

15, 19, 21 and 23 Toryork Drive – Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision Applications – Request for Direction Report

Date: June 7, 2022

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Ward: 7 - Humber River-Black Creek

Planning Application Numbers: 21 211444 WET 07 OZ, 21 211446 WET 07 SB

SUMMARY

On September 12, 2021, an application was submitted to amend the Emery Village Secondary Plan, the former City of North York Zoning By-law 7623 and city-wide Zoning By-law 569-2013 for the lands located at 15, 19, 21 and 23 Toryork Drive. The application proposes to permit one residential building with a height of 29 storeys, and three mixed-use buildings with heights of 27, 36 and 38 storeys. The proposal would result in a total gross floor area of 97,000 square metres consisting of 1,177 residential units and 870 square metres of non-residential gross floor area. The proposal would also result in an on-site parkland dedication of 1,630 square metres and a privately owned publicly-accessible space of 613 square metres.

In addition to the Official Plan and Zoning By-law amendment application, a Draft Plan of Subdivision application was submitted to create four blocks and to establish a public street to implement the proposal.

The proposed development does not conform to the built form policies of the Emery Village Secondary Plan. As such, it is not consistent with the Provincial Policy Statement (2020) and does not conform with the Growth Plan for the Greater Golden Horseshoe (2020).

On March 16, 2022, the combined Official Plan and Zoning By-law amendment application and the Draft Plan of Subdivision application were appealed to the Ontario Land Tribunal (OLT) by the applicant pursuant to Sections 22(7), 34(11) and 51(34) of the *Planning Act*, citing City Council's failure to make a decision within the prescribed timelines after the applications were deemed complete.

This report recommends that City Council direct the City Solicitor, together with appropriate City staff, to oppose the current proposal at the OLT and to continue discussions with the applicant to resolve outstanding issues.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor and appropriate City staff to attend the Ontario Land Tribunal hearing to oppose the appeal respecting the Official Plan Amendment and Zoning By-law Amendment application (File 21 211444 WET 07 OZ) as proposed for the lands at 15, 19, 21 and 23 Toryork Drive in the current form.
2. City Council direct the City Solicitor to seek instruction from the Chief Planner and Executive Director, City Planning pursuant to Chapter 415-18.1 of the Toronto Municipal Code, as amended, for the purpose of attendance at the Ontario Land Tribunal with respect to the proposed Draft Plan of Subdivision (File 21 211446 WET 07 SB) for the lands at 15, 19, 21 and 23 Toryork Drive and appropriate conditions of subdivision approval, including conditions relating to site servicing and dedication of public streets.
3. City Council authorize City staff to continue discussions with the applicant to negotiate an appropriate development proposal for the lands at 15, 19, 21 and 23 Toryork Drive which addresses the issues set out in this report and direct the City Solicitor to report back to City Council with any settlement proposal arising from the discussions.
4. In the event that the Ontario Land Tribunal allows the appeals in whole or in part, City Council direct that the full on-site parkland dedication pursuant to Section 42 of the Planning Act be required and is conveyed and constructed to base park condition at no cost to the City, all to the satisfaction of the General Manager, Parks, Forestry and Recreation.
5. In the event that the Ontario Land Tribunal allows the appeal in whole or in part, City Council approve a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the owner of the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry and Recreation, and the development charge credit shall be in an amount that is the lesser of the cost to the owner for designing and constructing the Above Base Park Improvements, as approved by the General Manager, Parks, Forestry and Recreation, and the Parks, and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time.
6. In the event that the Ontario Land Tribunal allows the appeals in whole or in part, City Council direct the City Solicitor to request that the issuance of any final Order(s) be withheld until such time as the City Solicitor advises the Ontario Land Tribunal that:
 - a. The final form and content of the Official Plan Amendment is satisfactory to the Chief Planner and Executive Director, City Planning, and the City Solicitor;
 - b. The final form and content of the Zoning By-law Amendments are satisfactory to the Chief Planner and Executive Director, City Planning, and the City Solicitor;

- c. The owner has provided a revised Functional Servicing Report, a revised Stormwater Management Report, a revised Hydrological Report and a revised Geotechnical Study, such reports to be reviewed to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
- d. The owner has provided a revised Transportation Impact Study, to be reviewed to the satisfaction of the General Manager, Transportation Services;
- e. The owner has provided a revised Pedestrian Wind Study, such report to be reviewed with recommendations implemented as part of the Zoning By-laws and/or secured in a development agreement, to the satisfaction of the Chief Planner and Executive Director, City Planning;
- f. The owner has provided a revised Land Use Compatibility Study, Noise Impact Study, and Vibration Study, such reports to be peer reviewed by a third party consultant on behalf of the City and at the owner's expense, with recommendations to be implemented as part of the amending Zoning By-laws and/or secured in a development agreement, to the satisfaction of the Chief Planner and Executive Director, City Planning;
- g. The owner has made satisfactory arrangements with the City and has entered into the appropriate agreements for the design and construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support the development, according to the accepted Functional Servicing Report, Stormwater Management Report, Hydrological Report, Geotechnical Report and Transportation Impact Study accepted by the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Transportation Services;
- h. The owner has provided a revised Tree Preservation Plan and a revised Landscape Concept Plan to the satisfaction of the General Manager of Parks, Forestry and Recreation; and
- i. Where applicable community benefits and other matters in support of the development are to be secured in a Section 37 Agreement executed by the owner registered on title to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor, including the following:
 - 1. 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 from time to time, to the satisfaction of the Chief Planner and Executive Director, City Planning; the owner will be encouraged to achieve Tier 2, Toronto Green Standard, or higher, where appropriate, and consistent with the performance standards of Toronto Green Standards applicable at the time of the site plan control application for the development; and

2. The owner shall satisfy applicable signage requirements of the Toronto District School Board and the Toronto Catholic District School Board and shall insert warning clauses in purchase and sale/tenancy agreements as required in connection with student accommodation.

7. In the event the Ontario Land Tribunal allows the appeal in whole or in part, City Council direct the City Solicitor to request the Ontario Land Tribunal to withhold its Order approving the Draft Plan of Subdivision until the City and the owner present the Ontario Land Tribunal with Draft Plan of Subdivision Conditions to address the technical requirements of the development including among others, the construction of streets and services, tree protection, tree planting and grading as determined by the Chief Planner and Executive Director, City Planning.

FINANCIAL IMPACT

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

DECISION HISTORY

In November 2002, City Council adopted the Emery Village Secondary Plan as Official Plan Amendment 499 to the former City of North York Official Plan. The intent of the Secondary Plan is to provide parameters for incremental mixed-use development that promotes transit use and pedestrian activity. In May 2003, City Council adopted the associated Emery Village Zoning By-law 422-2003 to amend the former City of North York Zoning By-law 7625. Zoning By-law 422-2003 establishes performance standards to implement the Secondary Plan, along with holding provisions that limit development pending submission of appropriate studies to the satisfaction of the City to ensure there is adequate infrastructure services to accommodate the planned mixed-use developments.

On June 26, 2003, City Council adopted a Zoning By-law amendment on the subject site to permit residential buildings ranging in heights from two to 18 storeys with a Floor Space Index (FSI) of 2.97 times the area of the lot, enacted as Zoning By-law 518-2003.

On December 16, 2003, the Committee of Adjustment approved a minor variance application to permit eight residential buildings and a mixed-use building resulting in a Floor Space Area of 5.8 times the area of the lot (File A239/03NY). As part of the decision, a Section 37 Agreement was to be entered into to secure a flagpole, an outdoor ice rink and a public road that would connect Toryork Drive and Finch Avenue West north of the site (Emery Village Road 2A). The Section 37 Agreement was never executed and registered on title.

On March 7, 2013, the Committee of Adjustment approved the minor variance application to revise the conditions imposed by the 2003 minor variance decision, (File 81/13EYK). Specifically, the decision modified the condition requiring the owner to enter into a Section 37 Agreement to secure the items noted above and instead required the owner to enter into a Section 45 Agreement to secure a cash contribution of \$5,200,000 to be paid in installments, and to be used towards: the Emery Village Heritage and

Cultural Plan; community facilities; the construction of a pedestrian bridge over Finch Avenue West in the vicinity of the site; and the construction of the Emery Village Road 2A. The Section 45 Agreement was never executed or registered on title.

On January 5, 2022, the Etobicoke York Community Council adopted the Preliminary Report on the subject applications, authorizing staff to conduct a community consultation meeting. The decision document can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.EY29.5>

SITE AND SURROUNDING AREA

The subject site is located near the northwest corner of Weston Road and Finch Avenue West. The site is an irregular shaped parcel with an area of 15,688 square metres fronting on Toryork Drive and currently occupied by two vacant commercial buildings.

Surrounding land uses include:

North: At the northeast corner of Toryork Drive and Weston Road is a bank and a storage lot for shipping containers. Extending further north is the Canadian Pacific rail corridor as well as industrial buildings of one to two storeys.

East: Immediately to the east are a series of low-rise buildings occupied by a variety of commercial and employment uses, as well as a gas station. Extending further east, across Weston Road are five one-storey commercial buildings and the Canadian Pacific rail corridor.

South: Abutting the subject site are a number of commercial buildings as well as a five-storey mixed-use building, all of which front onto Finch Avenue West. The site at 2370 Finch Avenue West is subject to an Official Plan and Zoning By-law amendment application for a six and 11 storey mixed-use building, (File 17 262422 WET 07 OZ). Extending further south, on the opposite side of Finch Avenue West are a series of high-rise apartment buildings, high-rise mixed-use buildings and low-rise commercial buildings. The site at 3400 Weston Road and 2405 Finch Avenue West is subject to an Official Plan and Zoning By-law amendment application for a 30-storey apartment building (File 20 183834 WET 07 OZ). Beyond is Lindylou Park, a utility corridor, one to two-storey semi-detached residential dwellings, and the Humber River.

West: Immediately to the west of the subject site is the Emery Parks Yard with a one-storey building. A tributary of the Humber River passes through the yard's lands. Further west is a fire station and a mixture of commercial and industrial buildings of one to two storeys.

See Attachment 2 for the location map.

PROPOSAL

Description

This application proposes to amend the Emery Village Secondary Plan (EVSP), the former City of North York Zoning By-law 7623, as amended, and city-wide Zoning By-law 569-2013 for the lands located at 15, 19, 21 and 23 Toryork Drive. The application proposes to permit four buildings with heights of 27, 29, 36 and 38 storeys (91.5 metres, 97.3 metres, 118.5 metres and 124.9 metres including the mechanical penthouse respectively). The proposal will consist of 1,177 residential units and 870 square metres of non-residential gross floor area, resulting in a total gross floor area of 97,000 square metres. A total of 1,068 vehicular parking spaces and 941 bicycle parking spaces are proposed to be contained within three four-level underground parking garages.

Of the proposed 1,177 residential units, 677 (58 percent) are one-bedroom, 342 (29 percent) are two-bedrooms, and 158 (13 percent) are three-bedrooms. A total of 2,381 square metres of indoor amenity space and 2,399 square metres outdoor amenity space are proposed at-grade, and on the second, third, sixth and seventh storeys.

