

## **10 Wilby Crescent - Zoning By-law Amendment Application— Final Report**

Date: June 14, 2018

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Ward: Ward 11 – York South-Weston

**Planning Application Number: 16 241014 WET 11 OZ**

### **SUMMARY**

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This application proposes to amend former City of York Zoning By-law No. 1-83 to permit the redevelopment of the site at 10 Wilby Crescent with a 22-storey (63.3 m in height including mechanical penthouse), 233 unit apartment building. The proponent of this development is Options for Homes, a non-profit corporation that aims to make home ownership attainable to a wider range of people. The proposed building would have a gross floor area of approximately 18,303 m<sup>2</sup>, which would represent a floor space index of 5.11 times the area of the lot. It is proposed that a total of 180 vehicular parking spaces would be provided in a three-level underground garage, which would be accessed via a private driveway from Wilby Crescent. A total of 234 bicycle parking spaces are proposed with 210 spaces on the P1 parking level for residents and 24 spaces at ground level for visitors. One loading space is proposed at the east end of the site.

The proposed development is consistent with the Provincial Policy Statement (2014) and conforms with the Growth Plan for the Greater Golden Horseshoe (2017). The proposed building represents appropriate intensification within the Weston Road Corridor that conforms with the Official Plan and is generally consistent with the Tall Building Design Guidelines. The proposed building fits within the existing and planned context and character of the Weston Corridor as outlined in the City Council adopted Weston Urban Design Guidelines.

The proposal addresses the sites location within the *Apartment Neighbourhoods* designation of the Official Plan. *Apartment Neighbourhoods* are made up of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of area residents.

This report reviews and recommends approval of the application to amend the Zoning By-law subject to conditions before introducing the necessary Bills to City Council for enactment. Provided the conditions are fulfilled, staff are of the opinion that the proposed development is appropriate in this location.

## RECOMMENDATIONS

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The City Planning Division recommends that:

1. City Council amend former City of York Zoning By-law No. 1-83, for the lands at 10 Wilby Crescent substantially in accordance with the Draft Zoning By-law Amendment attached as Attachment No. 5.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the Draft Zoning By-law Amendment as may be required.
3. Before introducing the necessary Bills to City Council for enactment, the owner be required to enter into an Agreement pursuant to Section 37 of the *Planning Act* satisfactory to the Chief Planner and Executive Director, City Planning, and the City Solicitor, such Agreement to be registered on title to the lands at 10 Wilby Crescent, in a manner satisfactory to the City Solicitor to secure the following community benefits at the owners expense:
  - a. A cash contribution of \$800,000 to be directed to "The Treasurer, City of Toronto" indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto for the period from the date of the execution of the Section 37 Agreement to the date of payment and to be used for:
    - i. The conversion of the Hickory Tree Road lands abutting the subject property to Parkland conditions;
    - ii. Improvements to local parkland and connectivity of local parkland to the Humber River valley; and
    - iii. Streetscape improvements along Wilby Crescent, Weston Road and Hickory Tree Road which comply with the Streetscape Manual and are to the satisfaction of the Chief Planner and Executive Director, City Planning.
  - b. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
    - i. The breakdown of the units by type;
    - ii. The construction of a new cul-de-sac at Wilby Crescent;
    - iii. Construction of a new sidewalk along the west side of Wilby Crescent between Hickory Tree Road and Weston Road;
    - iv. The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of item PG32.3 of the Planning and Growth Committee, as further amended by City Council from time to time; and
    - v. The submission of an archaeological construction monitoring report to Heritage Preservation Services staff for their review and acceptance prior to the release of an above-grade building permit.

- c. In the event the cash contribution referred to in Part 3.a. above has not been used for the intended purpose within three (3) years of the By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.
- 4. City Council require, before introducing the necessary Bills to City Council for enactment, the following:
  - a. The successful stop-up and closure of the portion of Hickory Tree Road that is located beyond the proposed cul-de-sac and transfer of this land to Parks, Forestry and Recreation Division.
  - b. A new Fire Route be approved by Fire Services for the adjacent property at 1-3 Hickory Tree Road.
  - c. Confirmation from the City's peer reviewer that the proposed development would not be subject to any significant noise and air quality impacts from nearby industrial uses.
  - d. The proponent will be responsible for the construction of the sidewalk along the west side of Wilby Crescent between Hickory Tree Road and Weston Road as per an approved site plan and functional plan to be accepted by the Chief Engineer and Executive Director of Engineering and Construction Services. The applicant shall be reimbursed under the City's Missing Sidewalks Capital Program.
- 5. As one of the Pre-Approval Conditions for the Site Plan Control application, the owner be required to enter into a Municipal Infrastructure Agreement (MIA) with the City for the construction of, but not limited to, the following:
  - a. The owner, at its own expense, to construct a cul-de-sac on Hickory Tree Road in accordance with the City Standard Drawing No. DIPS-5 to support the development as indicated in the accepted Traffic Impact Study;
  - b. The owner, at its own expense, to construct a 2.1m sidewalk from the site to Weston Road; and
  - c. The owner, at its own expense, to construct a sanitary sewer extension, approximately 35.0 metres in length along Hickory Tree Road to service the development as indicated in the accepted Functional Servicing Report.

## **FINANCIAL IMPACT**

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The recommendations in this report have no financial impact.

## DECISION HISTORY

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The site has been subject to three previous Planning applications.

In 2003, applications for Consent (B26/03HY) and Minor Variance (A43/03HY) were approved by the Committee of Adjustment to permit a lot addition and the construction of a 10-storey (114 unit) residential apartment building and two townhouse blocks (22 units total). The approval was subject to the condition that Site Plan Approval be obtained, however a Site Plan Control application for this proposal was not submitted.

In 2013, a Site Plan Control application (13 114758 WET 11 SA) was submitted to the City. This application also proposed a 10-storey residential apartment building, containing 131 units. In 2013, the Committee of Adjustment approved applications for Consent (B24/13EYK) and Minor Variance (A204/13EYK) to facilitate the new 10-storey, 131 unit proposal. The Site Plan Control application was closed by the City in 2016 due to inactivity.

A pre-application meeting was held on February 22, 2016. The current application was submitted on October 21, 2016 and deemed complete on November 21, 2016. A Preliminary Report on the application was adopted by Etobicoke York Community Council on January 17, 2017 authorizing staff to conduct a community consultation meeting. Additional consultation took place with the applicant on February 21, 2018. The Preliminary Report can be found at the following link:

<https://www.toronto.ca/legdocs/mmis/2017/ey/bgrd/backgroundfile-99410.pdf>

## ISSUE BACKGROUND

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### Proposal

This application proposes to amend former City of York Zoning By-law No. 1-83 to permit the redevelopment of the 3,581 m<sup>2</sup> site at 10 Wilby Crescent with a 22-storey (63 m in height, including mechanical penthouse), 233 unit residential apartment building. The proposed building would have a gross floor area of approximately 18,303 m<sup>2</sup>, which would represent a floor space index of 5.11 times the area of the lot. The existing one to two-storey industrial/warehouse building on the site would be demolished.

The proposed building would consist of two components: a 6-storey base building and a 16 storey tower. The base building and tower are generally rectangular in shape, stepping out on the north side by approximately 4.5 m. The proposed 6-storey base building would have a floor plate of 1,264 m<sup>2</sup> at ground level, 1,225 m<sup>2</sup> through floors 2 to 5 and 1,190 m<sup>2</sup> on the 6th floor. The floor plate of the 16-storey tower would vary as the tower rises: floors 7 through to floor 21 would have a floor plate of 751 m<sup>2</sup>; and floor 22 would have a floor plate of 694 m<sup>2</sup>.

The setback and stepout of the tower component from the base building would vary. On the north elevation, the tower and part of the base building directly below it, would stepout from the main face of the building by approximately 4.5 m. On the west elevation, the tower would be setback approximately 10 m from the base building. On the south elevation, the tower building would be setback approximately 2.5 m from the

base building. And on the east elevation, the tower building would be setback approximately 22 m from the base building.

Of the 233 residential units proposed, there would be: 5 bachelor units (2%); 12 one-bedroom units (5%); 74 one-bedroom plus den units (32%); 100 two-bedroom units (43%); 2 two-bedroom plus den units (1% of total); and 40 three bedroom units (17%).

A total of 815 m<sup>2</sup> of amenity space is proposed. Indoor amenity space is proposed at a rate of 1.5 m<sup>2</sup> per unit (350 m<sup>2</sup>) and outdoor amenity space is proposed at a rate of 2 m<sup>2</sup> per unit (467 m<sup>2</sup>). The indoor amenity space would comprise common indoor amenity areas, such as lounge areas, an 82 m<sup>2</sup> multi-purpose amenity room and a 152 m<sup>2</sup> party room on the ground floor, in addition to a 35 m<sup>2</sup> indoor amenity space on the 7th floor. A 200 m<sup>2</sup> terrace, located at the seventh floor and adjacent to the indoor amenity space, is proposed as outdoor amenity space, in addition to a 267 m<sup>2</sup> outdoor amenity space on the ground floor located to the northwest of the proposed building.

A proposed private driveway would be situated to the north of the proposed building and would extend the full length of the site, from Wilby Crescent to the proposed Type G loading space and hammerhead turnaround at the western lot line. The driveway would provide access to the proposed three-level underground garage, which would be integrated into the ground floor of the building. A total of 180 vehicular parking spaces would be provided within the garage, of which 144 would be for residents, 35 would be for visitors and 1 would be a dedicated 'auto share' space.

A total of 234 bicycle parking spaces are proposed with 210 spaces on the P1 parking level for residents and 24 spaces at ground level for visitors.

Attachments 6 and 7 (Site Plan and Elevations) illustrate the development concept for the subject site.

### **Site and Surrounding Area**

The site is municipally known as 10 Wilby Crescent and is located west of the intersection of Wilby Crescent and Hickory Tree Road and south of Weston Road (see Attachment 2: Figure 2: Location Map). The majority of the site has frontage on Hickory Tree Road. The site is irregularly shaped, is approximately 3,581 m<sup>2</sup> in size and is currently occupied by a vacant one to two-storey industrial/warehouse building. The site has a considerable change in elevation, sloping from east to west toward the Humber River valley. The surrounding land uses are as follows:

North: To the north are low-rise commercial buildings fronting the west side of Weston Road, beyond which, to the north of Weston Road is further residential development and the CN/CP railway line.

South: To the south is the Humber River valley and Raymore Park. To the southeast are single-detached dwellings, which are accessed from Victoria Avenue West, Sykes Avenue and Denison Road West.

East: To the east are low-rise industrial/commercial buildings fronting Wilby Crescent and low-rise commercial buildings fronting the south side of Weston Road. Also the east is application 15 264063 WET 11 OZ for 1736 Weston Road to maintain the use as a place of worship. The Final Report may be found at the following link: <https://www.toronto.ca/legdocs/mmis/2018/ey/bgrd/backgroundfile-115329.pdf>

West: To the west are high-rise residential apartment buildings, the Humber River valley and Weston Lions Park.

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

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

The Provincial Policy Statement (2014) (the "PPS") provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

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

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

The PPS is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that, "The official

plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans".

The Growth Plan for the Greater Golden Horseshoe (2017) (the "Growth Plan") provides a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part, including:

- Establishing minimum density targets within strategic growth areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

In accordance with Section 3 of the *Planning Act* all decisions of City Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by City Council shall also conform with the Growth Plan.

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

All decisions of City Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by City Council shall also be consistent with the PPS and conform with Provincial Plans.

Policy 5.1 of the Growth Plan states that where a municipality must decide on a planning matter before its Official Plan has been amended to conform with this Plan, or before other applicable planning instruments have been updated accordingly, it must still consider the impact of its decision as it relates to the policies of the Growth Plan which require comprehensive municipal implementation.

