson Avenue fronting Wilson Avenue and located within the Wilson Avenue *Avenues* study area. The approved proposal consisted of commercial uses and two-storey live/work units on the ground floor and 498 residential units above. The building would have heights of 6-storeys along Wilson Avenue, a 9-storey wing to the east and a 12-storey portion along Tippet Road. This development known as "Gramercy Park" is currently under construction. In April 2010,

an application was approved by the Committee of Adjustment to vary aspects of the parking requirements and allow 512 dwelling units.

A 5-storey, 21.6 metre high office building with grade related commercial uses was approved for the south portion of the site at 9 Tippet Road to be served by both surface parking and a single level of underground parking. The office component would be 11,161m² and the commercial component would be 240m². A total of 233 parking spaces were proposed for the office building with 128 of those spaces being provided at grade.

The two buildings would be separated by a common driveway from Tippet Road serving as the drop-off/pick-up area for both buildings. The proposal would have an overall gross floor area of 55,845 m² with an overall density of 2.5 times the lot area.

The proposal was expected to be developed in phases with the first phase consisting of the mixed-use building fronting Wilson Avenue and the second phase consisting of the office building at 9 Tippet Road. The second phase office component was not constructed and the current application for the residential development at 9 Tippet Road was submitted on August 11, 2011.

Planning Act

Section 26 of the *Planning Act* requires the City to review its Official Plan policies, including the designation of lands as areas of employment and the removal of land from areas of employment, every five years. This statutory review is now underway. The *Municipal Comprehensive Review for employment areas* referred to in the Provincial Growth Plan and *Comprehensive Review for employment areas* in the Provincial Policy Statement is being undertaken concurrently with the Five Year Review of the Official Plan as directed by Planning and Growth Management Committee at its meeting on May 30, 2011. The link to the decision can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.PG5.2>

Pre-Application Consultation

A pre-application consultation meeting was held with the applicant to discuss the appropriateness of the submission given the City initiated Five Year Review of the Official Plan and the associated Municipal Comprehensive Review, and to discuss complete application requirements.

ISSUE BACKGROUND

Proposal

The applicant is no longer proposing an office building on this site. Proposed instead is a residential development with 443 dwelling units having a gross floor area of 37,790 m² and an overall site density of 4.11 times the area of the lot. The development would contain 18 bachelor units, 280 one-bedroom units and 145 two-bedroom units.

The building would wrap the western property line (Tippett Road) at 14 storeys (41m) and stepping back above the 10th storey, the southern property line at 7-storeys (20m), the eastern property line at 11-storeys (31m) and stepping back above the 9th storey and be connected along the northern property line with a 2-storey (7m) lobby-amenity wing. A central outdoor courtyard would be located in the middle of these building wings.

The proposed building would include both indoor and outdoor amenity areas of 775m² and 1,240m² respectively. These amenity areas would be located within the 2-storey lobby-amenity wing and the central courtyard.

The main entrance to the development would be located off the common driveway and proposed is a walkway connection to Tippett Road. All ground floor units would have direct access either onto Tippett Road, a private walkway along the east property line, the interior courtyard area, or a proposed public walkway along the south property line.

The proposed building and the building at 525 Wilson Avenue would share a common driveway access straddling the property line from Tippett Road. The building would have a separate drop-off and pick-up area along with separate loading and underground garage entrance located at the northeast end of the site. All parking would be provided within a two level underground garage containing 465 parking spaces with 66 spaces being dedicated for visitors.

For further project information please refer to the Application Data Sheet found as Attachment 6 to this report.

Site and Surrounding Area

The development site is 9,190 m² (98,920 ft²) in area and is located south of Wilson Avenue on the east side of Tippett Road. The rectangular lot is relatively flat with a frontage of 88.5 metres on Tippett Road and a depth of 103.1 metres. The site is part of a larger site that includes the lands to the north at 525 Wilson Avenue (Gramercy Park). A one-storey warehouse building with a gross floor area of approximately 3,700 m² exists on the subject property. The structure is being used as a temporary sales centre for the Gramercy Park development.

The area contains a mix of uses including residential, commercial, institutional, retail, office and light industrial as follows:

North: Immediately north is Gramercy Park, the mixed-use building currently under construction and across Wilson Avenue to the north is a 3-storey apartment building (2 Faywood Boulevard) and a 4-storey office building (530 Wilson Avenue).

South: One-storey building occupied by the Toronto District School Board and used as its Library and Learning Resources Department (3 Tippett Road).

East: At the southwest corner of Wilson Avenue and Champlain Boulevard (495 Wilson Avenue) is a 5-storey complex with apartment units (Champlain Apartments), a seniors' residence and supporting office uses. Also, to the east and south of the Champlain Apartments are two one-storey buildings. One building contains a school (18 Champlain) and the other is multi-tenanted with a textile company and landscape architecture firm (20 Champlain Boulevard).

