

1326 and 1328 Wilson Avenue - Official Plan and Zoning By-law Amendment and Site Plan Control Applications – Request for Direction Report

Date: February 2, 2022

To: North York Community Council

From: Director, Community Planning, North York District

Ward: 6 - York Centre

Planning Application Number: 16 123717 NNY 09 OZ

Related Application: 16 123726 NNY 09 SA

SUMMARY

On March 4, 2016, an application to amend the Official Plan and former City of North York Zoning By-law No. 7625 and a site plan control application were submitted to permit a 9-storey, 31.3 metre mixed-use building at 1326 and 1328 Wilson Avenue. The proposal would provide 1,811 square metres of retail and professional medical space on the 1st and 2nd floor, and 73 residential units and amenity space on floors 3 to 9. A shared driveway for the commercial and residential uses would lead to a 3-level below grade parking garage providing 107 vehicular (11 for residential visitor and 34 for the retail/office component) and 67 bicycle parking spaces.

Since the original application submission, the proposal has been considered alongside the adjacent property at 1304, 1306 and 1308 Wilson Avenue; for which an Official Plan and Zoning By-law Amendment application has also been made for a proposed 10-storey, residential building with 90 apartment units, and 71 vehicular and 72 bicycle parking spaces (File # 18 268503 NNY 06 OZ).

On March 29, 2018, the applicant appealed the Official Plan and Zoning By-law Amendment applications and the Site Plan Control application to the Local Planning Appeals Tribunal (LPAT), now called the Ontario Land Tribunal ("OLT"), citing Council's failure to make a decision within the prescribed frames in the Planning Act.

As detailed in this report, the proposed development is overall not consistent with the Provincial Policy Statement (2020) and does not conform with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). The proposal does not conform to the Official Plan, in particular to the policies for Avenues, Apartment Neighbourhoods, Natural Areas, Public Realm and Built Form and does not meet the intent of the performance standards of the Avenues & Mid-Rise Buildings Guidelines and Addendum.

This report reviews and recommends that City Council instruct the City Solicitor with the appropriate City staff to attend the Ontario Land Tribunal (OLT) hearing to oppose the applications in their current form, and to continue discussions with the applicant to resolve outstanding issues raised in this report.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor, together with appropriate staff, to attend the Ontario Land Tribunal (OLT) in opposition to the current Applications regarding the Official Plan and Zoning By-law Amendment appeals (Files No. 16 123717 NNY 09 OZ) for the lands at 1326 and 1328 Wilson Avenue.

2. In the event the Ontario Land Tribunal (OLT) allows the appeal in whole or in part, City Council authorize the City Solicitor to request the OLT to withhold the issuance of any Order(s) on the Official Plan and Zoning By-law Amendment appeal for the subject lands until such time as the OLT has been advised by the City Solicitor that:

a) The final form and content of the Official Plan and Zoning By-law Amendments are satisfactory to the Chief Planner and Executive Director, City Planning and the City Solicitor;

b) The Owner has addressed all outstanding issues raised by Engineering and Construction Services as they relate to the Official Plan and Zoning By-law Amendment application as set out in their memo dated June 9, 2020, or as may be updated, in response to further submissions filed by the owner, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;

c) The Owner has provided a revised Functional Servicing Report, Stormwater Management Report, Hydrogeological Report, Groundwater Report, Municipal Servicing Report and Grading Plan, and any other reports necessary in support of the development to the City to the satisfaction of, the Chief Engineer and Executive Director, Engineering and Construction Services to ensure the municipal water, sanitary and storm sewer systems can support the proposed development and to identify any required upgrades or improvements to existing municipal infrastructure;

d) In the event the updated Functional Servicing Report, Groundwater Report, Stormwater Management Report, or Hydrogeological Report identify any required upgrades to existing municipal infrastructure to support the development, the Owner has entered into a financially secured agreement(s) with the City requiring the Owner to design, financially secure, construct and make operational prior to the issuance of any above grade building permit, any upgrades or required improvements, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services; and

e) the owner has entered into an Agreement pursuant to Section 37 of the Planning Act to secure Community benefits and other appropriate services, facilities, and/or matters,

as may be required by the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, and such agreement shall be registered on title to the subject lands to the satisfaction of the City Solicitor; or made other satisfactory arrangements to secure appropriate community benefits to the satisfaction of the City Solicitor.

3. City Council authorize the City Solicitor and appropriate City Staff to continue discussions with the applicant and resolve the issues outlined in this report.

