



STAFF REPORT ACTION REQUIRED

8 Oak Street - Official Plan and Zoning By-law Amendment Application - Request for Direction Report

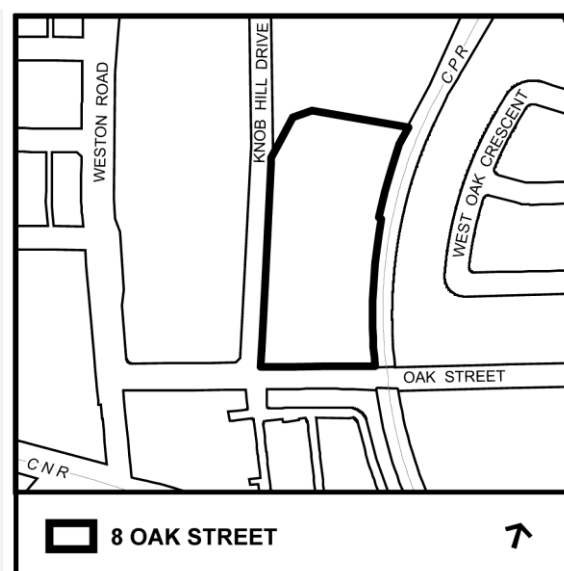
Date:	October 19, 2016
To:	Planning and Growth Management Committee
From:	Chief Planner and Executive Director, City Planning Division
Wards:	Ward 11 – York South-Weston
Reference Number:	P:\2016\Cluster B\PLN\PGMC\PG16137

SUMMARY

This revised application proposes to amend the Official Plan and former City of York Zoning By-law No. 1-83 and former City of North York Zoning By-law No. 7625 to permit the development of two blocks of townhouses, two 8-storey apartment buildings and one 6-storey retirement home. The proposal would contain 509 residential units and have an overall gross floor area of 45,378 m², which would represent a floor space index of 1.76 times the area of the site. A 3,363 m² (0.33 ha) public park, fronting Knob Hill Drive, is also proposed. The original proposal contained 99 three-storey townhouses on a network of private streets with a density of approximately 0.73 times the area of the site.

The applicant has appealed this Official Plan and Zoning By-law Amendment application to the Ontario Municipal Board (OMB) due to Council's failure to make a decision on the application within the time prescribed by the *Planning Act*.

The purpose of this report is to seek City Council's direction for the City Solicitor and other appropriate City staff to attend the Ontario Municipal Board to oppose the Official Plan and Zoning By-law Amendment application as currently proposed by the applicant. The application



does not conform to the policies of the Official Plan, does not represent good planning and is not in the public interest.

A Pre-Hearing Conference was held on July 19, 2016 at which point the applicant advised that it would be submitting a revised application to the City. On August 25, 2016 the applicant submitted the above-noted revised proposal to City Planning. A second Pre-Hearing Conference was held on October 11, 2016 and a three-week hearing has been scheduled to begin on July 4, 2017.

The site is also the subject of an OMB appeal in regard to the City's Five Year Official Plan and Municipal Comprehensive Review, which resulted in Council's adoption of Official Plan Amendment No. 231 (OPA 231). Through the Municipal Comprehensive Review, the applicant requested a conversion of the site to residential uses. City Planning staff recommended that the conversion request not be granted and that the lands be retained as *Employment Areas*. This recommendation was adopted by City Council on December 16, 2013 and subsequently approved by the Ministry of Municipal Affairs and Housing. The applicant appealed this decision in a letter to the Minister of Municipal Affairs and Housing, dated July 25, 2014.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council authorize the City Solicitor and other appropriate City staff to attend the Ontario Municipal Board to oppose the Official Plan and Zoning By-law Amendment application at 8 Oak Street (Application Number 13 277919 WET 11 OZ) in its current form, together with the site specific appeal of Official Plan Amendment No. 231.
2. In the event the Ontario Municipal Board allows the appeal in whole or in part, City Council authorize the City Solicitor to request the Ontario Municipal Board to withhold any final orders approving an Official Plan and Zoning By-law Amendment for 8 Oak Street pending:
 - a) Receipt of confirmation from the City Solicitor that the final form of the proposed amendments to the Official Plan and former City of York Zoning By-law No. 1-83 and former City of North York Zoning By-law No. 7625 for the property are to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.
 - b) Receipt of confirmation from the City Solicitor that a revised Traffic Impact Study has been submitted to the City and accepted by the General Manager, Transportation Services.
 - c) Receipt of confirmation from the City Solicitor that a revised Functional Servicing and Stormwater Management report has been submitted to the City and accepted by the Executive Director, Engineering and Construction Services.

- d) Receipt of confirmation from the City Solicitor of the satisfactory execution and registration of a Section 37 Agreement to secure community benefits in the local area as well as to secure, as a convenience mechanism, the required warning clauses from the Toronto District School Board and the Toronto Green Standard requirements.
- e) Receipt of confirmation from the City Solicitor that a complete Site Plan Control application has been submitted to the City and that Notice of Approval Conditions have been issued by City Planning staff.

Financial Impact

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

Official Plan and Zoning By-law Amendment Application

An application to amend the Official Plan and Zoning By-law was submitted on December 13, 2013. This application proposed a development consisting of 99 three-storey townhouses on a network of private streets. A Preliminary Report outlining the application was considered by Planning and Growth Management Committee on April 10, 2014. The Preliminary Report can be viewed at the following link:

<http://www.toronto.ca/legdocs/mmis/2014/pg/bgrd/backgroundfile-68073.pdf>.

Official Plan Amendment (OPA) 231

At its meeting of December 16, 17 and 18, 2013, City Council considered a request to convert these employment lands to permit non-employment uses as part of the Municipal Comprehensive Review. Under Section 2.2.6.5 of the Provincial Growth Plan for the Greater Golden Horseshoe, the City may convert employment lands to non-employment uses only through such a Municipal Comprehensive Review. At the same meeting, City Council adopted Official Plan Amendment (OPA) 231 which designated the subject lands as *General Employment Areas*. As such, Council has determined these lands should be retained for employment purposes.

OPA 231 was forwarded to the Minister of Municipal Affairs and Housing for approval on January 2, 2014 and on July 9, 2014, the Ministry issued a Notice of Decision approving OPA 231 with modifications, none of which directly affect the subject site. OPA 231 was appealed to the Ontario Municipal Board on behalf of numerous parties, including the owner of the subject property.

On June 22, 2015, the OMB issued an order partially approving OPA 231. The partial approval brings into effect the redesignation of sites from *Employment Areas* to other land use designations, as well as a number of Official Plan policies. Under OPA 231, the subject site is designated *General Employment Areas*, which would not provide for the currently proposed residential and retirement home uses. Although a majority of the policies contained in OPA 231, along with the land use designations, are under appeal, they are illustrative of Council's adopted policy direction for *Employment Areas*.

The decision of City Council and OPA 231 can be found at the following links:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.PG28.2>.
<http://www.toronto.ca/legdocs/bylaws/2013/law1714.pdf>.

ISSUE BACKGROUND

Initial Proposal

The initial application proposed to amend the Official Plan and former City of York Zoning By-law No. 1-83 and former City of North York Zoning By-law No. 7625 to permit the development of the subject site with 99 townhouses, organized in 18 blocks. A linear private greenspace, including a crash berm, along the east property line adjacent to the CP Rail corridor was proposed.