West: In July 2011 Council approved a rezoning for 545 and 555 Wilson Avenue to permit a mixed-use condominium development having a base building of 8 storeys and two towers at 15 and 16 storeys. South of that proposed development site is the TTC 'South Commuter Parking Lot' for the Wilson Subway Station. Two 1-storey office/industrial buildings are located south of the entrance to the commuter parking lot at 4 and 6 Tippet Road.

Provincial Policy Statement

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS establishes the policy foundation for regulating the use and development of land. City Council's planning decisions are required to be consistent with the PPS.

The PPS requires the City to promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment (including industrial, commercial and institutional uses) to meet long-term needs;
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
- c) planning for, protecting and preserving *employment areas* for current and future uses; and
- d) ensuring the necessary *infrastructure* is provided to support current and projected needs.

The PPS defines *employment areas* as those areas designated in an Official Plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.

Section 1.3.2 of the PPS states that the City may only give consideration to converting lands within employment areas to non-employment uses when a *comprehensive review* has met the following two-part test:

- (i) the land is not required for employment purposes over the long-term; and
- (ii) that there is a need for the conversion.

Growth Plan for the Greater Golden Horseshoe

The Growth Plan provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict with, the Growth Plan.

The Growth Plan requires the City to maintain an adequate supply of lands providing locations for a variety of appropriate employment uses in order to accommodate the employment growth forecasts of the Plan. The Plan requires municipalities to promote economic development and competitiveness by:

- a) providing for an appropriate mix of employment uses including industrial, commercial and institutional uses to meet long-term needs;
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
- c) planning for, protecting and preserving *employment areas* for current and future uses; and
- d) ensuring the necessary infrastructure is provided to support current and forecasted employment needs.

The definition of an *employment area* in the Growth Plan is the same as that used in the PPS.

Municipalities may permit conversion of lands within employment areas to non-employment uses only through a *Municipal Comprehensive Review*. The Growth Plan clarifies and strengthens the application of the PPS as it applies to employment lands, in particular by clarifying the definition of *Municipal Comprehensive Review* by defining it as: "an Official Plan review, or an Official Plan Amendment, initiated by a municipality that comprehensively applies the policies and schedules of this Plan" (Growth Plan). Consistent with the PPS, the Growth Plan limits such conversions only where it has been demonstrated through the Municipal Comprehensive Review that it meets a number of criteria.

The PPS and the Growth Plan require municipalities to promote economic development and competitiveness by planning for, protecting and preserving employment areas for current and future employment uses. Approval of the subject application without first

undertaking a Municipal Comprehensive Review would be contrary to the *Places to Grow Act 2005* which requires that all municipal planning decisions conform with the Growth Plan and would be premature.

Official Plan

This site is identified as *Employment Districts* on Map 2 (Urban Structure Map) of the Official Plan. This map and the associated policies in Chapter 2 of the Plan set out a policy framework and strategy for managing Toronto's growth. In keeping with the relevant policies, lands within *Employment Districts* are identified as locations targeted for future growth to meet the Plan's employment goals. It is a key policy directive of the Official Plan to protect and promote *Employment Districts* in order to:

- a) maintain and grow the City's tax base;
- b) attract new and expand existing employment clusters that are key to Toronto's competitive advantage;
- c) develop quality *Employment Districts* that are globally competitive locations for national and international business and offer a wide choice of sites for new business;
- d) nurture Toronto's diverse economic base;
- e) provide a good overall balance between population and employment growth by creating job opportunities for Toronto residents;
- f) provide a range of employment opportunities for Toronto residents that can be reached by means other than the private automobile; and
- g) create and sustain well-paid, stable and fulfilling employment opportunities for all Torontonians.

The subject site is designated *Employment Areas* on Map 16 (Land Use Map) of the Official Plan. Lands designated *Employment Areas* are intended for a wide range of employment uses including offices, manufacturing, warehousing, distribution, research and development facilities, utilities, media facilities, hotels, retail outlets ancillary to the preceding uses, and restaurants and small scale stores and services that serve area businesses and workers.

Zoning

The subject site is zoned M2(74), Industrial Zone Two with a site specific zoning, under the former City of North York Zoning By-law No. 7625 that was approved by the Ontario Municipal Board in December 2008. The M2(74) zoning permits a variety of industrial, commercial and employment use but does not permit residential uses. A non-residential

development with a maximum height of 21.6 metres, 6 storeys and a maximum gross floor area of 11,500 m² is permitted.

The site is also subject to the height restrictions related to the former Downsview Airport, now operated by Bombardier Aerospace, as imposed by Schedule 'D' (Airport Hazard Map). The Schedule imposes a maximum building and structure height restriction of 15.24 metres on the subject property.

