



REPORT FOR ACTION

290 Old Weston Road – Official Plan Amendment and Zoning Amendment Application – Preliminary Report

Date: October 13, 2020

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Wards: Ward 9 - Davenport

Planning Application Number: 20 169194 STE 09 OZ

Notice of Complete Application Issued: August 26, 2020

Current Use(s) on Site: vacant industrial land

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application for 290 Old Weston Road. The application proposes to allow a 29-storey mixed-use building, including a 4 to 6-storey base building, with 277 dwelling units and 4,643 square metres of commercial office space. The site, currently vacant with no existing buildings, was formerly used for a dry cleaning facility (Cadet Cleaners).

Staff are currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. The application review will also be informed by the Keele-St. Clair Local Area Study, which is currently underway as part of the City's Municipal Comprehensive Review of the Official Plan and Growth Plan conformity exercise.

Staff will proceed to schedule a virtual community consultation meeting for the application with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 290 Old Weston Road together with the Ward Councillor.

2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

FINANCIAL IMPACT

The City Planning Division confirms that there are no financial implications resulting from the recommendations included in the report in the current budget year or in future years.

DECISION HISTORY

City Council adopted Official Plan Amendment (OPA) 231 (By-law 1714-2013) on December 18, 2013, following the first Municipal Comprehensive Review to conform to the Growth Plan for the Greater Golden Horseshoe, and modified Site and Area Specific Policy No. 441 that applies to the subject site in order to permit "light employment and residential uses" on the *General Employment Areas* land.

On October 15, 2019, Planning and Housing Committee directed staff to "prioritize the study of the Keele - St. Clair area including lands around McCormack Street" as part of the current Municipal Comprehensive Review and Growth Plan conformity exercise, with consideration for the potential new Smart Track / GO station in this area. Staff have recently initiated the prioritized study, namely the "Keele-St. Clair Local Area Study", which includes the subject site within the study area.

ISSUE BACKGROUND

Application Description

This application proposes to amend the Official Plan by amending Site and Area Specific Policy 441 that applies to 290 Old Weston Road, which currently allows for "light employment and residential uses", to specify that a mixed-use tall building is permitted on the site, while maintaining the *General Employment Area* designation. The proposed zoning by-law amendment is to rezone the property from *Employment (E)* to *Commercial-Residential (CR)* with site-specific height, massing, and parking provisions.

The proposed development is a 29-storey (99 metres including mechanical penthouse) mixed-use building, including a 4 to 6-storey base building, with 4,643 square metres of office space and 277 dwelling units (see Attachment 5: Site Plan). On-site parkland with an area of 540 square metres is also proposed. The gross floor area is 23,509 square

metres, resulting in a gross floor space index (FSI) of 3.4 times the lot area and a net FSI of 5.4 once the proposed parkland and future public right-of-way is excluded from the lot area. A total of 157 parking spaces are proposed, including 126 spaces for residential occupants, 21 spaces for residential visitors, and 10 spaces for the office space. A total of 323 bicycle parking spaces are proposed.

The proposed vehicular access would initially be only from a private driveway from Old Weston Road at the north end of the site. Through the implementation of the St. Clair Avenue West Transportation Master Plan, Davenport Road will be extended northwest through the subject site, creating new public street frontage and vehicular access for the proposed development.

The subject site has an area of 6,920 square metres with 56 metres of frontage on Old Weston Road that is divided into 3 disjointed frontages (see Attachment 2: Location Map). The site, now vacant with no buildings, was most recently used for a dry cleaning facility (Cadet Cleaners). The Metrolinx-Kitchener rail corridor abuts the west side of the site and 2-storey houses within an established *Neighbourhood* are adjacent to the east side along Old Weston Road. The north side abuts a large site, 1799 St Clair Avenue West, occupied by a large one-storey building currently used by Delta Bingo, which faces St. Clair Avenue West to the north.

Detailed project information is found in Attachment 8: Project Data sheet and on the City's Application Information Centre at:
<http://app.toronto.ca/AIC/index.do?folderRsn=mXmi5EnvFDEVVbaSCAJeVg%3D%3D>

See Attachment 1 of this report, for a three dimensional representation of the project in context.

Provincial Policy Statement and Provincial Plans

Land use planning in the Province of Ontario is a policy led system. Any decision of City Council related to this application is required to be consistent with the Provincial Policy Statement (2020) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, includes A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

Planning for Major Transit Station Areas

The Growth Plan (2020) contains policies pertaining to population and employment densities that should be planned for in major transit station areas (MTSAs) along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan requires that, at the time of the next municipal comprehensive review (MCR), the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs achieve appropriate densities.

The subject site is potentially within a future MTSA if a planned, Metrolinx/GO station is built at 2-80 Union Street, located approximately 300 metres north of the site.

Planning for Employment Areas

The Growth Plan (2020) states that the conversion of lands within employment areas that are Provincially Significant Employment Zones (PSEZs) to non-employment uses may be permitted only through a municipal comprehensive review, provided that certain conversion tests are met. For additional information on the City's Growth Plan (2020) conformity exercise and Municipal Comprehensive Review, please refer to the recommended work plan report at this link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.PH14.4>.

The proposed mixed-use development does not require an employment land conversion even though it is designated *General Employment Area* because Site and Area Specific Policy No. 441 in the Official Plan already permits residential uses on the subject site.

Toronto Official Plan Policies and Planning Studies

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from The Planning Act of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities and competitive employment areas while protecting existing neighbourhoods from excessive negative impact are applicable to the proposed application. Toronto Official Plan policies may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The current application is located on lands shown as *Employment Areas* on Map 2 - Urban Structure of the Official Plan and designated *General Employment Areas* on Land Use Map 17 (see Attachment 3: Official Plan Map).

The application is subject to Site and Area Specific Policies Nos. 234 and 441, which respectively specify that "autobody repair shops are not permitted" and that "light employment and residential uses are permitted."

As part of the current Municipal Comprehensive Review and Growth Plan conformity exercise, staff have initiated the Keele-St. Clair Local Area Study, which is a prioritized study area considering a potential new Smart Track / GO station to be located at 2-80 Union Street, north of St. Clair Avenue West. The subject site is located within the study area and therefore the proposed development will be reviewed concurrently with and in the context of the ongoing study.