4. City Council authorize the City Solicitor and City staff to take any necessary steps to implement City Council's decision.

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

The application for Official Plan and Zoning By-law Amendment was submitted on March 4, 2016 and deemed complete on March 17, 2016. A Preliminary Report was adopted by North York Community Council on May 10, 2016 authorizing staff to conduct a community consultation meeting with an expanded notification area.

The decision of the North York Community Council can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.NY14.24>

SITE AND SURROUNDING AREA

The lands known municipally as 1326 and 1328 Wilson Avenue are located on the north side of Wilson Avenue, between Keele Street to the east and Jane Street to the west. Along this portion, Wilson Avenue has a planned right-of-way width of 36 metres. Combined, the subject lands have a frontage of 45 metres and a depth of 44 metres for an overall site area of 2,431 square metres or 0.24 hectare. The subject lands are currently vacant as the two previously existing residential dwellings were demolished.

This portion of Wilson Avenue slopes downward towards Jane Street and the Black Creek watershed to the west. The subject lands also contain a natural feature along the north property line with an intermittent stream. This creates a grade change towards the north property line and a drop of about 7 metres from the front of the property. The natural feature at the rear is particular to the subject lands and adjacent lands to the east as the stream has been placed in a storm sewer and the ravine filled-in or altered further west and east of the lands. The natural feature and intermittent stream at the rear of the property is not subject to regulation by the Toronto and Region Conservation Authority (TRCA).

Surrounding uses include:

North: The subject lands slope downward towards the north property line and a natural feature with an intermittent stream. The lands slope back upward to the rear yards of single detached dwellings along Canton Avenue.

South: Residential apartment buildings ranging in height from 7 to 8 storeys with surface parking. Further south are single detached residential dwellings.

East: Adjacent to the east are two residential lots (1306 and 1308 Wilson Avenue) with a single detached dwelling on each, and which also have an Apartment Neighbourhoods and Natural Areas designation in the Official Plan. An Official Plan and Zoning By-law Amendment application has also been submitted for 1304, 1306 and 1308 Wilson Avenue to permit a 10-storey (32 metre high) residential building with 90 apartment units (File No. 18 268503 NNY 06 OZ). This proposed building would have access from Wilson Avenue at the west end of the building and five two-storey townhouses at the east end of the building fronting onto Wilson Avenue. Further east at 1300 Wilson Avenue, is located a City ambulance service station, followed by a pedestrian trail leading to Roding Park, an 8-storey apartment building with at grade retail operated by Toronto Community Housing, and Pierre Laporte Middle School.

West: Adjacent to the subject lands is a 5 storey apartment building with at grade parking at the rear accessed via Lexfield Avenue. Afterwards is located a 1-storey commercial building followed by semi-detached residential dwellings and to the south-west a Mixed Use Areas designated area containing a commercial plaza.

THE APPLICATION

Description

The application proposes development of a 9-storey, 31.3 metre high, mixed use building fronting on Wilson Avenue. The proposal would incorporate 1,811 square metres of retail and professional medical office space on the 1st and 2nd floors. The residential component would be located on floors 3 to 9, and include 73 units and residential amenity space. The ground floor height is proposed to be 4.5 metres, the proposed second floor would have a height of 3.4 metres and the residential floors would have a typical residential floor to ceiling height of 3 metres. The proposed development would have a west side yard setback of 0.8 metre, a south or front yard setback of 1 metre, and an east side yard setback of 0.6 metre. At the north, the proposed building would be set back from the rear property line 13 metres to the above grade wall of the first level parking garage. The distance from the rear property line to the wall of the habitable portion of the proposed building would be 19 metres.

The development proposes 4 residential studio units, 36 one bedroom units, and 33 two bedroom units. Except for the smaller studio units which would have an average size of 38 square metres, the remainder of the residential units would have an average size of 70 square metres. Each unit is proposed to have access to a balcony or outdoor terrace. The proposed residential component would have its own lobby area, an indoor amenity area on the first floor, and shared access to an outdoor terrace amenity area on the 8th floor as well as outdoor to the rear of the proposed building. The indoor amenity area proposed is 82 square metres or 1.1 square metres per residential unit and the

proposed outdoor amenity area terrace is 326 square metres or 4.5 square metres per residential unit.