Site Plan Control

The property is subject to site plan control approval, however a site plan application has not been submitted.

Reasons for the Application

Amendments to the City's Official Plan are required to permit residential development through the conversion of employment lands. An Official Plan Amendment is required to remove the lands bounded by Wilson Heights Boulevard, Wilson Avenue, Champlain Boulevard, Highway 401 and Allen Road, which includes the subject property, from an *Employment District* on Urban Structure Map 2. The applicant is also proposing to redesignate the subject property at 9 Tippet Road from *Employment Areas* to *Mixed Use Areas*. These changes would permit the proposed residential use.

An amendment to the Zoning By-law is required to permit the proposed residential use and establish appropriate standards regarding height, density, vehicular and bicycle parking, residential amenity space and other matters as required. The proposal also requires an amendment to the height restrictions imposed by Schedule 'D' (Airport Hazard Map) of the Zoning By-law.

COMMENTS

Provincial Plans and Policy Statement (PPS)

To consider an application for conversion of employment lands to non-employment use, the PPS requires a comprehensive review to be conducted which is based on a review of growth projections and which includes consideration of alternative directions for growth. Only after such a review can City Council consider converting employment lands and then only where the two-part test has been satisfied. That is, that the comprehensive review has demonstrated that the land is not required for employment purposes over the long-term and that there is a need for the conversion (for example, to meet the population and housing targets as determined through the comprehensive review).

The Growth Plan reiterates and clarifies the objectives of preserving and protecting employment lands from conversions to non-employment uses. Policy 5 of Section 2.2.6 clarifies that the City may permit a conversion of employment area lands to non-employment uses only through a Municipal Comprehensive Review which is described

as an Official Plan review, or an Official Plan Amendment, initiated by a municipality that comprehensively applies the policies and schedules of the Growth Plan. This review would need to demonstrate the following:

- a) there is a need for the conversion;
- b) the City will meet its employment forecasts allocated to the City pursuant to the Growth Plan;
- c) the conversion will not adversely affect the overall viability of the employment area and the achievement of the intensification target, density targets and other policies of the Growth Plan;
- d) there is existing and planned infrastructure to accommodate the proposed conversion;
- e) the lands are not required over the long term for the employment purposes for which they are designated; and
- f) cross-jurisdictional issues have been considered.

Approval of an application to convert employment lands to non-employment uses would not conform to the Growth Plan without the City first undertaking a comprehensive review addressing the criteria set out in the Growth Plan. In May 2010, the City Planning Division commenced the statutory Five Year Review of the Official Plan, which includes a Municipal Comprehensive Review. The subject applications are premature prior to the completion of these reviews. It is therefore recommended that the applications be reviewed concurrently and in the context of the Five Year Review of the Official Plan and the *Municipal Comprehensive Review*.

Official Plan

The Official Plan states that *Employment Districts* shown on Map 2 will be protected and promoted exclusively for economic activity in order to maintain and grow the tax base, attract new employment, foster competitiveness, nurture a diverse economic base, provide for balanced growth between population and employment, and provide job opportunities for Toronto residents.

The *Employment Districts* are large areas comprised exclusively of lands where the *Employment Areas* land use designation applies. They form part of the long term growth management and job intensification strategy of the Official Plan. Lands shown as *Employment Districts* on Map 2 are needed for employment purposes over the long term to accommodate part of the job growth projected to 2031 and to ensure the City's fiscal

health. The *Employment Areas* land use designation is intended for a wide range of employment uses and specifically does not include residential lands uses.

The application to remove various lands from *Employment Districts* and to redesignate the subject property from *Employment Areas* to *Mixed Use Areas* is premature and further analysis of the appropriateness of removing lands from an *Employment Districts* area and redesignation to allow for the proposed residential development is required.

Application Submission

The following reports/studies were submitted with the application:

- Planning and Urban Design Rationale (including a Community Services and Facilities analysis);
- Arborist Report for Development Applications (City Waiver form);
- Toronto Green Development Standard Checklist;
- Update to Phase I Environmental Site Assessment;
- Phase II Environmental Site Assessment;
- Completion Report Contaminated Soil and UST Removal;
- Preliminary Geotechnical Report;
- Preliminary Report Geo-Technical Conditions;
- Economic Analysis;
- Noise Impact Study Condominium at Gramercy Park;
- Traffic Impact Study; and
- Municipal Servicing and Stormwater Management Report.

A Notification of Complete Application was issued on August 11, 2011.

Issues to be Resolved

On a preliminary basis, the following issues have been identified.

Land Use Issues

- The appropriateness of removing lands from an *Employment Districts* area in the Official Plan's Urban Structure Map 2.
- The appropriateness of redesignating the subject property from *Employment Areas* to *Mixed Use Areas* and introducing residential uses at this site.