Zoning By-laws

The site is zoned *Employment Industrial (E1.0 (x288))* under By-law 569-2013 (see Attachment 4: Zoning By-law Map). This zone permits a wide range of industrial and other non-residential uses, including the proposed office use, but does not permit any residential uses. The current zoning limits density to a maximum of 1.0 times the lot area (FSI 1.0) and specifies a maximum height of 23 metres. The by-law also provides several standards regarding parking and loading space requirements, bicycle parking, and landscaping.

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

Design Guidelines

The following design guideline(s) will be used in the evaluation of this application:

- Tall Building Design Guidelines
- Complete Streets Guidelines
- Urban Design Guidelines for Privately Owned Publicly-Accessible Spaces (POPS)
- Growing UP: Planning for Children in New Vertical Communities
- Pet-Friendly Design Guidelines for High Density Communities

The City's Design Guidelines may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

Site Plan Control

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

COMMENTS

Reasons for the Application

The proposed Official Plan Amendment does not propose a change in permitted uses on the subject lands. Rather, it intends to clarify the intensity of residential uses permitted on the subject lands by specifying that a mixed-use tall building is a permitted building typology. The proposed rezoning is primarily required to allow residential uses, increase the maximum density from an FSI of 1.0 to 5.4, and increase the maximum height from 23 to 99 metres.

ISSUES TO BE RESOLVED

The application has been circulated to City divisions and public agencies for comment. At this stage in the review, the following preliminary issues have been identified:

Provincial Policies and Plans Consistency/Conformity

Staff are evaluating this application against the Provincial Policy Statement (PPS) 2020 and the Growth Plan (2020) to establish the application's consistency with the PPS and conformity with the Growth Plan.

Official Plan Conformity

The proposed rezoning should conform with the Official Plan. The current Keele-St. Clair Local Area Study will potentially result in land use designation changes and/or a new Site and Area-Specific Policy (SASP) in the Official Plan. The impending study outcome and recommendations will inform the evaluation of the proposed OPA and rezoning.

Policy 4.6(3) specifies that *General Employment Areas*, which is both the existing and proposed land use designation, "are places for business and economic activities generally located on the peripheries of *Employment Areas*" which allow for a wide range of non-residential uses including restaurants, retail and service uses. Section 2.2.4 - Employment Areas: Supporting Business and Employment Growth provides policies for the intended function of *Employment Areas*, including Policy 2.2.4(5) that provides policies regarding land use compatibility between non-residential uses in Employment Areas and nearby residential uses.

Because Site Specific Policy 441 allows for residential use on the subject site, despite the *Employment Area* designation, the proposed development does not represent an employment land conversion. An appropriate amount and/or ratio of residential and non-residential uses will be determined through the review of the application.

Built Form, Planned and Built Context

The proposed height and massing will be assessed largely by applying the criteria for new development provided in Sections 3.1.2 Built Form, 3.1.3 Built Form - Building Types, and 4.6 Employment Areas. The Tall Building Design Guidelines will also be applied to help determine appropriate development standards. The guidelines in the Avenues and Mid-Rise Buildings Study may also be relevant.

Official Plan Amendment (OPA) 480, which was approved by the Ministry of Municipal Affairs and Housing (MMAH) on September 21, 2020, updates the policies in Section 3.1.2 Built Form to provide more detailed direction on how a new development should respond to the existing and planned context and provide "good transition in scale between areas of different building heights." Section 3.1.3 Built Form - Building Types was updated to provide new policies for the design of mid-rise buildings and updated policies for tall buildings.

Policy 4.6(6) states that "development will contribute to the creation of competitive, attractive, highly functional *Employment Areas* by: (k) providing a buffer and/or mitigating adverse effects, where appropriate, to *Neighbourhoods*", among other criteria.

A sun/shadow study and pedestrian level wind study have been submitted, which will help inform the built form analysis with regard for protecting the public realm and adjacent *Neighbourhood* from excessive negative impact.

Parkland and Open Space

Parkland provision in the vicinity of the site is relatively low. Official Plan Map 8B - Local Parkland Provision indicates the local area has 0.0-0.42 hectares of parkland per 1000 people, which represents the lowest quintile of parkland provision in the City.

The proposed development includes on-site parkland dedication to satisfy the City's parkland dedication requirements. The proposed location and dimensions of the proposed parkland will be assessed using Official Plan Policy 3.2.3(2), which provides criteria and considerations to determine if on-site parkland dedication is appropriate and if so, how it should be configured, designed and programmed. The planned future condition for the Davenport Road extension and the evaluation of parks and the public realm as part of the Keele-St. Clair Local Area Study will also inform the evaluation.

Official Plan Section 3.1.1 - Public Realm was recently updated by Official Plan Amendment (OPA) 479, which was approved by the MMAH on September 21, 2020. The updated policies provide direction for expanding the network of public streets, open spaces, paths and other publicly accessible spaces. Policy 3.1.1(18) provides design criteria for parks and open spaces. Policies 3.1.1(19) and (20) provide design criteria for new Privately Owned Publicly-Accessible Spaces (POPS).

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law).

An Arborist Report and Tree Preservation Plan have been submitted and are currently under review by staff. The report indicates there are a total of 29 private trees on site or within 6 metres of the site, of which 25 are proposed to be removed to accommodate the proposed development.

Archaeological Assessment

An archaeological resource assessment identifies and evaluates the presence of archaeological resources also known as archaeological sites. Whether a property has archaeological resource potential can be confirmed at the searchable database TO maps.

An archaeological assessment may also be required if a property is identified on the City of Toronto's Inventory of Heritage Properties as part of the Heritage Impact Assessment process.

A Stage 1 Archaeological Assessment has been submitted and is under review by staff.

Community Services and Facilities

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures used for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions. They include recreation, libraries, childcare, schools, public health, human services, cultural services and employment services, etc. The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

The Planning Rationale Report submitted by the applicant includes a CS&F section that will help inform a larger staff-led CS&F Study that is underway as part of the Keele-St. Clair Local Area Study. The study will help identify new or expanded services or facilities needed to serve the proposed development and other planned developments.

