TORONTO

REPORT FOR ACTION

1265 Wilson Avenue – Zoning By-law Amendment and Rental Housing Demolition Applications – Preliminary Report

Date: November 30, 2021

To: North York Community Council

From: Director, Community Planning, North York District

Ward: 6 - York Centre

Planning Application Number: 21 219425 NNY 06 OZ

Related Applications: 21 219452 NNY 06 RH

Notice of Complete Application Issued: November 25, 2021

Current Use on Site: 4-storey rental apartment building containing 61 dwelling units.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application for 1265 Wilson Avenue which proposes a 12-storey (38.2 metre high) apartment building on Wilson Avenue with a 25-storey (78.8 metre) high tower at the south end of the site. The 12-storey element on Wilson Avenue would be connected with the tower at the south end with other building elements of varying heights. There is a 4-storey rental building on the site and the proposed development would be a rental apartment building. Staff are currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a 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 1265 Wilson Avenue 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 this report in the current budget year or in future years.

DECISION HISTORY

Pre-application meetings were held with the applicants on November 6, 2020 and April 27, 2021. During these meetings staff identified a number of preliminary issues including: tower separation from various lot lines, location of front door for all building elements, address of tower at south end of site, consideration for on-site parkland dedication, and the potential consolidation of the driveway with the neighbouring property (1263 Wilson Avenue). A discussion was also held about the proposed tenure as it relates to the replacement dwelling units within the development and the mix/size of replacement dwelling units.

ISSUE BACKGROUND

Application Description

This application proposes to amend City of Toronto Zoning By-law 569-2013 and former City of North York Zoning By-law 7625 for the property at 1265 Wilson Avenue to permit a 12-storey apartment building at the north end of the site fronting Wilson Avenue and a 25-storey (78.7 metre plus mechanical penthouse) component at the south end of the site. In between the 12-storey (38.3 metre high) portion along Wilson Avenue and the 25-storey tower at the south end, there would be three building elements in terms of height - a 13-storey (41.3 metre high) element, which steps down to a 11-storey (34.8 metre high) element and then to a 6 storey (19.8 metres) element adjacent the 25-storey (78.8 metres high) tower at the south end of the site. The various building elements would be adjoined and internal circulation would be contiguous. (See Attachment 3 Site Plan.)

The entire development is proposed to be a rental apartment building and would replace the existing 4-storey building on the site. The proposed density (floor space index) of the development would be 6.22 times the lot area. Three levels of underground parking are proposed to accommodate 477 parking spaces with 419 spaces being dedicated to residents and 58 spaces intended for visitors. A total of 428 bicycle parking spaces are proposed on site. The Rental Housing Demolition application proposes to demolish the existing 4-storey rental building containing 61 dwelling units on the lands and replace them within the proposed development. Two loading spaces are proposed.

Details of the application are outlined in the chart below:

Category	November 1, 2021 Submission				
Site Area	7,065.21 square metres				
Building elements from north to south - setbacks from property lines (Building Element Height)					
12-storey midrise building along Wilson Avenue (38.3 metres)	North (Wilson Avenue)	5.394 metres			
	West	9.0 metres			
	East	2.267 - 5.223 metres			
13-storey element (41.3 metres)	West	25.4 metres			
	East	17.267 metres			
11-storey element (34.8 metres)	West	25.4 metres			
	East	17.267 metres			
6-storey element	West	16.4 metres			
(19.8 metres)	East	23.63 metres			
25-storey tower (78.8 metres)	South	12.486 metres			
	West	5.5 metres			
	East	7.448 metres			
Ground Floor Height	4.5 metres				
Tower Floor Plate (Gross Construction Area)	Floors 2 to 3 - 3,277 square metres, 4 to 6 - 3,192 square metres, floors 7 to 11- 2,975 square metres, floor 12 - 2,286 square metres, floor 13 - 1,295 square metres, 802 square metres for floors 14 to 25				
Total Residential Gross Floor Area	43,928 square metres				
Floor Space Index	6.22 times the lot area				
Existing Residential Units	Studio	1 unit			
	1-Bedroom	31 units			
	2-Bedroom	29 units			
	Total Existing	61 units (to be replaced)			

Category	November 1, 2021 Submission		
Proposed Residential Units (including replacement units)	Studio	74 units (13%)	
	1-Bedroom	299 units (52.5%)	
	2-Bedroom	123 units (21.5%)	
	3-Bedroom	74 units (including 7 townhouses) (13%)	
	Total Proposed	570 units (includes 61 replacement units)	
Amenity Area	Indoor	1,286 square metres	
	Outdoor	907 square metres	
	Total	2,193	
		square metres	
Proposed Vehicular Parking (Residential:Visitor)	477 spaces 419:58		
Proposed Bicycle Parking (Long Term:Short Term)	428 spaces (388:40)		

Detailed project information is found on the City's Application Information Centre at:

https://www.toronto.ca/city-government/planning-development/application-information-centre/

See Attachment 2a and 2b of this report, for a three dimensional representation of the project in context.