The proposed units would have fronted Knob Hill Drive, Oak Street and a new private street network internal to the site. The townhouse units would have been developed on blocks of various lengths and were proposed on generally rectangular lots with a minimum frontage of 4.4 m and 6.15 m for end units. The townhouses would have been three storeys (9.15 m) in height. Two parking spaces would have been provided per unit in a tandem configuration, one within a garage and one in the driveway.

The initial proposal would have resulted in a density of approximately 0.73 times the area of the site.

Revised Proposal

On August 25, 2016, the applicant submitted a revised proposal. The revised application proposes to amend the Official Plan and former City of York Zoning Bylaw No. 1-83 and former City of North York Zoning By-law No. 7625 to permit the development of two blocks of three-storey townhouses, two 8-storey apartment buildings, and one 6-storey retirement home. The proposal would contain 509 residential units and have an overall gross floor area of 45,378 m², which would represent a floor space index of 1.76 times the area of the site (see Attachment 1: Site Plan).

The two townhouse blocks would front Oak Street and would contain 6 units (east block) and 8 units (west block), respectively. The east block of townhouses would be 3 storeys and 10.7 m in height; the west block would be 3 storeys and 10.6 m in height. Each townhouse would provide 2 vehicular parking spaces, with one space being in an integral garage and the other on a driveway leading to the garage.

The first 8-storey (27.2 m in height, exclusive of mechanical equipment) residential apartment building (Building A) would be located north of the townhouses and would be 'u-shaped', backing on to a proposed 3,363 m² (0.33 ha) public park fronting Knob Hill Drive. This building would contain 77 one bedroom, 20 one bedroom plus den and 85 two bedroom units, for a total of 182 units. The second 8-storey (27.2 m in height, exclusive of mechanical equipment) residential apartment building (Building B) would also be 'u-shaped' and would be located to the north of the proposed park. This building would contain 84 one bedroom units, 20 one bedroom plus den and 81 two bedroom units, for a total of 185 units.

The proposed 6-storey retirement home (21.7 m in height, exclusive of mechanical equipment) would be located at the north end of the site and would contain 8 studio, 78 one bedroom, 19 one bedroom plus den and 23 two bedroom units.

The development would be serviced by a private driveway and would provide a mix of surface and underground parking, with a total of 512 vehicular parking spaces. Vehicular site access would be via two proposed driveways from Knob Hill Drive. There would be 385 resident vehicular parking spaces for the apartment buildings and retirement home. There would be 99 visitor vehicular parking spaces for the two apartment buildings and there are no visitor vehicular spaces proposed for the retirement home. Each of the townhouse units would have two vehicular parking spaces. Building A would provide 164 resident and 18 visitor bicycle parking spaces and Building B would provide 167 resident and 24 visitor bicycle parking spaces.

Site and Surrounding Area

The site is generally rectangular in shape and located on the north side of Oak Street, just east of the intersection of Oak Street and Weston Road. The lands have a frontage of 109 m on Oak Street and 200 m on Knob Hill Drive and an area of approximately 25,700 m². The eastern boundary of the property is formed by the Canadian Pacific Railway (CPR) rail corridor. There are a number of existing buildings on site which are vacant but were previously occupied by Satin Finish, a hardwood flooring manufacturing company.

The surrounding land uses are as follows:

North: Crossroads Centre, a large retail plaza with surface parking;

East: CPR rail corridor with low scale residential uses and a private green space owned by Visioneering (a lightbulb manufacturer) on the east side of the rail corridor;

South: Oak Street, with residential townhouses and Visioneering, fronting the south side of Oak Street; and

West: Knob Hill Drive and a large format grocery store with covered and surface parking and a gasoline bar.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Council's planning decisions are required, by the *Planning Act*, to be consistent with the PPS.

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

Official Plan

The subject lands are designated *Employment Areas* and *Utility Corridors* on Land Use Map 14 and located within an Employment District on Urban Structure Map 2 of the Official Plan.

Employment Districts are areas to be protected and promoted exclusively for economic activity. Development adjacent to or near Employment Districts is to be appropriately designed, buffered and/or separated from industries as necessary to mitigate adverse effects from noise, vibrations, traffic, odour and other contaminants.

Employment Areas are places of business and economic activity. Policy 4.6.1 provides for uses that support this function consisting of offices, manufacturing, warehousing, distribution, research and development facilities, utilities, media facilities, parks, hotels, retail outlets ancillary to the preceding uses, and restaurants and small scale stores and services that serve area businesses and workers. Policy 4.6.6 sets out Development Criteria for *Employment Areas*. The objective of these criteria is to ensure that development contributes to the creation of competitive, attractive and highly functional *Employment Areas* including the creation of comfortable streets and landscaped streetscapes to attract business.

Utility Corridors are hydro and rail corridors primarily used for the movement and transmission of energy, information, people and goods. In the event that rail corridors are no longer required for rail use, they will be protected for future use as public transportation routes, bicycle and pedestrian trails and telecommunications and electrical corridors, where appropriate. Also, where appropriate, development nearby or adjacent to *Utility Corridors* will protect for access to any potential bicycle and pedestrian trail or park and open space and screen and secure the property edge through such measures as setbacks, fencing, site grading, berms, landscaping, building treatment and construction techniques.

Chapter Three of the Official Plan includes policies related to Building a Successful City. Policy 3.1.2 provides direction on matters related to site design and layout including the design of new streets, blocks and development lots. Policy 3.1.1.14 and 3.1.1.15 further refers to the provision of new streets, their design and that new streets should be public streets or if they are private, they should be designed to integrate into the public realm and meet the design objectives of public streets.

Official Plan Amendment No. 231

Official Plan Amendment No. 231 retains the lands for employment purposes by designating the property as *General Employment Areas*. A majority of OPA 231 remains under appeal.

Site and Area Specific Policy 51 - Weston Area

The lands are also subject to Site and Area Specific Policy (SASP) 51. SASP 51 generally applies to the Weston community. The key policies are to maintain view corridors to the Humber Valley and to improve links to the Humber Valley.

Zoning

On May 9, 2013 City Council enacted City-wide Zoning By-law 569-2013, currently under appeal to the Ontario Municipal Board. The lands were excluded from Zoning By-law 569-2013 because they were the subject of a conversion request as part of the Municipal Comprehensive Review of *Employment Areas*. The majority of the property is zoned Prestige Employment (PE) under former City of York Zoning By-law 1-83. This zoning permits a range of industrial, office and commercial uses.

A small portion along the east side of the property, which corresponds to the lands designated *Utility Corridors* and being Part 2 on Plan 64R-14594, is zoned Multiple Family Dwellings First Density Zone (RM1 - 31) under the former City of North York Zoning By-law No. 7625. This zoning permits multiple attached and single family dwellings.

Site Plan Control

The proposed development is subject to Site Plan Control. A Site Plan application for this development has yet to be submitted.

Mid-Rise Buildings Performance Standards

City Council on July 6, 7 and 8, 2010, adopted the recommendations of the Avenues and Mid-Rise Buildings Study and Action Plan. The study developed performance standards for the evaluation of mid-rise buildings on Avenues to encourage the development of more well designed buildings. Although the subject site is not located along an Avenue, and notwithstanding City Planning's opinion regarding the introduction of residential uses on this site, the Guidelines have been used to inform the initial review of the built form of the revised proposal and to evaluate the proposed building heights and setbacks to determine if they would relate well to the public realm and adjacent properties. The standards can be viewed at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.PG39.9>.