A summary of the proposal is set out in the table below:

	Submission
Site Area	2,431 square metres (0.24 hectare)
Site Frontage on Wilson Avenue	45 metres
Site Depth	44 metres
Building Setback at the Front (south)	1 metre
Building Setbacks at the Rear (north)	
At 1st Floor	13 metres
At 7th Floor	19 metres
At 8th Floor	21 metres
Building Setback at the West (Side)	0.8 metre
Building Setback at the East (Side)	0.6 metre
Gross Floor Area (GFA)	
Residential	6,035 m ²
Non-Residential (Retail/Office)	1,811 m ²
Total	7,846 m ²
Floor Space Index (FSI)	3.2 times the lot area
Building Height (9 Storeys)	31.3 metres (34.6 to top of mechanical penthouses)
Proposed Residential Units	
Studio	4 (5%)
1 Bedroom	36 (50%)
2 Bedroom	33 (45%)
Total	73 Units
Amenity Area	
Indoor	82 square metres
Outdoor	326 square metres
Total	408 square metres
Proposed Vehicular Parking	
Residential	62
Residential: visitor	11
Retail/Commercial	34
Total	107 spaces
Loading Spaces	1 Type 'G'
Bicycle Parking	
Residential and Visitor	57
Retail/Commercial	10

Total	67 spaces
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As originally submitted, the proposal would have a common driveway access for both the residential and office/commercial component to below grade parking and the refuse pick up and loading area. Three levels of below grade parking are proposed to provide 107 parking spaces of which 11 are proposed for residential visitor parking and 34 for commercial and professional office use. A total of 67 bicycle storage spaces are also proposed (57 for residential and residential visitors, and 10 for office and commercial users).

As shown on the updated submitted Site Plan (see Attachment #3), the proposal would have access onto Wilson Avenue at the west end of the site. However, City staff have requested that the applicant consider a revised access onto Wilson Avenue to be shared with the proposed 10-storey residential building to the east.

The site has a natural feature and intermittent stream at the rear which meanders east to west. As staked the tree line and natural feature line zigzags across the rear of the property and comes to the narrowest point on the subject lands at the east side (see Attachment 3: Site Plan). Although the proposed building attempts to conform to the natural feature line and to the required 10 metre setback, portions of the parking garage floors below grade as well as the proposed first floor would intrude to varying degrees into the required setback. The applicant is proposing a 3 to 6 metre setback from the building face to the limit of the natural feature.

The proposed building would have a depth of approximately 31 metres at the west side to 20 metres at the east side. From floors 4 to floors 9 the building would taper in width from a depth of approximately 31 metres at the west side to approximately 7 metres at the east side of the property (where the building tapers to conform to the natural feature closest towards Wilson Avenue).

The building is proposed to be located closest towards Wilson Avenue in order to minimize intrusion of the rear wall into the 45 degree angular plane line drawn from the Neighbourhoods designated lands to the north. However, as submitted, the applicant has shown an angular plane measured from the at-road grade of the residential buildings to the north of the site (see Attachment #9, Building Cross Section). This approach to calculating the angular plane is not the practise at the City of Toronto. The transition is discussed later in the report.

The development would have a total gross floor area (GFA) of 7,846 square metres and a Floor Space Index (FSI) of 3.2, based on a total site area of 2,431 square metres. The proposal would result in a total lot coverage of 42%.

Detailed project information, including all plans and reports submitted as part of the application can be found on the City's Application Information Centre at:

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

See Attachments 1 to 9 of this report, for a location map, Application Data Sheet, site plan, three-dimensional representations of the application in context, elevations and building cross section.

Reasons for Application

The proposal requires an amendment to the former City of North York Zoning By-law # 7625 to implement site-specific development performance standards to regulate items such as use, gross floor area, setbacks, height, density, angular plane, parking, and landscaping, among others. Although the proposal is not subject to City of Toronto, Zoning By-law #569-2013, the proposal will be brought into Zoning By-law #569-2013 through the approval process.

In addition, the proposed development also requires an amendment to the City's Official Plan, Natural Environment policies regarding the minimum 10 metre set-back required from top-of-bank of valleys, ravines or bluffs.

Site Plan Control

The application is subject to Site Plan Control Approval. A Site Plan Control application (16 123726 NNY 09 SA) was submitted on March 4, 2016. The site plan application has also been appealed to the OLT.