Provincial Policy Statement and Provincial Plans

Any decision of 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, include: 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.

Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan (2020)") came into effect on August 28, 2020. This new plan replaces the previous

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 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 Council shall also conform with the Growth Plan (2020).

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, including heritage preservation and environmental stewardship may be applicable to any application. Toronto Official Plan policies may be found here: https://www.toronto.ca/city-government/planning-development/official-plan-quidelines/official-plan/

The current application is located on lands shown as *Avenues* on Map 2 of the Official Plan and *Apartment Neighbourhoods* on Land Use Map #16. The lands are subject to Official Plan Policy 3.2.1.6, which requires that any new development resulting in the loss of six or more rental housing units replace the same number, size and type of rental housing units with rents similar to those in effect at the time the redevelopment application is made.

On September 21, 2020, The Ministry of Municipal Affairs and Housing issued Notices of Decision approving OPA 479 and OPA 480. OPA 479 (Public Realm) and OPA 480 (Built Form) were adopted as part of the Five-Year Official Plan Review. The OPAs replace Section 3.1.1, 3.1.2 and 3.1.3 of the Official Plan with new and revised policies for the public realm, built form and built form types, which respond to Council's direction to amend the urban design policies of the Official Plan.

Zoning By-laws

The site is subject to both the former City of North York Zoning By-law 7625 and Citywide Zoning By-law 569-2013.

Under Zoning By-law 569-2013, as amended, the site is zoned RM (Residential Multiple Dwelling) (f24.0; a1100; d0.75), with a maximum height of 12 metres for structures other than detached and semi-detached dwellings and a maximum permitted gross floor area of 0.75 times the area of the lot. A minimum lot area of 1100 square metres and a minimum lot frontage of 24.0 metres applies. Permitted uses include most forms of residential dwelling units, as well as various community uses, including but not limited to a day nursery, school, community centre, and place of worship.

Under Zoning By-law 7625, as amended, the site is zoned RM3 Multiple Family Dwellings Third Density Zone. This zone permits a mix of residential dwelling units and community uses and also provides the same standards relating to minimum lot area (1100 square metres), and minimum frontage (24 metres) as Zoning By-law 569-2013. The maximum permitted height for apartment buildings in the RM3 zone is 9.2 metres and the maximum permitted density is 0.75 times the lot area.

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; Avenues and Mid-Rise Buildings Study; Growing Up Urban Design Guidelines; Pet Friendly Guidelines; and Bird Friendly Guidelines. 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.

Rental Housing Demolition and Conversion By-law

The applicant submitted an application for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code for the demolition of the existing rental housing units, as the lands subject to the application contain six or more residential units, of which at least one is rental. As per Chapter 667-14, a tenant consultation meeting will be held to review the impact of the proposal on tenants of the residential rental property and matters under Section 111.

COMMENTS

Reasons for the Application

A Zoning By-law amendment is required as the application proposes to exceed the maximum building height and density permitted by the existing Zoning By-laws, as amended, and to establish new development standards related to, amongst other matters: parking, loading, and building setbacks.

An application for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code is required for the demolition of the existing rental housing units, as the subject lands contain six or more residential units, of which at least one is rental.

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

Land use planning in the Province of Ontario is a policy-led system. Any decision of Council related to this application is required to be consistent with the provincial Policy Statement (2020) (PPS), and to conform with applicable provincial plans which, in the case of the City of Toronto, include: A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (Growth Plan). The PPS and all provincial plans may be found on the Ministry of Municipal Affairs and Housing website. Planning staff will continue to evaluate the application to determine its consistency with the PPS (2020) and conformity with the Growth Plan (2020).

Given the recognition in Provincial Policy of the importance of official plans and long term planning, consistency with the PPS and conformity with A Place to Grow will be informed by conformity with the City's Official Plan.

Official Plan Conformity

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.

Staff will evaluate this planning application to determine its conformity with the Official Plan, including the application's conformity with the *Apartment Neighbourhoods* policies. See Attachment 5a of this report for the Official Plan Land Use Map.

Land Use

A total of 570 apartment units are proposed. The applicant is proposing grade-related residential units along Wilson Avenue. There are several other development applications on Wilson Avenue that are proposing commercial space at grade abutting Wilson Avenue. Staff encourage the applicant to consider the incorporation of grade-related uses along Wilson Avenue.

Built Form, Planned and Built Context

The subject site is designated Apartment Neighbourhoods on Land Use Map #16 of the Official Plan and identified as being within an Avenue overlay on the Urban Structure Map 2.

The 12-storey building at 38.3 metres in height along Wilson Avenue exceeds the maximum height recommended by the Avenues and Mid-Rise Building Study for a property with an Avenue overlay on Wilson Avenue which has a 36 metre right of way.