The site would also result in a L-shaped public street which runs south from Toryork Drive and then west through the centre of the site connecting to the future Emery Village Road 2A to the west. A parkland dedication of 1,630 square metres is also proposed on the south portion of the site, and a Privately Owned Publicly-Accessible Space (POPS) of 613 square metres is proposed on the north portion of the site.

Refer to Table 1 for a summary of the key statistics pertaining to each development block.

Table 1 - Key Statistics

	Block 1 – Tower A	Block 2 – Towers B and C	Block 3 – Tower D
Gross Floor Area (sq.m.)			
Residential	28,555	45,959	21,616
Retail	508	362	-
Total	29,063	46,321	21,616
Residential Amenity (sq.m.)			
Indoor	692	1,102	582
Outdoor	703	1,134	562
Residential Units			
1-Bedroom	206 (59.4%)	288 (52.4%)	183 (65.4%)
2-Bedroom	93 (26.8%)	191 (34.7%)	58 (20.7%)

	Block 1 – Tower A	Block 2 – Towers B and C	Block 3 – Tower D
3-Bedroom Total	48 (13.8%) 347	71 (12.9%) 550	39 (13.9%) 280
Building Height (m.)	124.9 (38 storeys)	118.5 (36 storeys) 91.5 (27 storeys)	97.3 (29 storeys)

See Attachment 1 for the Application Data Sheet, Attachment 6 for the proposed site plan, and Attachments 8 to 11 for the proposed building elevations.

Detailed project information is found on the City's Application Information Centre at: www.toronto.ca/15ToryorkDr

Reasons for the Application

The proposal requires an amendment to the EVSP as the building heights and overall density exceed the permissions outlined in the Secondary Plan to encourage a balanced mixed-use community. The proposal is seeking heights ranging from 27 to 38 storeys, whereas *Mixed Use Area 'C1'* permits heights ranging from two to 18 storeys subject to incentives articulated in the EVSP. The proposal is also seeking a FSI of 6.31 times the area of the lot, whereas *Mixed Use Area 'C1'* permits a maximum FSI of three times the area of the lot subject to incentives articulated in the EVSP.

The proposal requires amendments to the former City of North York Zoning By-law 7625 and city-wide Zoning By-law 569-2013 in order to vary several performance standards as they relate to density, height, setbacks and parking spaces, among others.

A Plan of Subdivision is required to create the proposed four blocks and a public street, known as 'Street A'. See Attachment 7 for the proposed Draft Plan of Subdivision.

Site Plan Control

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

POLICY CONSIDERATIONS

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 (2020) requires that, at the time of the next Municipal Comprehensive Review (MCR), the City updates its Official Plan to delineate MTSA boundaries and demonstrates how the MTSAs plan for the prescribed densities. Protected Major Transit Station Areas (PMTSAs) will become a subset of the MTSAs in the City. Policy 2.2.4.5 of the Growth Plan (2020) states the City may delineate MTSAs

before the MCR is completed provided the delineation is for a PMTSA in accordance with Section 16(15) of the *Planning Act*. The subject site is within the draft Official Amendment 570, which include the proposed Site and Area Specific Policy 701 – the Emery Station PMTSA.

The subject site is designated *Mixed Use Areas* on Map 13 - Land Use of the Official Plan, and is designated *Mixed Use Area 'C1'* on Map 26-1 of the EVSP.

The subject site is zoned "Mixed Use Commercial" C5 with a (H1) Holding symbol in the former City of North York Zoning By-law 7625, as amended by Zoning By-laws 422-2003 and 518-2003. The zoning permits residential uses and a range of non-residential uses. A maximum FSI of 5.8 times the area of the lot is permitted. In terms of building heights, the site allows for nine buildings with heights of 18 storeys. The (H1) Holding symbol on the site prohibits the construction of buildings and land uses permitted until various conditions are resolved to the satisfaction of the City. The holding symbol will need to be lifted to permit development as proposed. The subject site is also zoned "Commercial Residential" and has a label of CR 2.5 (c1.0; r2.5) SS2 (x211) under city-wide Zoning By-law 569-2013. The standards of Zoning By-law 7625 are carried forward into Zoning By-law 569-2013.

Urban Design Guidelines that are relevant in the consideration of the proposal include: Tall Building Design Guidelines; Retail Design Manual; Growing Up: Planning for Children in New Vertical Communities; Privately Owned Publicly-Accessible Spaces (POPS) Urban Design Guidelines; and Pet Friendly Design Guidelines for High Density Communities.

See Attachment 12 for the policy considerations summary applicable to the subject proposal.

COMMUNITY CONSULTATION

A community consultation meeting took place virtually on March 1, 2022 using the Webex videoconferencing program. The meeting was attended by 30 people in addition to the applicant, City staff, and the Ward Councillor. Comments and issues raised at the virtual meeting, and through phone and written correspondence are noted below.

Built Form:

- The design of the proposal does not align with the context of the area.

Community Services and Facilities

- There is an insufficient amount of community services and facilities in the area (e.g. libraries, community centres).

Density:

- There is too much density proposed in an area that is already dealing with issues related to construction and congestion.
- The proposal is overdevelopment considering the lack of amenities and services in the area to support the existing residents.
- The density is appropriate given the site's proximity to the future LRT stop.

Housing:

- There is a need to provide affordable units.
- There is a need for more multi-family units than what is proposed.

Land Use:

- The proposed mixed-use development is not compatible with the existing development in the area, which is primarily made up of employment and industrial uses.
- There is a need to provide a grocery store to serve the community.

Noise:

- Concern about noise impacts from the adjacent industrial uses on the future tenants of the proposed building.

Servicing:

- Insufficient sewer, water and electrical capacity to serve the proposal.

Transportation:

- Vehicular traffic generated by the proposal will increase traffic congestion in an area already with terrible congestion.
- The school bus stop on the south side of Finch Avenue West and Weston Road is not safe due to traffic congestion, and will only be compounded with the traffic generated by this proposal.

COMMENTS

The proposal has been reviewed against the *Planning Act*, PPS, Growth Plan, Official Plan, the EVSP policies and design guidelines as outlined in the Policy Considerations section and Attachment 12 of this report.

Staff have determined that the proposal is not consistent with the PPS (2020) and does not conform with the Growth Plan (2020) for the reasons outlined below.

Planning Act

City Planning staff have reviewed the application, having regard to relevant matters of provincial interest, including subsections: 2 h) which speaks to the orderly development of safe and healthy communities; j) the adequate provision of a full range of housing, including affordable housing; p) the appropriate location of growth and safety; and r) which speak to the appropriate location for growth and development and the promotion of built form that (i) is well designed, (ii) encourages a sense of place, and (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

These provincial interests are further articulated through the PPS and the Growth Plan.

The Provincial Policy Statement

The Provincial Policy Statement (PPS) is to be read in its entirety. The language in each policy, including the Implementation and Interpretation policies assists decision makers in understanding how the policies are to be implemented. The PPS contains minimum standards and municipalities can go beyond these standards unless doing so would conflict with other policies of the PPS.

From an intensification and land use perspective, this application is generally consistent with policies that promote efficient land use patterns (Policies 1.1.1, 1.1.2, 1.1.3.1 and 1.1.3.2) for a mix of residential and retail uses in an area identified in the Official Plan for intensification and a varied mix of land uses.

From a built form perspective, Policy 1.7.1 e) indicates long-term economic prosperity should be supported by encouraging a sense of place, by promoting well-designed built form and cultural planning. Policy 1.1.3.4 states that appropriate development standards shall be promoted to facilitate intensification and a compact form. Development standards are established in the Official Plan as well as in the EVSP. Supporting documents including urban design guidelines further implement the Official Plan direction.

The PPS establishes that the Official Plan is the most important vehicle for the implementation of the PPS. Based on staff's review, the level of intensification proposed through this development has not adequately addressed the policy direction of the Built Form policies of the Official Plan and the direction of the EVSP. This proposal is not consistent with the PPS in this regard as the proposed buildings' mass and heights have not been shaped to complement the existing and planned context of the Emery Village area.

With regard to land use compatibility, Policy 1.2.6.1 states sensitive land uses, including the residential uses proposed on the site, be planned to avoid, or minimize potential adverse effects from odour, noise and other contaminants from nearby major facilities. As the subject site is situated adjacent to industrial uses such as the Emery Parks Yard, there are concerns that the proposal will result in adverse impacts on the existing land uses and that the existing land uses will negatively impact the potential future residents of the site. A Land Use Compatibility Study has been submitted and is currently in the process of being peer reviewed by a third party consultant. At this time, staff cannot make a determination if the proposal is consistent with Policy 1.2.6.1.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

The subject site is within the strategic growth area as defined in the Growth Plan. With regard to land use intensification, Policy 2.2.1.2 refers to forecasted growth that will be allocated to strategic growth areas, locations along existing transit routes and areas with existing or planned public service facilities. Policy 2.2.1.4 refers to the achievement of complete communities that: a) feature a diverse mix of land uses and convenient access to local stores, services and public service facilities; and e) provide for a more compact built form and vibrant public realm. The proposal conforms to the Growth Plan in this respect.

With regard to housing, Policy 2.2.1.4 refers to the achievement of complete communities that c) provide a diverse range and mix of housing options. Policy 2.2.6.3 states that municipalities will consider available tools to require residential development to incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes. Although this proposal conforms to the Growth Plan in providing a mix of residential units, it has not explored opportunities to include affordable housing units as part of achieving a complete community. Further, information on unit sizes has not been provided as part of this proposal. Providing a range of residential unit sizes articulated in the Growing Up Guidelines would better accommodate a diverse range of household sizes and incomes.

With regard to built form, Policy 2.2.1.3 states municipalities will undertake integrated planning to manage forecasted growth which will c) provide direction for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact form. Policy 2.2.2.3 indicates municipalities will develop a strategy to achieve the minimum intensification target which will b) identify the appropriate type and scale of development in strategic growth areas and transition of built form to adjacent areas. In conjunction with the built form policies that direct the scale and form of development for the subject site, the strategy has been further informed by the EVSP which provides direction for tall buildings having a maximum height of 18 storeys subject to the fulfillment of the density and height incentives of the EVSP. Staff are of the opinion the proposal does not conform to the overarching policy directions of 2.2.1.3 and 2.2.2.3 of the Growth Plan as the proposal has not adequately addressed the built form direction of the Official Plan and the EVSP.

Land Use

The site is designated *Mixed Use Areas* in the Official Plan. Policy 4.5.2 of the Official Plan states development in *Mixed Use Areas* will a) create a balance of a mixture of uses that reduces automobile dependency and meets the needs of the local community. The site is also within *Mixed Use Area 'C'* in the EVSP, which encourages street related retail and commercial uses with residential uses above along the Finch Avenue West and Weston Road frontages. The Retail Design Manual recommends retail store heights be a minimum of 4.5 metres and that the base building be designed to be flexible to accommodate a variety of store design options. Staff are of the opinion that the proposed mix of land uses are appropriate and meet the policies of the Official Plan and the EVSP. Staff will continue to work with the applicant on the mixture of non-residential uses on the first and second storeys that will support animated street frontages and pedestrian routes.