Urban Design Guidelines for Infill Townhouses

The Urban Design Guidelines for Infill Townhouses articulate and clarify the City's interest in addressing townhouse development impacts, with a focus on protecting streetscapes and seamlessly integrating new development into the existing context. They provide a framework for site design and built form to achieve good urban design and an appropriate scale and form of development for applications proposing low-rise, grade related residential units constructed in rows or blocks. The Guidelines can be viewed at: http://www1.toronto.ca/city_of_toronto/city_planning/urban_design/files/pdf/.

City Planning is developing an update to the Infill Townhouse Guidelines, which will also include guidelines for low-rise apartment buildings. A draft of the new Townhouse and Low-Rise Apartment Guidelines can be viewed at the following link:
http://www1.toronto.ca/City%20Of%20Toronto/City%20Planning/Urban%20Design/Files/pdf/UD%20Guidelines/City-wide/FINAL%20VERSION_TOWNHOUSE%20LOW%20RISE%20GUIDELINES_AUGUST%202016.pdf.

City staff are currently refining and consulting upon the Draft Guidelines, in part through their use during the review of development applications. Notwithstanding City Planning's opinion regarding the introduction of residential uses on this site, the Draft Guidelines have been used provide an initial review of the built form of the proposed townhouses.

Tree Preservation

A Tree Inventory/Assessment Report was submitted with the application and identified 55 trees either on, or adjacent to the property that would require removal.

Development Infrastructure Policy and Standards (DIPS)

The design and configuration of the proposed street network related to parking, landscaping and public sidewalks fall under the City's Development Infrastructure Policy and Standards (DIPS). These policies and standards address issues resulting from the creation of new local residential streets in private or public ownership and establish standards for new development infrastructure with respect to appropriate street sections.

Reasons for the Application

An amendment to the Official Plan and Zoning By-laws is required to permit residential development where it is not provided for by the current *Employment Areas* designation and not permitted by the current zoning. A Zoning By-law Amendment is also required to establish appropriate development standards such as building heights and setbacks, landscaping and parking requirements.

Community Consultation

A community consultation meeting was held on February 4, 2015 at Weston Collegiate Institute to solicit feedback from the community on the initial proposal. Approximately 45 members of the public attended along with the Ward Councillor, the applicant, their consulting team and City staff. Issues and concerns related to the application are summarized as follows:

- number of units, density and building heights;
- safety and setbacks from the railway corridor;
- traffic congestion on Knob Hill Drive and Oak Street;
- number of vehicular access locations on Knob Hill Drive;
- safety concerns for pedestrians and cyclists in the area;
- sufficiency of parking spaces and location of visitor parking;
- site contamination;

- protection of employment lands;
- precedents for other nearby employment lands;
- existing flooding problems in the area;
- adequacy of servicing for the development (water pressure in nearby residential dwellings);
- possibility of preserving historic buildings (none are historically designated) on site;
- lack of open space and play space for children;
- design of townhouse blocks and streetscaping;
- lack of provision of community space; and
- current maintenance of the property.

A community consultation meeting to solicit feedback on the revised proposal was held on October 18, 2016. Approximately 50 members of the community attended and reiterated the above-noted concerns, and identified the following new issues and concerns related to the revised proposal:

- height and density of the proposed apartment buildings;
- transition in scale and massing to surrounding properties;
- lack of provision of family-sized units;
- tenure of the proposed apartment buildings;
- future of the lands if preserved for employment uses;
- safety for seniors with respect to street crossings;
- sufficiency of visitor parking for the proposed retirement residence, including accessible parking spaces;
- resident and visitor parking spaces have not been allocated by building;
- possibility of providing auto-sharing;
- lack of sufficient public transit in the area; and
- lack of park and recreational space in area.

COMMENTS

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS), 2014 identifies the Official Plan as the most important vehicle for implementing the PPS. The proposed development is located within an *Employment Areas* designation, which does not provide for residential uses. Policy 1.3.2.1 states that planning authorities shall plan for, protect and preserve *employment areas* for current and future uses and ensure that the necessary *infrastructure* is provided to support current and projected needs. Policy 1.3.2.2 further states that planning authorities may permit conversion of lands within employment areas to non-employment uses through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.

Similarly, the Growth Plan for the Greater Golden Horseshoe, Policy 2.2.6.2 states that Municipalities will promote economic development and competitiveness by – c) planning

for, protecting and preserving employment areas for current and future uses. Policy 2.2.6.5 states that municipalities may permit conversion of lands within *employment areas*, to non-employment uses, only through a *municipal comprehensive review*, where it has been demonstrated that:

there is a need for the conversion;

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

Through the Municipal Comprehensive Review, City Council determined that the subject lands should remain for employment uses. The Final Assessment – Request to Convert Employment Lands, including the planning rationale for not supporting the conversion request for 8 Oak Street, can be viewed at the following link:

<http://www.toronto.ca/legdocs/mmis/2013/pg/bgrd/backgroundfile-63575.pdf>.

Results from the Five Year Official Plan and Municipal Comprehensive Reviews demonstrated the City's need to preserve lands designated as *Employment Areas* to insure the City's economic competitiveness and the ability to accommodate jobs across the city. The City retained Malone Given Parson (MGP) to conduct a detailed analysis of the current employment structure, growth trends, and key characteristics of Toronto's current stock of employment space in the industrial, office building and retail and service sectors. MGP suggested that the City will run out of available vacant land for new industrial employment between 2031 and 2041. The preservation of existing lands designated *Employment Areas* is one of the key recommendations from these consultants that helped inform the drafting of the revised Official Plan policies. Policy 4.7 of the PPS identifies Official Plans as important elements in implementing the Provincial Policy Statement. The proposed residential use on lands designated *Employment Areas* does not conform to the Official Plan, which, in effect does not implement the Provincial Policy Statement.

Land Use and Compatibility with Surrounding Land Uses

The subject lands are designated *Employment Areas* and *Utility Corridors* in the Official Plan. Neither of these land use designations contemplates residential uses. Amending the Official Plan to introduce residential uses on the subject property is not appropriate for the reasons outlined below.

City Council's planning decisions are required by the *Planning Act*, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe. Growth Plan Policy 2.2.6.9 states that municipalities are encouraged to designate and preserve employment lands in the vicinity of existing highway interchanges, ports, rail yards and airports as

areas for manufacturing, warehousing, and associated retail, office and ancillary facilities, where appropriate. Employment sites that front a major expressway or highway are valuable and well-suited for business, given their visibility and prominence as well as truck and van access for the movement of goods. This site is directly adjacent to and surrounded by a large retail complex with direct access to the Weston Road interchange with Highway 401. To the east, the site is adjacent to the CPR rail corridor which makes this site ideal for employment uses, rather than sensitive residential uses.

The subject site and much of the surrounding area is zoned Prestige Employment, under former City of York Zoning By-law No. 1-83 and Employment Industrial and Employment Light Industrial under Toronto Zoning By-law No. 569-2013. The Prestige Employment Zoning permits a wide range of uses including industrial, office, large-format retail and motor vehicle sales and rentals. Similarly, the Employment Industrial zoning permits manufacturing, office, warehousing and wholesaling uses, among others, while the some of the uses permitted in the Employment Light Industrial zone include office, warehousing and wholesaling. The PPS, 2014 Policy 1.2.6.1 states that:

Major facilities and sensitive land uses should be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of major facilities.