There would be no obvious base building condition along Wilson Avenue for the midrise component. Balconies would fill already limited stepbacks. The Planning Rationale report indicates that the Wilson Avenue frontage has a 12-storey streetwall with a 1.5 metre stepback being provided above the 3rd floor and a 2.5 metre stepback being provided above the 11th floor. Staff will continue to assess the adequacy of the proposed stepbacks.

The applicant has not provided a dimensioned and labeled site plan and roof plan, and in the absence of such plans, it is difficult to evaluate the site layout.

It is also not clear if the tall building at the south end of the site has been provided with a clear base building element as required by the tall building guidelines. The proposed west and east side yard setbacks would be 5.5 metres and 7.4 metres respectively which are less than the recommended 12.5 metres from a lot line. Staff will assess building setbacks from property lines, including those of the tower element at the south end of the site. The tall building's entrance (address) at the south end of the site would not be visible from Wilson Avenue as is required in the Official Plan.

The site organization should be improved to provide better connectivity and/or access to the adjacent developments on the west and south, as well as to the open space to the east. The applicant is encouraged to work closely with adjacent property owners to share driveway access, where possible.

According to the statistics provided, the gross construction area for the tower from the 15th floor and above is 802 square metres and the residential gross floor area is 752 square metres. These numbers both exceed the Tall Building Guidelines in terms of maximum floor plate size.

Other issues identified on a preliminary basis include:

- A perceived overdevelopment of the site with too many building elements;
- A general lack of articulation of the buildings;
- A lack of natural light into some units (particularly some of the studio units);
- A lack of outdoor private amenity space for some units (particularly some of the studio units);
- The mechanical area appears to occupy the entire floor of tower;
- The appropriateness of not providing on-site parkland; and
- The appropriateness of the location of outdoor amenity areas; and
- A concern that too many trees along the property lines are being lost to the proposed development.

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). The applicant has submitted a Tree Inventory and Preservation Plan Report which is currently under review by City staff.

The report concludes that there are a total of 53 trees on, and within 6 metres of, the subject property. The report concludes that the removal of 38 trees will be required to accommodate the proposed development, including the removal of 2 trees on the neighbouring property at 1277 Wilson Avenue, which has a development application already in progress with the city (File No. 18 219970 NNY 06 OZ).

The report indicates that the preservation of the remaining 15 trees on the subject site will be possible with the use of appropriate tree protection measures.

Staff will assess the appropriateness of the applicant's proposal and tree protection and replacement measures.

Housing

The Rental Housing Demolition application will be assessed against the requirements of the Planning Act, The City of Toronto Act, Official Plan policies relating to rental housing and Chapter 667 of the Toronto Municipal Code. A site visit will be required to be conducted by staff in order to fully assess the application.

The applicant's Housing Issues Report indicates that the existing residential rental building on the site contains 61 rental apartment units, including 1 studio unit, 31 one-bedroom units and 29 two-bedroom units. The proposed development includes 570 rental dwelling units, of which 61 represent rental replacement units and 509 units are market rental dwelling units. The resulting 570 dwelling units will comprise 74 (13%) studio units, 299 (52.5%) one-bedroom units, 123 (21.5%) two-bedroom units and 74 (13%) three bedroom units, including 7 townhouses at the base of the building fronting Wilson Avenue.

The applicant is proposing 1,286 square metres of indoor amenity space and 907 square metres of outdoor amenity space. For the proposed 570 dwelling units, 2 square metres of indoor amenity space and 2 square metres of outdoor amenity space is required which results in 1,140 square metres of each.

Staff are evaluating the proposed unit mix, unit sizes and amenity spaces against the Growing Up Guidelines, current amenity space requirements and Council direction with respect to a full range of housing types, including the proposed outdoor amenity space in terms of suitable location, as well as the proposed size of units to allow for a broad range of households, including families with children. Staff will also review the provision of replacement of rental housing and whether an appropriate Tenant Assistance and Relocation Plan for tenants currently living in the existing rental building has been provided.

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.

A Community Services and Facilities study has been submitted with the application and is currently under review.

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.

The proposal at its current height and density will be subject to Section 37 contributions under the Planning Act. The application is at the preliminary stages of review, and as such, Section 37 benefits have not yet been discussed. City staff may apply Section 37 provisions of the Planning Act should the proposal be approved in some form. In the event the applicant provides in-kind benefits pursuant to Section 37 of the Planning Act, the City's Fair Wage Policy and Labour Trades Contractual Obligations will apply to such work.

Infrastructure/Servicing Capacity

The applicant has submitted a Functional Servicing and Stormwater Management Report, a Hydrogeological Report, and a Geotechnical Report. These reports will allow City staff to evaluate the effects of the development on the City's municipal servicing infrastructure. It will also identify and provide the rationale for whether the City requires the applicant to provide new infrastructure and/or upgrades to the existing infrastructure in order to facilitate this development. These reports are currently under review by staff.