Staff have reviewed the proposed development for consistency with the PPS (2014) and for conformity with the Growth Plan (2017). The outcome of staff analysis and review are summarized in the Comments section of this report.

### **Toronto Official Plan**

This application has been reviewed against the policies of the City of Toronto Official Plan and as follows:

The property is designated *Apartment Neighbourhoods* on Map 14 – Land Use Plan in the Official Plan (see Attachment 3: Figure 3: Official Plan Land Use Map). The forested lands adjacent to the subject property on the south side of Hickory Tree Road are part of the City of Toronto Natural Heritage System as identified on Map 9 of the Official Plan and designated *Natural Areas* on Map 14 Land Use Plan.

Section 4.2 of the Official Plan contains the applicable *Apartment Neighbourhoods* policies. Policy 4.2.1 outlines that *Apartment Neighbourhoods* are made up of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of area residents.

Policy 4.2.2 outlines the development criteria within *Apartment Neighbourhoods*, including the location and massing of new buildings, which should provide a transition between areas of different development intensity and scale, with adequate setbacks, and having minimal shadow impacts on properties in adjacent lower-scale *Neighbourhoods*. The Policy further outlines that new buildings should frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces. There should be sufficient off-street motor vehicle and bicycle parking for residents and visitors including locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences. The Policy also requires the provision of appropriate indoor and outdoor recreation space for building residents in every significant multi-unit residential development and ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces.

Policy 4.2.3 specifies that significant growth is generally not intended within developed *Apartment Neighbourhoods*. However, the Policy states that compatible infill development may be permitted on a site containing an existing apartment building that has sufficient underutilized space to accommodate both developments. Infill development must meet the development criteria outlined in Policy 4.2.2 in addition to providing adequate levels of residential amenity and providing existing residents with access to community benefits. Any infill development is required to maintain adequate sunlight, privacy and landscaped open space and preserve or replace important



landscape features or on-site recreational features. Adequate parking and loading should be provided and consolidated with the existing development.

The site is adjacent to designated *Natural Areas*. Policy 4.3.3 outlines that only compatible recreational, cultural and educational uses that minimize adverse impacts on natural features would be appropriate in this designation. Policies within Official Plan Section 3.4 seek to protect and improve the health of natural heritage systems and requires that all development in or near natural heritage systems be evaluated to assess the development's impact on the natural heritage system, and identify measures to mitigate negative impacts on and/or improve the natural heritage system.

Section 2.3.1 of the Official Plan 'Healthy Neighbourhoods' outlines that neighbourhoods are physically stable areas that will see little physical change. This is further reinforced by Policy 2.3.1.2 which states that *Apartment Neighbourhoods* should be consistent with this objective for stability by respecting and reinforcing the existing physical character of buildings, streetscapes and open space patterns in these areas. The need to enhance community and neighbourhood amenities is also stated in Policy 2.3.1.6.

The development criteria identified in the *Apartment Neighbourhoods* policies are supplemented by additional development criteria in the Official Plan's Built Form policies. These policies in Section 3.1.2 of the Plan provide direction for new development with respect to its location and organization such that it fits within, and respects, its existing and planned context, while limiting impacts on neighbouring streets, parks and open spaces. New buildings are required to provide appropriate massing and transition in scale that will respect the character of the surrounding area.

Policies 3.1.2.1 - 3.1.2.3 of the Official Plan identify that among other things, new development will:

- Generally locate buildings parallel to the street with a consistent front yard setback. On a corner site, the development should be located along both adjacent street frontages;
- Locate main building entrances so that they are clearly visible and directly accessible from the public sidewalk;
- Provide underground parking where appropriate;
- Limit surface parking between the front face of a building and the public street or sidewalk;
- Mass new buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion; and
- Create appropriate transitions in scale to neighbouring existing and/or planned buildings.

Section 3.1.1 of the Official Plan contains Public Realm policies that recognize the essential role of the City's streets, open spaces, parks and other key shared public assets in creating a great city. These policies aim to ensure that a high level of quality is achieved in landscaping, urban design and architecture in public works and private developments to ensure the public realm is beautiful, comfortable, safe and accessible.

This area of Weston is within Site and Area Specific Policy 51 which directs that the view corridors to the Humber River valley from street intersections of Weston Road should be maintained and that pedestrian and cycling links to the valley be improved.

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

### **Official Plan Amendment 320**

As part of the City's ongoing Official Plan Five Year Review, City Council adopted Official Plan Amendment No. 320 (OPA 320) on December 10, 2015 to strengthen and refine the Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals to protect and enhance existing neighbourhoods, allow limited infill on underutilized *Apartment Neighbourhoods* sites and implement the City's Tower Renewal Program.

The Minister of Municipal Affairs approved and modified OPA 320 on July 4, 2016, and this decision has been appealed in part. On December 13, 2017 the OMB issued an Order partially approving OPA 320 and brought into force new Policies 10 and 12 in Section 2.3.1, Healthy Neighbourhoods and Site and Area Specific Policy No. 464 in Chapter 7. Other portions of OPA 320 remain under appeal, and these appealed policies as approved and modified by the Minister are relevant and represent City Council's policy decisions, but they are not in effect. More information regarding OPA 320 can be found here: [www.toronto.ca/OPreview/neighbourhoods](http://www.toronto.ca/OPreview/neighbourhoods).

In addition, OPA 320 adds new criteria to existing Healthy Neighbourhoods policy 2.3.1.2 in order to improve the compatibility of new developments located adjacent and close to *Neighbourhoods* and in *Mixed Use Areas*, *Apartment Neighbourhoods* and *Regeneration Areas*. The new criteria address aspects in new development such as amenity and service areas, lighting and parking.

The outcome of staff analysis and review of relevant Official Plan policies and Site and Area Specific Policies noted above, are summarized in the Comments section of this report.

### **Zoning**

The site is zoned Main Street Commercial/Residential (MCR) under former City of York Zoning By-law No. 1-83 (see Attachment 4: Figure 4: Existing Zoning By-law Map). The MCR zone permits a wide variety of uses including: apartment buildings, townhouses, retail stores, offices, restaurants, recreational uses and limited institutional uses. The proposed apartment building is a permitted use. The maximum permitted height in the MCR zone is 8 storeys or 24 metres, whichever is the lower, and the maximum floor space index is 2.5 times the area of the lot.

The site is not subject to City-wide Zoning By-law No. 569-2013 because the zoning does not conform to the Official Plan *Apartment Neighbourhoods* designation.

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

City Council has adopted City-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The link to the guidelines is here:

<https://www.toronto.ca/legdocs/mmis/2013/pg/bgrd/backgroundfile-57177.pdf>

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

In July 2017, Toronto City Council adopted the Growing Up Draft Urban Design Guidelines, and directed City Planning staff to apply the "Growing Up Guidelines" in the evaluation of new and under review multi-unit residential development proposals. The objective of the Growing Up Draft Urban Design Guidelines is that developments deliver tangible outcomes to increase liveability for larger households, including families with children at the neighbourhood, building and unit scale.

## **Weston Urban Design Guidelines**

The Weston Urban Design Guidelines were adopted by City Council in 2004. These Guidelines help manage change within Weston to achieve the following goals:

- The revitalization of retail and community activity along Weston Road as the strong and attractive heart of Weston;
- The maintenance of the quality of life in the neighbourhoods;
- The introduction of new residential development along the Weston Road corridor;
- The generation of new employment opportunities on former industrial lands; and
- The enhancement of the Humber River valley as an environmental and recreational asset for the city.

Within the Guidelines, the site falls within the 'Weston Road Corridor' Sub-Area, where *Apartment Neighbourhood* uses are encouraged in forms that are sensitive to their surroundings. One of the key objectives for the 'Weston Road Corridor' is to increase the residential population of the area to support activity within the adjacent Weston Village. This is subject to establishing an appropriate built form and land use pattern for apartment buildings, including a maximum height of 8 storeys (24 m). The Weston Urban Design Guidelines can be viewed at the following link:

[https://www1.toronto.ca/city\\_of\\_toronto/city\\_planning/urban\\_design/files/pdf/41weston.pdf](https://www1.toronto.ca/city_of_toronto/city_planning/urban_design/files/pdf/41weston.pdf)

## **Site Plan Control**

A Site Plan Control application was submitted by the applicant on April 26, 2018 and is currently being reviewed by staff.

## **Reasons for Application**

An amendment to the former City of York Zoning By-law No. 1-83, as amended, is required to permit the proposed increase in height and density, lot coverage, amenity

space provision, and revise other development standards as necessary to reflect the development proposal.

## **Application Submission**

The following reports/studies were submitted in support of the application:

- Planning and Urban Design Rationale;
- Community Services and Facilities Study;
- Stage 1 Archaeological Assessment;
- Archaeological Monitoring and Mitigation Strategy;
- Hydrogeological Study;
- Pedestrian Wind Assessment;
- Scoped Natural Heritage Impact Study and Arborist Report/Tree Preservation Plan;
- Slope Stability Study & Erosion Risk Assessment;
- Functional Servicing and Stormwater Management Report;
- Transportation Impact Study;
- Noise Impact Statement;
- Air Quality Statement;
- Toronto Green Standard Checklist; and
- Shadow Study.

The above reports and studies can be found at the following link:

<http://app.toronto.ca/DevelopmentApplications/associatedApplicationsList.do?action=init&folderRsn=4049594&isCofASearch=false&isTlabSearch=false>

## **Agency Circulation**

The application, together with the applicable reports noted above, has been circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Zoning By-law standards.

## **Community Consultation**

Planning staff, in consultation with the Ward Councillor hosted a community consultation meeting on Wednesday, August 23, 2017 at York West Active Living Centre to discuss the development application. Approximately 50 residents attended the meeting. Planning staff presented the policy framework and an overview of the application. The applicant provided further details on the proposal and its planning rationale. The main issues raised at the meeting include:

- Ensuring adequate vehicular parking for the building and assessing impacts on traffic;
- The design, colours and materials used for the proposed development and how they have changed throughout the application process;

- The financing of the development and whether Options for Home have measures in place to deter speculators;
- The type, size and mix of units within the proposed building;
- Distance, height and placement of the tower component and shadow impacts on the tennis courts and outdoor amenity to the north (1 and 3 Hickory Tree Road);
- Whether there will be any impacts on the Humber River; and
- The proposed developments impact on existing storm sewer issues in the area.

## COMMENTS

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### Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the Provincial Policy Statement (PPS) (2014) and the Growth Plan (2017). The proposal has also been reviewed and evaluated against Policy 5.1 of the Growth Plan as described in the Issue Background section of this report.

Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan as follows:

The proposal conforms to the Growth Plan which states that population growth will be accommodated by directing new growth to the built up areas of the community through intensification. Housing policies within section 2.2.6 of the Growth Plan identify that to support the achievement of *complete communities*, a diverse range and mix of housing options and densities, including second units and affordable housing are required to meet projected needs of current and future residents. The proposal should conform with the Growth Plan because it is anticipated that the development will contribute towards the City meeting established targets for affordable ownership housing and rental housing outlined in the Housing Opportunities Toronto (HOT) Action Plan 2010-2020. The proposal also conforms to the Growth Plan as the site is located in a built up area designated for growth in the City's Official Plan and is supported by public transit.

The Growth Plan contains policies related to setting minimum intensification targets throughout delineated built-up areas (Section 2.2.2.4). The proposed development conforms with Section 2.2.2.4.b of the Growth Plan as it would represent an appropriate scale of development in its planned context and appropriately transitions to adjacent properties. Further, the proposed development conforms with Section 5.2.4.5.b) requiring the type and scale of development to be contextually appropriate.

The PPS requires provisions to be made for an appropriate range of housing types and densities to meet projected requirements of current and future residents. This ambition for healthy, livable and safe communities is achieved, amongst other means, by accommodating a range of residential, employment, institutional and other uses to meet long-term needs, facilitating all forms of residential intensification and redevelopment, promoting densities for new housing which effectively use land, resources, infrastructure and public services, and support the use of public transit.