Density

The proposal results in a FSI of 6.31 times the area of the lot. The existing Zoning By-law permits a FSI of 5.8 times the area of the lot. The proposed Emery Station PMTSA identifies the block where the subject site is located is to achieve a minimum FSI of two times the area of the block. The proposed density on the site exceeds the minimum density of the proposed Emery Station PMTSA, and should be informed by the

appropriate building scale, massing and heights that is further discussed in the Built Form section of this report.

Built Form

Policy 1.1.3.4 of the PPS states that appropriate development standards should be promoted to facilitate intensification in a compact built form. Policy 2.2.2.3 of the Growth Plan states that all municipalities will develop a strategy to achieve minimum intensification targets and intensification throughout delineated built up-areas, which will: b) identify the appropriate type and scale of development and transition of built form to adjacent areas. The Official Plan, the EVSP and urban design guidelines provide the municipal strategy in identifying the appropriate height and mass of the development.

Policy 3.1.2.1 of the Official Plan states that development will be located and organized to fit with its existing and planned context by: a) generally locating buildings parallel to the street with consistent front yard setbacks; c) locating main building entrances on the prominent building facades so they front onto a public street, park or open spaces, and are clearly visible and accessible from a public street; and d) providing ground floor views from and access to adjacent streets, parks and open spaces. Policy 3.1.2.3 states that development will protect privacy within adjacent buildings by providing setbacks and separation distances. Policy 3.1.2.5 states that new development will be massed to define the edges of streets, parks and open spaces at good proportion. Policy 3.1.2.6 states that development will be required to provide good transition in scale between areas of different building heights and/or intensity of uses. Policy 3.1.3.10 states that tall buildings will be designed to: a) reduce the physical and visual impacts onto the public realm; b) limit shadow impacts on the public realm and surrounding properties; c) maximize access to sunlight and open views of the sky from the public realm; and e) provide access to daylight and protect privacy in interior spaces of the tower.

Policy 2.2 c) of the EVSP states that one of the objectives of the Plan is to locate and mass buildings to emphasize the Finch Avenue West and Weston Road intersection, and to provide transitions between areas of different development intensity and scale. Policy 4.2 states that new development will have buildings that: a) define the edges of streets, parks and open spaces; b) are sited and organized at-grade to enhance and support streets, open spaces and pedestrian routes; and j) are massed to provide street and open space definition, to define urban spaces with good proportion and provide access to sunlight and sky views.

Guideline 1.3 of the Tall Building Design Guidelines directs tall buildings to fit within the existing or planned context by providing a transition down to lower-scaled buildings. Guideline 3.1.1 directs base building heights be up to 80 percent of the adjacent street right-of-way. Guideline 3.2.1 directs the floor plate size to be 750 square metres. Guidelines 3.2.2 and 3.2.3 directs a tower be sited three metres from the base building along a street, and a minimum 12.5 metres from the side and rear property lines in order to achieve a minimum 25-metre separation distance between towers.

Site Layout, Building Siting and Massing

The application proposes four blocks with the L-shaped Street A that will connect Toryork Drive from the east to the future Emery Village Road 2A to the west. The four blocks consist of two mixed-use blocks, one residential block, and a public park that fronts on Street A. Staff supports the general elements included in the proposed site layout, but will work with the applicant on revising the organization of the public realm and built form to achieve the block context planning objectives of the EVSP.

Block 1 will have a 38-storey (124.9 metres) tall building with a base building of two to five storeys (19.7 metres) that steps down to two storeys. Block 2 will have in two tall buildings of 27 and 36 storeys (91.5 and 118.5 metres) connected by a two to five-storey (19.3 metres) base building. Block 3 will have a 29-storey (97.3 metres) tall building with a two to six-storey (22.5 metres) base building. The tower components of each proposed tall building would result in a floor plate of 750 square metres. A minimum separation of 30 metres would be achieved between towers on the site, along with minimum 12.5-metre tower setbacks to the abutting property lines to the south and east. Staff generally support the siting of the tower components of the buildings, but have concerns with the tower's placement in relation to providing sufficient setbacks from their associated base buildings in order to provide adequate street proportions and to define the street wall. In particular, a minimum of a three-metre tower setback from the base building fronting on the existing and proposed public streets will be required in order to achieve a better street proportion. Further, staff would support a stronger street wall that better frames the public realm and provide a consistent built form character along Toryork Drive.

The base building range in heights from 19.3 metres along Street A to 22.5 metres along Toryork Drive. Sections of the base building's heights would exceed 80 percent of the adjacent street's right-of-way, in particular, the section of the base building fronting on Street A in Block 2, and the base building fronting on the future Emery Village Road 2A in Block 3. The height of the base building will need to be reduced and sculpted through setbacks to ensure it is less than 80 percent of the adjacent street's right-of-way to ensure a good street proportion can be achieved.

Tall Building Heights

The proposed tall building heights of 27, 29, 36 and 38 storeys (91.5 metres, 97.3 metres, 118.5 metres and 124.9 metres) do not conform to the policy direction of the Official Plan and the EVSP, where the maximum building height is planned for 18 storeys. The proposed building heights also do not appropriately transition towards the existing and planned context of the remainder of the *Mixed Use Area 'C1'* designation in the EVSP, in particular, along Finch Avenue West and Weston Road as the tallest proposed building is located on the northern portion of the site and is farthest away from the Finch Avenue West and Weston Road intersection.

The heights of the proposed tall buildings need to transition down from the Finch Avenue West and Weston Road intersection, with the overall heights of the tall buildings reduced to better provide a built form that complements the existing and planned context of the surrounding area.

Staff will work with the applicant to revise the siting massing, and heights of the proposal to better conform to the policy direction of the Official Plan, the EVSP and urban design guidelines.

Housing

The Growth Plan recognizes the importance of planning for a range and mix of uses on lands near existing and planned frequent transit, including second units and affordable housing to support existing and planned transit service levels. No affordable housing units are being proposed.

The proposal provides for a total of 1,177 residential units, consisting of: 677 (57.5 percent) one-bedroom units; 342 (29.1 percent) two-bedroom units; and 158 (13.4 percent) three-bedroom units. The unit mix of the two-bedroom and three-bedroom units supports the unit mix objectives of the Official Plan housing policies, the Growing Up Guidelines, and the Growth Plan's growth management and housing policies to accommodate within new development a broad range of households, including families with children. However, no details were provided on the range of dwelling unit sizes. Staff will continue to work with the applicant to encourage the provision for ideal dwelling unit sizes that meets Growing Up Guidelines, where two-bedroom units are within the range of 87 to 90 square metres, and three-bedroom units are within the range of 100 to 106 square metres. Staff will also encourage the applicant to provide affordable housing units. The percentage of two and three-bedroom units of the total unit count, along with unit sizes will be secured in the amending Zoning By-laws, should this application be approved in some form.

Residential Amenity Space

Policy 3.1.2.11 of the Official Plan indicates that amenity spaces are encouraged to be of high quality and well designed. Policy 3.1.2.13 states that outdoor amenity spaces should have access to daylight and direct sunlight, and have comfortable wind, shadow and noise conditions, and promote use in all seasons. Guideline 2.3 of the Growing Up Guidelines indicates that development should locate and protect amenity spaces from shadow and wind impacts. Guideline 4.1.1 of the Pet Friendly Guidelines indicates that 10 percent of the amenity space be allocated as pet friendly spaces, including pet relief areas, wash stations and off-leash areas.

The proposal provides for a total of 2,381 square metres of indoor amenity space, and 2,399 square metres of outdoor amenity space collectively for the four buildings. The distribution of amenity space meets the Zoning By-law standard for indoor and outdoor amenity space for each proposed building. Staff will continue to work with the applicant on the location and functionality of the amenity spaces for each of the proposed buildings through further discussions as possible. The minimum ratio of amenity space per unit will be secured in the amending Zoning By-laws should this application be approved in some form.

Shadow Impact

Policy 3.1.3.10 b) of the Official Plan states that tall buildings should be designed to limit shadow impacts on the public realm. Policy 4.2 j) of the EVPS states that new development should be massed to provide access to sunlight and sky views. Guideline 1.4 of the Tall Building Design Guidelines refers to maintaining access to sunlight for surrounding streets, parks and open spaces.

Shadow studies were submitted in support of the application, showing net new shadows cast on March 21 and September 21 between 9:19 am to 6:18 pm. The future Emery Road 2A to the west of the site will experience incremental shadows between 9:18 am to 1:18 pm, and different sections of Toryork Drive to the north of the site will experience incremental shadows between 9:18 am to 6:18 pm. The proposed park on the subject site will experience incremental shadows in the morning hours between 9:18 am to 11:18 am, and the afternoon hours between 2:18 pm to 6:18 pm. Addressing the issues related to building height and massing would improve shadow impacts. Staff will continue to work with the applicant as possible to minimize incremental shadow impacts to preserve the comfort and utility of the surrounding public realm.

Pedestrian Wind Impact

Policy 3.1.2.1 f) of the Official Plan states that development will be located and organized to fit its context by providing comfortable wind conditions at the street and adjacent open spaces to preserve their utility. Policy 3.1.3.10 d) states that towers should be designed to limit pedestrian level wind impacts. Policy 3.1.2.13 d) states that residential outdoor amenity spaces should provide comfortable wind conditions. Policy 4.5.2 e) indicates that new buildings in *Mixed Use Areas* will be located and massed to maintain comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces. Guideline 2.4 of the Tall Building Design Guidelines indicates that publicly accessible open spaces should be located and designed to maximize safety, comfort and amenity by protecting such spaces from wind. Guideline 2.5 indicates private amenity areas be protected from pedestrian-level wind. Guidelines 3.2.1, 3.2.2, 3.2.3 and 4.3 indicates that towers be organized, oriented, sited and articulated to minimize negative wind conditions.

A Pedestrian Wind Assessment was submitted in support of the proposal. The study concludes that the proposal would generally result in comfortable wind conditions for the surrounding public realm and the proposed outdoor amenity areas, with the exception of portions of the outdoor amenity areas on the seventh floor of Tower D, and the northwest at-grade portion of the site, where uncomfortable wind conditions are anticipated during the winter months. Staff will continue to work with the applicant as possible to revise the massing of the buildings and implement other mitigation measures to improve wind conditions. Wind mitigation measures to ensure the proposal will provide for comfortable wind conditions on and surrounding the site will be implemented in the amending Zoning By-laws and in a development agreement should this application be approved in some form. Additional wind mitigation measures such as landscaping solutions will be secured through the Site Plan Control approval process.

Traffic Impact, Access and Parking

A Transportation Impact Study was submitted in support of the proposal. Staff are currently reviewing the study.