Major facilities in the PPS, 2014 are defined to include industries, among other impactful uses. The introduction of residential uses at the subject site has the potential to create land use conflict with existing zoning permissions on neighbouring properties, as well as with existing operating industries.

The subject site is located within an Employment District on Urban Structure Map 2 of the Official Plan. The site is part of a larger business cluster, including major retail to the north and west and a large manufacturer, Visioneering Corporation, to the southeast and east. Visioneering's manufacturing facility (approximately 11,150 m²) contains 15 loading docks and is located approximately 45 m away from the subject site. It is staff's understanding that Visioneering employs approximately 325 full-time employees (as of 2013) and that the facility operates between 18 and 24 hours a day on weekdays. The facility is also subject to Ministry of the Environment and Climate Change Certificate of Approval number 6268-789LEK (Attachment 10). The introduction of residential uses on the north side of Oak Street could undermine the long-term viability of this operating industry.

The railway and railway crossing to the east, and heavy traffic, including deliveries on the west side of Knob Hill Road create an inhospitable environment for residents. This may have contributed to the conversion of some of the townhouses on the south side of Oak Street to commercial businesses.

Density, Height, Massing and Site Configuration

As noted above, the lands are designated *Employment Areas* and *Utility Corridors*, and

residential uses are not contemplated in the Official Plan or supported by Planning staff. Non-residential buildings are permitted, subject to a height limit of 6 storeys or 20 metres. As currently proposed, the development would not be in keeping with the policies in the Official Plan or the Mid-rise Buildings Performance Standards. The proposal would not have regard to the existing residential context in the area in terms of the proposed density, scale, massing and building heights.

The Built Form policies in Section 3.1.2 of the Official Plan state that new development will be located and organized to fit with its existing context. New development is to be massed to fit harmoniously into its existing and/or planned context, and will limit its impacts on neighbouring streets, parks and open spaces and properties by: massing new buildings to appropriately frame adjacent streets and open space; creating appropriate transitions in scale to neighbouring buildings; providing for adequate light and privacy; and limiting and minimizing any resulting shadowing and uncomfortable wind conditions on neighbouring streets, properties and open spaces.

Other more specific concerns related to the proposed development include:

- The proposed building heights are excessive within the existing and planned context.
- An appropriate transition to surrounding land uses and built form has not been proposed.
- Building entrances should be located prominently on the street-facing building elevation and be directly accessible from the municipal sidewalk ensuring safety and convenience for pedestrians, cyclists and transit users.
- Vehicular access should be provided by way of public streets and any development on the subject site should be in conformity with the City's Development Infrastructure and Standards (DIPS).
- The size of the proposed public park is not adequate and it would be shadowed by one of the proposed buildings.

Community Services and Facilities

Given the magnitude of the increase in the number of units between the original proposal (99 units) and the current revised proposal (509 units), and the time elapsed between the two submissions, Planning staff are currently reviewing and will be providing comments to the applicant with respect to additional work or information that may be required to complete the Community Services and Facilities review.

Site Access, Circulation, Loading and Parking

The applicant submitted a Traffic Impact Study, dated August 2016, prepared by GHD, in support of this proposal.

The subject site is proposed to be served by two vehicular access driveways from Knob Hill Drive, which would be located approximately 30 m and 175 m north of Oak Street. The two driveways would be connected by an internal private road. Planning staff are of the opinion that a public road is required to satisfy Official Plan policies (3.1.1.16, 3.1.1.17 and 3.1.1.18) that indicate new streets should be public streets.

Transportation Services staff have advised that there are no road widenings required to satisfy the Official Plan right-of-way requirements. However, the public sidewalks along the site frontages would be required to be re-constructed to have minimum clear widths of 1.8 metres. Transportation Services staff have further advised that comments related to the design aspects of the proposed site driveways would be provided through the Site Plan approval process.

Transportation Services staff have advised that revisions to the traffic assessment section of the Traffic Impact Study are required to address issues such as background traffic estimates, data inputs and traffic distribution patterns. The study concluded that no road improvements would be required to accommodate projected site traffic volumes. A revised study is required to be submitted to the satisfaction of Transportation Services staff before it is determined whether the existing road network can support the proposed development without any improvements to the existing road network.

The Traffic Impact Study submitted by the applicant proposes 512 parking spaces for the proposed development. Of the proposed parking supply, 460 spaces would be located within a below-grade parking structure. The remaining 52 spaces would be located at grade, either on the proposed private internal road, or within the integral garages and private driveways of the proposed townhouse units. Transportation Services staff have advised that the proposed overall parking supply is acceptable and meets the requirements of the former City of York Zoning By-law No. 1-83. However, revisions are required to appropriately delineate parking spaces for residents and visitors of the each of the proposed buildings and to provide accessible parking spaces.

To service the proposed development, three Type G loading spaces are proposed. The proposed number of loading spaces would satisfy the requirements of City of Toronto Zoning By-law No. 569-2013, which is acceptable to Transportation Services staff. However, all loading spaces would be required to be designed in a manner that would allow vehicles to enter and exit the site in a forward motion and circulate throughout the site without encumbrances.

Servicing

The applicant submitted a Functional Servicing and Stormwater Management report prepared by GHD, which has been reviewed by Engineering and Construction Services staff. Revisions to stormwater, groundwater and sanitary analysis are necessary and a revised report is required to be submitted to the satisfaction of the Executive Director of Engineering and Construction Services.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Official Plan shows local parkland provisions across the City. The subject lands are in an area with less than 300 inhabitants, therefore they are not assigned a quintile of current provision of parkland but the site is in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 6,787 m² or 26.4% of the site area. However, for sites that are 1 to 5 hectares in size, a cap of 15% of the development site is applied to the residential use, while the non-residential use (retirement home) is subject to a 2% parkland dedication. In total, the parkland dedication requirement is 3,857 m² or 15% of the net site area.

The application proposes a 3,363 m² (0.33 ha) centrally located park fronting Knob Hill Drive. Parks, Forestry and Recreation staff have advised that the location and configuration of the proposed park is acceptable, however the parkland dedication does not satisfy the full parkland dedication requirement of 3,857 m². The land to be conveyed should meet the requirements set out in Policy 8 of Section 3.2.3 of the Official Plan.

School Board Requirement

The Toronto District School Board (TDSB) advises that currently there is insufficient space at the local elementary school to accommodate students anticipated from this development and others in the area. Children from new development will not displace existing students at local schools. The Toronto Catholic District School Board (TCDSB) has not provided comment.

The TDSB has requested that the proponent be required to erect notice signs and that warning clauses be included in all purchases, agreements of purchase and sale or agreements to lease and condominium declaration document(s) for each affected residential unit within the proposed development, that reference the potential for children from the development to be transported to schools outside the immediate neighbourhood. These requirements would be secured in the Section 37 Agreement, should the application be approved.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for all new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce greenhouse gas emissions and enhance the natural environment. The applicant is required to meet Tier 1 of the TGS and it is recommended that this obligation be secured as a legal convenience in the Section 37 Agreement, should the application be approved.