A Transportation Impact Study was submitted by the applicant to evaluate the effects of the development on the transportation system, and to suggest any transportation improvements, if deemed necessary, to accommodate the travel demands and impacts generated by the development. The study is currently under review by staff.

Staff will also assess the appropriateness of the proposed loading and garbage storage facilities and the potential for pedestrian and vehicular conflicts around and on the site.

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, higher levels of performance with financial incentives intended to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

City Planning staff will review the TGS Checklist submitted by the applicant for compliance with the Tier 1 performance measures. Staff will encourage the applicant to pursue Tier 2, 3 or 4.

Other Matters

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

CONTACT

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SIGNATURE

David Sit, MCIP RPP Director, Community Planning, North York District

ATTACHMENTS

City of Toronto Drawings

Attachment 1: Location Map

Attachment 2a: 3D Model of Proposal in Context Looking Northwest Attachment 2b: 3D Model of Proposal in Context Looking Southeast

Attachment 3: Site Plan

Attachment 4a: North Elevation (from Wilson Avenue)

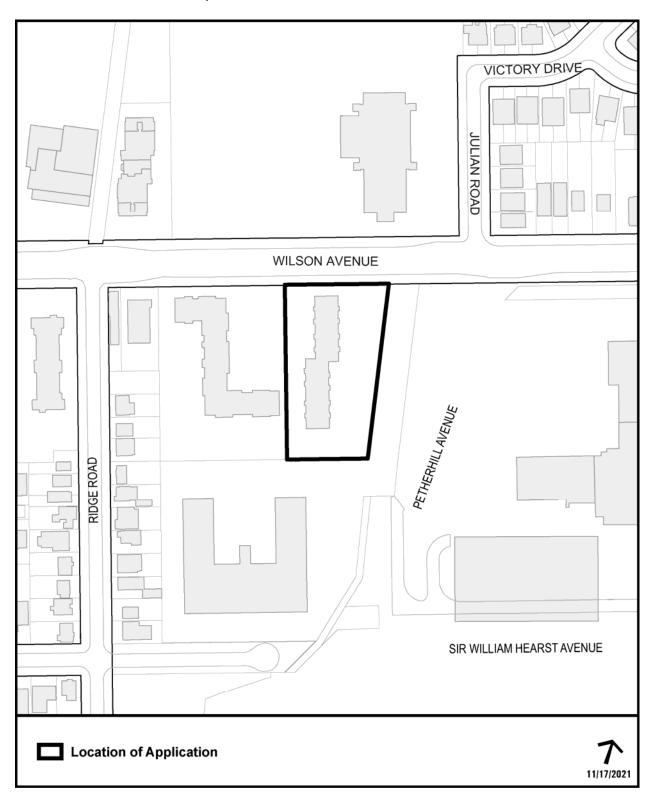
Attachment 4b: South Elevation Attachment 4c: East Elevation Attachment 4d: West Elevation

Attachment 5a: Official Plan Map Land Use Map #16 Attachment 5b: Official Plan Map 2 Urban Structure Attachment 6a: City of Toronto Zoning By-Law 569-2012

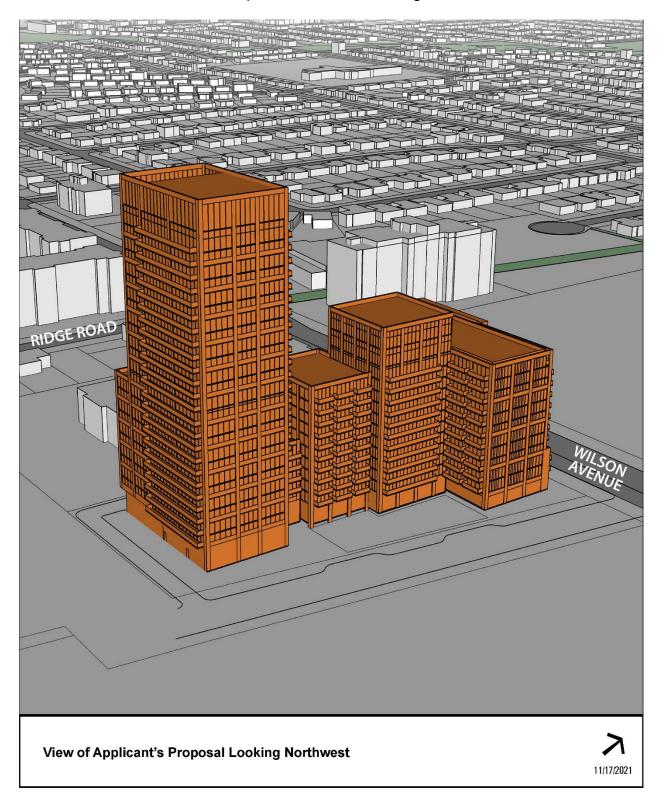
Attachment 6b: Former City of North York Zoning By-law 7625