Policy 3.1.2.4 of the Official Plan directs new development to locate and organize vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets, parks and open spaces. Policy 4.2 of the EVSP states that new development shall incorporate: d) loading and service areas away from parkland; and e) the consolidation of vehicular access points to maximize the efficiency of traffic movement and promote a safer pedestrian environment. Guideline 2.3 of the Tall Building Design Guidelines provides direction for loading and servicing components of a tall building be located away from the public realm and to consolidate such components if possible.

Traffic Impact and Site Access

The Transportation Impact Study indicates that the proposed development can be accommodated based on anticipated traffic conditions, with potential traffic delays on eastbound and southbound traffic turning right at the Finch Avenue West and Weston Road intersection. The study is being reviewed by staff.

Loading Spaces

The proposal provides for four Type 'G' loading spaces, one to serve each of the proposed towers. Based on Zoning By-law standards, the three Type 'G' loading spaces, one Type 'C' loading space, and one Type 'B' are to serve the proposed mixture of uses and density. The Transportation Impact Study provided an assessment on the appropriateness of four Type 'G' loading spaces as opposed to the Zoning By-law standards. The study is being reviewed by staff.

Vehicular Parking

The proposal provides a total of 1,068 parking spaces consisting of: 937 residential spaces; 118 visitor spaces; and 13 retail spaces provided in three four-level underground garages. The proposed number of vehicular parking spaces is less than the Zoning By-law standard of 1,214 spaces. An analysis to reduce the number of vehicular parking spaces is provided in the submitted Transportation Impact Study which is being reviewed by staff.

Emery Village Road 2A

The subject site is southwest of the preferred design of the public road that is to connect Toryork Drive and Finch Avenue West. The purpose of the road, termed Road 2A, is to alleviate congestion at Finch Avenue West/Weston Road intersection and provide improved access for freight traffic. Staff have reviewed the proposal against the preferred design for Road 2A, and determined that a 40 square metre parcel of land is required from the subject site for the future Road 2A / Toryork Drive intersection. The requirement for the lands for the alignment of Road 2A will either be processed through

a land purchase or as a dedication through the subdivision process, pending the timing of the Road 2A construction and the decision of the Draft Plan of Subdivision.

Street A

The Draft Plan of Subdivision proposes the dedication of an L-shaped Street A with a right-of-way of 18.5 metres that will connect Toryork Drive and the future Emery Village Road 2A. The proposed Street A also provides vehicular and loading access for Blocks 1 and 2, along with providing street frontage for the proposed park. Staff do not have concerns with the overall design of Street A. Specific alignment and dimension requirements, along with the necessary servicing infrastructure will be secured as conditions of draft approval of the Plan of Subdivision, should this proposal be approved in some form.

Bicycle Parking

The proposal provides 854 long-term and 87 short-term spaces to be located on bicycle racks at-grade, and in the first and second levels of the underground garage. The proposed number of bicycle parking spaces meets the Zoning By-law and Tier 1 Toronto Green Standards.

Streetscape

Policy 3.1.1.13 of the Official Plan states sidewalks will be designed to provide safe, attractive, interesting and comfortable spaces for all users, and Policy 3.1.2.10 states development will provide amenity for pedestrians by including sustainable design elements and landscape improvements, among other measures.

Policy 2.2 f) of the EVSP states one of the objectives of the Plan is to encourage streetscape improvements to create an attractive pedestrian environment.

The proposal would result in a pedestrian boulevard right-of-way of approximately 10 metres on the future Road 2A, six to 10 metres on Toryork Drive, and six to 8 metres on Street A. Staff generally have no concerns with the proposed resulting pedestrian boulevard widths, but will work with the applicant to ensure the design of the streets, in particular the proposed Street A will be defined by open spaces and animated street frontages. The detailed design of the pedestrian boulevards will be secured as part of the Site Plan Control process, should this proposal be approved in some form.

Parkland

The City of Toronto Parkland Strategy is a 20-year strategic city-wide plan that guides long-term planning for new parks, park expansions and improvements, and improved access to existing parks. The strategy includes a new methodology to measure and assess parkland provision, using the baseline of residential population against the area of parkland available across the city. According to the strategy's methodology, the development site is currently in an area with 28 plus square metres of parkland per person, which is comparable to the city-wide average provision of 28 square metre of parkland per person (2016). The development site is also within an Areas of Parkland Need per Figure 18 of the Parkland Strategy, which highlights areas where the City will

focus and prioritize parks planning and acquisitions. Given the future expected growth both on the development site itself and surrounding sites, a parkland deficit will be generated if no new parks are created. This anticipated parkland deficit must be addressed through the creation of a new park to serve the future population.

At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 4,626.7 square metres or 36.16 percent of the site area. However, for sites that are one to five hectares in size, a cap of 15 percent of the development site is applied to the residential use while the non-residential use is subject to a two percent parkland dedication. In total, the parkland dedication requirement is 1,924 square metres.

The applicant is required to satisfy the parkland dedication requirement through an on-site parkland dedication. The proposal currently is proposing a parkland area of 1,630 square metres. Staff will require the full on-site dedication of parkland should this application be approved in some form. The park is to maintain public street frontage, be visible, centrally located on the site, and adjacent to potential future development sites to allow for expansion of the park and comply with Policy 3.2.3.8 of the Toronto Official Plan.

Privately Owned Publicly-accessible Open Space

Privately Owned Publicly-Accessible Open Space (POPS) of 613 square metres is proposed east of Tower A on Block 1, providing a connection between Toryork Drive and the proposed park. Policy 3.1.1.20 of the Official Plan states that POPS provided through development will be sited in highly visible locations, integrated with the broader public realm, and be informed by the City's urban design guidelines. Staff supports the principle of providing POPS as part of redevelopment of the lands. Should the application be approved in some form, staff will require that the location and the area of the POPS be secured in the amending Zoning By-laws and in a development agreement, with its final design to be secured through the Site Plan Control process.

Land Use Compatibility, Noise Impact and Vibration Impact

The subject site is within proximity to various industrial operations, including the abutting Emery Works Yard to the northwest. A Land Use Compatibility/Mitigation study was submitted in support of the application. The study is currently being peer reviewed by a third party consultant at the applicant's expense. Any mitigation measures that are recommended from the peer review will be secured in the amending Zoning By-laws and in a development agreement, should the application be approved in some form.

Servicing and Stormwater Management

A Functional Servicing and Stormwater Management Report was submitted in support of the proposal. The proposal is to be connected to a new sanitary sewer and watermain underneath the proposed public street that in turn connects to the existing 300 mm watermain 250 mm sanitary sewer on Toryork Drive. Stormwater is proposed to be drained to a new storm sewer underneath the proposed public street that connects to the existing storm sewer on Toryork Drive and the future storm sewer on Road 2A.

City staff have identified a number of revisions required to the Functional Servicing and Stormwater Management Report. All revisions must be made to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

In the event that the OLT allows the Official Plan Amendment and Zoning By-law Amendment appeal in whole or in part, the final Order should be withheld pending the confirmation that all revisions required to submission materials related to site servicing have been made to the satisfaction of staff. Should it be determined that any improvements are required to the municipal infrastructure the owner must make satisfactory arrangements and enter into the appropriate agreement with the City for the design and construction of any improvements.

Tree Preservation

City of Toronto By-laws provide for the protection of trees situated on both private and City property. 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).

The applicant submitted an Arborist Report, a Tree Preservation Plan and a Landscape Concept Plan in support of the proposal. The proposal indicates one City tree and five privately owned trees are to be removed. A total of 24 new trees are proposed to be planted on the subject site, along with 44 new trees on the proposed public street. Staff reviewed the documentation and is generally in support of the proposed landscape plan, but are requesting additional details be provided.

Toronto Green Standard

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, with the higher levels of performance supported with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

Should this application be approved in some form, the applicant is required to meet Tier 1 of the TGS. The applicant will also be encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner.

Community Services Assessment

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions, such as recreation, libraries, childcare, schools, public health, human services, cultural services and employment services.

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. 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.

A Community Services and Facilities Report was submitted in support of the application. Should the application be approved in some form, staff recommend the following CS&F contributions be considered as community benefits and secured in a development agreement:

- A 465-square metre community agency space on-site;
- A non-profit child care facility on-site or securing a financial contribution towards the provision of a facility within vicinity of the site;
- Securing financial contributions towards the revitalization of the Thistletown Community Centre; and/or
- Securing financial contributions towards the Toronto Public Library's Woodview Park Neighbourhood Branch.

School Boards

The Toronto District School Board (TDSB) and the Toronto Catholic District School Board (TCDSB) have advised that the projected accommodation levels at its local schools as a result of this development will require both warning clauses in future offers of residential purchase agreements, and the posting of signs on the site to advise residents that students may be accommodated in schools outside of the immediate area.

The obligations to erect signs and inclusion of warning clauses in future purchase agreements will be secured as a legal convenience matter in a development agreement or as draft approval conditions of the Plan of Subdivision, should this application be approved in some form.

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*.

Section 37 density bonusing benefits were not discussed in the absence of an agreement on the proposal's density and height. Notwithstanding, it has been determined that potential benefits could include: provision for affordable housing units; contribution of on-site public art; local streetscape and parkland improvements, on-site community agency space, on-site or contributions towards an off-site non-profit child care facility, and contributions towards to recreation facility improvements.

Should this proposal be approved in some form by the OLT before the authority to apply Section 37 density bonusing lapses, City Planning staff recommend that staff be authorized to negotiate an appropriate agreement for Section 37 benefits with the applicant, in consultation with the Ward Councillor. Should this proposal be approved in some form by the OLT after the transition provisions of the current Section 37 is no longer applicable, and the new provisions as stipulated by the Community Benefits Charge By-law applies, City Planning staff recommend that staff be authorized to secure the appropriate facilities, services and matters as stipulated in the Community Benefits Charge By-law.

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), and the Toronto Official Plan.

Staff are of the opinion that the proposal is not consistent with the PPS (2020) and conflicts with the Growth Plan (2020). Further, the proposal does not conform to the policies of the Toronto Official Plan, and the policy direction of the EVSP, particularly as it relates to a built form that fits harmoniously with the existing and planned context. The proposal does not represent good planning and is not in the public interest.

Staff recommend continued discussions with the applicant to consider revisions to the proposal to address the issues set out in this report. Should discussions not result in a satisfactory outcome, this report also recommends that the City Solicitor, with appropriate staff, attend the OLT hearing in opposition to the application.

Development on this site could be supported if the siting, massing and heights of the proposed buildings are revised to better fit with and complement the existing and planned context of the area, among other matters identified in this report.