POLICY CONSIDERATIONS

The site is located along an identified Avenue on Map 2 - Urban Structure, of the Official Plan. As a major street, Wilson Avenue has a planned right-of-way of 36 metres and is also identified as a Transit Priority Segment on the Surface Transit Priority Network Map 5, of the Official Plan. Transit supportive development is encouraged by the Official Plan to be located along such along transit corridors. Avenues are important corridors along major streets where growth is anticipated and encouraged to create housing and employment opportunities, an improving pedestrian environment and public realm, as well as enhanced retail and service opportunities and transit service for community residents.

The majority of the site is designated Apartment Neighbourhoods on Land Use Map 16 of the Official Plan, as are the parcels located east and west of the site along Wilson Avenue, including the adjacent proposed development immediately to the east.

The northern portion of the subject site is designated Parks and Open Space Areas – Natural Areas on Map 16, Land Use Plan of the Official Plan. The Official Plan encourages land designated Natural Areas be maintained primarily in a natural state while also allowing for compatible recreational, cultural and educational uses and facilities that minimize adverse impacts on natural features.

The Official Plan requires that development will be set back at least 10 metres, or more if warranted by the severity of existing or potential hazards, from the top-of-bank of valleys, ravines and bluffs or locations where slope instability, erosion, flooding, or other physical conditions present a significant risk to life or property. Land below the top-of-bank or other hazard lands, may not be used to calculate permissible density in the zoning by-law or used to satisfy parkland dedication requirements.

Although development is generally not permitted within the Natural Heritage system, where the underlying land use designation provides for development in or near the natural heritage system, development will recognize natural heritage values and potential impacts as much as is reasonable in the context of other objectives for the area and minimize adverse impacts and when possible, restore and enhance the natural heritage system.

COMMUNITY CONSULTATION

City staff hosted a Community Consultation Meeting on June 1, 2016. A total of 8 members of the public and the Ward Councillor were in attendance. Community members made the following comments on the proposed development after a presentation by the applicant:

- Adequacy of proposed parking for the commercial and residential portions of the building and impact on local streets;
- Concerns for the impact on Wilson Avenue traffic caused by vehicles exiting the building;
- Location of the driveway and resident entrances to the building;
- Encouraging additional medical uses and services in the building for the community to use;
- Amount and location of amenity space for the residents of the building;
- Location of garbage and loading areas and access to minimize impact on neighbouring residents;
- Concern of the impact the proposal may have on basement flooding issues in the area, and
- Possibility of burying the intermittent stream feature to create greenspace.

COMMENTS

Planning Act

The review of this application and this report's recommendations have had regard for the relevant matters of provincial interest set out under Section 2 of the Planning Act.

Provincial Policy Statement (PPS)(2020)

Policies of the PPS (2020) promote the formulation of appropriate development standards, while providing for safe, active streets and public spaces and an equitable distribution of publicly-accessible settings for recreation, including facilities, parklands, public spaces, open space areas and well-designed built form. Policy 4.6 of the PPS states that the Official Plan is the most important vehicle for implementation of the PPS. While the application in many ways is consistent with the PPS, the proposed 9-storey mid-rise building does not promote a well-designed built form due to the massing and resulting visual scale of the building, the intrusion into the angular plane, and the encroachment into Natural Areas. The analysis of the proposed built form in the context of the aforementioned Official Plan policies, as assessed later in this report, indicates that the proposed building does not adhere to appropriate development standards for intensification, particularly those concerning appropriate form of massing, height and transition and pedestrian realm.

Planning Staff have reviewed the current proposal against the policies of the PPS, as described in the Policy Considerations Section in this report and find the proposal is not consistent with the policies of the PPS. The City of Toronto Official Plan has responded by establishing areas for intensification and includes policies to encourage intensification, provided that this can occur in the context of other applicable policies. Importantly, the City of Toronto Official Plan and supporting documents such as the Avenues and Mid-Rise Buildings Study recognizes that context and transition between areas of differing development intensity is important. The height and scale of the proposed development is not appropriate for the area context in accordance with Policy 1.1.3.3 of the PPS.

Growth Plan (2020)

Planning Staff have reviewed the current proposal with the policies of the Growth Plan, as described in the Policy Considerations Section in this report and find the proposal conforms to some, but not all of the policies of the Growth Plan.

For example, Policy 2.2.1 of the Growth Plan suggests that applying the policies of the Plan will support the achievement of complete communities that, among other things, e) ensures the development of high quality compact built form and a vibrant public realm. The application does not meet the intent of the Council-endorsed Mid-Rise Guidelines and transition policies as the proposed development creates a situation where shadows will be cast on abutting public streets and neighbouring properties more than is acceptable based on Official Plan policies and anticipated by the Guidelines.