Policy 1.4.3 of the PPS outlines that planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current

and future residents of the regional market area by permitting and facilitating all forms of housing required to meet their social, health and well-being requirements. In addition, planning authorities should permit and facilitate appropriate forms of residential intensification and redevelopment, directing new housing to locations where there is adequate infrastructure and ensuring that development densities efficiently utilize land and resources.

Policy 1.6.7.4 of the PPS promotes a land use pattern, density and mix of uses that minimizes the length and number of vehicle trips and supports current and future use of transit and active transportation. The proposal is consistent with the PPS in this regard. The proposed land use and density provides a built form that supports an efficient use of land and existing transit infrastructure. The proposal is also consistent with the PPS Policy 1.7.1.e through "promoting the redevelopment of brownfield sites".

In particular, the proposed development has regard to relevant matters of provincial interest in section 2 of the *Planning Act* as the proposal provides for a built form that is well-designed given the constraints of the site, particularly the sites location within the Toronto and Region Conservation Authority (TRCA) regulation limit and the City's Ravine and Natural Feature Protection By-law area.

## **Land Use**

This application has been reviewed against the Official Plan policies including OPA 320 and design guidelines described in the Issue Background section of this report. The proposed use is acceptable for this site and complies with the Official Plan. The site is designated '*Apartment Neighbourhoods*' in the Official Plan which permits apartment buildings. The development is proposed to be a residential apartment building, which is a permitted use.

## **Density, Height and Massing**

This application has been reviewed against the Official Plan policies and design guidelines described in the Issue Background section of this report. The proposed density and building height of 5.11 times the area of the lot and 22-storeys, both exceed the current permissions of the Zoning By-law. The Zoning By-law limits the density to 2.5 times the area of the lot and building height to 8-storeys (24 m). The Official Plan allows limited infill on underutilized *Apartment Neighbourhoods* sites, while the Weston Urban Design Guidelines encourages *Apartment Neighbourhoods* uses in forms that are sensitive to their surroundings. The Guidelines also state one of the key objectives for the 'Weston Road Corridor' is to increase the residential population of the area to support activity within the adjacent Weston Village.

A recurring policy within the Official Plan is to locate and mass buildings so as to minimize their impacts on areas designated *Neighbourhoods* and *Parks and Open Spaces*. Healthy Neighbourhoods, Section 2.3.1 of the Official Plan, states that development in *Apartment Neighbourhoods* that are adjacent or close to *Neighbourhoods* will provide a gradual transition of scale and density to achieve the objectives of the Plan through the stepping down of buildings towards, and setbacks from, those *Neighbourhoods*.

Within the 'Tall Building Design Guidelines' it states that, unless otherwise specified in a City approved policy, or guideline, a 45 degree angular plane, measured from the relevant property lines, is typically used to provide transition in scale from tall building developments down to lower scale residential areas. The proposed building generally falls below a 45 degree angular plane from the nearest *Neighbourhoods* designation to the southeast. Planning staff are of the opinion that the proposal meets the intent of the transition policies of the Official Plan through the proposed setbacks and step backs from the adjacent *Neighbourhoods* and the application of a 45 degree angular plane.

The Built Form policies of the Official Plan state that new development is to be massed to fit harmoniously into its existing context, and limits its impact on *Parks and Open Spaces*. At the rear of the building, the most southerly portion of the building is setback over 12 m from the Humber River valley and further still to Raymore Park and the Humber River Recreational Trail that links to Weston Lions Park. Planning staff are satisfied with the separation to the adjacent Parkland.

### **Sun, Shadow and Wind**

This application has been reviewed against the Official Plan policies and design guidelines described in the Issue Background section of this report. Section 4.2, Policy 2(b) of the Official Plan states that development within *Apartment Neighbourhoods* are to contribute to the quality of life by locating and massing new buildings to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes. Policy 2(c) further states that development should be located and massed to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, *Parks and Open Spaces*.

A shadow study was submitted with the application illustrating the incremental shadow impacts during March 21st and September 21st (Spring and Fall Equinoxes), June 21st (Summer Solstice) and December 21st. Shadow impacts are greatest on the neighbouring *Apartment Neighbourhoods* designated lands in June between 8:18 a.m. and 10:18 a.m. and in March / September between 9:18 a.m. and 10:18 a.m. Planning staff have assessed the proposed development in terms of the incremental shadow impacts resulting from the proposed 22-storey building and are of the opinion it would adequately limit shadows on the adjacent *Apartment Neighbourhoods*, Raymore Park and public realm with little or no impacts on nearby *Neighbourhoods* designated lands.

The applicant submitted a Pedestrian Level Wind Assessment, dated February 27, 2016, prepared by RWDI Consulting Engineers and Scientists. The study indicated that the wind conditions at grade of the building would be suitable for the anticipated pedestrian uses throughout the year. The study also concluded that the wind conditions on the 7th floor outdoor amenity and the party room entrance would be acceptable with mitigation.

Planning staff are satisfied with the wind conditions that would result from the proposed development, subject to further assessment during the Site Plan Control process for potential mitigation strategies.

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

Transportation Services staff have reviewed the application and subject to the owner addressing matters outlined below are satisfied that the proposed development is acceptable from a traffic impact, access and parking perspective.

The level of parking provision falls below the requirements of former City of York Zoning By-law No. 1-83 and Policy Area 4 of City-wide Zoning By-law No. 569-2013. As per the recommendation of 'Parking Standards Review: Examination of Potential Options and Impacts of Car Share Programs on Parking Standards' prepared for the City of Toronto by IBI Group in March 2009, one car share parking space can replace a maximum of four resident parking spaces for every 60 dwelling units. With the addition of the car share space, Transportation Services staff accept the level of parking provision, subject to the owner providing supportive documentation from the car share company confirming the space on site. This requirement can be satisfied in conjunction with the future Draft Plan of Condominium application.

The applicant is proposing to stop-up and close Hickory Tree Road and develop a new cul-de-sac to DIPS standards. As a result, it is proposed that the part of the road to be closed would be transferred to Parks, Forestry and Recreation Division for use as public parkland. As part of this proposal, the applicant and staff have consulted with the condominium board at 1-3 Hickory Tree Road as they currently have an unused access to the part of the road proposed to be closed. The applicant is working with City staff and the adjacent condominiums to ensure that any stop up and closure of the road could maintain a safe and functional solution for the condominium and result in the addition of parkland in the area.

In a recent meeting between City staff, the proponent and the Ward Councillor, it was determined that the portion of Hickory Tree Road beyond the proposed cul-de-sac could be converted into a public park. While there are no objections to this in principle from a Transportation Services perspective, the subject portion of Hickory Tree Road must be formally stopped-up and closed before it is converted into a public park. As such, it is recommended that before introducing the necessary Bills to Council for enactment, the portion of Hickory Tree Road that is located beyond the proposed cul-de-sac be stopped up, closed and transferred to Parks, Forestry and Recreation Division.

It is also recommended that as one of the Pre-Approval Conditions for the Site Plan Control application, the owner be required to enter into a Municipal Infrastructure Agreement with the City for the construction of, but not limited to, the following:

- The owner, at its own expense, to construct a cul-de-sac on Hickory Tree Road in accordance with the City Standard Drawing No. DIPS-5 to support the development as indicated in the accepted Traffic Impact Study.
- The owner, at its own expense, to construct a 2.1m sidewalk from the site to Weston Road.



To ensure safe pedestrian access to the proposed development, Transportation Services staff are recommending a public sidewalk be provided by the owner along the Hickory Tree Road frontage of the site. The sidewalk must connect to the existing sidewalk on Weston Road, have a minimum clear width of 2.1 m and meet the City of Toronto Design Standard No. T-3 10.010-4 specifications. It is proposed that the owner construct the sidewalk as per an approved site plan and functional plan to be submitted and accepted by the Chief Engineer and Executive Director of Engineering and Construction Services. The applicant would be reimbursed under the City's Missing Sidewalks Capital Program.

The Missing Sidewalks Capital Program funds the construction of missing sidewalks in order to promote accessibility, safety and walkability for all pedestrians. The program works to ensure that all Toronto streets meet minimum standards for sidewalks – on at least one side for local streets, and on both sides for collector and arterial streets. Missing sidewalks are added when there are reconstruction opportunities or in response to requests made by the public. The development of new affordable housing at 10 Wilby and the need to safely access transit, schools, and other services via Weston Road make this project an appropriate candidate for funding and the ability of the developer to construct the sidewalk at the same time as the project would ensure a consistency in street infrastructure.

## **Servicing**

Engineering and Construction Services staff reviewed a Functional Servicing Report (FSR) submitted with the application and find it acceptable. Following a number of revisions, staff are now satisfied that municipal water, sanitary / combined and storm sewer systems can support the proposed development.

The detailed Stormwater Management, Site Servicing and Grading Plans will be secured through the Site Plan Control process. It is recommended that as one of the Pre-Approval Conditions for the Site Plan Control application, the owner be required to enter into a Municipal Infrastructure Agreement with the City for the construction at its own expense, of a sanitary sewer extension, approximately 35.0 metres in length along Hickory Tree Road to service the development as indicated in the accepted Functional Servicing Report.

## **Streetscape**

The Official Plan development criteria for *Apartment Neighbourhoods* requires development to provide ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces while also framing the edge of streets and parks and ensuring service areas and garbage storage are adequately screened. The proposed development satisfies these policies.

The site currently contains a vacant industrial building which combined with the secluded and closed nature of Hickory Tree Road has resulted in a history of undesirable activity. The proposed development would enhance the existing streetscape on both the Hickory Tree Road frontage and Wilby Crescent. The applicant is proposing to provide landscaping and tree planting along Wilby Crescent, consisting

of 10 new trees proposed on the City road allowance and 15 new trees on the subject property. Through the provision of new formalized public sidewalks linking the development site to Weston Road to the north and the parkland to the south, the amenity of public sidewalks and views to The Humber River valley and Raymore Park would be enhanced.

Further streetscape improvements along Hickory Tree Road and Wilby Crescent are to be secured through the proposed Section 37 contributions outlined later in this report.

### **Open Space / Parkland**

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the City of Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 1.57 to 2.99 hectares of local parkland per 1,000 people. The site is in the second highest quintile of current provision of parkland. The site is in a parkland priority area, as per Chapter 415, Article III, of the Toronto Municipal Code.

The application proposes 233 residential units on a site area of approximately 0.4 ha. At the alternative rate of 0.4 hectares per 300 units, park land levies equal 0.17 hectares or 50% of the proportionate residential site area. By-law 1020-2010 states that sites less than 1 hectare in size, a cap of 10% is applied to the residential portion. Therefore the total parkland dedication required is 0.04ha.

The applicant proposes to satisfy the parkland dedication requirement by cash-in-lieu. Parks, Forestry and Recreation staff advise this is appropriate as the parkland dedication associated with the development would be too small to create a serviceable park, and due to the fact the site is in the second highest quintile of current provision of parkland.

The actual amount of cash-in-lieu to be paid would be determined at the time of issuance of the building permit by Facilities and Real Estate staff.

It is recommended that the owner be required to enter into a Section 37 Agreement with the City as part of this development application. It has been determined by City staff, the applicant and Ward Councillor that the Section 37 contributions would also be directed towards parkland improvements in the area, specifically the conversion of the Hickory Tree Road lands abutting the subject property to Parkland conditions.

### **Ravine Protection**

The site is subject to the Toronto and Region Conservation Authority (TRCA) regulation limit and the City's Ravine and Natural Feature Protection By-law. City and TRCA staff have reviewed the application and, subject to obtaining demolition permits and the planting and cash-in lieu payments required under City of Toronto Municipal Code Chapter 658, Ravine and Natural Feature Protection staff have no objections to the approval of the proposed Zoning By-law Amendment.