Area Wide Issues

- The future comprehensive development of the lands proposed to be removed from the *Employment Districts* area, including an appropriate street and block pattern.
- The availability and adequacy of community services and facilities to accommodate residential development.
- Assessment of pedestrian connections, street patterns, parks and open spaces, public realm and accessibility to the Wilson Subway Station.
- The proposed density and distribution of building heights and their appropriateness given their proximity to the Bombardier Aerospace facility and Transport Canada flight path regulations.
- Traffic impacts and parking assessment.
- The applicability of Section 37 of the *Planning Act* to secure appropriate community benefits should the application be recommended for approval.

Site Specific Issues

- The location, orientation and organization of the building and site including service areas, building entrance and ground floor uses.
- The height and massing of the building to achieve appropriate built form distribution and relationship to the street, surrounding properties, recent development sites and uses, including setbacks, stepbacks and building separation distances.
- Conformity with the Mid-Rise Building or Tall Building Guidelines.
- Appropriateness of the proposed streetscape, public realm and connections to and through the site to adjacent properties.
- An evaluation of the vehicular access points and shared driveway with the Gramercy Park development.
- Potential overlook and privacy issues with adjacent developments and properties.
- The adequacy of the proposed indoor and outdoor residential amenity space.

Additional issues related to the consideration of the Official Plan and Zoning By-law Amendment applications may be identified through the Municipal Comprehensive Review, the technical review of the applications, agency comments, and the community consultation process.

Toronto Green Standard

The Toronto Green Standard (TGS) is a tool to implement the broader environment policies of the Official Plan. Several of the natural environment policies of the Official Plan encourage green development. These policies are geared to reduce the negative impacts of development on the natural environment through practices such as improved

stormwater management, water and energy efficiency, and waste reduction and recycling. These policies also promote development that enhances the natural environment and support green industry.

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

CONTACT

John Andreevski, Senior Planner

Tel. No. 416-395-7097

Fax No. 416-395-7155

E-mail: jandree@toronto.ca

SIGNATURE

Gary Wright, Chief Planner and Executive Director
City Planning Division

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: Elevations

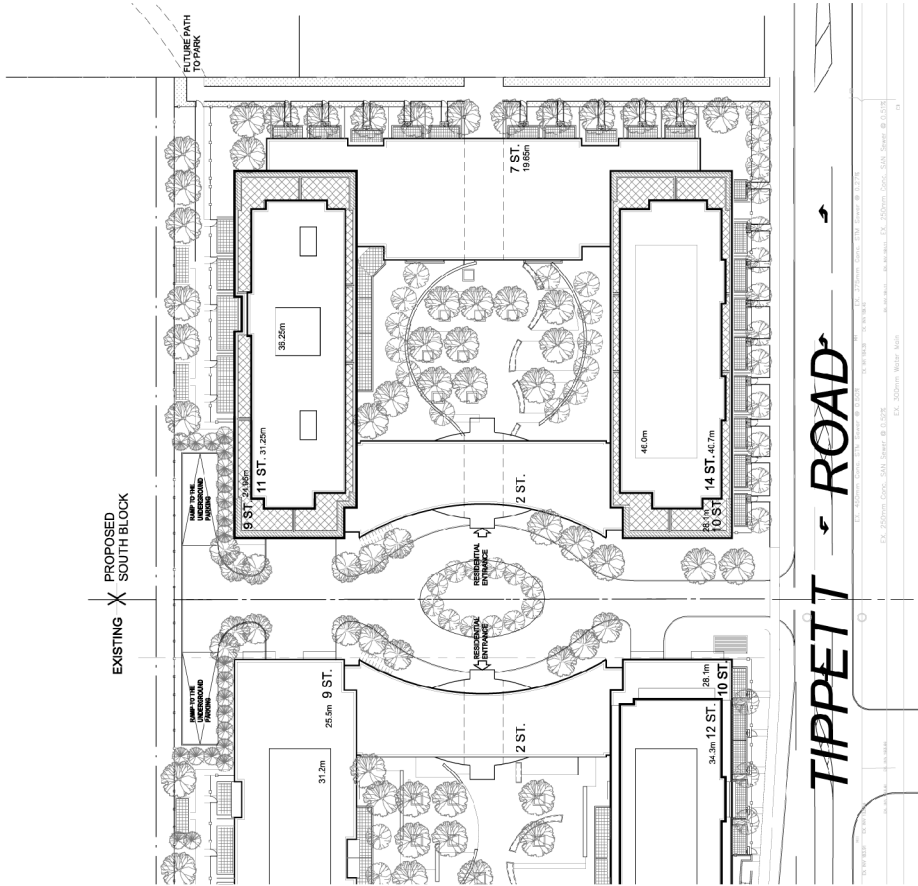
Attachment 3: Official Plan

Attachment 4: Official Plan – Urban Structure Map 2 (Excerpt)