Tree Preservation

City of Toronto By-laws provide for the protection of trees located on both public and private property. An arborist report submitted with the application indicates that 35 City-owned trees and 20 protected private trees would require removal. Urban Forestry staff have advised that the current replacement planting plan is not acceptable and that the arborist report, having been prepared in 2013, is out of date and requires revision. Urban Forestry staff have further advised that in principal, they do not object to the development of the subject land and the proposed Zoning By-law Amendment application on the understanding that all their requirements and concerns would be addressed through a subsequent Site Plan Control application.

Section 37

Detailed discussions regarding Section 37 benefits between the applicant and the City have not occurred as there is no agreement on appropriate development for the site. However, as this application has been appealed to the OMB, it is necessary to address Section 37 contributions in the event the OMB approves the proposed development. Should this application be approved by the OMB, the provision of Section 37 contributions would be appropriate given the increase in height and density proposed in the revised submission.

This report recommends that if the OMB approves this application, that in accordance with Policy 2.3.1.6 and 5.1.1 of the Official Plan, community benefits should be provided under Section 37 of the *Planning Act* as determined through consultation with the Ward Councillor's office, which identified the need for capital improvements to local parks in the area. In addition to the above, the TDSB warning clauses and Tier 1 TGS compliance should be secured in the Section 37 Agreement.

CONCLUSION

Planning staff are of the opinion that amending the Official Plan to facilitate residential uses on the subject site is not appropriate. Planning staff are further of the opinion that the proposed development does not comply with Official Plan policies and Mid-rise Buildings Performance Standards with respect to density, scale, massing and building heights.

For the reasons outlined in this report, it is recommended that staff be directed to attend the Ontario Municipal Board hearing to oppose the appeal of the current Official Plan and Zoning By-law Amendment application for 8 Oak Street.

CONTACT

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SIGNATURE

Jennifer Keesmaat, MES, MCIP, RPP
Chief Planner and Executive Director
City Planning Division

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: Building A Elevations

Attachment 3: Building B Elevations

Attachment 4: Building C Elevations

Attachment 5: East Block (6-Unit) Townhouse Elevations

Attachment 6: West Block (8-Unit) Townhouse Elevations

Attachment 7: Official Plan

Attachment 8: Zoning

Attachment 9: Application Data Sheet

Attachment 10: Ministry of Environment and Climate Change Certificate of Approval

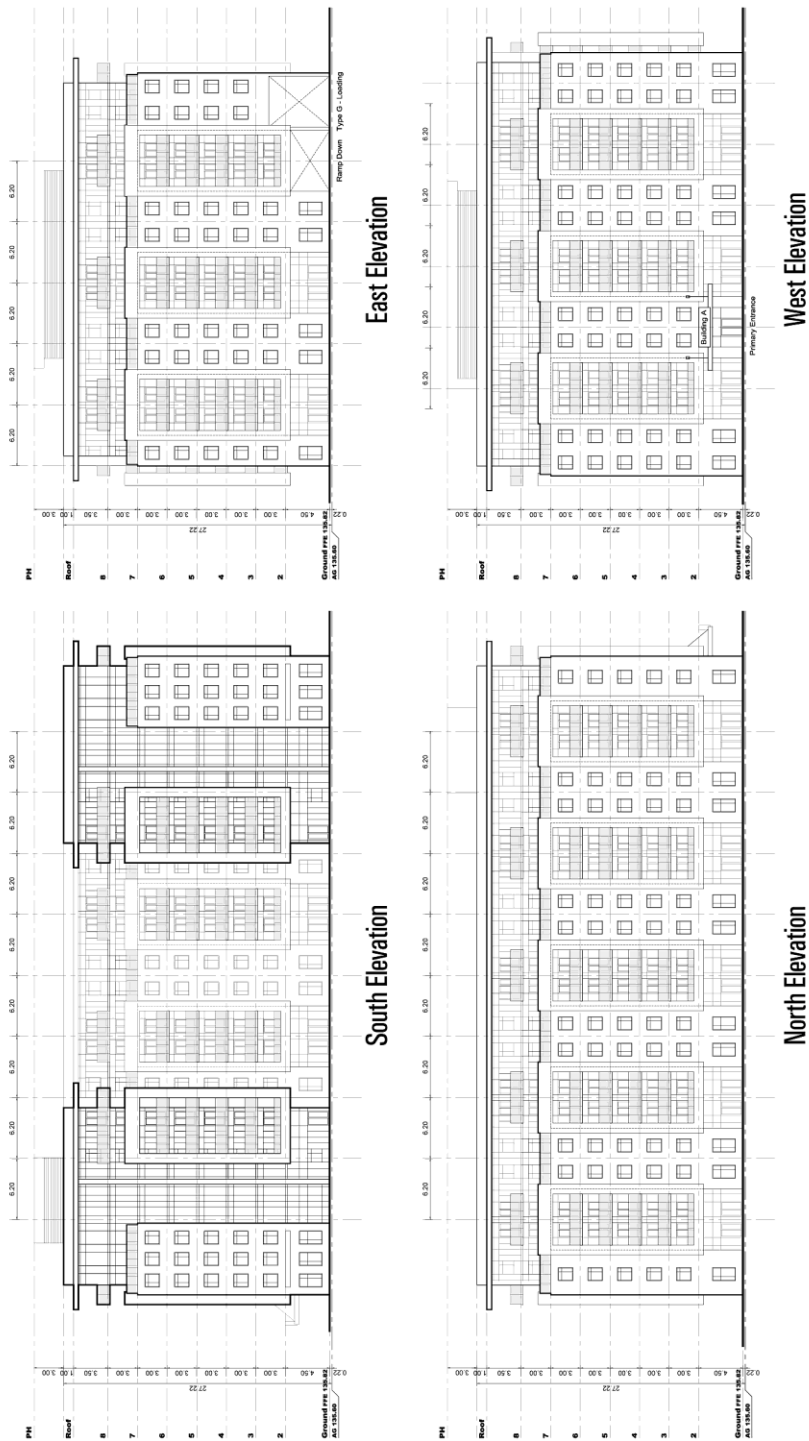
The site plan illustrates a proposed development bounded by Knob Hill Drive to the north, Oak Street to the east, and an 8.25m Private Drive to the south. The plan includes three main buildings: Building A (a 9-story structure with 150 units), Building B (an 8-story structure with 120 units), and Building C (a 9-story structure with 120 units). A central 'Proposed Park' area of 3363 sqm is located between the buildings. The plan also shows a 'Primary Entrance' with 'Drop-Off' and 'Drop-On' zones, a 'Ramp Down' area, and a 'Crash Barricade' near the 'Rail Line'. Various setbacks, easements, and utility lines are indicated throughout the site.