TRCA staff have reviewed the application documents including the Slope Stability Study and Erosion Risk Assessment and are satisfied the proposed development is consistent with existing development patterns and characteristics within the valley corridor and will not result in an increase in risk to life or property. As such, TRCA staff have no objections to the approval of Zoning By-law Amendment.

### **Natural Heritage Protection**

The subject lands are located adjacent to a Natural Heritage area as identified on Map 9 of the Official Plan. An evaluation of the proposal has been completed by TRCA and Urban Forestry staff. A scoped Natural Heritage Impact Statement was submitted as part of the application and subject to the conditions outlined above, TRCA and Urban Forestry staff are satisfied that the proposed development is appropriate in this location.

### **Archaeological Assessment**

The subject site has archaeological resource potential and as such, an archaeological assessment and archaeological monitoring and mitigation strategy were submitted and have been reviewed by Heritage Preservation Services staff. Heritage Preservation Services staff have no objection to the proposed development subject to a licensed archaeologist carrying out a programme of archaeological monitoring during construction and submitting an assessment report to Heritage Preservation Services staff for their review and acceptance prior to the release of an above-grade building permit.

### **Tree Preservation**

Urban Forestry staff reviewed the application with respect to the City Street Tree By-law and the Private Tree By-law, Municipal Code Chapter 813, Trees, Articles II and III. The Landscape Masterplan shows 10 new trees proposed on the City road allowance and 15 new trees on private property. Urban Forestry staff do not object to the proposed development and Zoning By-law Amendment application, in principle, on the understanding the applicant will provide a Tree Planting Security in the amount of \$5,830.00 (at \$583/tree, subject to change) to ensure the planting and maintenance for the street trees to be planted.

### **Toronto Green Standard**

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

The applicant is required to meet Tier 1 of the TGS. Performance measures for the Tier 1 development features have been secured through the Zoning By-law process through ensuring there is adequate vehicle parking and cycling infrastructure on the site alongside provision for the storage and collection of recycling and organic waste.

Other applicable TGS performance measures will be secured through the Site Plan Control review process.

### **Community Services and Facilities Study**

A Community Services and Facilities (CS&F) Study was submitted in support of the application and was reviewed by staff from the City's Community Policy Unit. Staff were satisfied that the submitted Study generally addressed the City's CS&F Study requirements identified in the Toronto Development Guide Terms of Reference. With regards to CS&F priorities in the area, staff identified for consideration, financial contributions towards improvements to the Weston Library Branch, and/or Pelmo Park Community Centre.

### **TDSB**

The Toronto District School Board (TDSB) has advised that there is insufficient space at the local elementary school to accommodate students anticipated from this proposed development. They advise that students from the new development will not displace existing students at local schools and that alternative arrangements will be identified consistent with optimizing enrolment levels at all schools across the Toronto District School Board. The School Board indicates that at this time, the schools anticipated to serve the development are unknown.

The School Board has requested that as a condition of approval, the applicant enter into an agreement to put up signs on site advising that students may be accommodated in schools outside the area until space in local schools becomes available and also warning clauses in all offers of purchase and sale of residential units, to the effect that students may be accommodated in facilities outside of the area, and that students may later be transferred. These measures will be secured through the Site Plan Control review process.

### **Noise and Air Quality**

The City is currently reviewing both Noise and Air Quality Statements to determine if the professional opinions outlined within the statements are valid. These conclusions include the following:

The proposed development at 10 Wilby Crescent is located greater than 600 m away from the Irving Tissue facility. This is greater than both the minimum recommended separation distance and area influence for a Class II facility. Furthermore, the existing land-uses surrounding the Irving Tissue facility already include residential properties. This includes both low-rise buildings and high-rise buildings, similar in height to the proposed development. The existing residential uses are closer to the industrial facility than the proposed development and have proved compatible.

### **Section 37**

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the *Planning Act*. While the proposed development exceeds the height and density limits of the

existing Zoning By-law, the application is consistent with the objectives and policies of the Official Plan, and thus constitutes good planning.

The proposed development presents an opportunity to address Site and Area Specific Policy 51 of the Official Plan and the Weston Urban Design Guidelines, which seek to enhance the Humber River valley as an environmental and recreational asset through increasing connectivity for pedestrians and cyclists. Through consultation with the Ward Councillor and the applicant, it was agreed that these objectives could be met through Section 37 contributions being directed towards the conversion of Hickory Tree Road to parkland conditions in addition to parkland dedications which could assist in providing a connection to the Humber River valley.

Staff are recommending that before introducing the necessary Bills to City Council for enactment, the owner be required to enter into an Agreement pursuant to Section 37 of the *Planning Act* satisfactory to the Chief Planner and Executive Director, City Planning, and the City Solicitor, such Agreement to be registered on title to the lands at 10 Wilby Crescent, in a manner satisfactory to the City Solicitor to secure the following community benefits at the owners expense:

- a. A cash contribution of \$800,000 to be directed to "The Treasurer, City of Toronto" indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto for the period from the date of the execution of the Section 37 Agreement to the date of payment and to be used for:
  - i. The conversion of the Hickory Tree Road lands abutting the subject property to Parkland conditions;
  - ii. Improvements to local parkland and connectivity of local parkland to the Humber River valley; and
  - iii. Streetscape improvements along Wilby Crescent, Weston Road and Hickory Tree Road which comply with the Streetscape Manual and are to the satisfaction of the Chief Planner and Executive Director, City Planning.
- b. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
  - i. The breakdown of the units by type;
  - ii. The construction of a new cul-de-sac at Wilby Crescent;
  - iii. Construction of a new sidewalk along the west side of Wilby Crescent between Hickory Tree Road and Weston Road;
  - iv. The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of item PG32.3 of the Planning and Growth Committee, as further amended by City Council from time to time; and

- v. The submission of an archaeological construction monitoring report to Heritage Preservation Services staff for their review and acceptance prior to the release of an above-grade building permit.
- c. In the event the cash contribution referred to above has not been used for the intended purpose within three (3) years of the By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

## **Conclusion**

The proposal has been reviewed against the policies of the PPS (2014), the Growth Plan (2017) and the City of Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2014) and does not conflict with the Growth Plan (2017). Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan, particularly as it conforms to the uses permitted by the *Apartment Neighbourhoods* designation, it represents an appropriate level of intensification for the site and would provide sufficient transition to the abutting *Neighbourhoods* designated lands. Staff worked with the applicant and the community to address and resolve concerns. Staff recommend that City Council approve the Zoning By-law Amendment application subject to the conditions outlined within the Recommendations of this report.

## **CONTACT**

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## **SIGNATURE**

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Neil Cresswell, MCIP, RPP  
Director of Community Planning  
Etobicoke York District

## **ATTACHMENTS**

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

- Attachment 1: Figure 1: Application Data Sheet
- Attachment 2: Figure 2: Location Map
- Attachment 3: Figure 3: Official Plan Land Use Map
- Attachment 4: Figure 4: Existing Zoning By-law Map
- Attachment 5: Draft Zoning By-law Amendment

**Applicant Submitted Drawings**

Attachment 6: Figure 5: Site Plan

Attachment 7: Figure 6: Elevations

## Attachment 1: Figure 1: Application Data Sheet

**Municipal Address:** 10 Wilby Crescent      **Date Received:** October 21, 2016

**Application Number:** 16 241014 WET 11 OZ

**Application Type:** Rezoning

**Project Description:** Proposed amendments to former City of York Zoning Bylaw No. 1-83 to permit the construction of a 22-storey (63.3 m) residential apartment building with 233 units.

<b>Applicant</b>	<b>Agent</b>	<b>Architect</b>	<b>Owner</b>
Bousfields Inc 3 Church Street, Suite 200, Toronto, Ontario M5E 1M2		Architecture Unfolded 219 Dufferin St, 201b, Toronto, ON M6K 3J1	Options for Homes Suite 310, 468 Queen Street East, Toronto, ON M5A 1T7

### EXISTING PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhoods	Site Specific Provision:	N
Zoning:	MCR (1-83)	Heritage Designation:	N
Height Limit (m):	24	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq m): 3,581      Frontage (m): 105      Depth (m): 62

<b>Building Data</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Ground Floor Area (sq m):			808	<b>808</b>
Residential GFA (sq m):			18,303	<b>18,303</b>
Non-Residential GFA (sq m):				
<b>Total GFA (sq m):</b>			<b>18,303</b>	<b>18,303</b>
Height - Storeys:			22	<b>22</b>
Height - Metres:			63	<b>63</b>

Lot Coverage Ratio (%) : 22.69      Floor Space Index: 5.11

<b>Floor Area Breakdown</b>	<b>Above Grade (sq m)</b>	<b>Below Grade (sq m)</b>
Residential GFA:	18,303	
Retail GFA:		



Office GFA:

Industrial GFA:

Institutional/Other GFA:

<b>Residential Units by Tenure</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Rental:				
Freehold:				
Condominium:			233	233
Other:				
<b>Total Units:</b>			<b>233</b>	<b>233</b>

#### **Total Residential Units by Size**

	<b>Rooms</b>	<b>Bachelor</b>	<b>1 Bedroom</b>	<b>2 Bedroom</b>	<b>3+ Bedroom</b>
Retained:					
Proposed:					
<b>Total Units:</b>		<b>5</b>	<b>86</b>	<b>102</b>	<b>40</b>

#### **Parking and Loading**

Parking Spaces:	180	Bicycle Parking Spaces:	234	Loading Docks:	1
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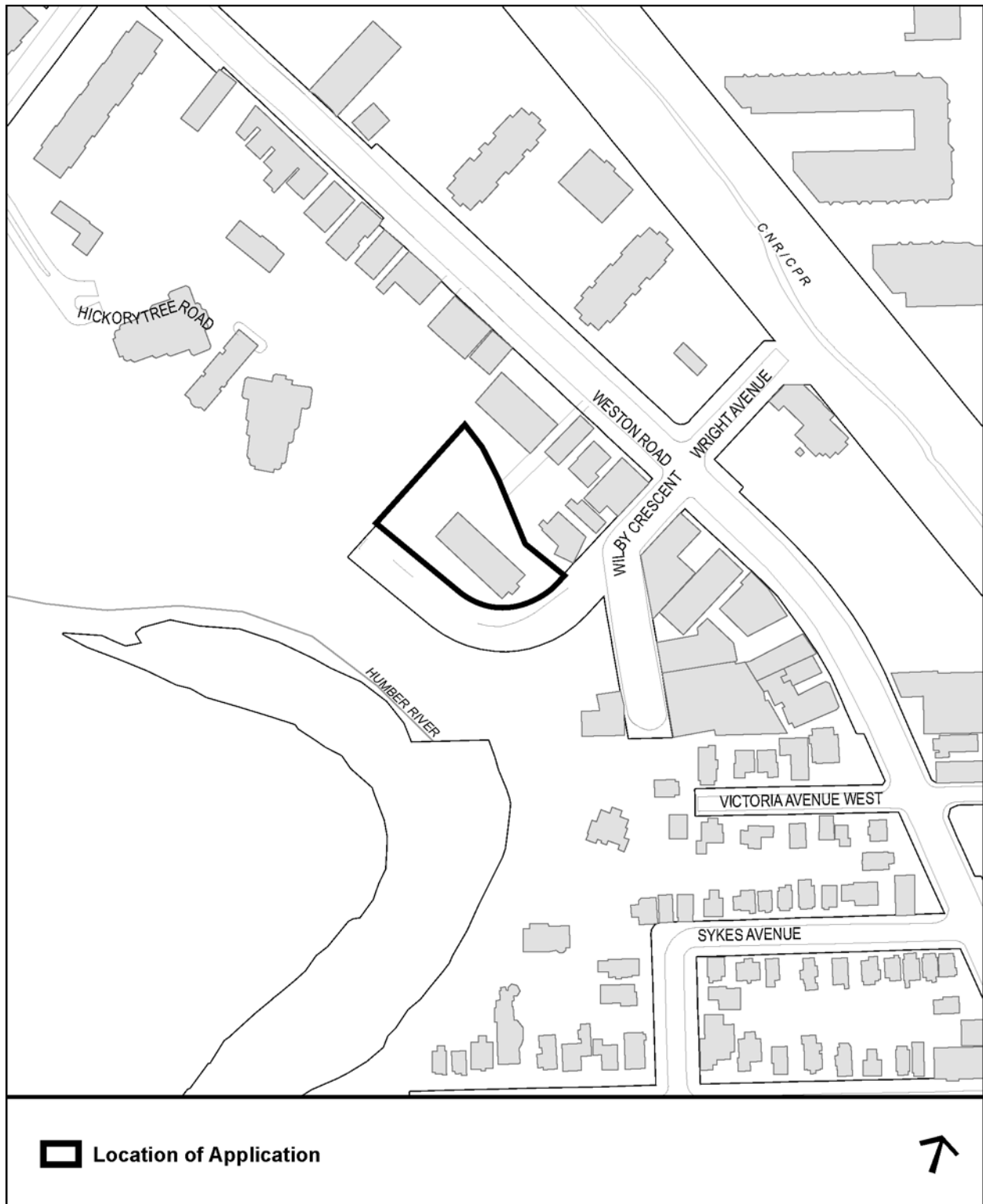
#### **CONTACT:**