Policy 5.2.5.6 of the Growth Plan states municipalities are to develop and implement urban design and site design official plan policies and other supporting documents that direct the development of a high quality public realm and compact built form in order to achieve the minimum intensification and density targets in the Growth Plan. The City has done this through its Official Plan policies and supporting guidelines discussed in this report. Together, the policies and guidelines provide a planning framework that enables new development and intensification on the site in a manner that achieves a number of city building objectives and positively contributes to the surrounding context.

In the opinion of City Planning, the proposed height and transition of the proposed development does not conform with the policy direction of the Growth Plan for the Greater Golden Horseshoe (2020) which directs the review of the proposed built form, transition and uses to applicable Official Plan policies and relevant guidelines.

Land Use

The site is designated Apartment Neighbourhoods at the front along Wilson Avenue and the rear portion is designated Natural Areas in the City of Toronto Official Plan.

Apartment Neighbourhoods are made up of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of area residents. Within an Avenues overlay, the City of Toronto Official Plan further encourages transit supportive development and the

provision of retail and service commercial opportunities that will also provide for the needs of the local community. As proposed the at grade commercial space would have a floor to ceiling height of 4.5 metres, which facilitates at grade retail uses and provides exposure and a positive relationship to the public realm along Wilson Avenue.

The proposed land use for a mixed-use building with 1,811 square metres of retail and professional medical offices at grade and on the second floor, and residential units above, conforms with the Official Plan designation of Apartment Neighbourhoods for the site, and are permitted uses in the RM5 zone of the former City of North York Zoning By-law # 7625. Planning staff are supportive of the proposed retail and medical office space as it will encourage an enhanced relationship to the Wilson Avenue pedestrian and public realm.

As previously described the northern portion of the subject site is designated Natural Areas - Parks and Open Space Areas in the City of Toronto Official Plan. Development adjacent to a Natural Area is required to be set back a minimum of 10 metres from the top-of-bank. As proposed a portion of the building below grade and at the first floor would intrude to varying degrees into the required 10 metre setback. The applicant is proposing a 3 to 6 metre setback from the north side of the building to the limit of staked top-of-bank of the natural feature.

City of Toronto Urban Forestry Ravine and Natural Feature Protection (RFNP) staff are not supportive of the proposal as submitted as it will require alteration of the existing intermittent stream at the rear of the site and the proposed underground parking and above grade portions of the building do not maintain the required minimum 10 metre setback from the natural feature.

As designed, the proposal is not in keeping with Official Plan Policies 3.4.8. which requires development will be set back at least 10 metres, or more if warranted, from the top of bank of valleys, ravines or bluffs, and 3.4.9. which prohibits alteration of existing slopes of a valley, ravine, bluff or shoreline for the purpose of accommodating new development.

Alteration of the natural feature also fails to conform with Chapter 658 of the City of Toronto Municipal Code (RNFP By-law), which promote the management, protection and conservation of ravines and natural features. The proposal as submitted fails to maintain a 10 metre setback from the natural feature and would require alteration to the natural feature which is not permitted by the Official Plan.

Built Form, Height and Massing

Planning staff have reviewed the proposed built form, including height, massing and transition, against the policies of the Official Plan and relevant design guidelines.

The Official Plan states new development will be located and massed to fit within the existing and planned context, define and frame the edges of the public realm with good street proportion, fit with the existing character and ensure access to direct sunlight and daylight on the public realm by providing streetwall heights and setbacks that fit harmoniously with the existing and/or planned context and stepping back building mass

and reducing building foot prints above the streetwall height. New development should transition to development on abutting properties using a variety of measures including angular planes, the use of setbacks and stepbacks of building mass, and separation distances.

The site is designated Apartment Neighbourhoods with an Avenues overlay in the Official Plan. As such, this site is appropriate for a mid-rise building and should be subject to the Avenues and Mid-Rise Building Study performance standards intended to guide the design of mid-rise buildings in a manner appropriate to the Avenue. Mid-rise building heights are contextual and are informed by the width of the right-of-way onto which they front. Wilson Avenue, being an Avenue right-of-way, has an anticipated right of way of 36 metres. The ability to realize the maximum height of a building would be tempered with adherence to angular planes from the street frontage of the site.