Section 37 Community Benefits

The Official Plan provides for the use of Section 37 of the Planning Act to pass by-laws for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision by the applicant of community benefits in the form of capital facilities. It is standard to secure community benefits in a Section 37 Agreement, which is then registered on title, should the proposal advance to approval in some form.

The proposed rezoning would be subject to Section 37 community benefits because the proposed height and density exceed the thresholds specified in Official Plan Policy 5.1.1(4).

Infrastructure/Servicing Capacity

Staff are reviewing the application to determine if there is sufficient infrastructure capacity (roads, transit, water, sewage, hydro, community services and facilities, etc.) to accommodate the proposed development. The Keele-St. Clair Local Area Study will examine the potential cumulative impact of other proposed and potential developments within the study area that includes the subject site.

Staff are reviewing the submitted servicing report, the purpose of which is intended to evaluate the effects of a proposed change in land use or development on the City's municipal servicing infrastructure and watercourses and identify and provide the rationale for any new infrastructure and upgrades to existing infrastructure, necessary to provide for adequate servicing to the proposed change in land use or development.

Staff are reviewing a Transportation Impact Study submitted by the applicant, the purpose of which is to evaluate the effects of a development or re-development on the transportation system, but also to suggest any transportation improvements that are necessary to accommodate the travel demands and impacts generated by the development.

St. Clair Avenue West Transportation Master Plan

The proposed development has been designed to accommodate a future extension of Davenport Road in accordance with the St. Clair Avenue West Transportation Master Plan. The Master Plan shows that Davenport Road will be extended northwest from Old Weston Road, through the subject site, north over St. Clair Avenue West and merge with Union Street adjacent to the planned Metrolinx/GO station at 2-80 Union Street.

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.

A TGS Checklist has been submitted, which indicates the proposed development will comply with the Tier 1 performance measures. Staff will work with the applicant to achieve Tier 2 or higher through the review process.

Other Matters

The owner of the subject site has appealed Official Plan Amendment (OPA) 320 to the Local Planning Appeal Tribunal (LPAT) on a site-specific basis. City Council adopted OPA 320 in 2015 as part of the Five Year Review of the Official Plan and amended the Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods* policies. OPA 320 was appealed by 57 appellants. In 2018 the LPAT brought the OPA 320 policies into force, except with regard to those lands that remain subject to site-specific appeals, including the subject site. The applicant should clarify its concerns regarding OPA 320 that amended policies in the Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods* sections of the Official Plan.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

CONTACT

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SIGNATURE

Lynda H. Macdonald, MCIP, RPP, OALA, FCSLA
Director, Community Planning
Toronto and East York District

ATTACHMENTS

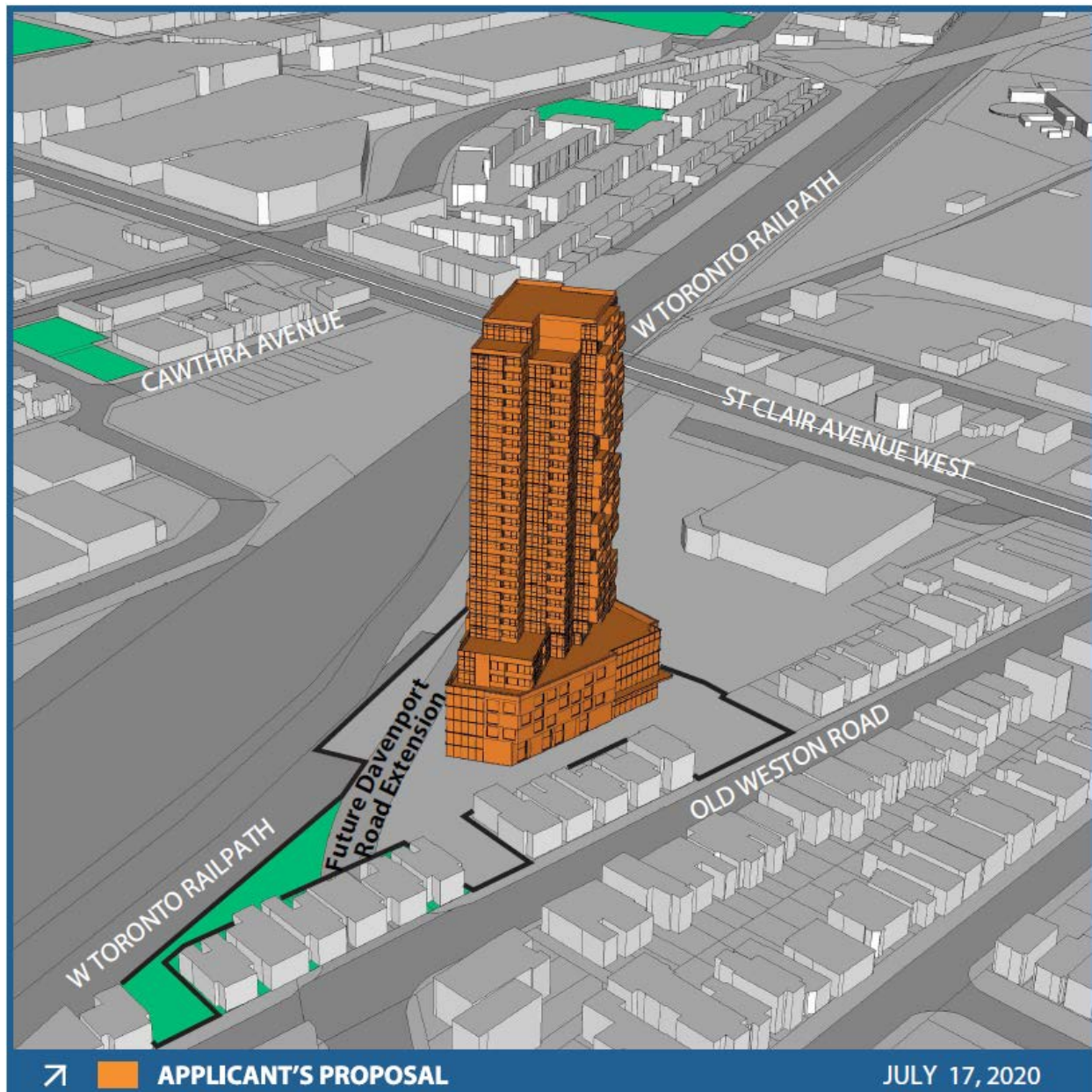
City of Toronto Drawings

Attachment 1a-b: 3D Model of Proposal in Context
Attachment 2: Location Map
Attachment 3: Official Plan Map
Attachment 4: Zoning By-law Map