Sean Rooney, Planner

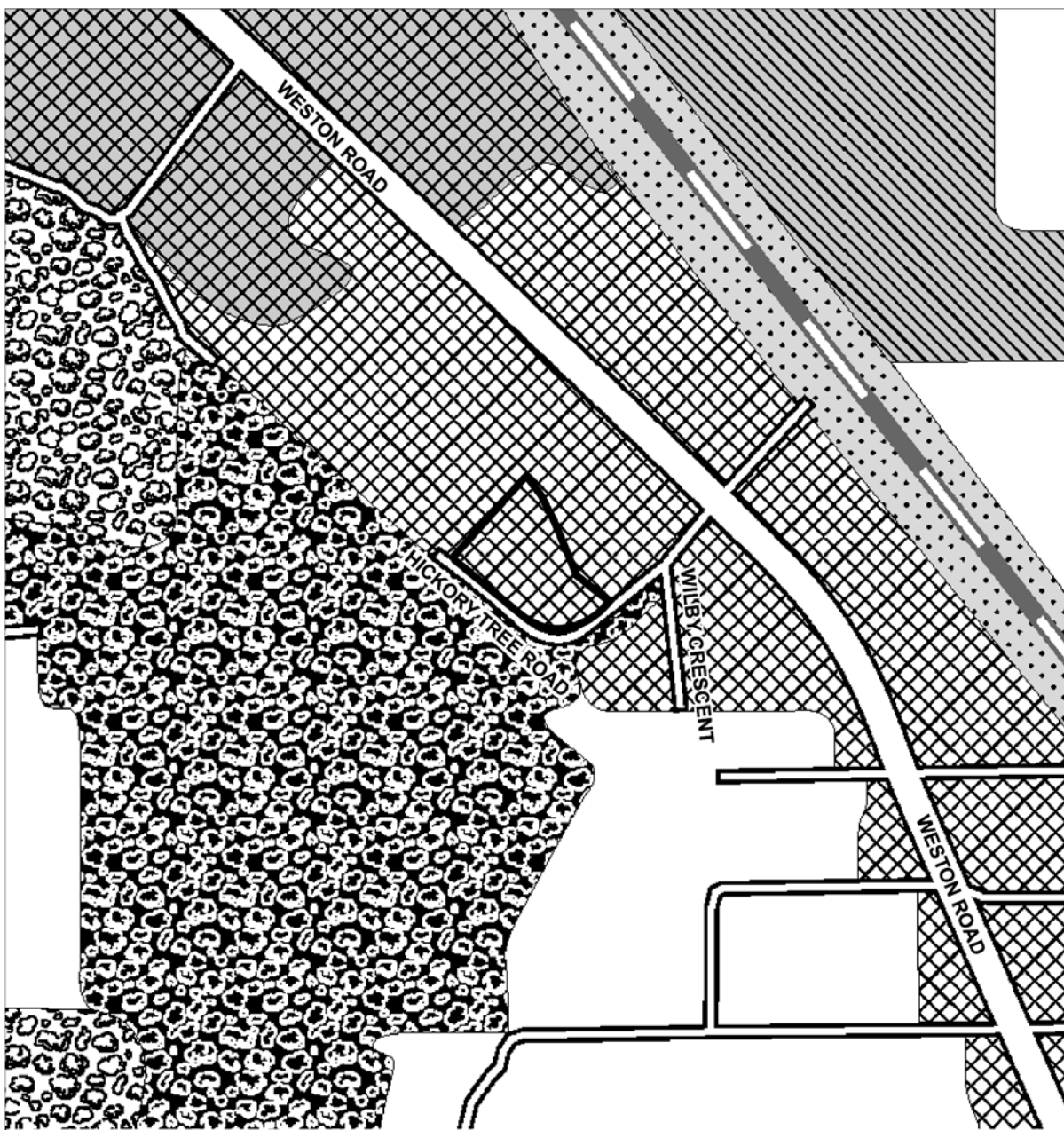
(416) 394-8245

Sean.Rooney@toronto.ca

Attachment 2: Figure 2: Location Map



Attachment 3: Figure 3: Official Plan Land Use Map



# Official Plan Land Use Map #14

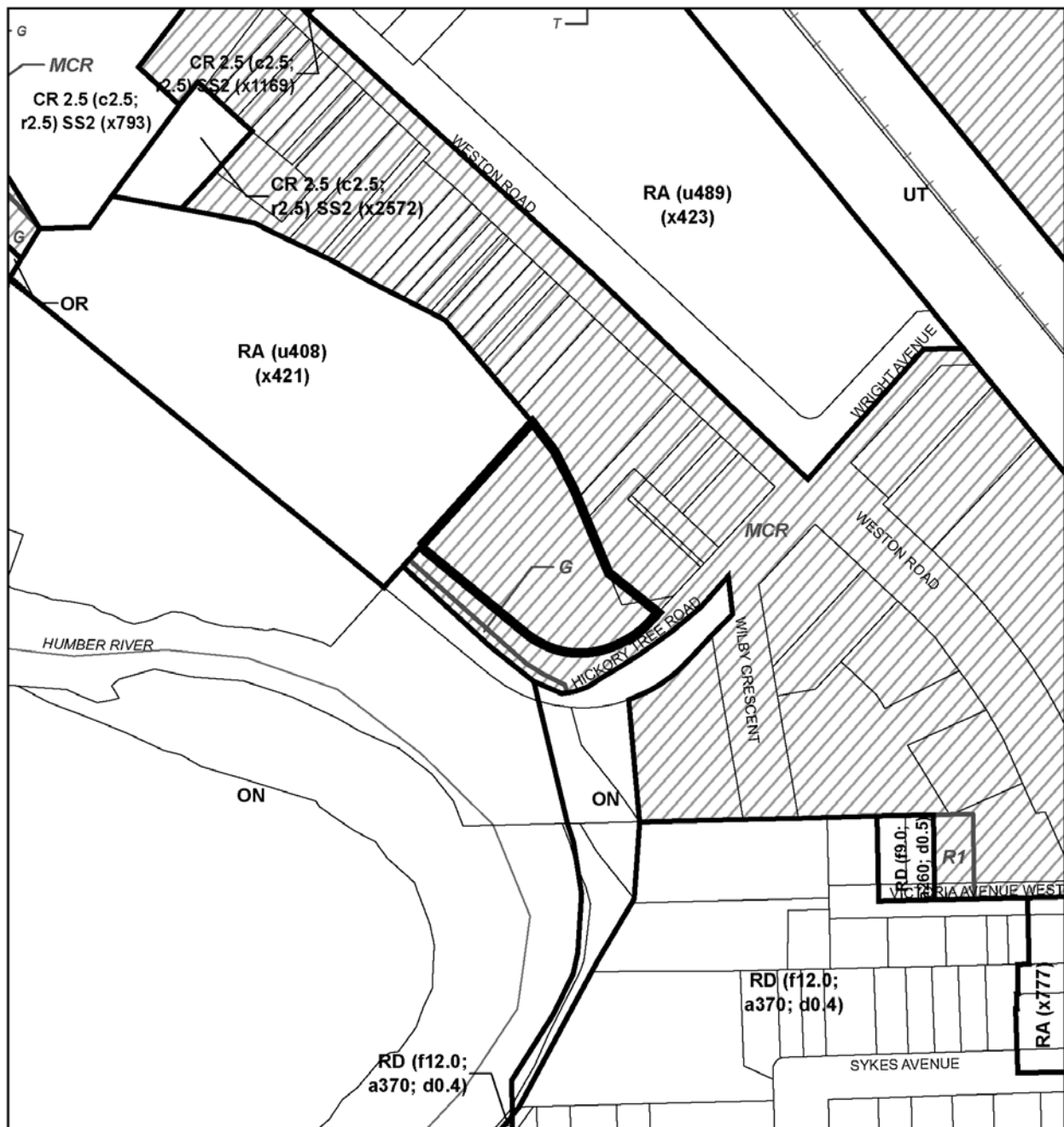
10 Wilby Crescent

File # 16 241014 WET 11 02



Not to Scale  
06/04/2018

Attachment 4: Figure 4: Existing Zoning By-law Map



Zoning By-Law No. 569-2013

Address

File # 16 241014 WET 11 02



Location of Application

RD Residential Detached  
RA Residential Apartment  
CR Commercial Residential

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



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

R1 Residential Zone  
MCR Mixed Commercial Zone  
PE Prestige Employment Zone  
G Green Open Space Zone



Not to Scale  
Extracted: 10/31/2016

## **Attachment 5: Draft Zoning By-law Amendment**

Authority: Etobicoke York Community Council Item ~ as adopted by City of Toronto Council on ~, 2018

Enacted by Council: ~, 2018

### **CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. ~-20~**

#### **To amend former City of York Zoning By-law No. 1-83, as amended, With respect to the lands municipally known as, 10 Wilby Crescent**

Whereas authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

Whereas the Official Plan for the City of Toronto contains such provisions relating to the authorization of increases in height and density of development; and

Whereas pursuant to Section 37 of the *Planning Act*, a by-law under Section 34 of the *Planning Act*, may authorize an increase in the height or density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law; and

Whereas, subsection 37(3) of the *Planning Act* provides that where an *owner* of land elects to provide facilities, services and matters in return for an increase in the height or density of development, a municipality may require the *owner* to enter into one or more agreements with the municipality dealing with the facilities, services and matters; and

Whereas the *owner* of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

The Council of the City of Toronto hereby enacts as follows:

1. Pursuant to Section 37 of the *Planning Act*, and subject to compliance with this By-law, the increase in height and density of development permitted in this By-law are permitted beyond that otherwise permitted on the lands shown on Schedule A attached to and forming part of this By-law in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Appendix 1 of this By-law and which are secured by one or more agreements pursuant to Section 37(3) of the *Planning Act* that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor.

2. Where Appendix 1 of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of same.
3. Section 16 General Exceptions of By-law No. 1-83 is amended by adding the following subsection:

16(XX) LANDS: 10 WILBY CRESCENT

Notwithstanding the provisions of former City of York Zoning By-law 1-83, the lot, as delineated by heavy lines on Schedule "A" attached to and forming part of this By-law, and municipally known as 10 Wilby Crescent may be used for the purposes of an apartment house and accessory buildings and structures subject to the following provisions:

MAXIMUM GROSS FLOOR AREA

- a) The maximum permitted residential gross floor area on the lot shall not exceed 18,303 square metres.