The proposed development height of 9 storeys reflects a mid-rise building and is in keeping with a 36 metre right-of-way along Wilson Avenue and of the buildings which typify the immediate area. The Avenues and Mid-Rise Building Guidelines recognizes that building height is only one aspect of regulating building form. Other performance standards outline additional methods to shape and design mid-rise buildings including setbacks, stepbacks, and adherence to angular planes from specific lot lines.

The Mid-Rise Guidelines contain provisions for shallow lots to transition to lower-scale Neighbourhoods and Parks and Open Space Areas. The requirement is for a minimum building setback of 7.5 metres from the rear property line and a 45 degree angular plane taken from a height of 10.5 metres above the 7.5 metre building setback. As designed the rear of the proposed building above the second floor will intrude into the rear angular plane. Incorporating appropriate stepbacks at the rear as per the Midrise performance standards would help to alleviate this issue and avoid any shadow and overlook impact on the residential neighbourhood to the north.

The success of the Avenues is contingent on the ability to create great main streets with comfortable, attractive public spaces, especially sidewalks. The Mid-Rise Guidelines outline a performance standard that results in a building envelop that allows for 5 hours of sunlight access on the opposite sidewalk as well as ensuring that the street wall height is in proportion with the abutting right-of-way. An angular plane will be taken from a height equivalent to 80% of the right-of-way width and subsequent storeys must fit within a 45-degree angular plane from this point. The upper storeys of buildings will need to step-back to fit within the angular plane set out in the Guidelines. The proposed development does not meet the intent for this objective in the Mid-Rise Guidelines.

New development on this site must fit into the context of the existing neighbourhood and provide for appropriate building setbacks and transition to neighbouring properties. A residential development with a height and massing that is a mid-rise form in keeping with the neighbourhood to the north would satisfy the Official Plan goal of encouraging intensification to take advantage of existing infrastructure and services, and would ensure compatibility with the existing neighbour context.

Given the existing and the planned context for the subject property and the surrounding area, the height of the proposed development is considered appropriate and is

supported by staff. However, the proposed development has not addressed the Mid-Rise guidelines in a number of ways including setbacks, stepbacks and front and rear angular planes resulting in a building that fails to properly fit into the existing or planned context of the neighbourhood and transition appropriately to neighbouring properties. The proposal in its current form does not conform with the policies of the Official Plan as it relates to fit within the existing and planned context and does not meet the intent of the Avenues and Mid-Rise Building Study.

Sun, Shadow and Wind

This application has been reviewed against the Official Plan policies and design guidelines described in the Policy Consideration Section of the Report. Official Plan Built Form Policies 3.1.2.3 require that new development provide adequate light and limit shadows on streets, properties and open spaces. Healthy Neighbourhoods Policy 2.3.1.2 states that developments within Apartment Neighbourhoods that are adjacent or close to Neighbourhoods will maintain adequate light for residents in those Neighbourhoods. The Official Plan states that development will be located and massed to fit within the existing and planned context, define and frame the edges of the public realm with good street proportion, fit with the character, and ensure access to direct sunlight and daylight on the public realm by providing streetwall heights and setbacks that fit harmoniously with the existing and/or planned context and stepping back building mass and reducing building footprints above the streetwall height.

The applicant has provided a shadow study illustrating the shadow impacts during the fall and spring equinoxes. Planning staff have reviewed the shadow study and find that the shadow impacts resulting from the proposal are not acceptable. Combined with the built form issues noted above, the proposed building has not been designed to sufficiently minimize shadow impacts on nearby residential areas to the north.

Public Realm/Streetscape

In accordance with current City standards, and the Accessibility for Ontarians with Disabilities Act (AODA), new 2.1 metre wide concrete public sidewalks are required along the development site frontage. The sidewalk width must be clear and not include obstructions such as street curb, street furniture and landscaped areas and must transition the new sidewalk to existing abutting sidewalks with a 5:1 taper within the site frontages. As proposed, the development would incorporate a 3 metre sidewalk along Wilson Avenue, with an approximately additional 4.7 metres to the at grade building wall, as the second floor and above are proposed to be cantilevered over the at-grade portion of the building. Shrubbery and plantings are proposed along the edge of the building, with additional landscaping and five new City trees proposed within the City Right of Way.

Trees can serve to buffer pedestrians from vehicles and also offer shade during summer months. It is important that proposed tree plantings are provided with sufficient above and below ground soil volume conditions to ensure that they can grow to maturity and support the public realm. It would be preferable that have a consistent street tree planting scheme along Wilson Avenue in terms of design approach and that the street

trees be planted along the curb side of the public sidewalk. Further review will be required by the City's Forestry Division should this proposal be approved.