Attachment 7: Application Data Sheet

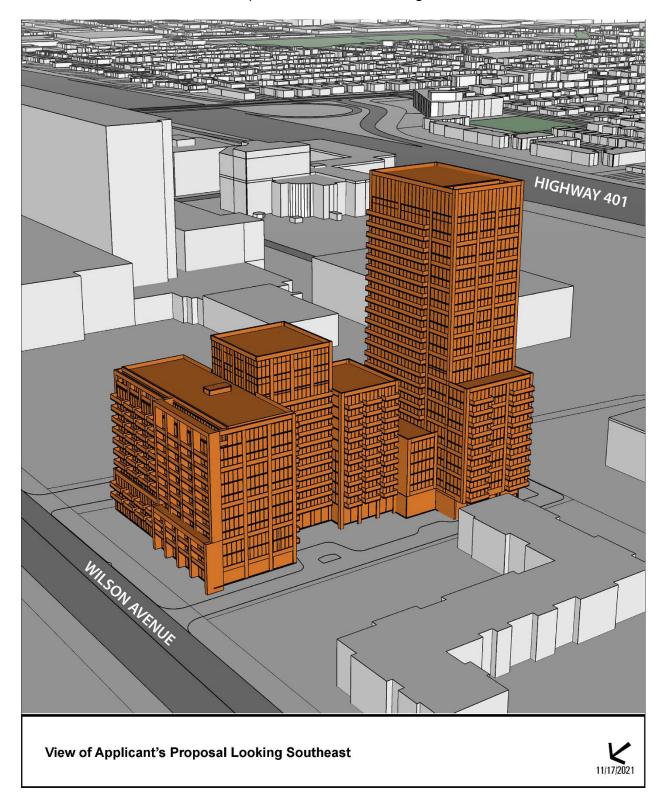
Attachment 1: Location Map

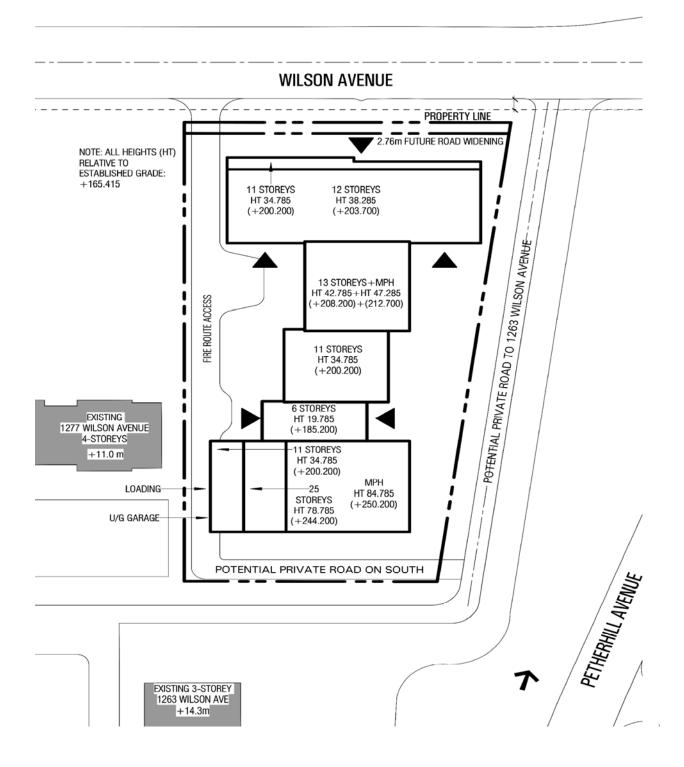


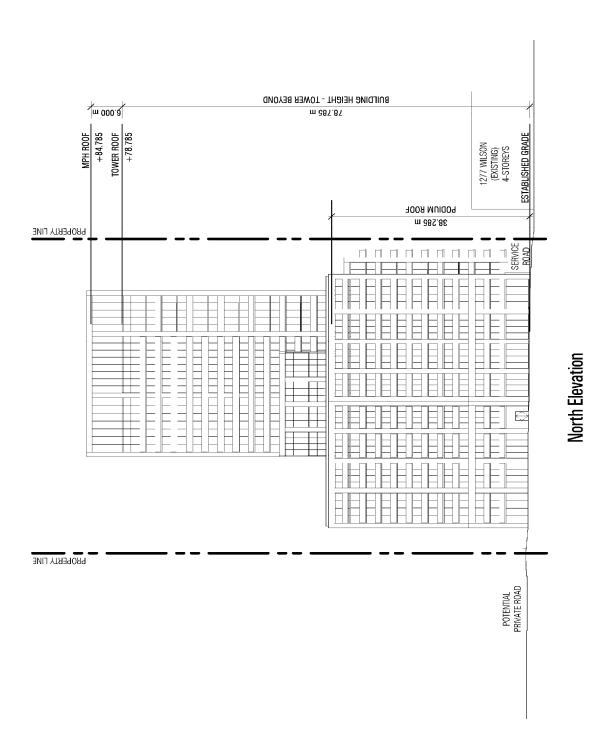
Attachment 2a: 3D Model of Proposal in Context Looking Northwest