MAXIMUM NUMBER OF UNITS

- b) The maximum permitted number of residential dwelling units on the lot shall not exceed 233 of which a minimum of 60 percent of the total units must be comprised of 2 or more bedroom units.

PERMITTED USES

- c) Notwithstanding Section 8.2.2 of By-law 1-83, the following uses shall be permitted:
  - i. Apartment houses and associated structures;
  - ii. Townhouses and associated structures;
  - iii. Stacked townhouses;
  - iv. Amenity building, accessory buildings and structures;
  - v. Retirement home; and
  - vi. Nursing home.

MAXIMUM FLOOR SPACE INDEX

- d) That maximum floor space index on the lot shall not exceed 5.11 and for the purposes of calculating floor space index it shall also exclude any roof top mechanical room and stair access to the roof.

BUILDING HEIGHT

- e) The maximum building height, including all accessory structures, appurtenances, equipment or other projections shall not exceed the value in metres shown on Schedule "B" attached to and forming part of this By-law.

Height shall be measured from grade, which is established as the Canadian Geodetic Datum value of 126.3 metres. The following permitted exceptions to the maximum height are:

- i. appurtenances and equipment and associated window wall serving the building, the mechanical penthouse and stair(s) to the roof, located within an enclosed portion of the building located upon the roof, provided such elements do not exceed the said permitted maximum height by over 5.5 metres;
- ii. parapets, non-structural roofing materials including insulation and membranes, decking and sloping members relating to roof-top drainage, and planters may be located on the roof portion of the building and may exceed the said permitted height by up to 2.5 metres; and
- iii. decks, guardrails, fences and screens, partitions dividing terraces, landscape features and patio furniture may be located on the roof portion of the building and may exceed the said permitted height by up to 2.5 metres.

## YARD SETBACKS

- f) The minimum yard setbacks shall be as shown on Schedule "B" attached to and forming part of this By-law except that accessory buildings and structures, fences, canopies, balconies, parapets, terraces, architectural features, guardrails, play structures, stairs, railings, stair enclosures, retaining walls, garage vent shafts and window wells shall be permitted to encroach into the required yard setbacks.

## PARKING

- g) A minimum of 138 resident parking spaces, 35 visitor parking spaces and 1 car share space shall be provided and maintained on the lot;
- h) Vehicular parking spaces shall be provided on the lot in accordance with the following ratios:
  - i. A minimum of 0.62 resident spaces per dwelling unit;
  - ii. A minimum of 0.15 visitor spaces per dwelling unit; and
  - iii. 1 car share space.
- i) If the calculation of the number of parking spaces results in a fraction, the number is rounded down to the nearest whole number, but there is not to be less than one parking space.
- j) A parking space must have the following minimum dimensions:
  - i. length of 5.6 metres;
  - ii. width of 2.6 metres;
  - iii. vertical clearance of 2.0 metres; and

- iv. the minimum width of 2.6 metres must be increased by 0.3 metres for each side of the parking space that is obstructed according to (m) below.
- k) For a parking space accessed by a drive aisle with a width of less than 6.0 metres, whether it is a one-way or two-way drive aisle, the minimum dimensions of a parking space are:
  - i. length - 5.6 metres;
  - ii. width - 2.9 metres;
  - iii. vertical clearance - 2.0 metres; and
  - iv. the minimum width of 2.9 metres must be increased by 0.3 metres if one or both sides of the parking space is obstructed according to (m) below.
- l) The minimum dimensions of a parking space that is adjacent and parallel to a drive aisle from which vehicle access is provided are:
  - i. length - 6.7 metres;
  - ii. width - 2.6 metres;
  - iii. vertical clearance - 2.0 metres; and
  - iv. the minimum width of 2.6 metres must be increased by 0.3 metres for each side of the parking space that is obstructed according to (m) below.
- m) The side of a parking space is obstructed if any part of a fixed object such as a wall, column, bollard, fence or pipe is situated:
  - i. within 0.3 metres of the side of the parking space, measured at right angles, and
  - ii. more than 1.0 metre from the front or rear of the parking space.
- n) A maximum reduction of four resident spaces shall be permitted for the provision of one car-share space.
- o) Accessible parking spaces must be the parking spaces located:
  - i. closest to a main pedestrian access to a building; and
  - ii. at the same level as the pedestrian entrance to the building.
- p) Accessible parking spaces must be provided at a minimum of 4 parking spaces plus 1 parking space for every 50 parking spaces or part thereof in excess of 100 parking spaces and must comply with the minimum dimensions for an accessible parking space.
- q) An accessible parking space must have the following minimum dimensions:
  - i. length of 5.6 metres;
  - ii. width of 3.9 metres; and
  - iii. vertical clearance of 2.1 metres.



## BICYCLE PARKING

- r) Bicycle parking shall be provided on the lot in accordance with the following ratios:
  - i. A minimum of 0.1 short-term bicycle parking spaces per dwelling unit; and
  - ii. A minimum of 0.9 long-term bicycle parking spaces per dwelling unit.

## AMENITY SPACE

- s) Indoor amenity space shall be provided on the lot at a minimum rate of 1.5 square metres for each dwelling unit, and outdoor amenity space shall be provided on Site at a minimum rate of 2.0 square metres for each dwelling unit.

## REFUSE HANDLING

- t) Refuse shall be stored and maintained within a refuse room located on the ground floor. Vehicular access to the refuse room shall be provided and maintained from Wilby Crescent.

## LOADING

- u) One loading space shall be provided and maintained on the lot, and vehicular access to the loading space shall be provided and maintained from Wilby Crescent. The loading space must have a:
  - i. minimum length of 13.0 metres;
  - ii. minimum width of 4.0 metres; and
  - iii. minimum vertical clearance of 6.1 metres.

## SEVERANCE

- v) The provisions of this by-law shall apply collectively to the areas subject to this By-law notwithstanding any future severance, partition, or division of the areas subject to this By-law.

## SALES PRESENTATION CENTRE

- w) Nothing in this By-law shall prevent the erection or placement of a temporary presentation centre building on Site. This temporary building shall be used exclusively for the purposes of real estate presentations and transactions in connection with the developments on Site.

## DEFINITIONS

- x) For the purposes of this By-law the following definitions shall apply:
  - i. “Amenity space” shall mean a common area or areas within the area subject to this By-law which are provided for the exclusive use of

residents of a building for recreational or social purposes.

- ii. "Grade" shall mean an elevation of 126.3 metres Canadian Geodetic Datum.
- iii. "Height" shall mean the vertical distance between established *grade* and the highest point of the building or structure.
- iv. "Parking Space" shall mean an area used for the parking or storing of a vehicle.
- v. "Vehicle" shall mean a wheeled or tracked device, either self-propelled or capable of being pulled by a self-propelled device, for moving persons or objects, or used for construction or agriculture.
- vi. "Drive Aisle" shall mean a vehicle passageway located within an area used for parking or storage of 3 or more vehicles.
- vii. "Bicycle Parking Space, Long-term" – means an area for the purposes of parking and securing bicycles for residents.
- viii. "Bicycle Parking Space, Short-term" – means an area that is equipped with a bicycle rack or bicycle stackers for the purpose of parking and securing bicycles and may be located outdoors or indoors within a secured room, enclosure or bicycle locker.
- ix. "Accessible" means free of a physical, architectural or design barriers that would restrict access or use to a person with a disability as defined in the Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11.
- x. "Car-share" means the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car-sharing organization and where such organization may require that use of cars be reserved in advance, charge fees based on time and/or kilometres driven and set membership requirements of the car sharing organization, including the payment of a membership fee that may or may not be refundable.
- xi. "Car-share parking space" means a parking space that is reserved and actively used for car-sharing.
- xii. "Loading space" means a parking space that is reserved for temporary use by refuse collection vehicles and other heavy goods vehicles.

## OTHER PROVISIONS

- a) Within the lands shown on Schedule "B" attached to this By-law, no person shall use any land or erect or use any building or structure unless the

following municipal services are provided to the lot line and the following provisions are complied with:

- i. all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
  - ii. all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.
- b) All other provisions of former City of York By-law No. 1-83 shall continue to apply except in the case where provisions of this Exception are in conflict in which case the provisions of this Exception shall prevail.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

JOHN TORY,  
Mayor

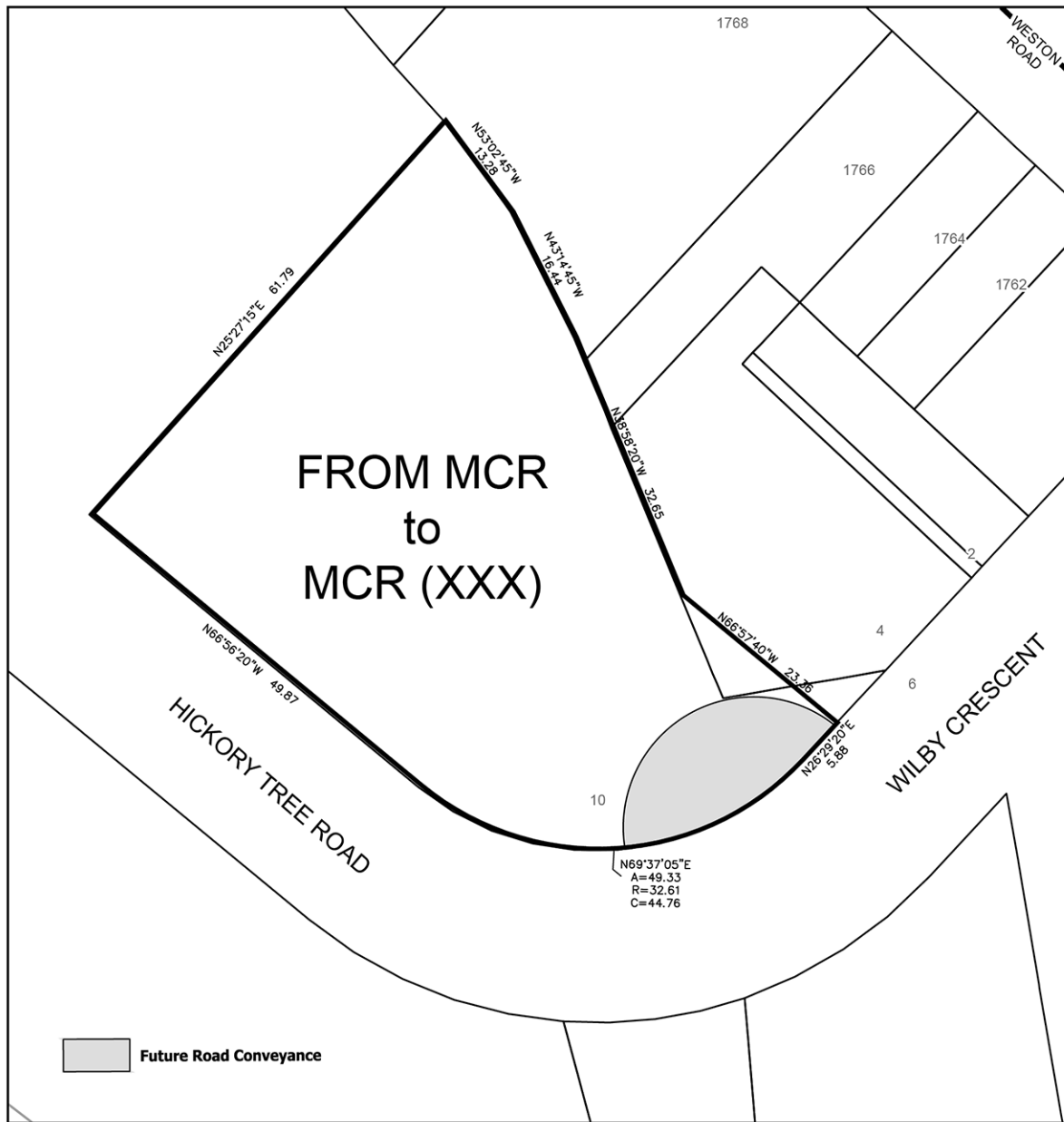
ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