It is not clear whether a passenger drop-off area has been provided on the site. It is recommended that the applicant revisit the proposed access and ground floor plan to ensure a passenger drop off area can be provided within the building footprint of the proposed development.

Tree Preservation

The applicant has submitted an Arborist Report and preliminary Tree Preservation and Tree Inventory plans which identifies 77 trees that would be within the area or within 12 metres of the proposed development, and of which 29 trees would be preserved. 58 trees are located on or adjacent to the north side of the property, and which are in fair or poor condition. Removal of any trees in or adjacent to the Natural feature at the rear of the site will require permits from the City RFNP division.

Ten street trees are identified as impacted of which five will be required to be removed to accommodate the proposed new sidewalk, and would require permits from the City's Urban Forestry division. The applicant has identified that a detailed tree planting plan and landscaping plan have not yet been finalized.

Parkland

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the City of Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.80 to 1.56 hectare of local parkland per 1,000 people. The site is in the middle quintile of current provision of parkland. The site is located along an Avenue as per Map 2 of the Toronto Official Plan and is not in a parkland acquisition priority area as per Map 2 of the Toronto Official Plan.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The residential component is subject to a cap of 10% parkland dedication while the non-residential component of this proposal is subject to a 2% parkland dedication.

Given the current rise in dog-owning population, the applicant should provide on-site dog amenities with proper disposal facilities such as dog relief stations within the building to accommodate future residents' needs. This will also help alleviate pressure on existing parks.

Road Widening

In order to satisfy the Official Plan requirement of a 36 metre right-of-way for this segment of Wilson Avenue a 2.76 metre road widening dedication along the Wilson Avenue frontage of the subject site is required to be conveyed to the City.

Should the Official Plan and Zoning By-law Amendment appeal be successful, these requirements for road widening land conveyance will be incorporated into conditions of site plan approval.

Traffic Impact

The applicant submitted a Transportation Impact Study ("TIS") Report in support of the application on the adjacent road system given projected future traffic conditions. The report estimates that the project will generate approximately 38 two-way trips during the morning peak hours and 39 two-way trips during the p.m. peak hours. The report concludes that traffic activity generated by the proposed development can be accommodated acceptably and appropriately by the area road network. Transportation Services generally accept the methodology and conclusions in the report and agree with the conclusion.

Driveway Access and Site Circulation

As originally submitted, the proposal would have a two-way driveway access to below grade loading and parking via a 6 metre driveway at the west end of the site. At staff's request the applicant has demonstrated feasibility of a shared 6.8 metre wide driveway which would be located along the east boundary of the site and shared with the proposed mid-rise development at 1304, 1306 and 1308 Wilson Avenue. This is City Staff's preferred access configuration for the site. The site plan material has not been updated to reflect this revised access and it will have to be secured through the OLT hearing or through other approval processes. Additional comments related to design standards, site access arrangement, site circulation and layout and the design of the proposed site entrance driveways will be provided through the site plan review process.

Parking, Loading and Servicing

As originally submitted, the applicant proposed to provide a total of 107 parking spaces (62 residential, 11 residential visitor and 34 commercial) and 67 bicycle parking spaces (57 for residents and 10 for commercial users) within a three-level underground parking garage, which would be accessed via a private driveway on the west edge of the development. The proposed vehicular parking supply is satisfactory. The proposed bicycle parking spaces do not meet the minimum requirements of Zoning By-law # 569-2013 for Bicycle Zone 2 requirements and are not acceptable. City Planning requires short term spaces to be located in a highly visible area that is more proximate to a main entrance. Bicycle parking locations will be secured as part of the site plan approval process.

Per Zoning By-law No. 569-2013, a minimum of one Type "G" loading space for the residential component and one Type "B" loading space for the retail component is required for the proposed development. The applicant has proposed one Type "G" loading space to be shared amongst the residential and retail uses.

The applicant has proposed that the solid waste management for the residential component will be provided by the city of Toronto in accordance with the City of Toronto Requirements for Garbage, Recycling and Organics Collection Services for new

Developments and Re-Developments and Chapter 844, Solid Waste of the Municipal Code. The non-residential component of this development is not eligible for City of Toronto pickup and all garbage and recyclables must be collected privately. Proper loading/storage facilities located on private property are required and must meet all applicable by-laws and legislation including Chapter 841 of the Municipal Code.