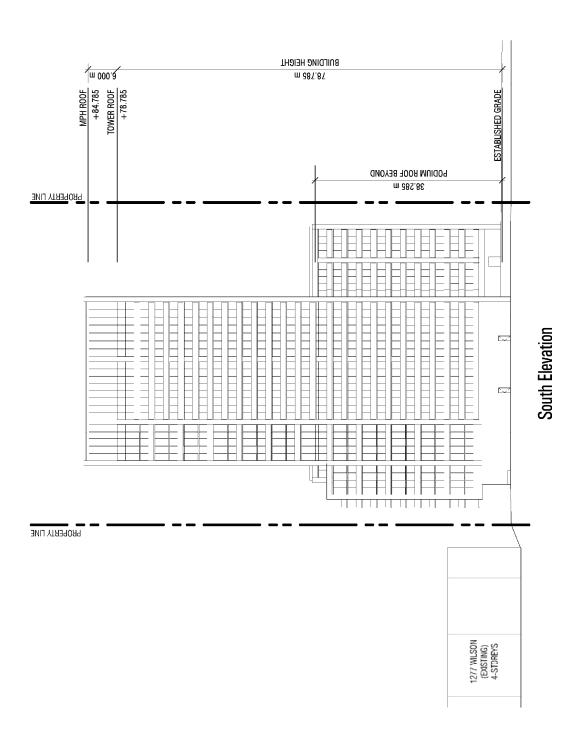


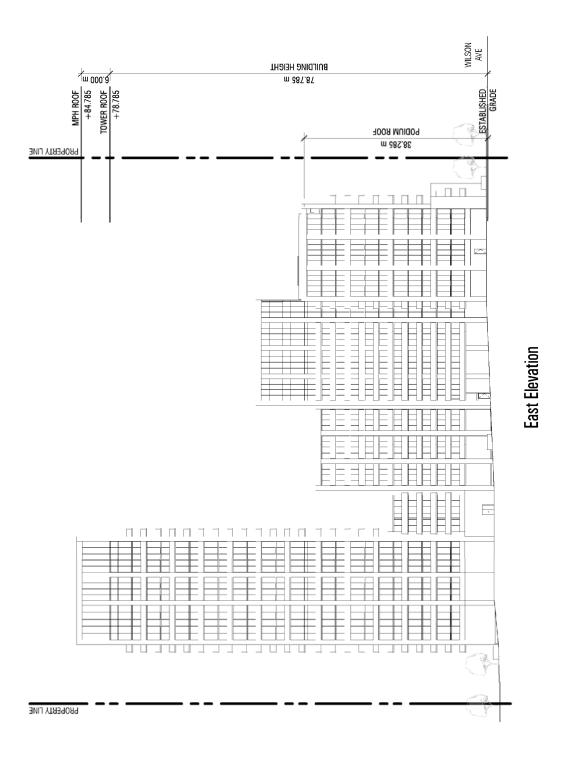
Attachment 2b: 3D Model of Proposal in Context Looking Southeast