CONTACT

Henry Tang, Senior Planner, Community Planning
Tel. No.: 416-392-7572
E-mail: Henry.Tang@toronto.ca

Bram Bulger, Assistant Planner, Community Planning
Tel. No.: 416-394-2945
E-mail: Bram.Bulger@toronto.ca

SIGNATURE

Michael Mizzi, MCIP, RPP
Director, Community Planning
Etobicoke York District

ATTACHMENTS

Attachment 1: Application Data Sheet
Attachment 2: Location Map
Attachment 3: Official Plan Land Use Map
Attachment 4: Emery Village Secondary Plan
Attachment 5: Existing Zoning Map
Attachment 6: Site Plan
Attachment 7: Draft Plan of Subdivision
Attachment 8: North Elevations
Attachment 9: East Elevations
Attachment 10: South Elevations
Attachment 11: West Elevations
Attachment 12: Policy Considerations

Attachment 1: Application Data Sheet

Municipal Address: 15-23 Toryork Drive **Date Received:** December 8, 2020

Application Number: 21 211444 WET 07 OZ; 21 211446 WET 07 SB

Application Type: OPA / Rezoning, Subdivision Approval

Project Description: Official Plan and Zoning By-law amendments to permit four mixed-use buildings of heights 27, 29, 36 and 38 storeys consisting of 1,177 residential dwelling units, and 870 sq.m. of non-residential space, resulting in a total gross floor area of 97,000 sq.m. A total of 1,068 vehicular parking spaces and 941 bicycle parking spaces are proposed to be contained within three four-level underground garages and at-grade. An on-site parkland dedication of 1,630 sq.m., a POPS of 613 sq.m. and a public road are also proposed.

Applicant	Agent	Architect	Owner
Bousfields Inc.		Giannone Petricone Associates	Titan Developments Inc.

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	No
Zoning:	CR 2.5 (c1.0; r2.5) SS2 (x211)	Heritage Designation:	No
Height Limit (m.):	14 metres	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m.): 15,688 Frontage (m.): 141.43 Depth (m.): 124.29

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq. m.):				
Residential GFA (sq. m.):			96,130	96,130
Non-Residential GFA (sq. m.):			870	870
Total GFA (sq. m.):			97,000	97,000
Height - Storeys:	2		38	38
Height - Metres:			120	120

Lot Coverage Ratio (%): 46 Floor Space Index: 6.18

Floor Area Breakdown	Above Grade (sq.m.)	Below Grade (sq.m.)
Residential GFA:	96,130	521
Retail GFA:	870	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			1,177	1,177
Other:				
Total Units:				1,177

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			677	342	158
Total Units:			677	342	158

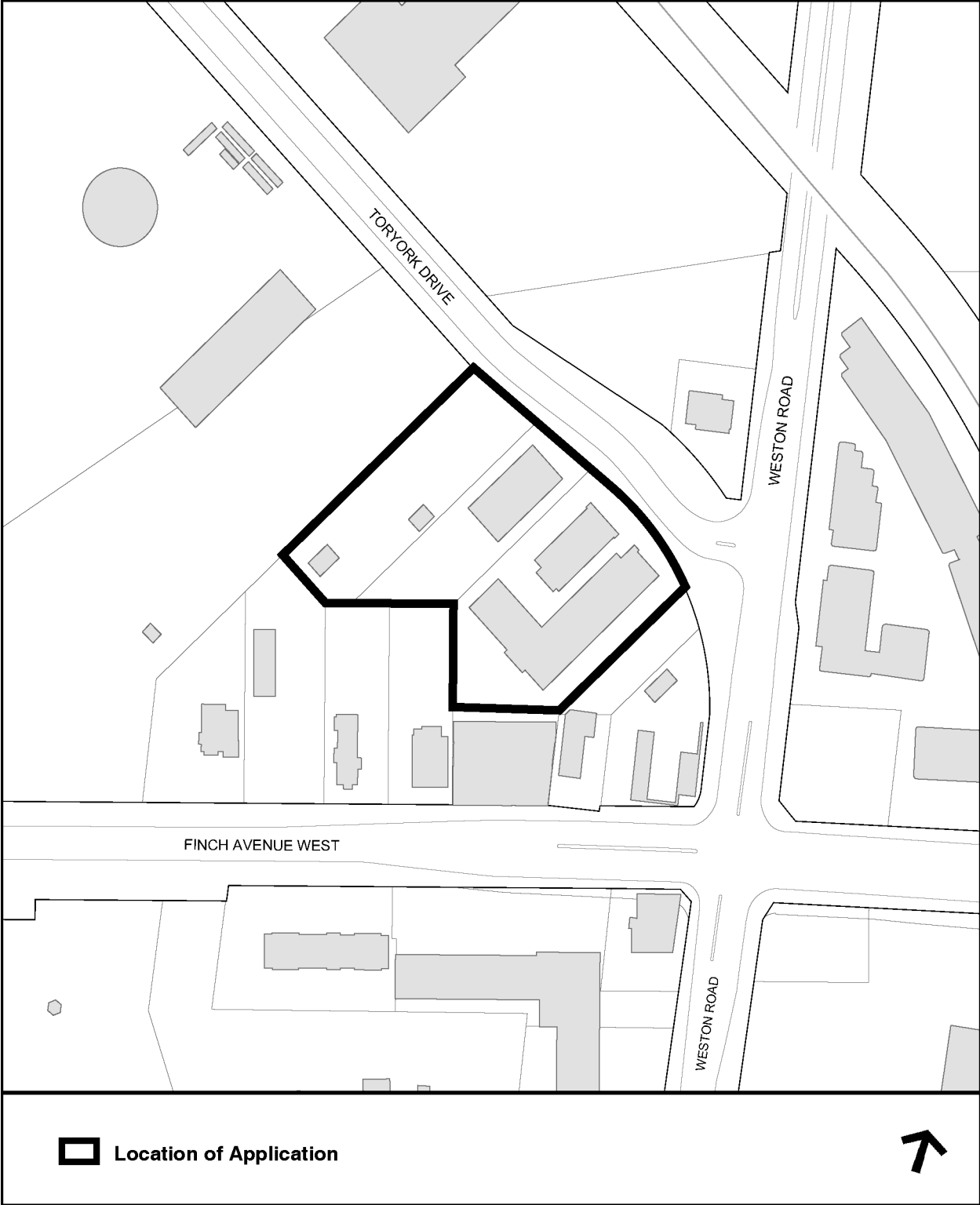
Parking and Loading

Parking Spaces: 1,068 Bicycle Parking Spaces: 941 Loading Docks: 4

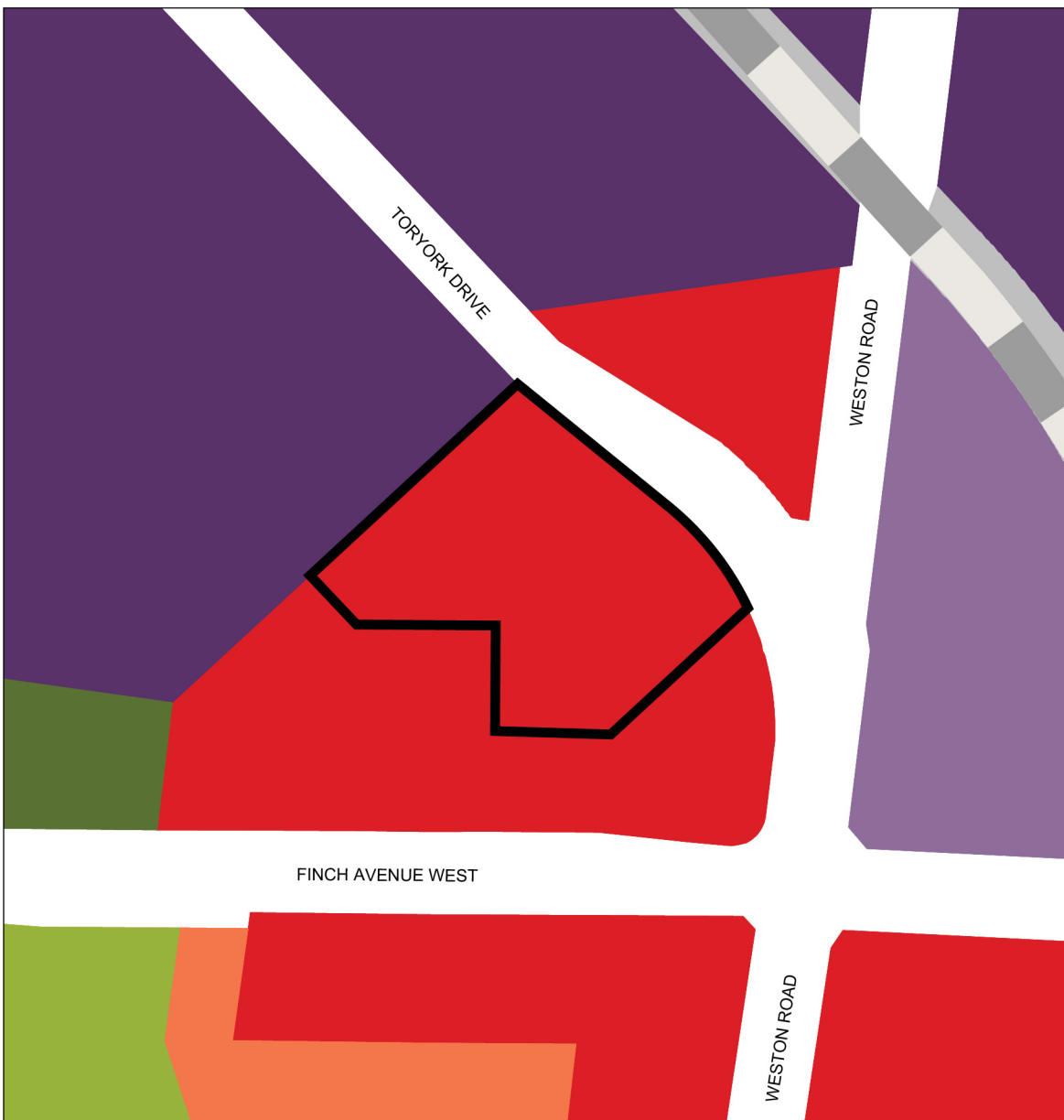
CONTACT:

Henry Tang, Senior Planner, Community Planning
(416) 392-7572
Henry.Tang@toronto.ca

Attachment 2: Location Map



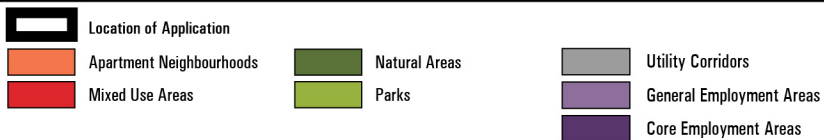
Attachment 3: Official Plan Land Use Map