Applicant's Drawings and Project Data Sheet

Attachment 5: Site Plan
Attachment 6a-d: Elevations
Attachment 7: Pedestrian Perspective Looking Southeast
Attachment 8: Project Data Sheet

Attachment 1a: 3D Model of Proposal in Context - looking northwest



Attachment 1b: 3D Model of Proposal in Context - looking southeast

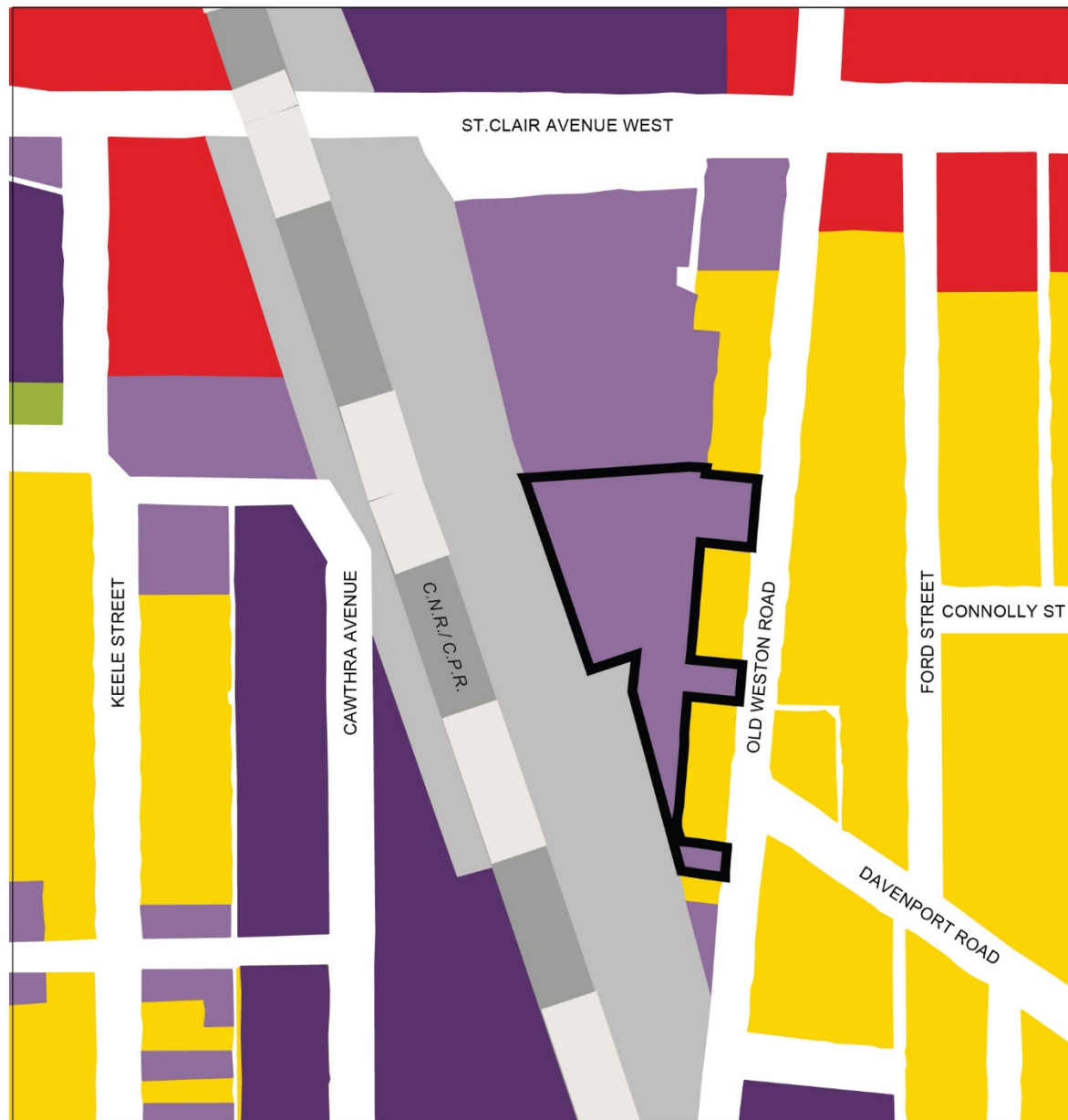


View of Applicant's Proposal Looking Southeast



10/14/2020

Attachment 3: Official Plan Map



Official Plan Land Use Map #17

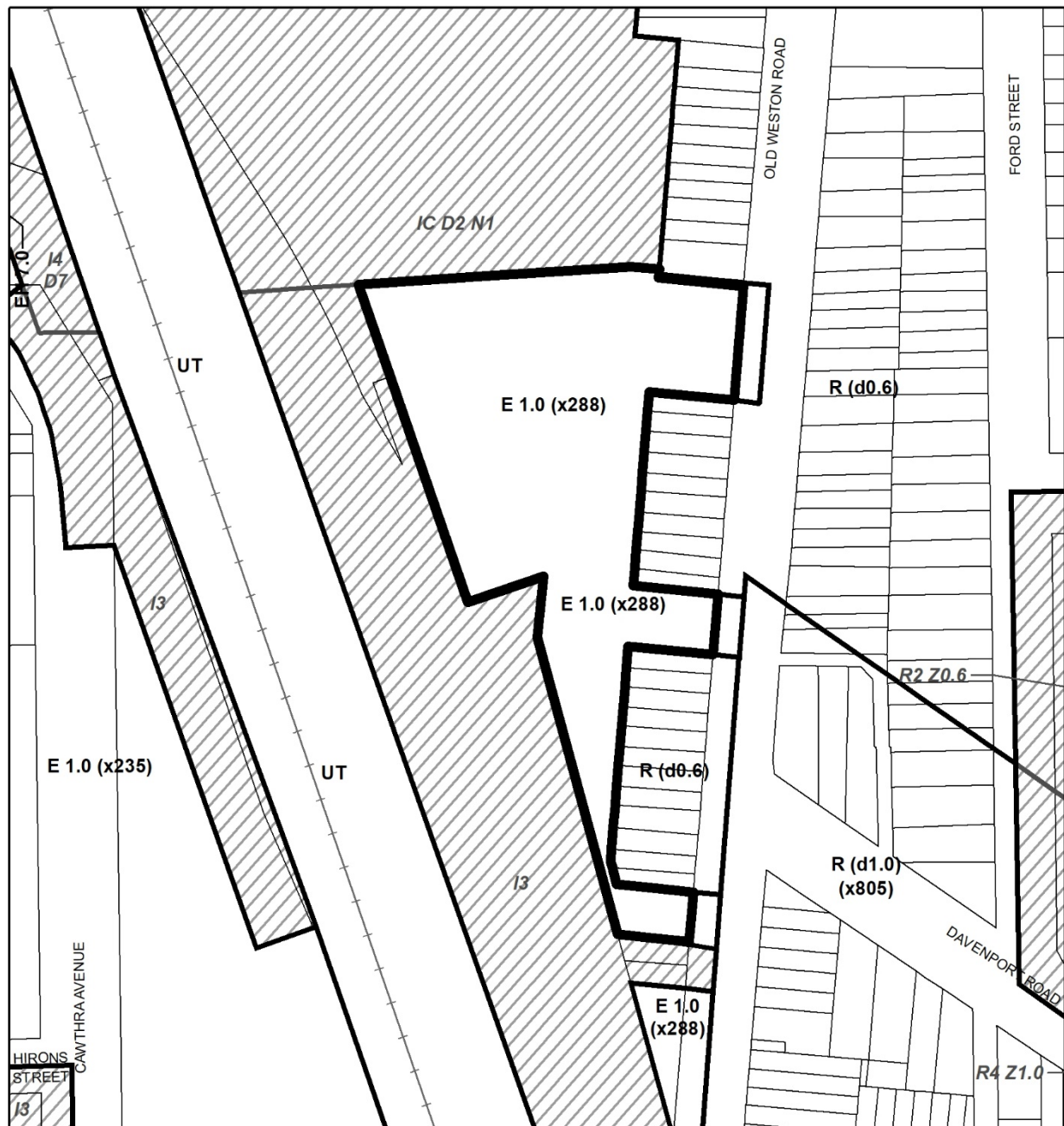
290 Old Weston Road

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Attachment 4: Zoning By-law Map