8 Oak Street



File # 13277919 WET 110Z

Attachment 2: Building A Elevations

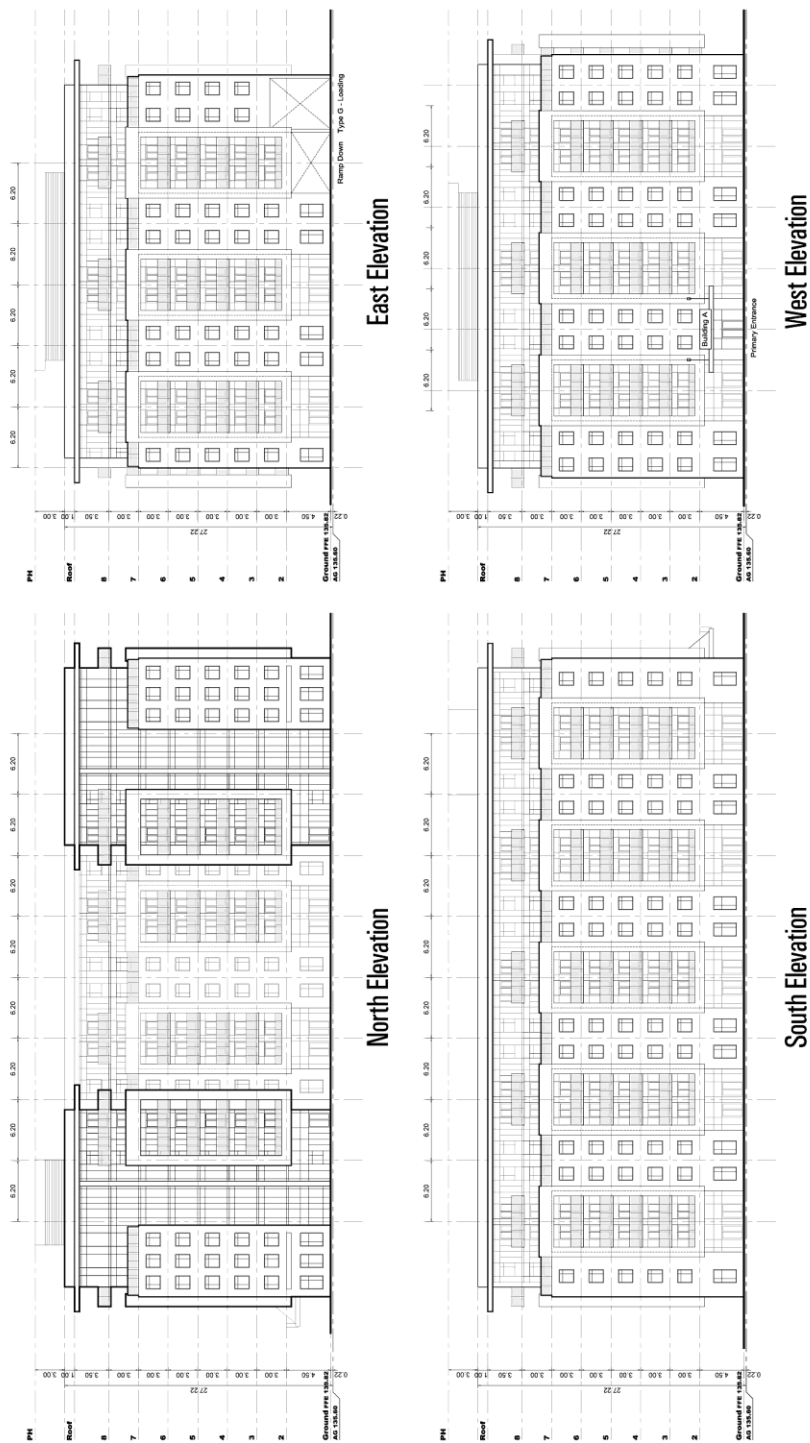


Elevations - Building A
Applicant's Submitted Drawing
Not to Scale
09/29/2016

8 Oak Street

File # 13 277919 WET 11 0Z

Attachment 3: Building B Elevations

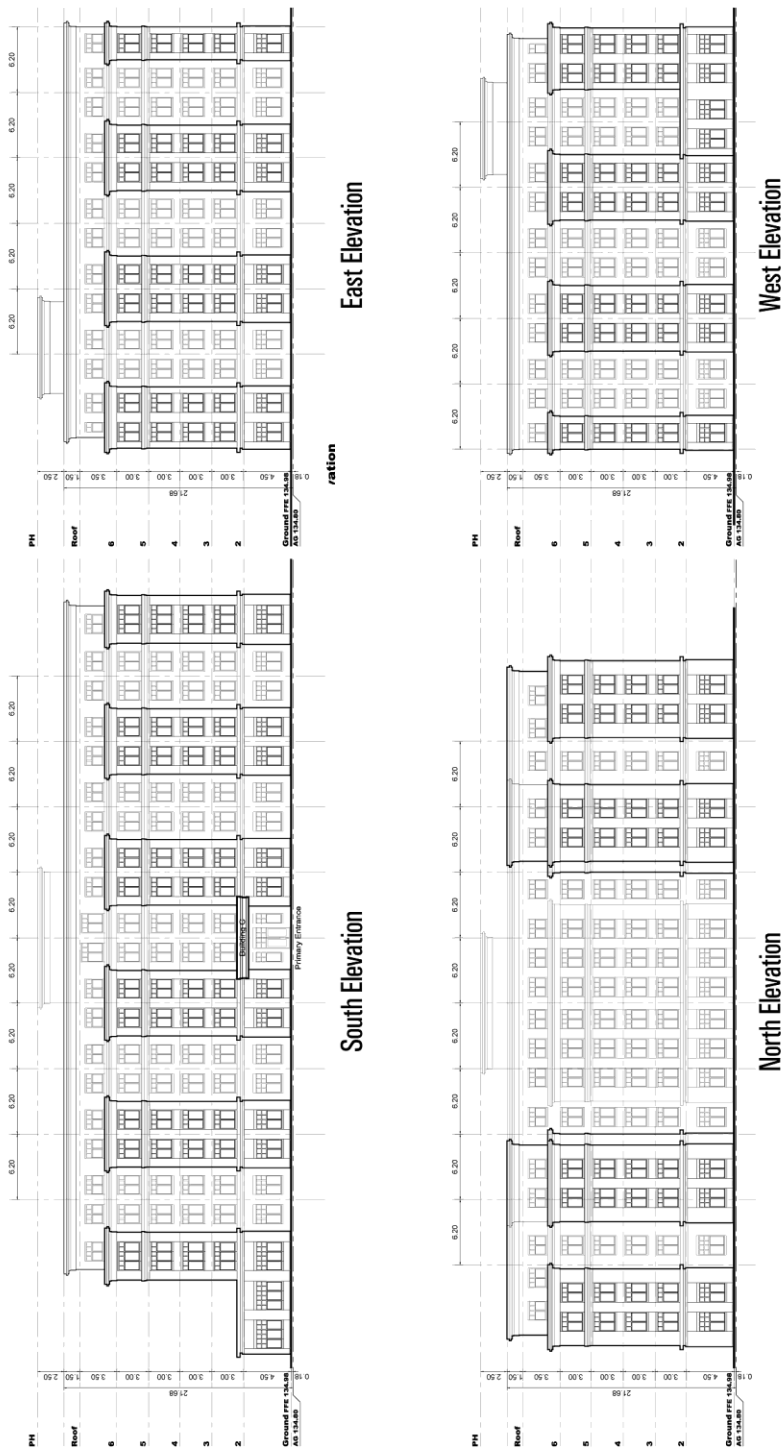


Elevations - Building B
Applicant's Submitted Drawing
Not to Scale
09/29/2016

8 Oak Street

File # 13 277919 WET 11 02

Attachment 4: Building C Elevations



Elevations - Building C

8 Oak Street

Applicant's Submitted Drawing

Not to Scale
09/29/2016

File # 13 277919 WET 11 0Z

Attachment 5: East Block (6-Unit) Townhouse Elevations



Elevations - Townhouses (6 units)