BY-LAW No. --20~ APPENDIX 1:

Before introducing the necessary Bills to City Council for enactment, require the Owner to enter into an Agreement pursuant to Section 37 of the *Planning Act* satisfactory to the Chief Planner and Executive Director, City Planning, and the City Solicitor, such Agreement to be registered on title to the lands at 10 Wilby Crescent, in a manner satisfactory to the City Solicitor to secure the following community benefits at the owners expense:

- a. A cash contribution of \$800,000 to be directed to "The Treasurer, City of Toronto" indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto for the period from the date of the execution of the Section 37 Agreement to the date of payment and to be used for:
  - i. The conversion of the Hickory Tree Road lands abutting the subject property to Parkland conditions;
  - ii. Improvements to local parkland and connectivity of local parkland to the Humber River valley; and
  - iii. Streetscape improvements along Wilby Crescent, Weston Road and Hickory Tree Road which comply with the Streetscape Manual and are to the satisfaction of the Chief Planner and Executive Director, City Planning.
- b. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
  - i. The breakdown of the units by type;
  - i. The construction of a new cul-de-sac at Wilby Crescent;
  - ii. Construction of a new sidewalk along the west side of Wilby Crescent between Hickory Tree Road and Weston Road;
  - iii. The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of item PG32.3 of the Planning and Growth Committee, as further amended by City Council from time to time; and
  - iv. The submission of an archaeological monitoring report to Heritage Preservation Services staff for their review and acceptance prior to the release of an above-grade building permit.
- c. In the event the cash contribution referred to above has not been used for the intended purpose within three (3) years of the By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

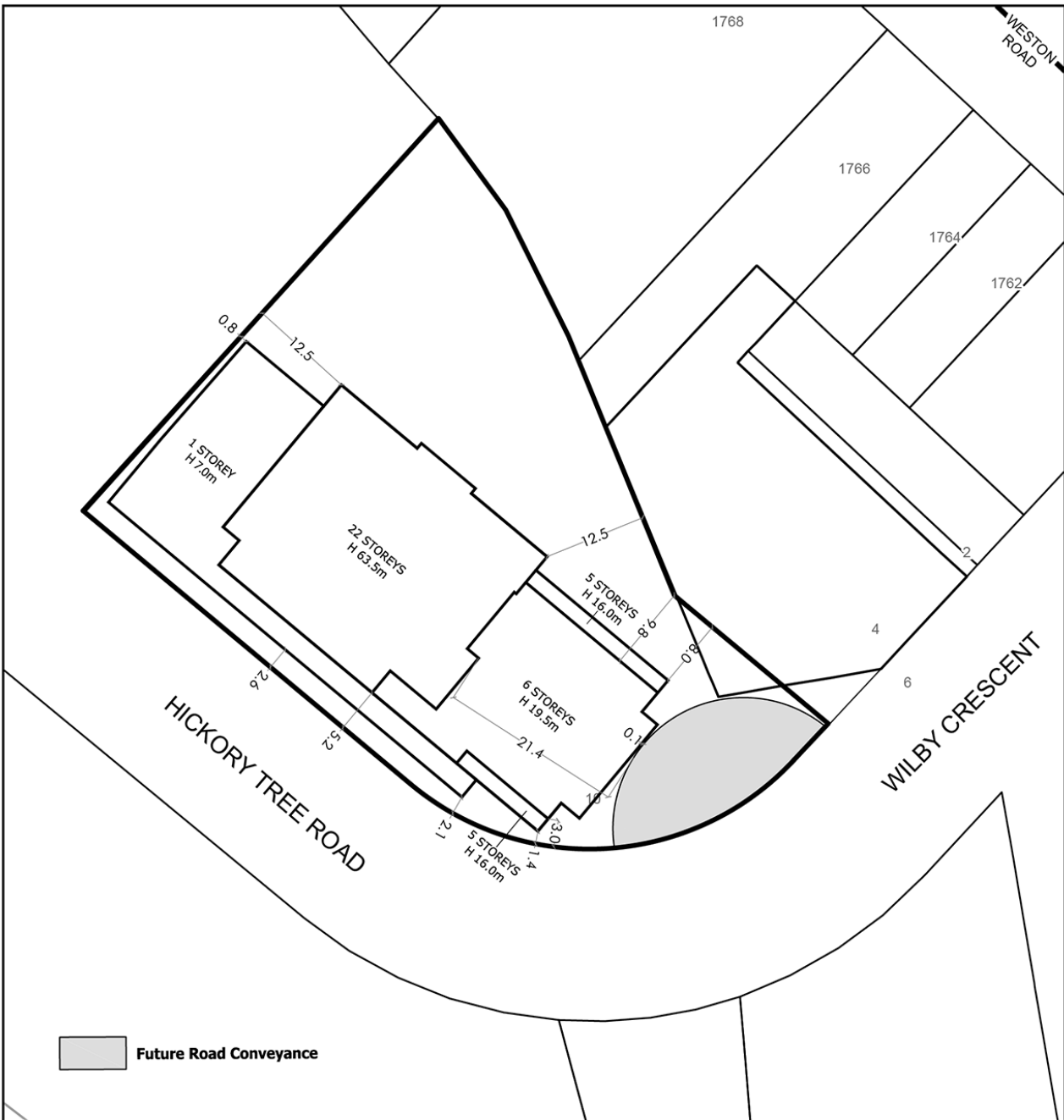


**Toronto**  
Schedule A

**10 Wilby Crescent**

File # 16 241014 WET 11 0Z

↑  
Former City of York By-Law 1-83  
Not to Scale  
4/20/2018



**Toronto**  
Schedule B

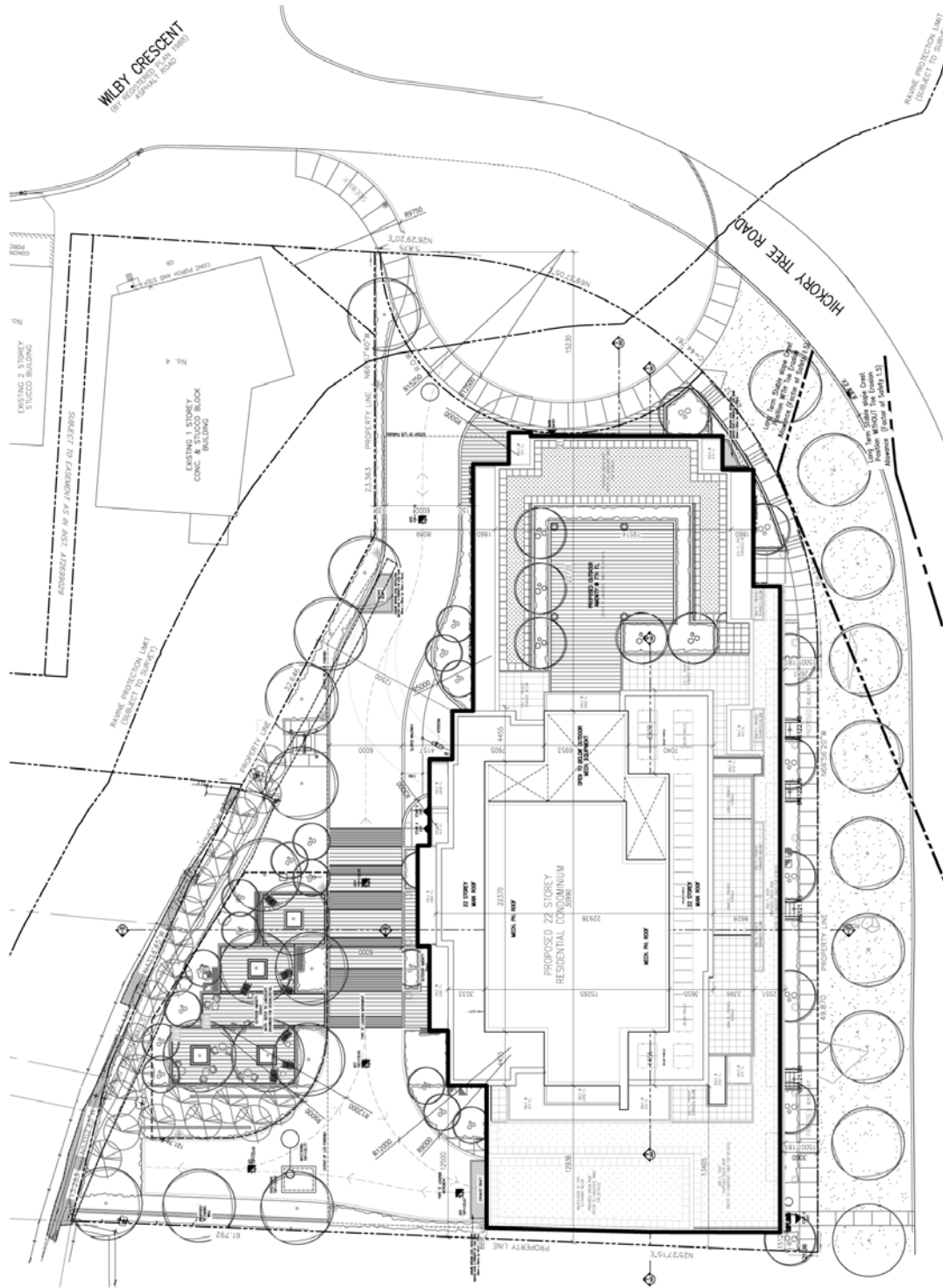
**10 Wilby Crescent**

File # 16 241014 WET 11 0Z



Former City of York By-Law 1-83  
Not to Scale  
4/20/2018

Attachment 6: Figure 5: Site Plan



10 Wilby Crescent

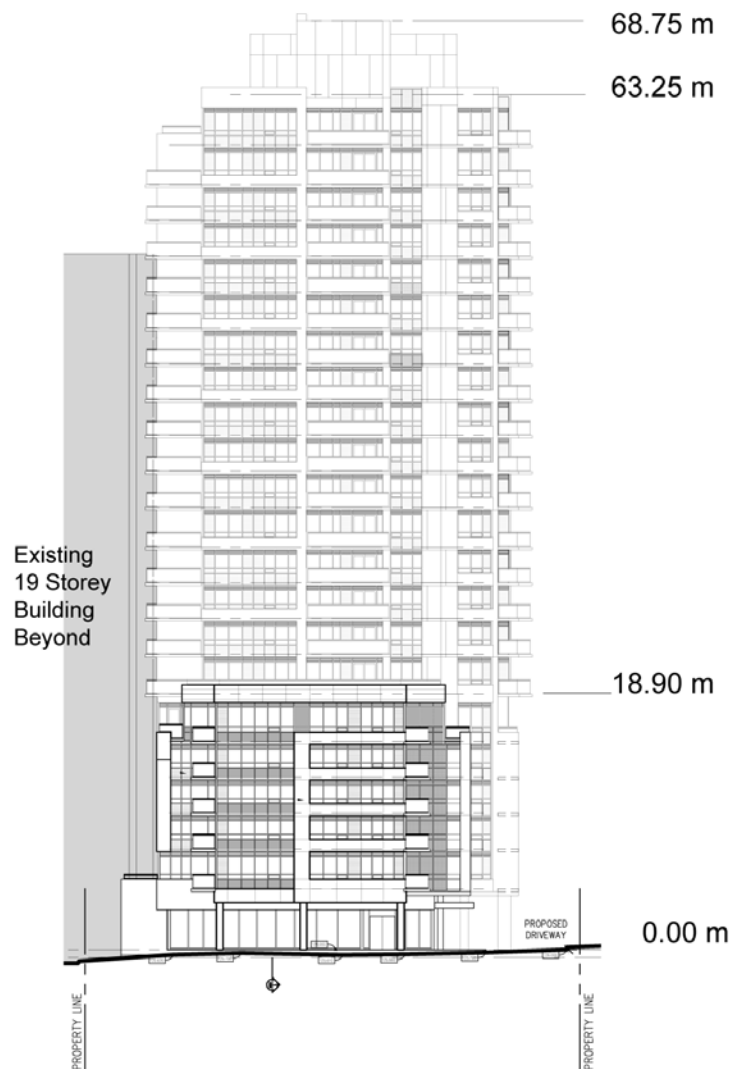
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Site Plan