Official Plan Land Use Map #13

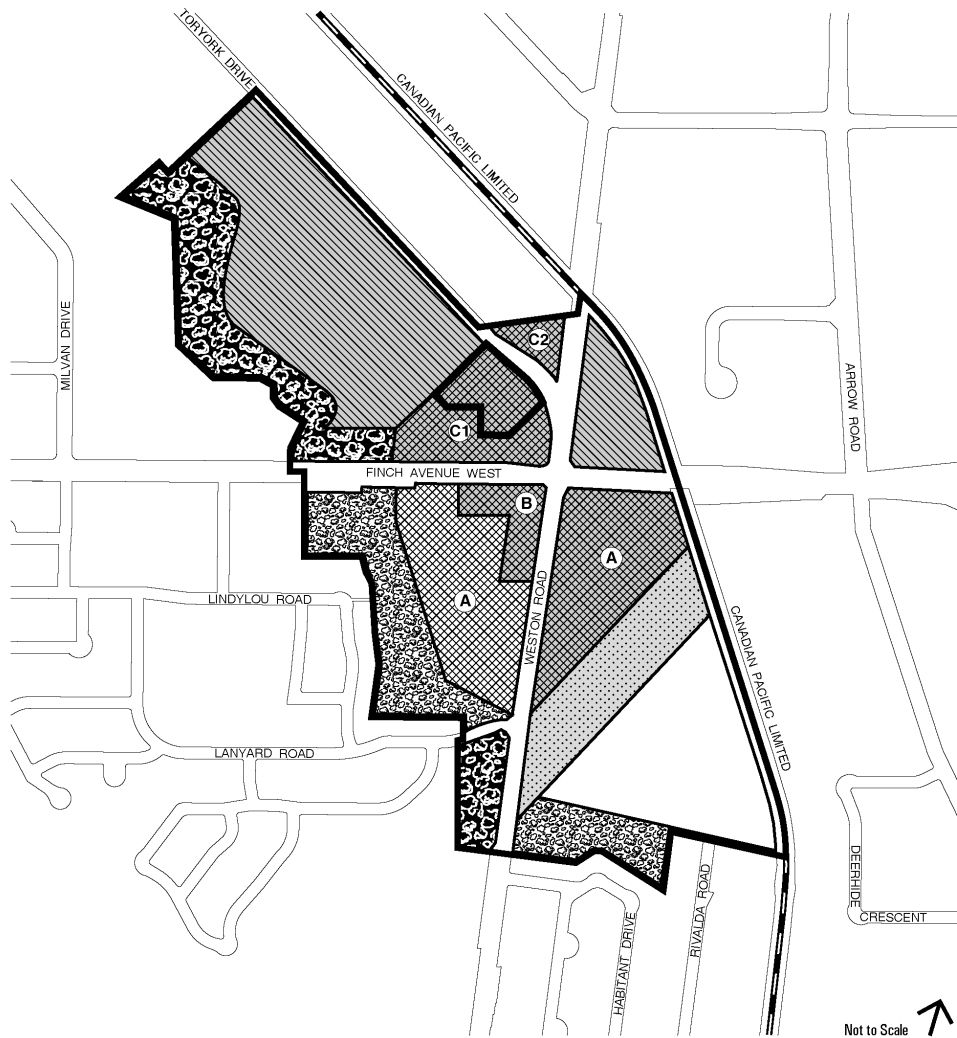
15, 19, 21, & 23 Toryork Drive

File # 21 211444 WET 07 0Z





 Not to Scale
 Extracted: 09/22/2021

Attachment 4: Emery Village Secondary Plan



Emery Village Secondary Plan

MAP 26-1 Land Use Areas

 SITE - 15, 19, 21, & 23 Torkyork Drive

 Secondary Plan Boundary

 Apartment Neighbourhoods

 Mixed Use Areas

 Parks and Open Space Areas - Park

 Parks and Open Space Areas - Natural Area

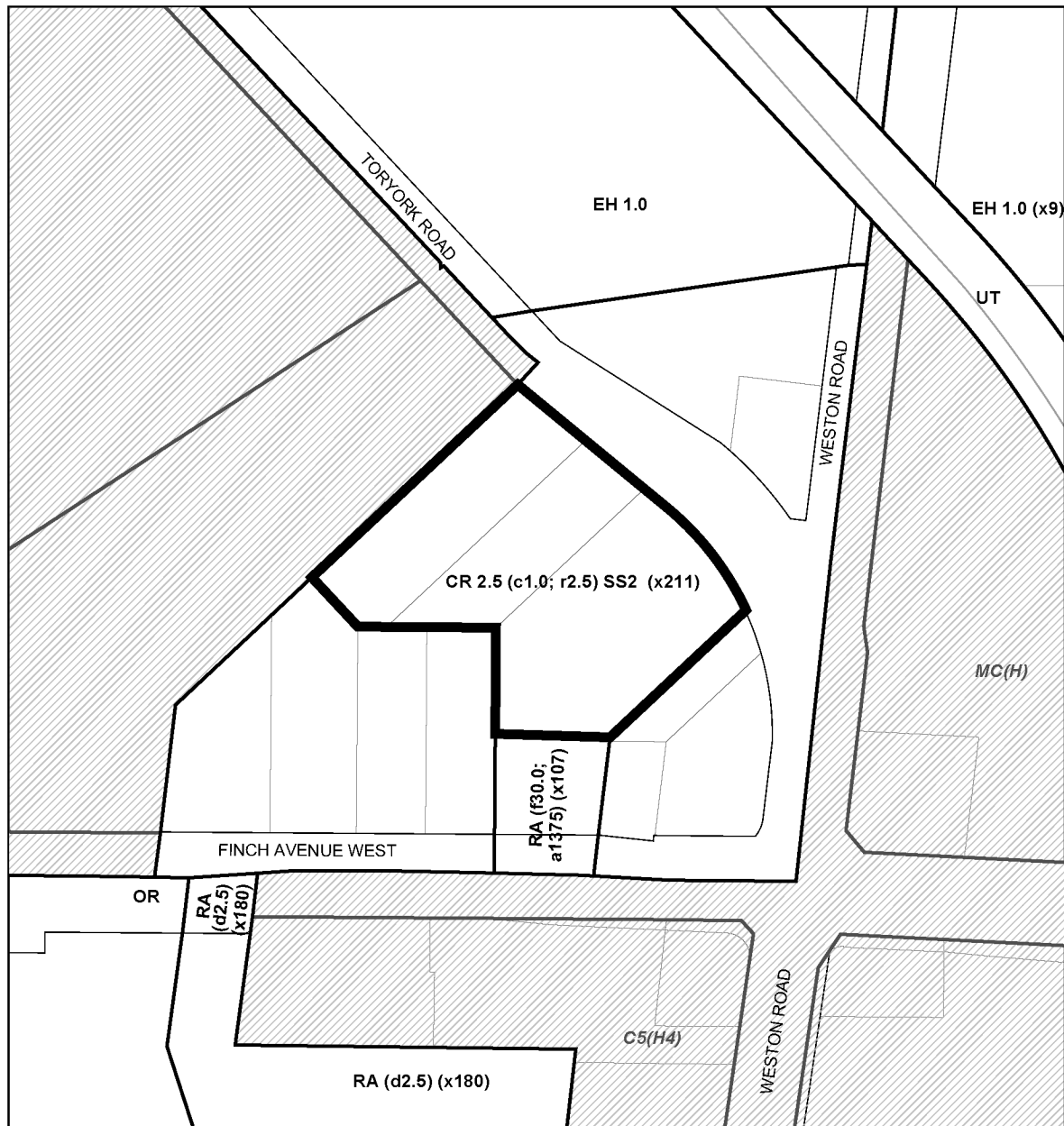
 Institutional Areas

 Employment Areas

 Utility Corridors

June 2006

Attachment 5: Existing Zoning Map



Zoning By-law 569-2013

15, 19, 21, & 23 Toryork Drive

File # 21 211444 WET 07 0Z



Location of Application

RA
CR
EH
OR
UT

Residential Apartment
Commercial Residential
Employment Heavy Industrial
Open Space Recreation
Utility and Transportation



See Former City of North York By-law No. 7625

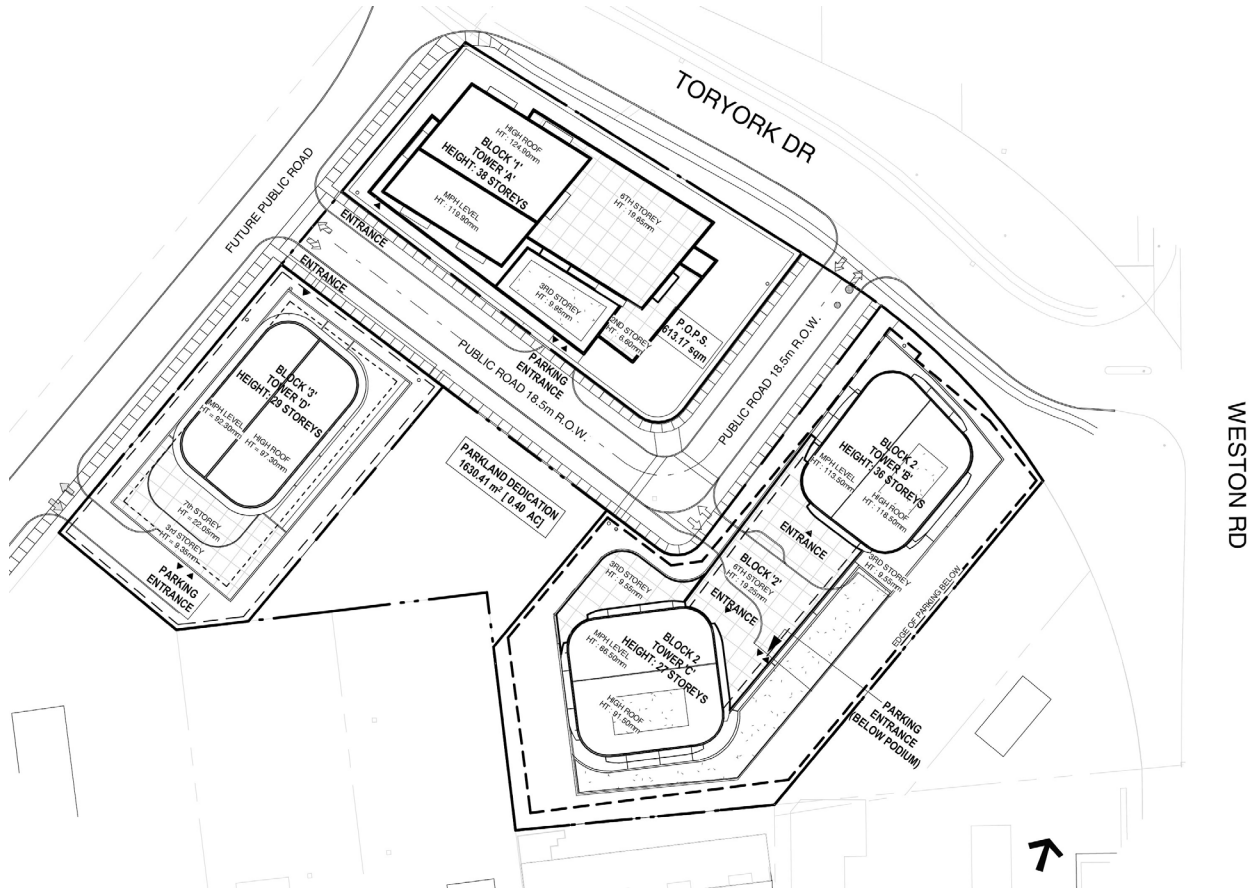
C5
M3
MC
G

Mixed Use Commercial Zone
Industrial Zone Three
Industrial-Commercial Zone
Greenbelt Zone