Zoning By-law 569-2013

290 Old Weston Road

File # 20 169194 STE 09 0Z



Location of Application

R
E

Residential
Employment Industrial

EH
UT

Employment Heavy Industrial
Utility and Transportation



See Former City of Toronto By-law No. 438-86

R2

Residential District

R4

Residential District

I3

Industrial District

I4

Industrial District

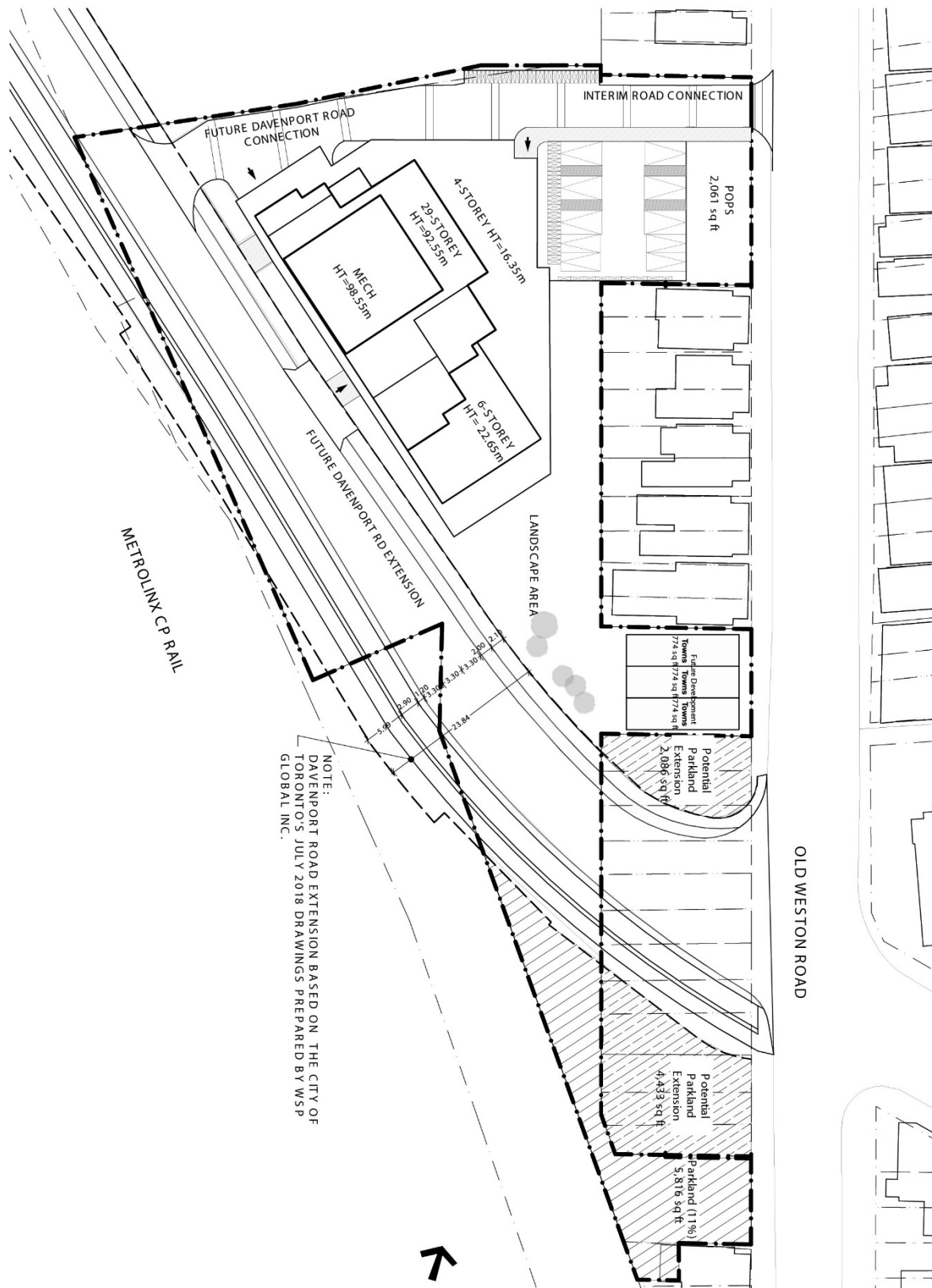
IC

Industrial District

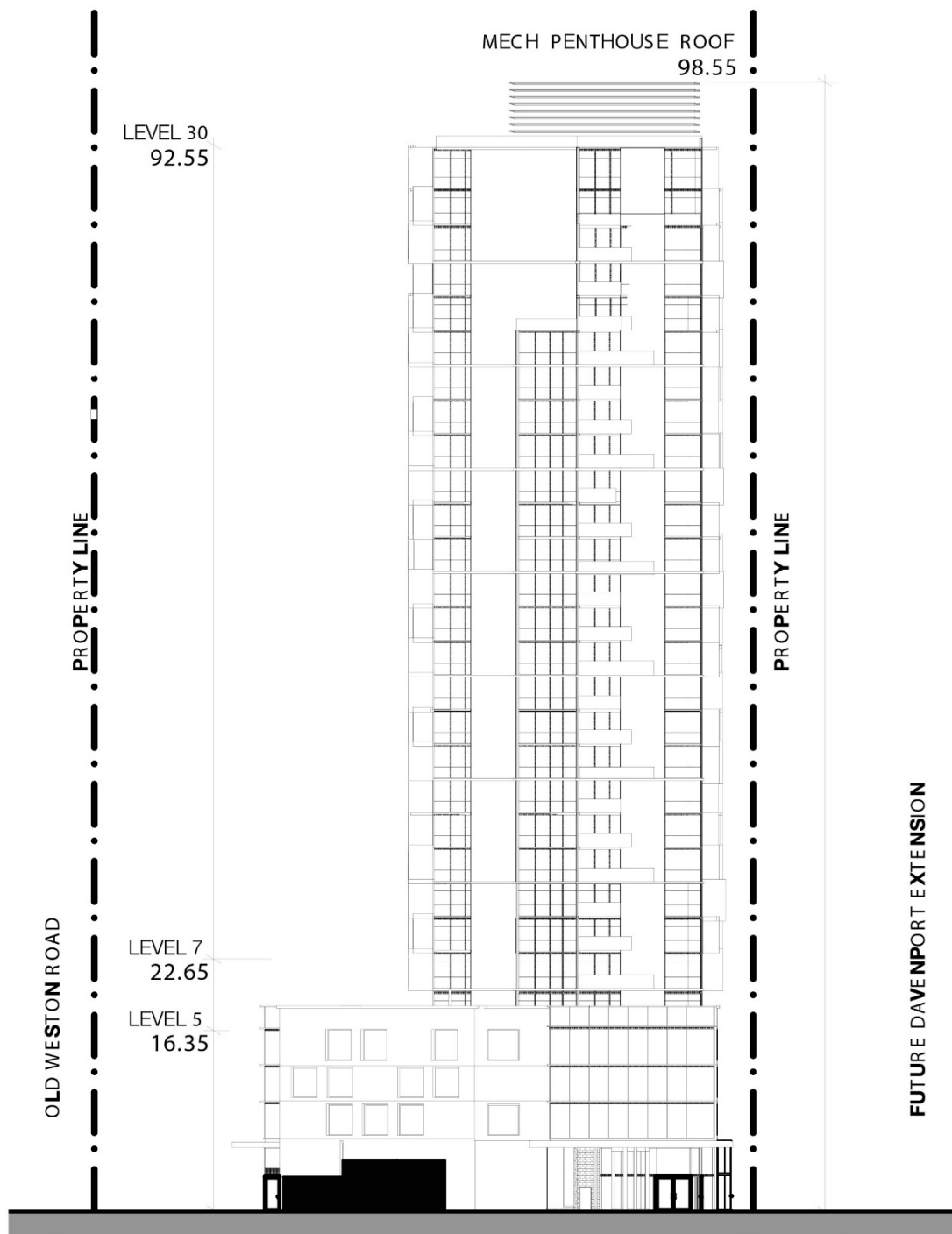


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Staff Report for Action - Preliminary Report - 290 Old Weston Road