Applicant's Submitted Drawing

Not to Scale  
03/14/2018

Attachment 7: Figure 6: Elevations



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## East Elevation

Applicant's Submitted Drawing

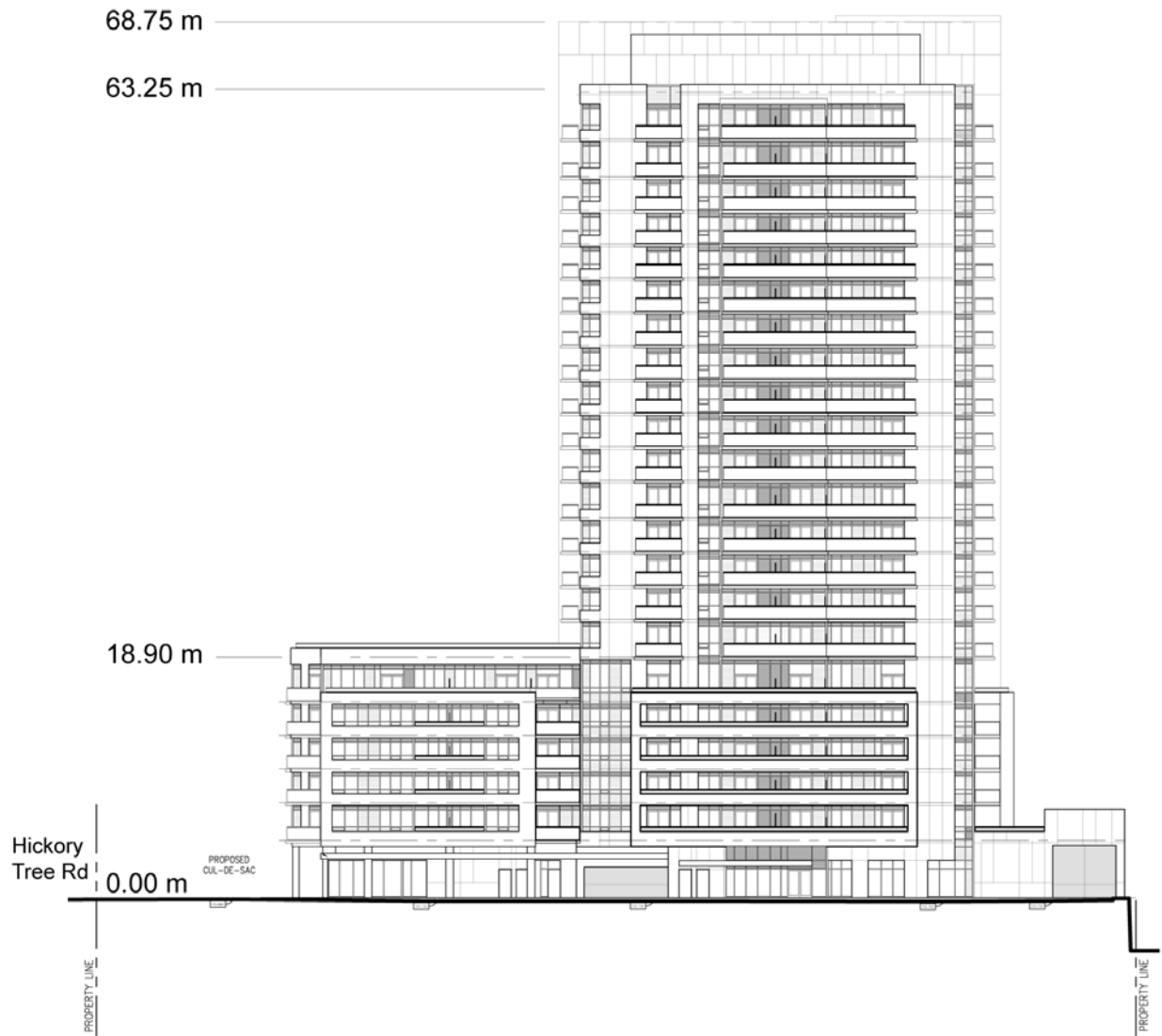
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10 Wilby Crescent

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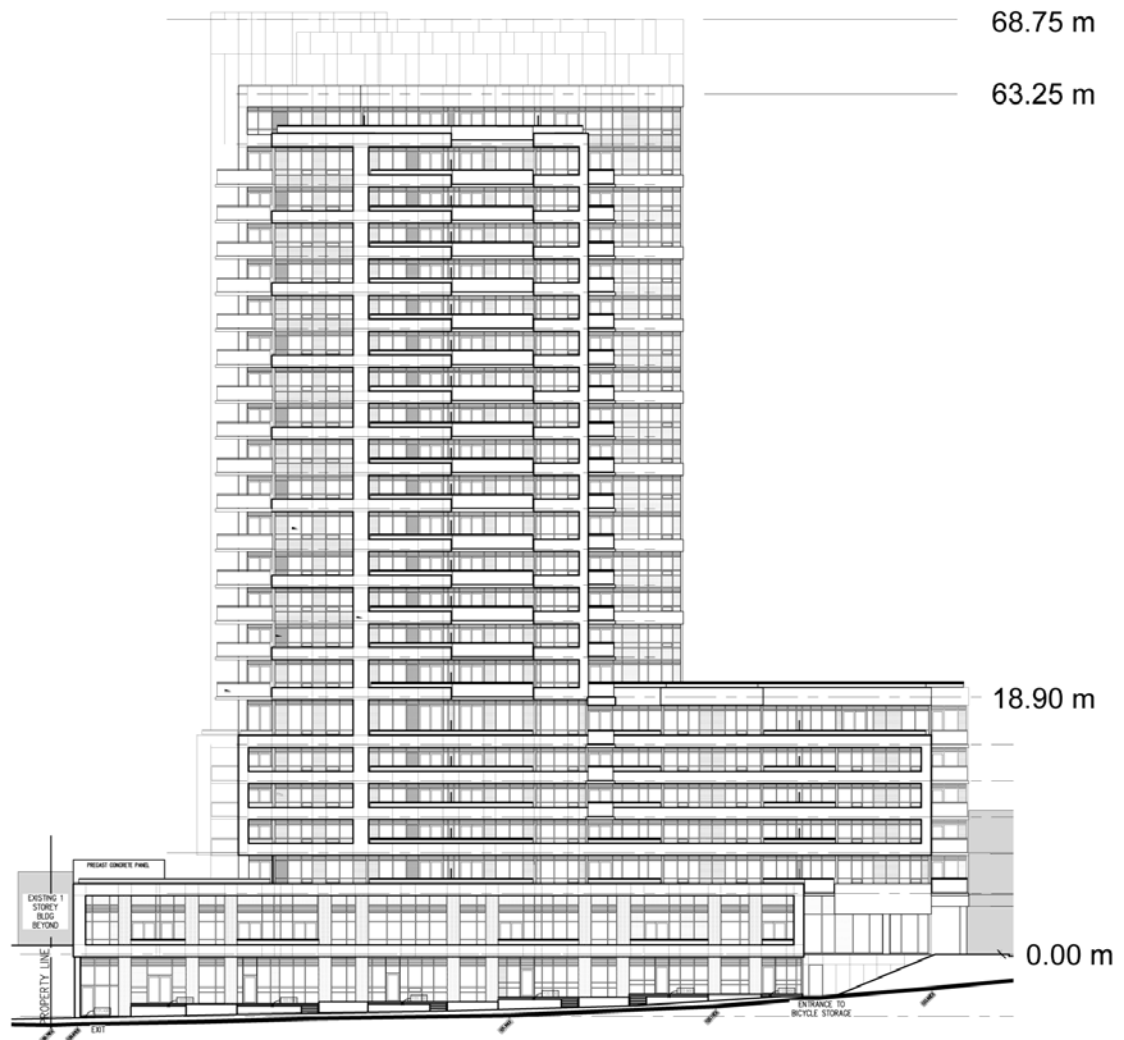
## North Elevation

Applicant's Submitted Drawing

Not to Scale  
03/14/2018

10 Wilby Crescent

File # 16 241014 WET 11 0Z



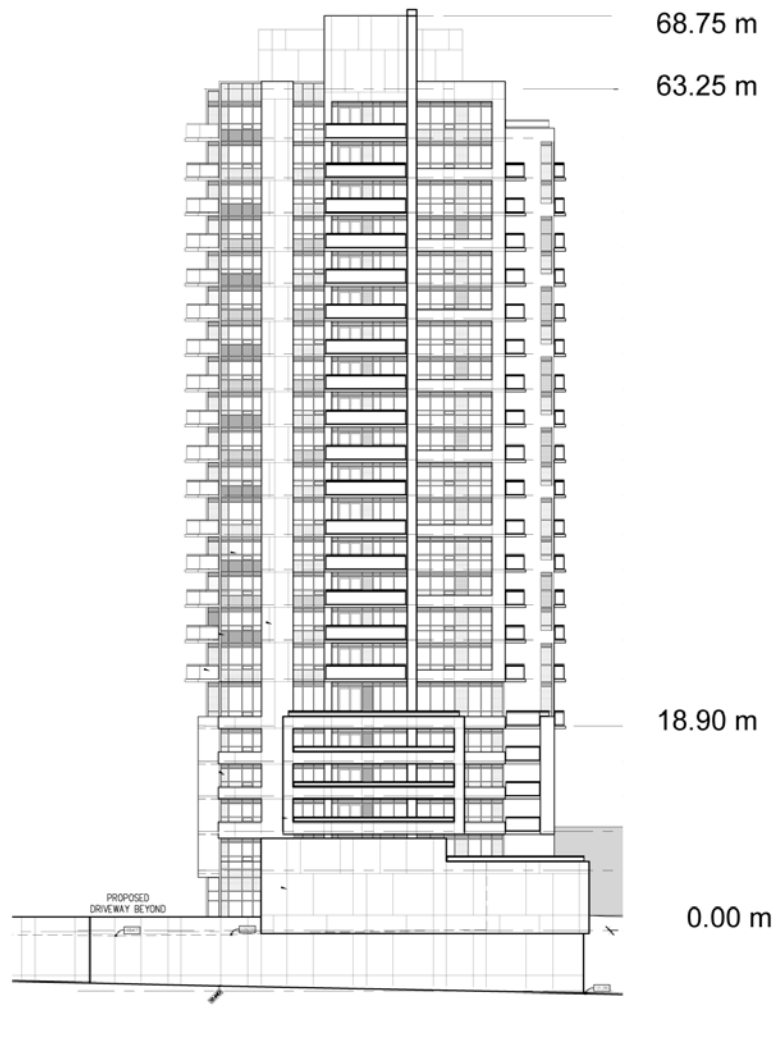
## South Elevation

Applicant's Submitted Drawing

Not to Scale  
03/14/2018

10 Wilby Crescent

File # 16 241014 WET 11 02



## West Elevation

Applicant's Submitted Drawing

Not to Scale  
03/14/2018

10 Wilby Crescent

File # 16 241014 WET 11 0Z