Attachment 5: Zoning

Attachment 6: Application Data Sheet

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

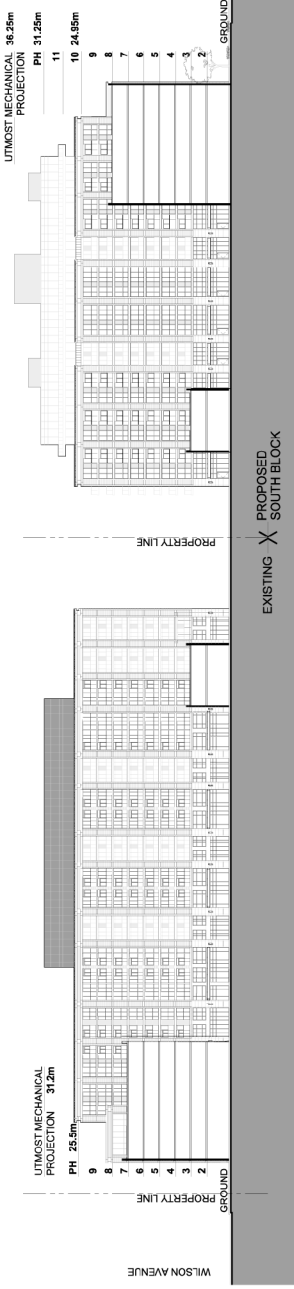
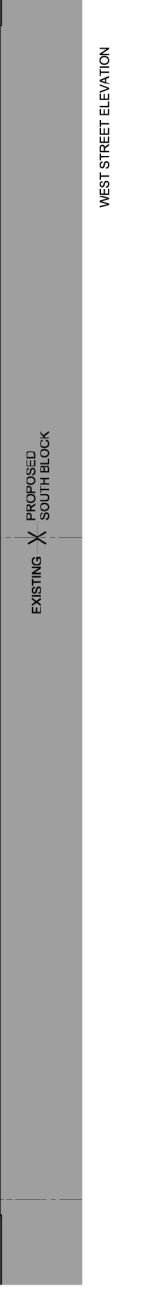
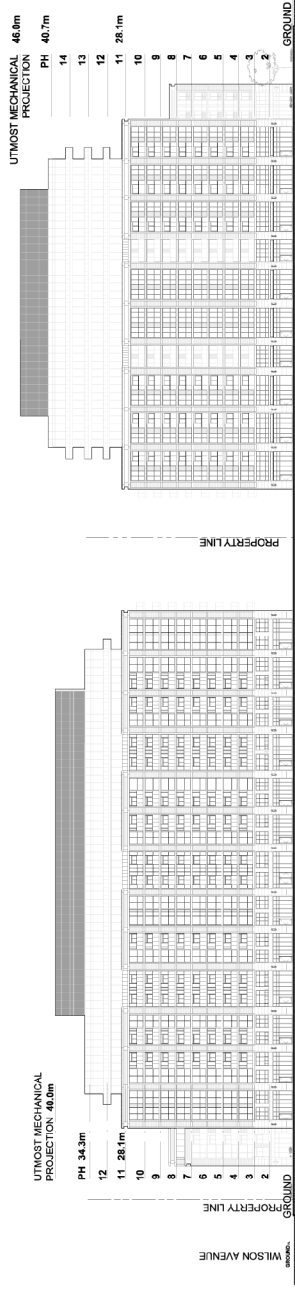
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9 Tippett Road