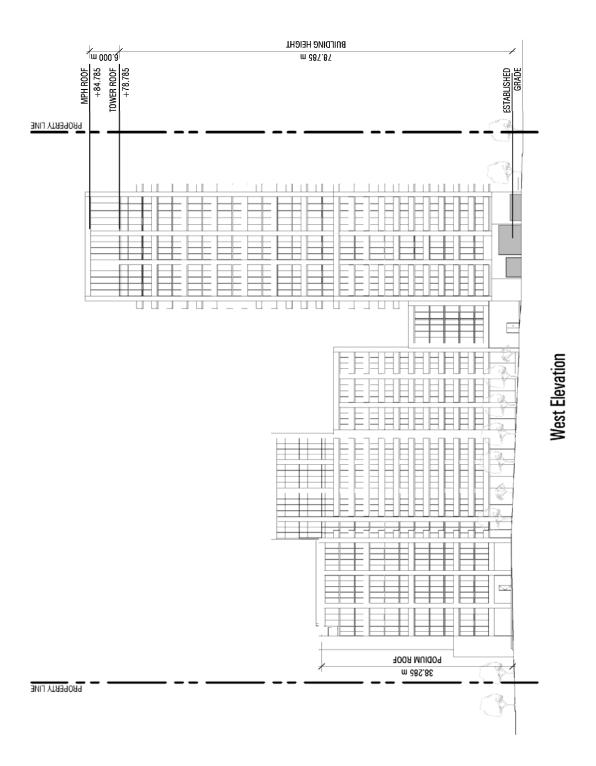


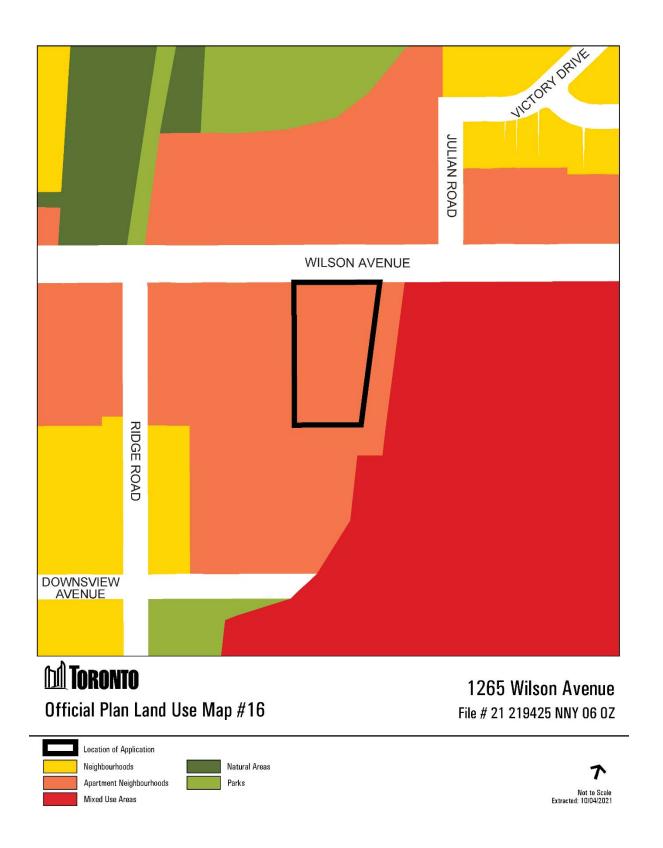


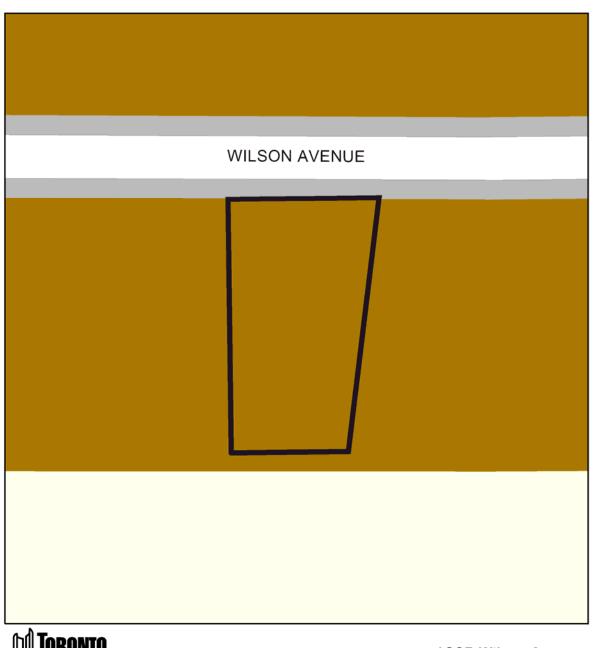












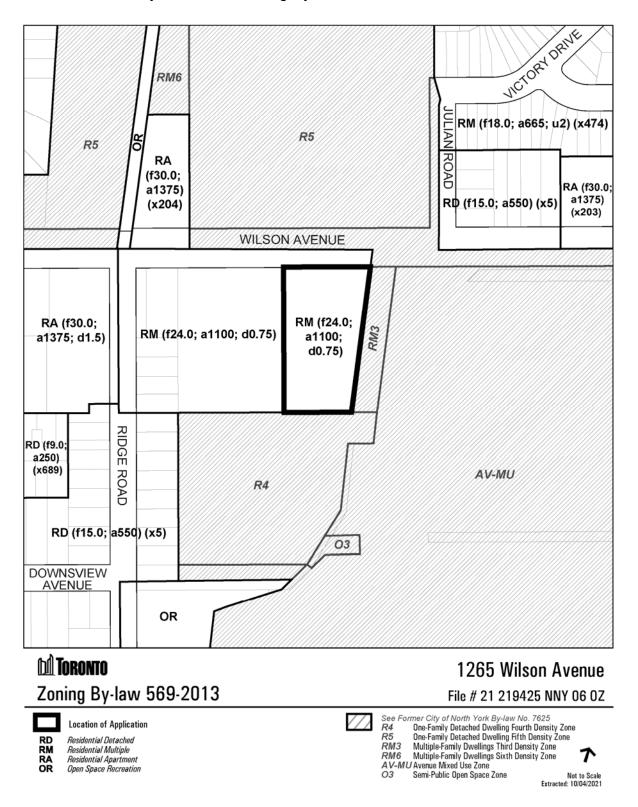


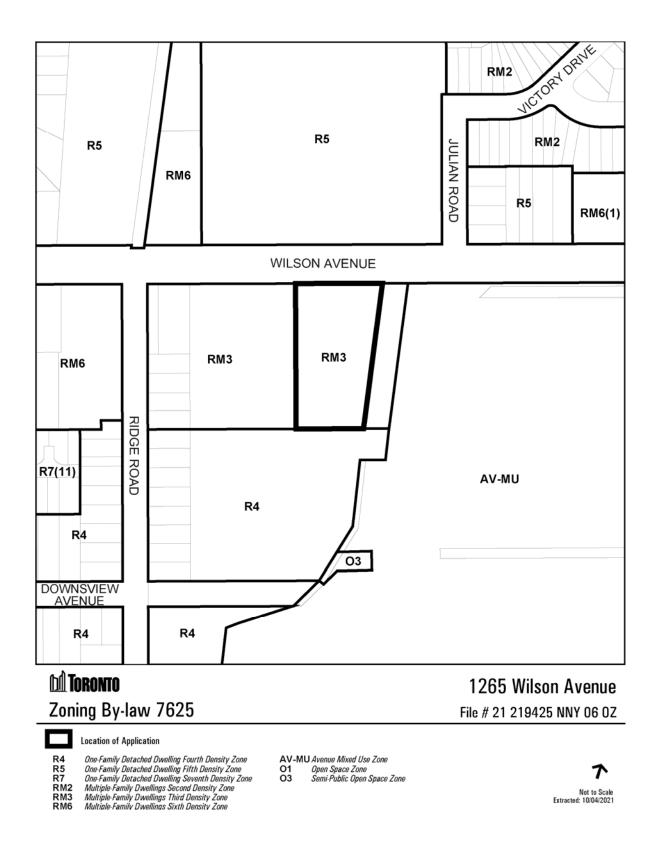
Official Plan Map #2 Urban Structure

1265 Wilson Avenue File # 21 219425 NNY 06 OZ









Attachment 7: Application Data Sheet

Municipal Address: 1265 WILSON AVE Date Received: September 29, 2021

Application Number: 21 219425 NNY 06 OZ, 21 219452 NNY 06 RH

Application Type: Rezoning, Rental Housing Demolition

Project Description: The applicant has filed an application for Zoning By-law

Amendment to facilitate the development of a 25-storey rental apartment building containing 570 residential units (including 61 rental replacement units) and 43,928 square metres and a Floor

Space Index of 6.22. There is an existing 4-storey rental

apartment on the site which would be demolished. The applicant has filed a concurrent Rental Housing Demolition application (21

219452 NNY 06 RH).

Architect Applicant Agent Owner **HAZELVIEW** Bousfields Inc., c/o Diamond Schmitt MR-V 1265 **DEVELOPMENTS** David Charezenko. Architects, 384 WILSON AVENUE INC. 3 Church Street, Adelaide Street INC, 1133 Yonge #200. Toronto ON West. Suite 100. Street. 4th Floor. Toronto ON M4T M5E 1M2 Toronto ON M5V 1R7 2Y7