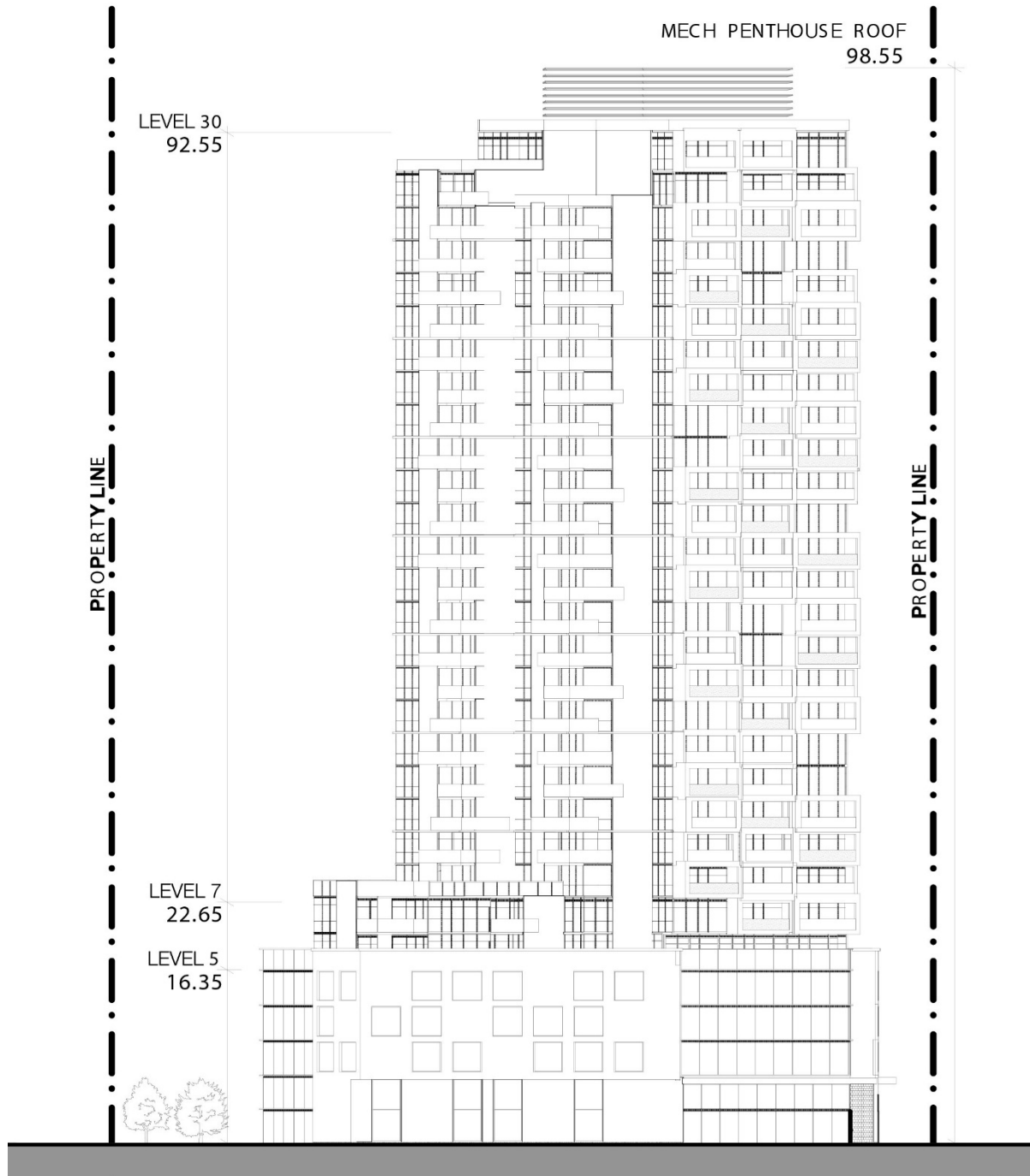


Attachment 6a: North Elevation



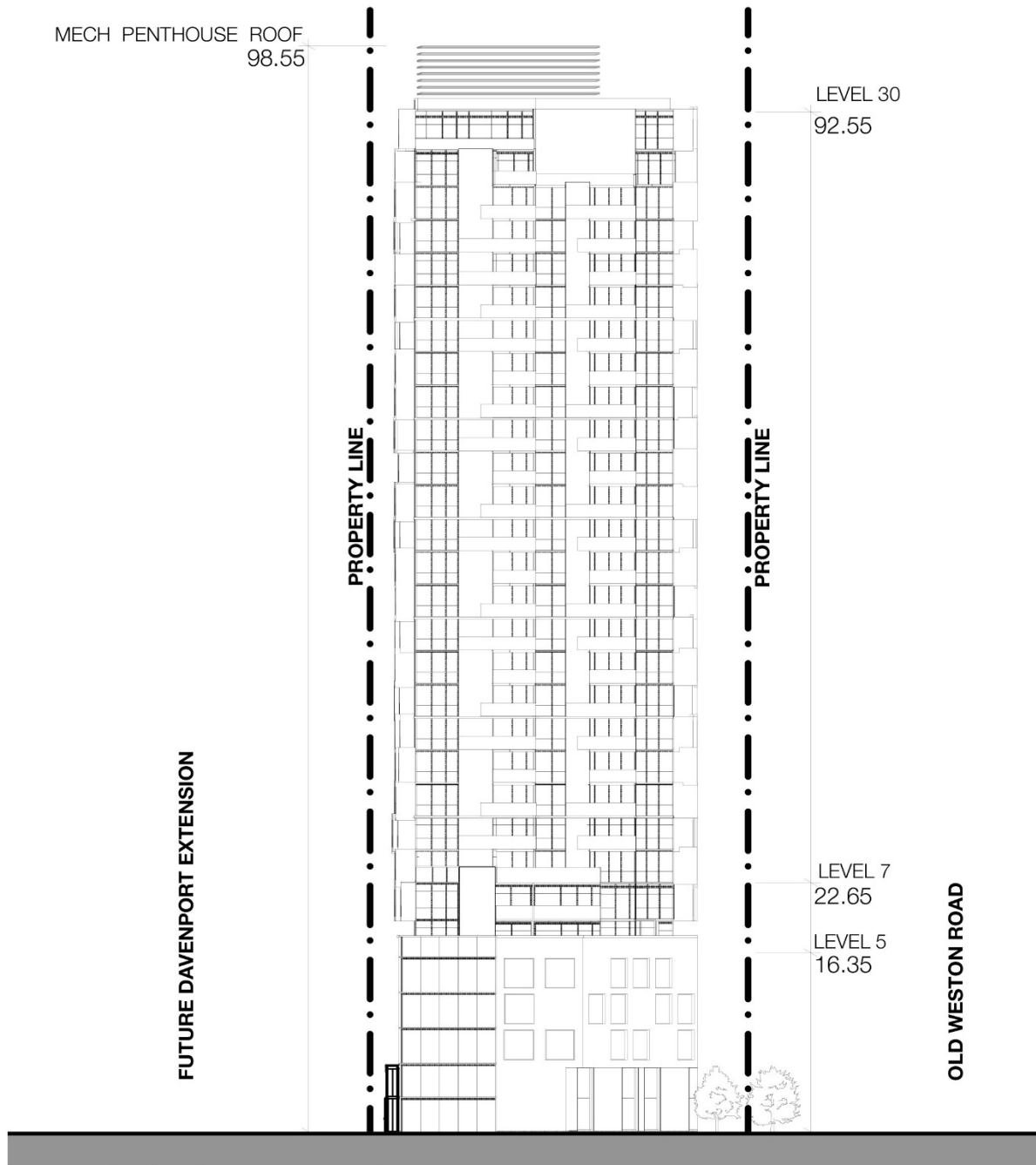
North Elevation

Attachment 6b: East Elevation

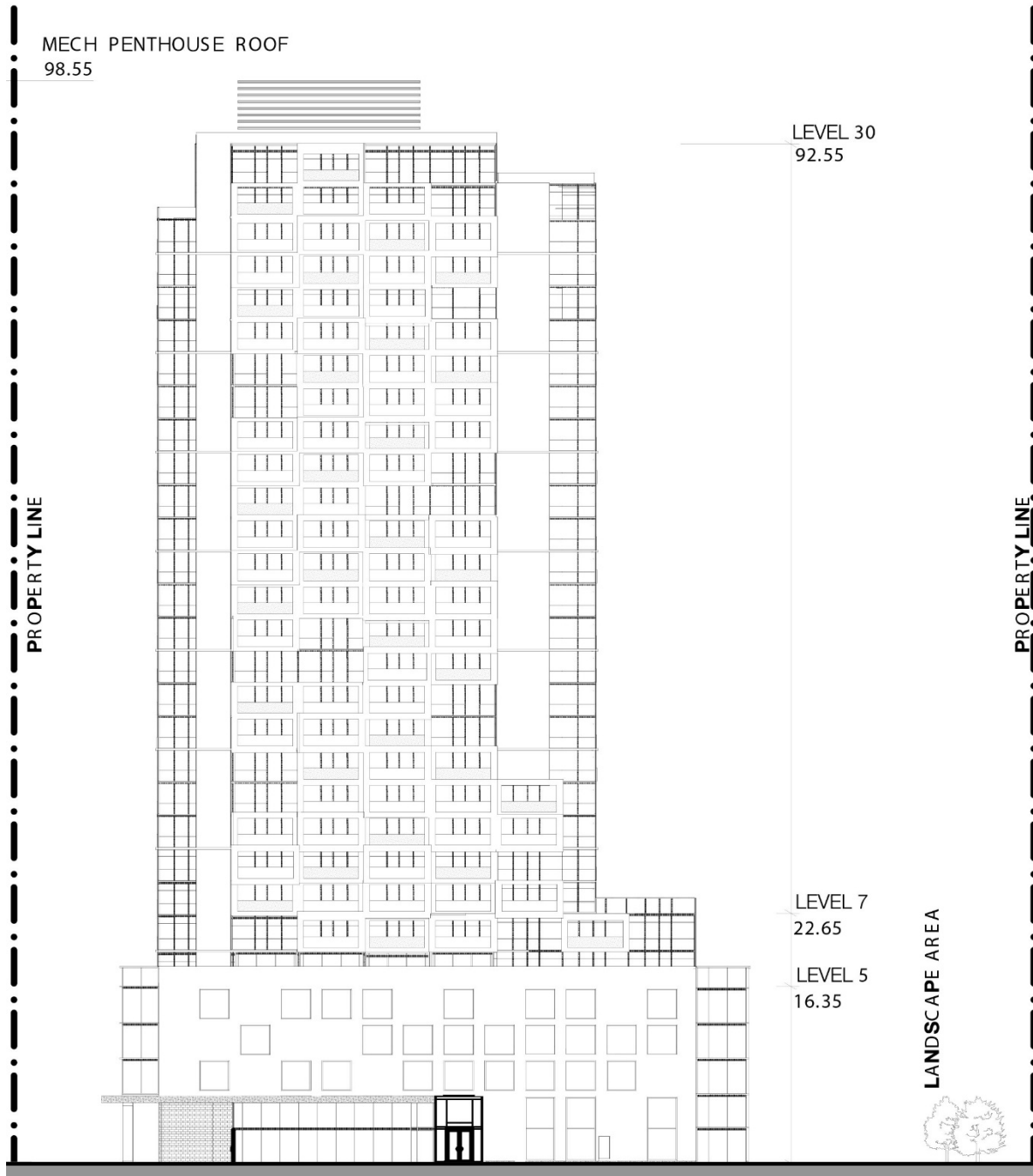


East Elevation

Attachment 6c: South Elevation



Attachment 6d: West Elevation



West Elevation

Attachment 7: Pedestrian Perspective Looking Southeast



Attachment 8: Application Data Sheet

Municipal Address: 290 OLD WESTON RD Date Received: July 17, 2020
 Application Number: 20 169194 STE 09 OZ
 Application Type: OPA / Rezoning, OPA & Rezoning
 Project Description: Proposal for a 29-storey mixed-use building, with a 23-storey tower element atop a 6-storey podium. This redevelopment would result in a total gross floor area of 23,509 square metres, including 4,643 square metres of employment office space and 277 residential units, resulting in a total floor space index of 3.4 times the area of the lot.

Applicant	Agent	Architect	Owner
BOUSFIELDS INC		TACT Architecture Inc.	I2 DEVELOPMENTS (OLD WESTON) INC

EXISTING PLANNING CONTROLS

Official Plan Designation:	Employment Areas	Site Specific Provision:	SASP 441, SASP 234
Zoning:	E1.0 (x288)	Heritage Designation:	N
Height Limit (m):	23	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m):	6,920	Frontage (m):	56	Depth (m):
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Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			1,412	1,412
Residential GFA (sq m):			18,866	18,866
Non-Residential GFA (sq m):			4,643	4,643
Total GFA (sq m):			23,509	23,509
Height - Storeys:			29	29
Height - Metres:			99	99

Lot Coverage Ratio (%)	20.41	Floor Space Index:	3.4 gross / 5.4 net
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Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	18,866	
Retail GFA:		
Office GFA:	4,643	
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			277	277
Other:				
Total Units:			277	277

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		18	187	48	24
Total Units:		18	187	48	24

Parking and Loading

Parking Spaces:	157	Bicycle Parking Spaces:	323	Loading Docks:	2
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CONTACT:

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