File # 11 255468 NNY 10 0Z

Attachment 2: Elevations

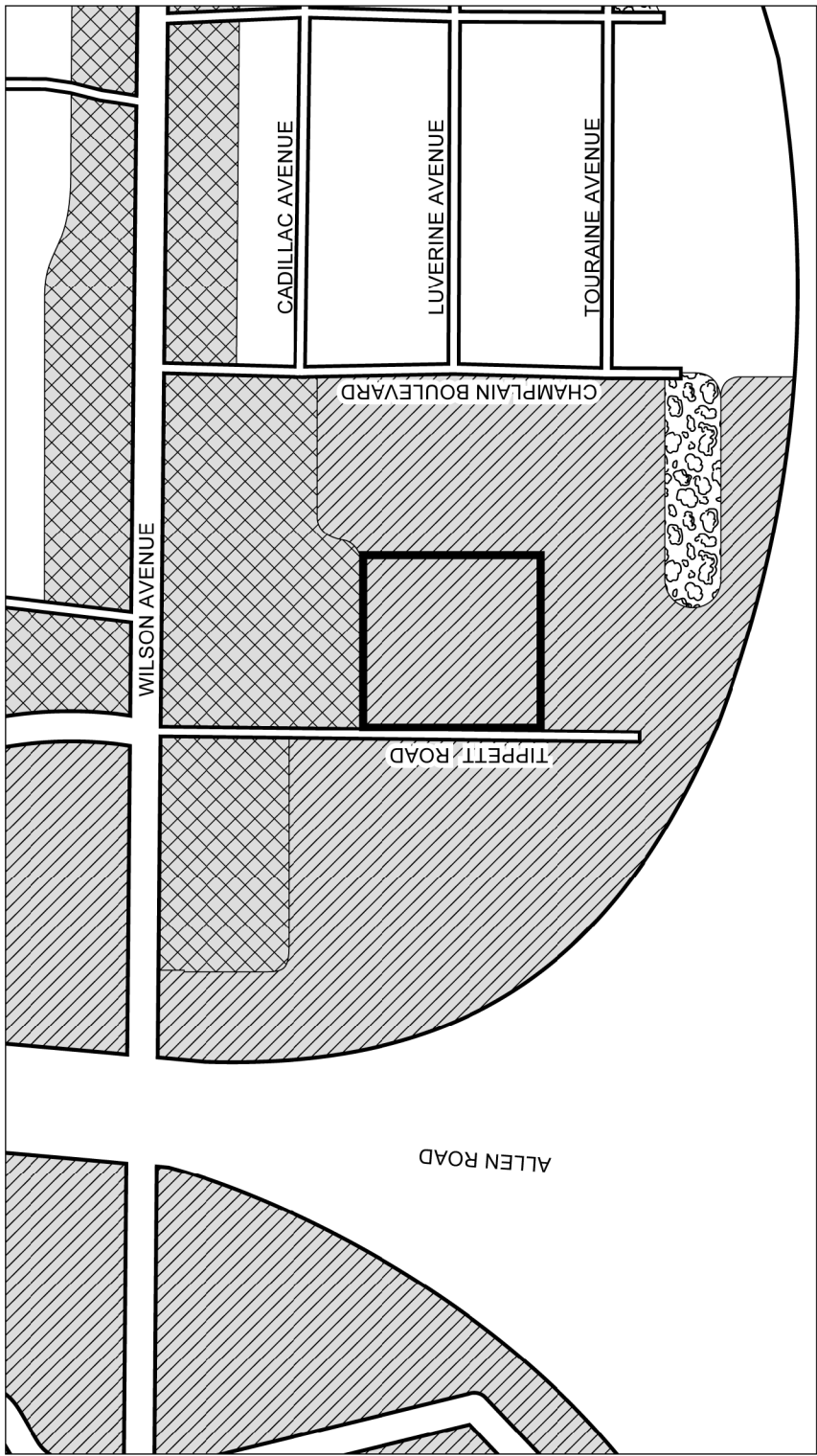


Elevations
 Applicant's Submitted Drawing
 Not to Scale
 09/16/2011

9 Tippett Road

File # 11 255468 NNY 10 02

Attachment 3: Official Plan



9 Tippet Road

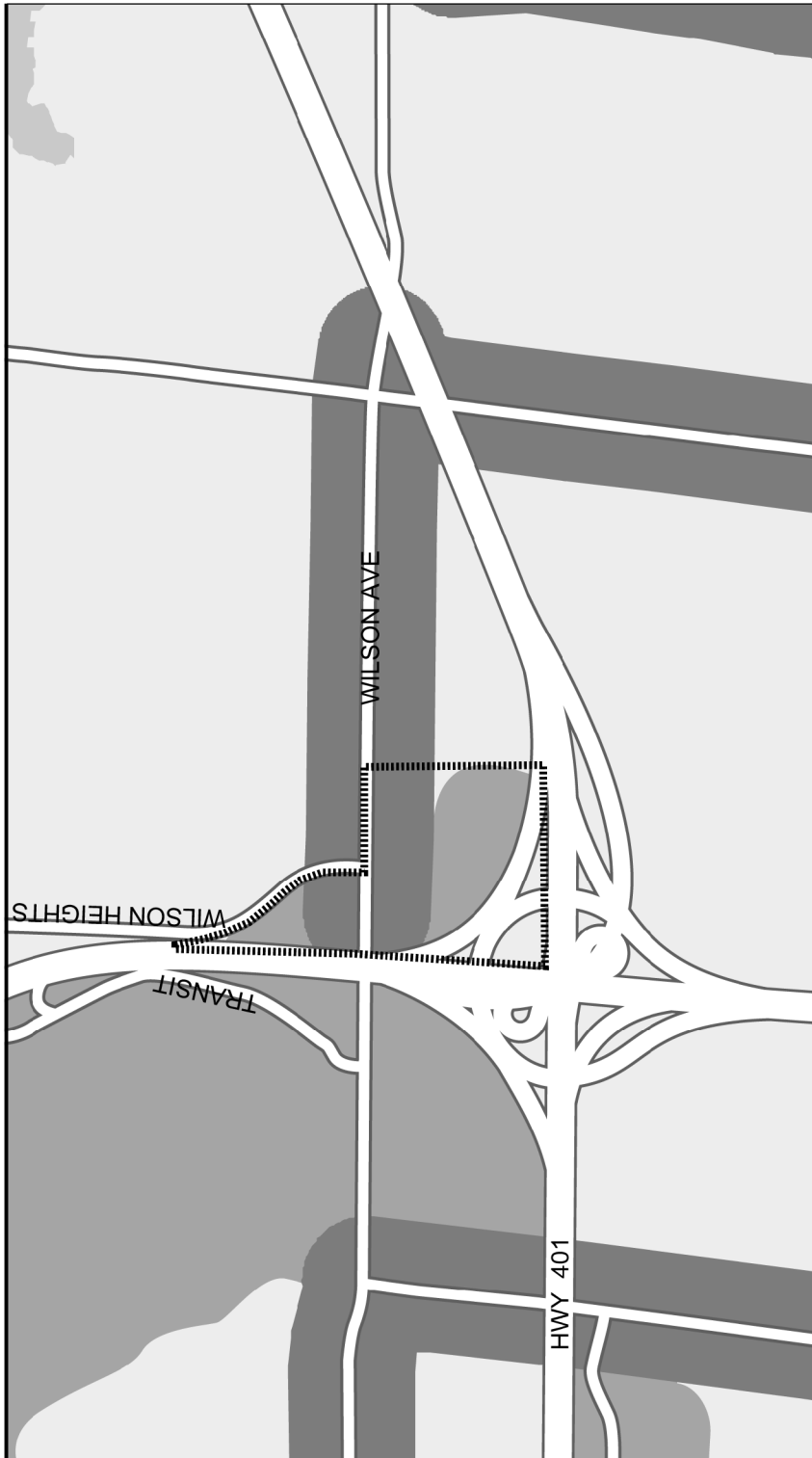
TORONTO City Planning
Official Plan

File # 11 255468 MNY 10 0Z

- Site Location
- Neighbourhoods
- Mixed Use Areas
- Employment Areas
- Parks & Open Space Areas
- Parks

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Not to Scale
09/16/2011





Attachment 4: Official Plan - Urban Structure Map 2 (Excerpt)