EXISTING PLANNING CONTROLS

Official Plan Designation: Apartment Site Specific Provision: N

Neighbourhoods

Zoning: RM (f24.0;

a1100; d0.75) Heritage Designation: N

Height Limit (m): 12 metres Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 7,065 Frontage (m): 69 Depth (m): 116

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	1,330		2,903	2,903
Residential GFA (sq m):	5,300		43,928	43,928
Non-Residential GFA (sq m):				
Total GFA (sq m):	5,300		43,928	43,928
Height - Storeys:	4		25	25
Height - Metres:	12		79	79

Lot Coverage Ratio

41.09

Floor Space Index: 6.22

(%):

Floor Area Breakdown

Above Grade (sq m)

Below Grade (sq m)

Residential GFA:

43,928

Retail GFA:

Office GFA:

Industrial GFA:

Institutional/Other GFA:

Residential Units

by Tenure Existing

Retained Proposed

Total

Rental:

61

570

570

Freehold:

Condominium:

Other:

Total Units: 61

570

570

Total Residential Units by Size

Rooms Studio 1 Bedroom 2 Bedroom 3+ Bedroom

Retained:

Proposed: 74 299 123 74
Total Units: 74 299 123 74

Parking and Loading

Parking 477 Bicycle Parking Spaces: 428 Loading Docks: 2

Spaces:

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