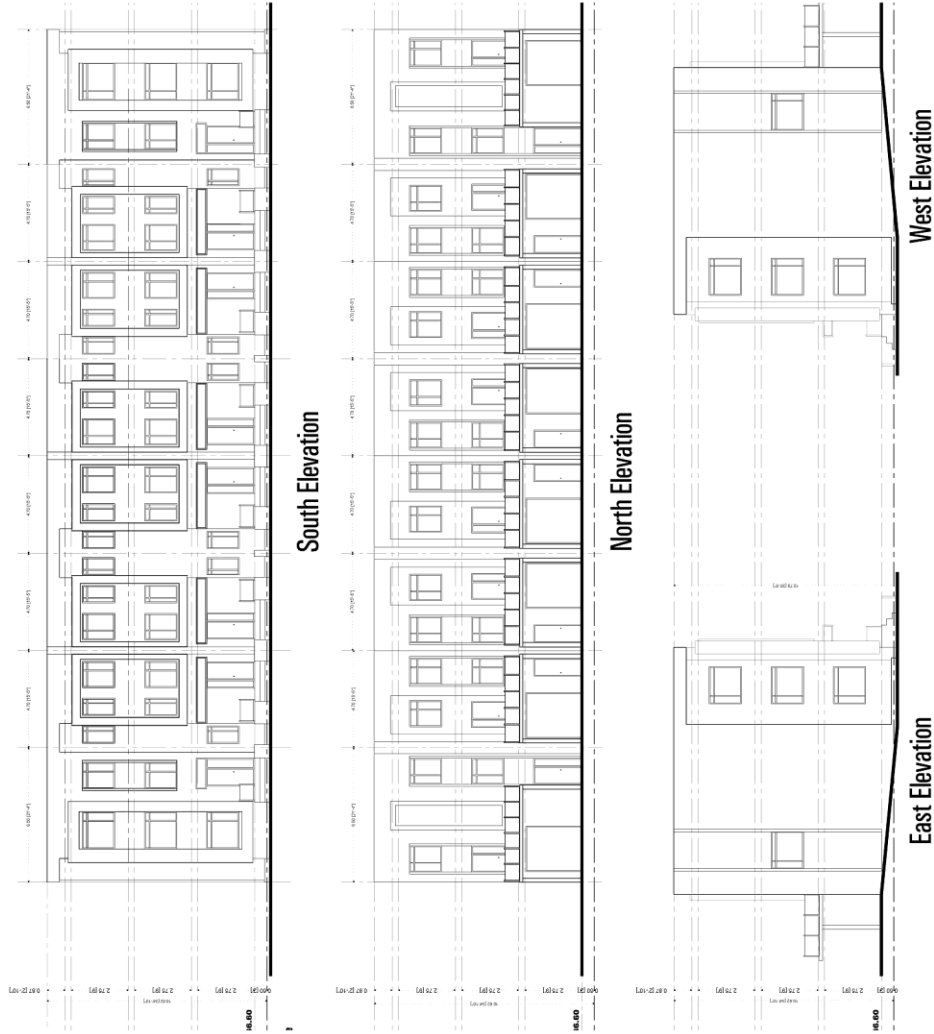
Applicant's Submitted Drawing

Not to Scale
09/29/2016

8 Oak Street

File # 13 277919 WET 11 0Z

Attachment 6: West Block (8-Unit) Townhouse Elevations



Elevations - Townhouses (8 units)