9 Tippett Road

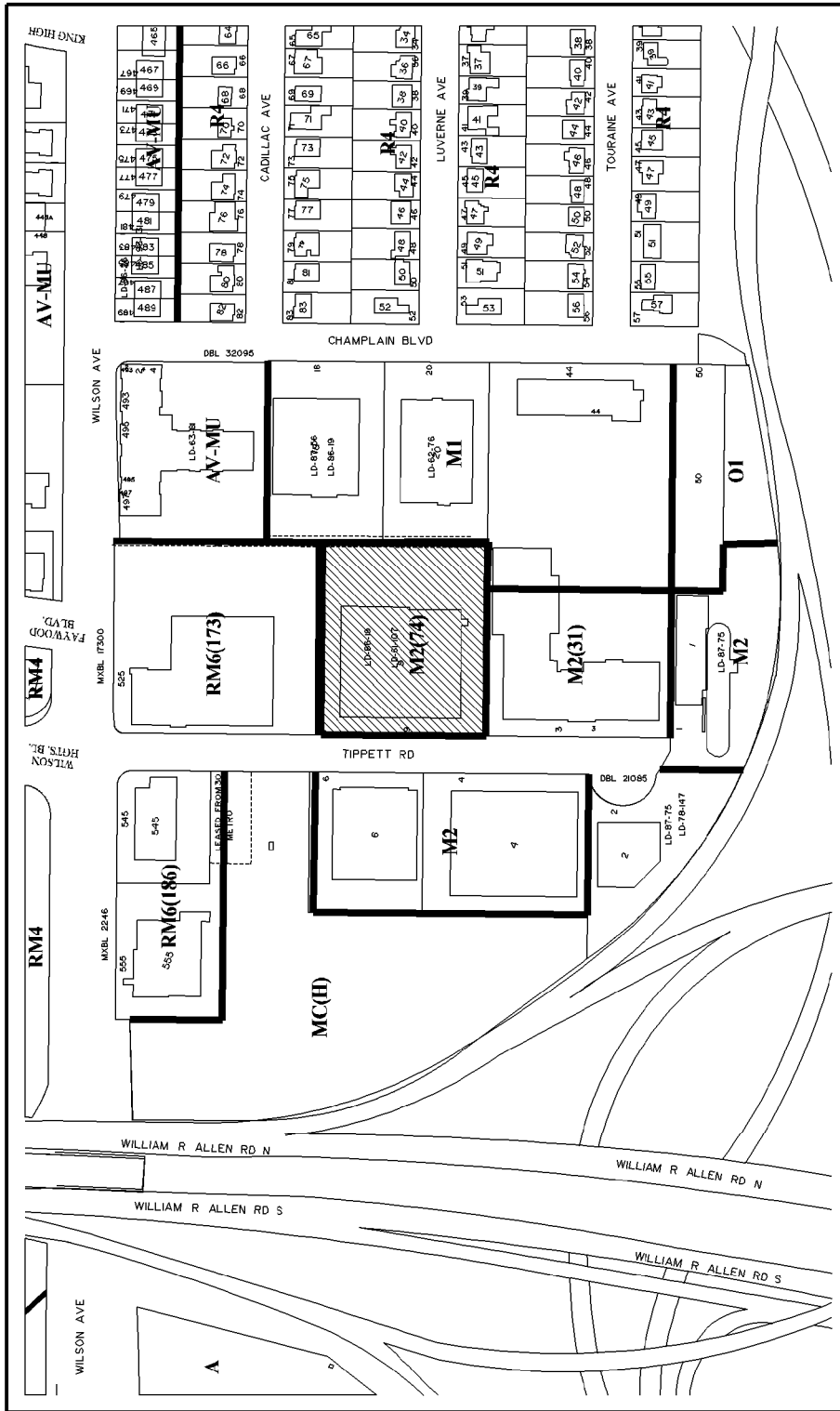
File # 11 255468 MNY 10 0Z

TORONTO City Planning
Official Plan
Urban Structure Map

-  Lands Proposed to be Removed from Employment District
-  Avenues
-  Employment Districts
-  Green Space System

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 Not to Scale
 09/28/2011

Attachment 5: Zoning



Toronto City Planning
Zoning
9 Tippet Road
 File # 11 255468 NNY 10 0Z

- R4 One-Family Detached Dwellings Fourth Density Zone
 - RM4 Multiple Family Dwellings Fourth Density Zone
 - RM6 Multiple Family Dwellings Sixth Density Zone
 - M1 Industrial Zone One
 - M2 Industrial Zone Two
 - MC Industrial-Commercial Zone
 - A Airport Hazard Area Zone
 - O1 Open Space Zone
- NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

Not to Scale
 Zoning Bylaw 7625
 Extracted 09/16/2008

Attachment 6: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	11 255468 NNY 10 OZ
Details	OPA & Rezoning, Standard	Application Date:	August 11, 2011
Municipal Address:	9 TIPPETT ROAD		
Location Description:	PLAN 2466 PT BLK A RP 64R10903 PARTS 2 AND 6 **GRID N1006		
Project Description:	Proposed is a residential development with 443 dwelling units having a GFA of 37,790 m ² . The building would wrap along the western property line (Tippett Road) at 14 storeys, southern property line at 7-storeys, eastern property line at 11-storeys and be connected along the northern property line with a 2-storey amenity wing. Access to the site is from a driveway off of Tippett Road and all parking is provided in a 2 level underground garage consisting of 465 parking spaces, including 66 dedicated for visitors.		

Applicant:	Agent:	Architect:	Owner:
Goodmans LLP, David Bronskill 333 Bay Street, Ste. 3400 Tor., ON M5H 2S7		Page + Steele IBI Group 95 St. Clair West, Ste. 200 Tor., ON M4V 1N6	Tippet Developments Inc. 130 Spadina Ave., ste. 707 Tor., ON M5V 2L4

PLANNING CONTROLS

Official Plan Designation:	Employment Areas	Site Specific Provision:
Zoning:	M2(74)	Historical Status:
Height Limit (m):		Site Plan Control Area:

PROJECT INFORMATION

Site Area (sq. m):	9190	Height:	Storeys:	14
Frontage (m):	88.5		Metres:	43.17
Depth (m):	103.1			
Total Ground Floor Area (sq. m):	4327			Total
Total Residential GFA (sq. m):	37790		Parking Spaces:	465
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	37790			
Lot Coverage Ratio (%):	47			
Floor Space Index:	4.11			

DWELLING UNITS

DWELLING UNITS		FLOOR AREA BREAKDOWN (upon project completion)		
Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	37790	0
Bachelor:	18	Retail GFA (sq. m):	0	0
1 Bedroom:	280	Office GFA (sq. m):	0	0
2 Bedroom:	145	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	443			

CONTACT:	PLANNER NAME:	John Andreevski, Senior Planner
	TELEPHONE:	416-395-7097