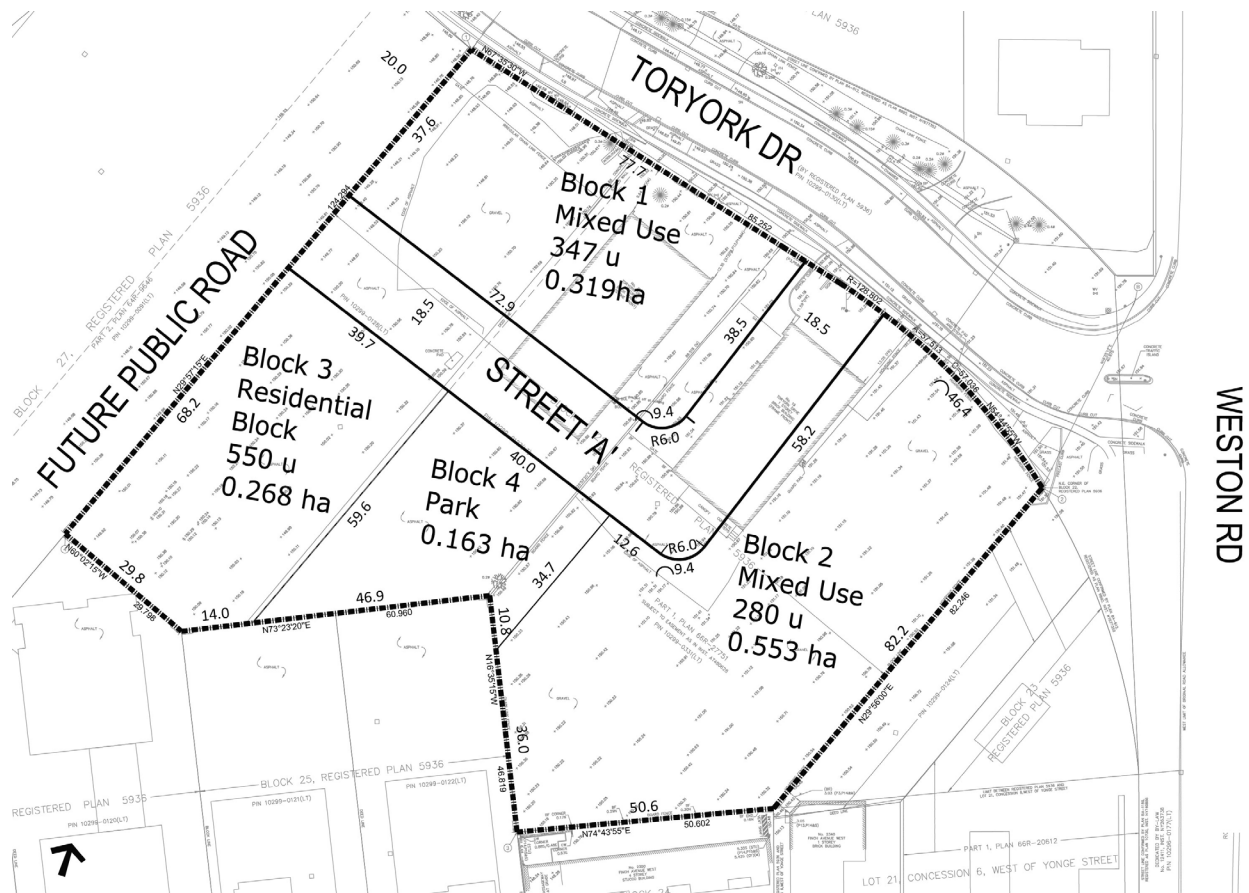


Not to Scale
Extracted: 09/22/2021

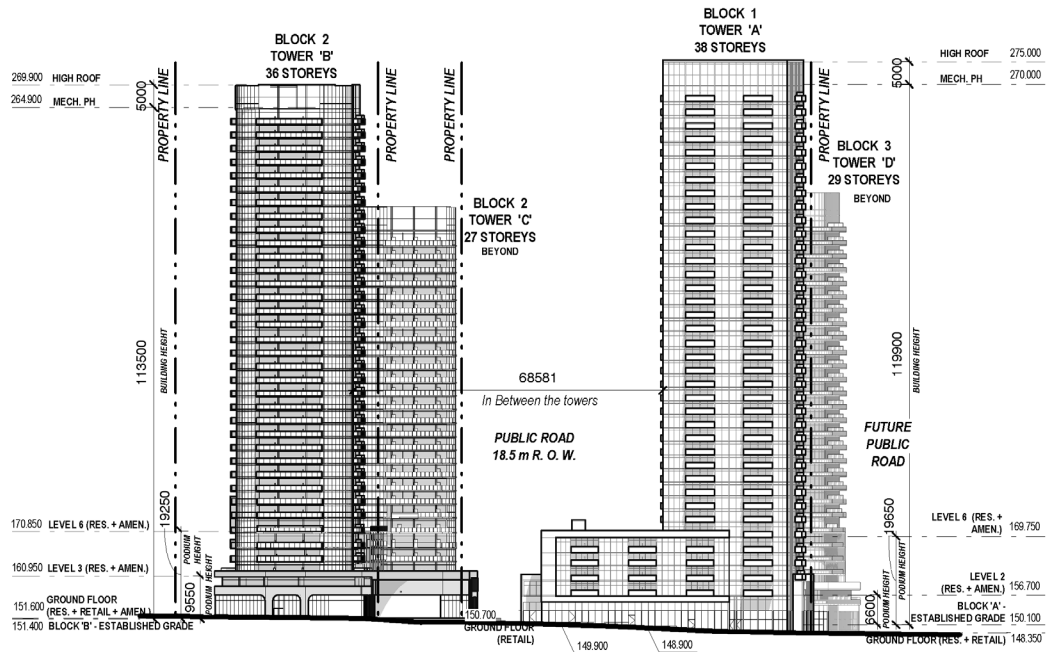
Attachment 6: Site Plan



Attachment 7: Draft Plan of Subdivision

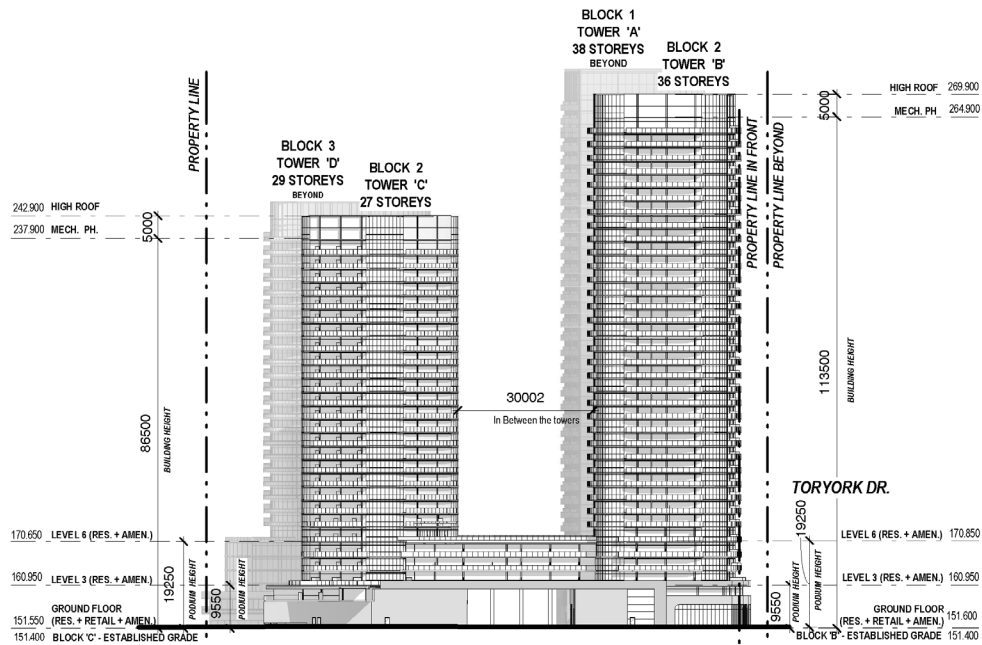


Attachment 8: North Elevations



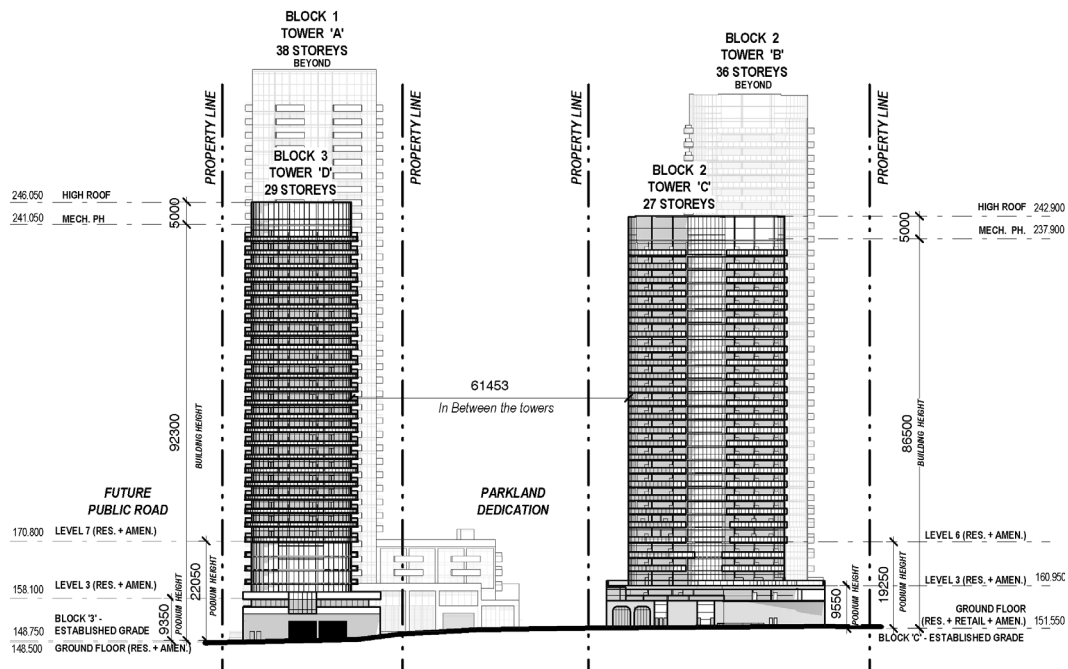
North Elevation

Attachment 9: East Elevations



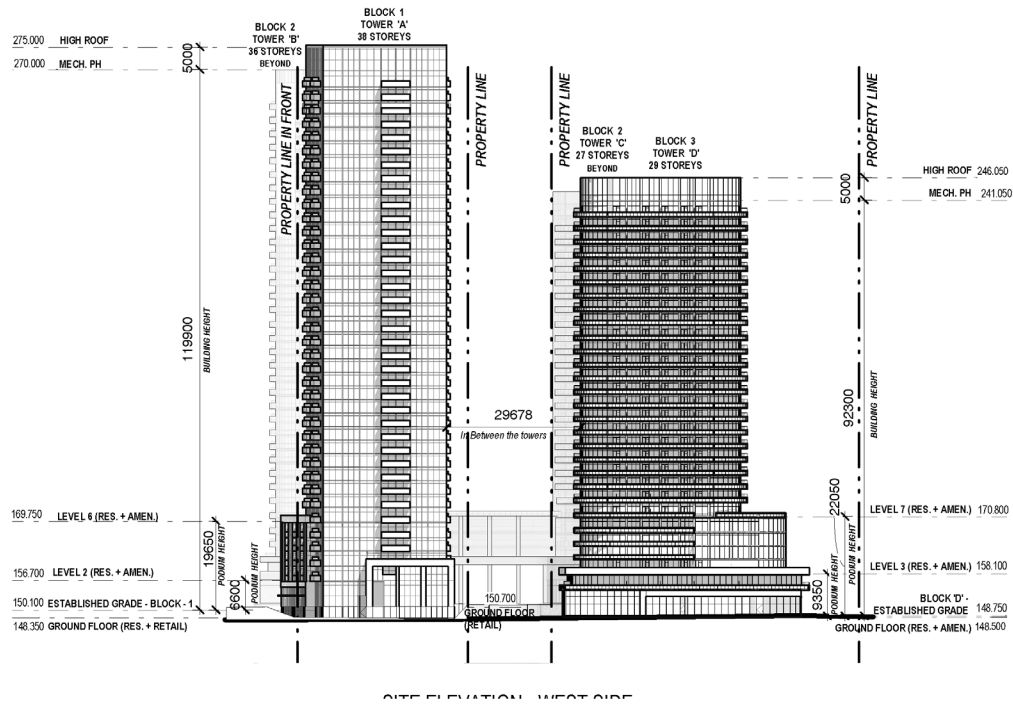
East Elevation

Attachment 10: South Elevations



South Elevation

Attachment 11: West Elevations



West Elevation

Planning Act

Section 2 of the *Planning Act* sets out matters of provincial interest which City Council shall have regard to in carrying out its responsibilities, including, but not limited to: the orderly development of safe and healthy communities; the adequate provision of employment opportunities; the appropriate location of growth and development; the promotion of development that is designed to be sustainable, support public transit and oriented to pedestrians; and the promotion of a built form that is well designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

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 plan control.

The Provincial Policy Statement (2020)

The Provincial Policy Statement (2020) (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 use and management of land and infrastructure;
- ensuring the sufficient provision of housing to meet changing needs including affordable housing;
- ensuring opportunities for job creation;
- ensuring the appropriate transportation, water, sewer and other infrastructure is available to accommodate current and future needs; and
- protecting people, property and community resources by directing development away from natural or human-made hazards.

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 recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.6 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."

Provincial Plans

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. 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.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) came into effect on August 28, 2020. This was an amendment to the Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan (2020) establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the *Planning Act*.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space, and better connected transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- 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 (2020) 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 (2020) 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 (2020). Comments, submissions or advice affecting a planning matter that are provided by City Council shall also conform with the Growth Plan (2020).

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 (2020) 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 plan for the prescribed densities. Protected major transit station areas (PMTSAs) will become a subset of the MTSAs in the City. Policy 2.2.4.5 of the Growth Plan (2020) states the City may delineate MTSAs before the MCR is completed provided the delineation is for a PMTSA in accordance with Section 16(15) of the *Planning Act*.

Staff have reviewed the proposed development for consistency with the PPS (2020) and for conformity with the Growth Plan (2020). The outcome of staff analysis and review are summarized in the Comments section of the report.

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan, and the Emery Village Secondary Plan.

Chapter 2 – Shaping the City

Section 2.2 Structuring Growth in the City: Integrating Land Use and Transportation

This section states the Plan protects the integrity of the City's transportation network, and steers future growth to areas that are well served by transit. The integration of transportation and land use planning is critical in achieving the overall aim of increasing accessibility throughout the City.

Chapter 3 – Building a Successful City

Section 3.1.1 The Public Realm

This section provides direction on the importance of the public realm including streets, sidewalks, internal pedestrian connections, open space areas, parks and public buildings.

Section 3.1.2 Built Form

This section states the development must not only fit on its site and program, but also in terms of how the site, building and its street wall fit within the existing and/or planned context of the neighbourhood and the City. Each new development should promote and achieve the overall objectives of the Plan.

Section 3.1.3 Built Form - Building Types

This section provides direction for three scales of building types - townhouse and low-rise apartments, mid-rise and tall buildings. The built form relationships and design of these building types is informed by urban design guidelines to ensure the proper form and fit with their context.

Section 3.2.3 - Parks and Open Spaces

This section provides direction on the need for parks and open spaces.

Chapter 4 – Land Use Designations

Section 4.5 Mixed Use Areas

The site is designated *Mixed Use Areas* on Map 14 of the Official Plan. Mixed Use Areas are intended to provide a broad range of commercial, residential and institutional uses in a single-use or mixed use building.

See Attachment 3 for the subject site's Official Plan land use designation.

Chapter 5 - Implementation

Section 5.1.1 Height and/or Density Incentives

This section refers to Section 37 of the *Planning Act* and establishes the provisions under which Section 37 may be used.

Section 5.3.2 Implementation Plans and Strategies for City-building

This section indicates detailed action-oriented plans, programs and strategies will be needed to implement the Official Plan and to adapt to changing circumstances and challenges over the life of the Official Plan. Policy 5.3.2.1 states implementation plans, strategies and guidelines will be adopted to advance the vision, objectives and policies of this Plan.

Section 5.6 Interpretation

This section establishes how the policies are to be understood and interpreted. Policy 5.6.1 states that the Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making. Policy 5.6.1.1 states policies should not be read in isolation. When more than one policy is relevant, all appropriate policies are to be considered in each situation.

Chapter 6 – Secondary Plans

Section 26 Emery Village Secondary Plan