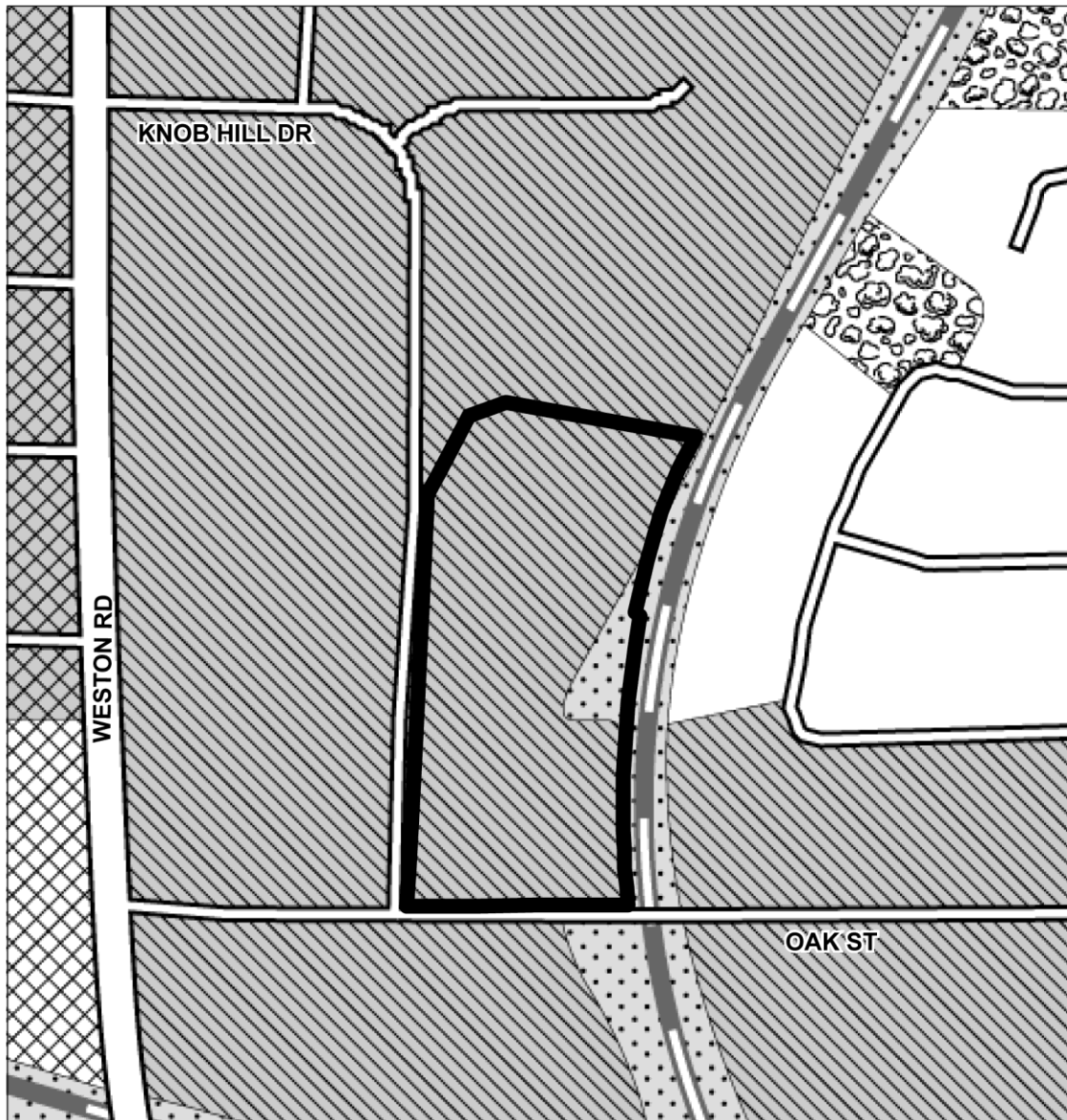
Applicant's Submitted Drawing

Not to Scale
09/29/2016

8 Oak Street

File # 13 277919 WET 11 0Z

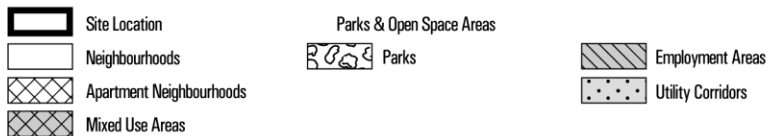
Attachment 7: Official Plan



Toronto City Planning
Official Plan

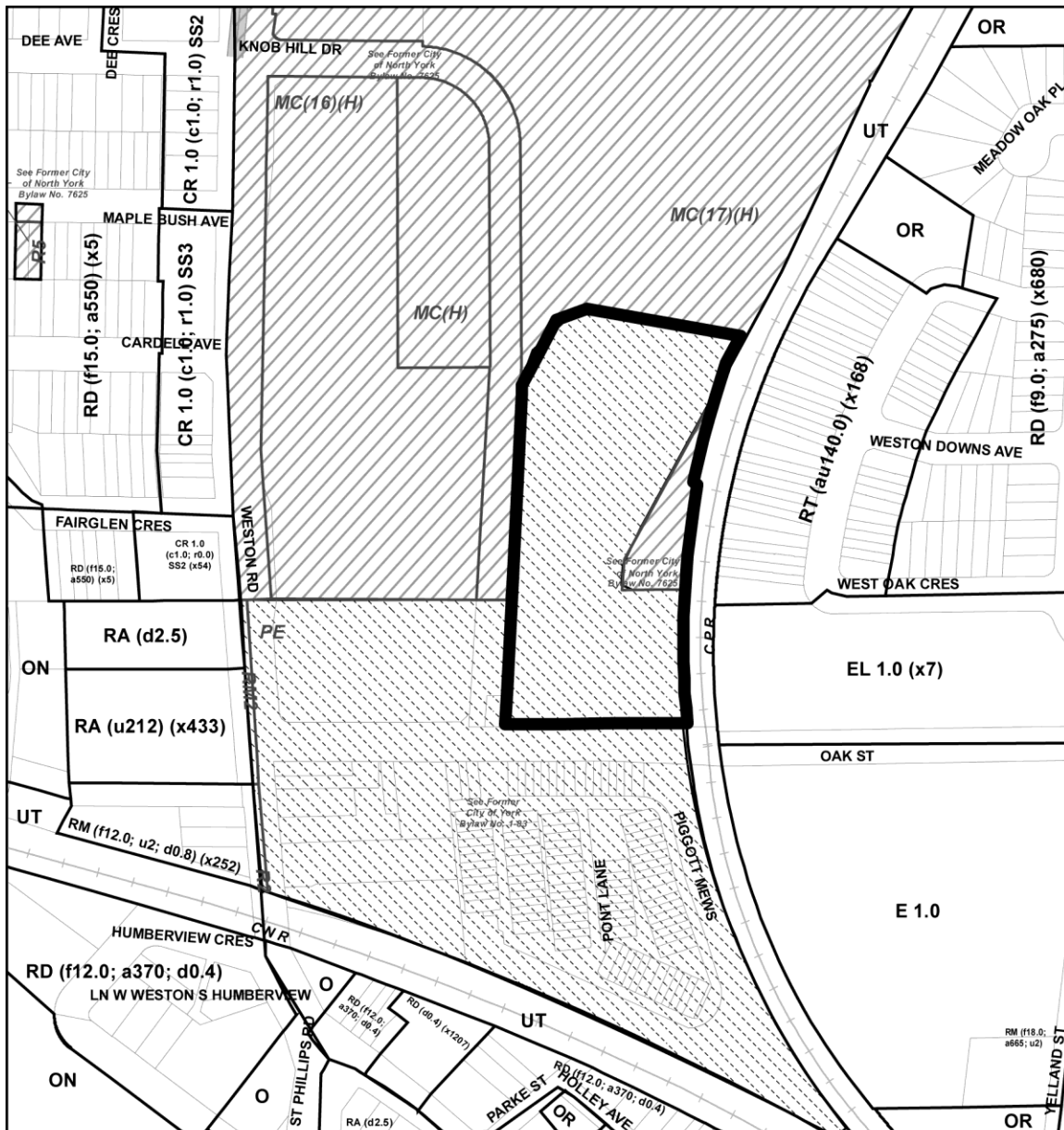
8 Oak Street

File # 13 277919 WET 11 02



↑
Not to Scale
01/07/14

Attachment 8: Zoning



Toronto City Planning

Zoning By-law 569-2013

8 Oak Street

File # 13 277919 WET 11 0Z

Location of Application

R Residential
RD Residential Detached
RA Residential Apartment
RT Residential Townhouse

CR Commercial Residential
EL Employment Light Industrial
ON Open Space Natural
OR Open Space Recreation

See Former City of North York Bylaw No. 7625
 See Former City of York Bylaw No. 1-83
UT Utility and Transportation

Not to Scale
Extracted 01/06/2014

Attachment 9: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	13 277919 WET 11 OZ
Details	OPA & Rezoning, Standard	Application Date:	December 13, 2013
Municipal Address:	8 OAK STREET		
Location Description:	YORK CON 5 WYS PT LOT 9 AND RP 64R14594 PARTS 1 AND 2 **GRID W1101		
Project Description:	This revised application proposes to construct 14, 3-storey townhouses fronting Oak Street, two 8-storey mid-rise apartment buildings, a 6-storey retirement home and a 0.33 hectare park fronting Knob Hill Drive. The original proposal was for 99 townhouses on a network of private streets, whereas a total of 509 units are now proposed.		

Applicant:	Agent:	Architect:	Owner:
Bousfields Inc. 3 Church Street Toronto, ON M5E 1M2	Bousfields Inc. 3 Church Street Toronto, ON M5E 1M2	Michael Spaziani Architect Inc. 6 Helene Street N, Suite 100 Mississauga, ON L5G 3B2	Satin Finish Hardwood Flooring Ontario Ltd. 15 Fenmar Drive Toronto, ON M9L 1L4

PLANNING CONTROLS

Official Plan Designation:	Employment Areas	Site Specific Provision:	No
Zoning:	PE/RM1(31)	Historical Status:	No
Height Limit (m):	20	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	25,711	Height:	Storeys:	3, 6, 8, 8
Frontage (m):	109		Metres:	11, 27, 27, 22 (approx.)
Depth (m):	200			
Total Ground Floor Area (sq. m):	6,500			Total
Total Residential GFA (sq. m):	45,378		Parking Spaces:	512
Total Non-Residential GFA (sq. m):	0		Loading Docks	3
Total GFA (sq. m):	45,378			
Lot Coverage Ratio (%):	31.4			
Floor Space Index:	1.76			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Freehold		Above Grade	Below Grade
Rooms:		Residential GFA (sq. m):	45,378	0
Bachelor:	8	Retail GFA (sq. m):	0	0
1 Bedroom:	298	Office GFA (sq. m):	0	0
2 Bedroom:	189	Industrial GFA (sq. m):	0	0
3 + Bedroom:	14	Institutional/Other GFA (sq. m):	0	0
Total Units:	509			

CONTACT:	PLANNER NAME:	Anthony Hommik, Planner
	TELEPHONE:	416-394-6006