The site is within the boundary of the Emery Village Secondary Plan (EVSP). The Secondary Plan provides a framework for development that builds on the Emery Village community's historic function as a centre that serves residents in the immediate and surrounding areas. The EVSP encourages compact, street-oriented, mixed-use development, establishes building heights and development densities, promotes transit use and pedestrian connectivity, and encourages the improvement of the public realm. The site is designated *Mixed Use Area 'C1'* where new building heights are to be generally in the range of eight to 12 storeys with a FSI of 2.5 times the area of the lot.

Buildings can achieve a height of 18 storeys and a FSI of 3.0 subject to incentives articulated in the EVSP.

See Attachment 4 for the subject site's Secondary Plan land use designation.

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

The outcome of staff analysis and review of relevant Official Plan policies and designations, and EVSP policies and designations noted above are summarized in the Comments section of the report.

Zoning

The subject site is zoned "Mixed Use Commercial" C5 with a (H1) Holding symbol in the former City of North York Zoning By-law 7625, as amended by Zoning By-laws 422-2003 and 518-2003. The zoning permits residential uses and a range of non-residential uses. A maximum Floor Space Index of 5.8 times the area of the lot is permitted. In terms of building heights, the site allows for nine buildings with heights of 18 storeys.

The (H1) Holding symbol on the site prohibits the construction of buildings and land uses permitted under the C5 zone until the symbol is lifted. In order to lift the holding symbol, various conditions need to be fulfilled to the satisfaction of the City, including the submission of: a traffic impact study and traffic certification report; a soil investigation report; an environmental assessment report; an engineering and servicing report; a noise and vibration study; and a development plan. The holding symbol will need to be lifted to permit development as proposed.

The subject site is also zoned "Commercial Residential" and has a label of CR 2.5 (c1.0; r2.5) SS2 (x211) under city-wide Zoning By-law 569-2013. The CR zone permits a range of commercial and residential uses. Site specific exception 211 places the provisions of Zoning By-law 7625, as amended, as the prevailing by-law.

The city-wide 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/>

See Attachment 5 for the subject site's existing zoning designation.

Design Guidelines

Part III of the PPS 2020 under the section titled "Guidance Material" states that guidance material and technical criteria may be issued from time to time to assist planning authorities and decision-makers with implementing the policies of the Plan. Policy 5.2.5.6 of the Growth Plan 2020 indicates supporting documents, such as design guidelines, will direct the development of a high quality public realm and compact built form in achieving minimum intensification and density targets of the Plan. Policy 5.3.2.1 of the Official Plan states guidelines will be adopted to advance the vision, objectives, and policies of the Plan. Urban Design guidelines specifically are intended to provide a

more detailed framework for built form and public realm improvements in growth areas. The following design guidelines were used in the evaluation of this application.

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 can be found here:

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

Privately Owned Publicly-Accessible Space (POPS) Urban Design Guidelines

In July 2014, Toronto City Council adopted the Draft Urban Design Guidelines for Privately Owned Publicly-Accessible Spaces (POPS) and directed City Planning staff to apply these guidelines in evaluating locations, programming and designs of POPS in order to effectively contribute to the City's overall open space network in a meaningful way. The purpose of the Guidelines is to not only provide direction for the provision of POPS, but also to facilitate collaborative discussions between City staff, local residents and the development community in the location and design of new publicly-accessible spaces and the revitalization of existing POPS. The guidelines can be found here:

<https://www.toronto.ca/wp-content/uploads/2017/08/8527-draft-design-guidelines-for-privately-owned-publicly-accessible-space-Di....pdf>

Growing Up: Planning for Children in New Vertical Communities

On July 28, 2020, City Council adopted the Growing Up Urban Design Guidelines (Growing Up Guidelines) and directed City Planning staff to apply the Guidelines in the evaluation of new multi-unit residential development proposals. The objective of the Growing Up Guidelines is for developments to increase liveability for larger households, including families with children living in vertical communities, at the neighbourhood, building, and unit scale. The guidelines indicate that a building should provide a minimum 25 percent large units of which 10 percent should be three-bedroom units, and 15 percent should be two-bedroom units. The guidelines can be found here:

<https://www.toronto.ca/legdocs/mmis/2020/ph/bgrd/backgroundfile-148362.pdf>

Retail Design Manual

City Council adopted the Retail Design Manual on October 27, 2020. The Retail Design Manual is a collection of best practices and is intended to provide guidance on developing successful ground floor retail spaces. The intent is to provide aspirational retail design best practices to inform, guide, inspire and educate those involved in the design and development of retail uses. The best practices apply city-wide to all new development that includes retail uses, with a focus on retail uses that interface with the public realm. The manual can be found here: <https://www.toronto.ca/wp-content/uploads/2020/01/960d-Toronto-Retail-Design-Manual-December-2019.pdf>

Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings

The purpose of the Pet Friendly Design Guidelines is to guide new developments in a direction that is more supportive of a growing pet population, considering opportunities to reduce the current burden on the public realm, and provide needed pet amenities for high density residential communities. The guidelines can be found here:

<https://www.toronto.ca/wp-content/uploads/2019/12/94d3-CityPlanning-Pet-Friendly-Guidelines.pdf>