Travel Demand Management (TDM)

Travel Demand Management (TDM) measures are aimed at encouraging people to take fewer and shorter single occupancy vehicle trips to reduce congestion, energy consumption and pollution. In the past, transportation planning has often focused on supply-side solutions by identifying where additional transportation capacity is needed to satisfy forecasted travel demands. TDM in contrast, puts the emphasis on changing travel behaviour to modify and reduce our demand for vehicular travel in cities. TDM measures are most effective when supported by complementary actions in the key areas of land use planning and public transit improvements.

Typical TDM policies and programs include, but are not limited to: parking supply management strategies (such as reduced parking provision) in combination with implementation of car sharing/bike sharing programs; school/trip planning; development-related transit initiatives; cycling programs and expansion of the cycling network.

Regarding the proposal as originally submitted, City staff recommend that the following TDM measures be provided for the development, including but not limited to, the opportunity for a dedicated space for pick-up and drop-off and/or a taxi/delivery and service vehicle zone; the provision of at least one publicly accessible car-share space in the underground visitor parking area, the provision of at least one publicly accessible bicycle repair stand at grade near to the short-term bike parking location, and exploring incentives for residents and employees to use alternative transportation modes, such as providing transit passes, and/or carshare/rideshare memberships.

In the event that the OLT approves the application in some form, Transportation Planning staff have indicated that a revised Transportation Demand Management ("TDM") Plan with appropriate measures to reduce single occupancy automobile vehicle trips generated by the proposed development, support the proposed parking reduction, and address the site related vehicular traffic issues is required. Such measures will also be addressed and secured through the Site Plan Approval process.

Servicing and Stormwater Management

The applicant has submitted a Functional Servicing and Stormwater Report in support of the application. Engineering and Construction Services staff have reviewed the submitted materials and require revisions to the Functional Servicing and Stormwater Management Report as outlined in the memorandum from Engineering and Construction Services dated September 19, 2017. The applicant must also provide a revised Hydrological Review Summary Form and Servicing Report Groundwater Summary to be reviewed and accepted.

In the event that the OLT allows the Official Plan and Zoning By-law Amendment applications appeal in whole or in part, the final Order should be withheld pending the confirmation the Functional Servicing and Stormwater Management Report has been revised to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and it is demonstrated that the municipal water, sanitary and storm sewer systems can support the proposed development and whether upgrades or improvements of the existing municipal infrastructure are required.

Family Sized Units

The Planning for Children in New Vertical Communities (Growing Up Guidelines) are to be used to evaluate development applications that propose multi-residential mid-rise and tall buildings that include 20 units or more. This application proposes 73 dwelling units so the guidelines are applicable. The applicant is proposing four studio units (6%), 36 one bedroom units (49%) and 33 two bedroom units (45%). There are no 3 bedroom units proposed. The proposed size of the two bedroom units is 69.5 square metres. The guidelines require that such a building include a minimum of 25% large units comprising a minimum of 10% 3-bedroom units and a minimum of 15% 2-bedroom units. The application currently does not meet the 10% 3 bedrooms as articulated in the Growing Up Guidelines

The Guidelines also prescribe a size range for the 2- and 3-bedroom units. Two bedroom units should be between 87 and 90 square metres and a 3-bedroom unit should be between 100 and 106 square metres. The proposed unit mix does not meet the policy direction of the Official Plan to provide a full range of housing and does not meet the unit mix and unit size objectives of the Growing up Guidelines.

Amenity Space

Every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the development. Zoning By-law 7625 requires a minimum of 2 square metres per unit each of indoor and outdoor amenity space and Bylaw 569-2013 requires a combined amenity space of 4.0 square metres per unit. The proposal provides for a total combined indoor and outdoor amenity space of 408 square metres (5.5 square metres per unit). A total of 82 square metres (1.1 square metres per unit) of indoor amenity space is proposed on the ground floor. This configuration and amount of this amenity space is not supported. More detailed programming information regarding this space is required before Planning staff can comment further.

A total of 326 square metres on the roof terrace is proposed as outdoor amenity space. At the rear within the Natural Feature area, the applicant proposes to provide an additional 1,295 square metres of outdoor amenity. The amount of outdoor amenity area would be significantly reduced with the proper setback to the top of bank located at the rear of the site, and with any renaturalization of the natural feature that may be required. The amount of indoor amenity space is deficient and the applicant should strive to meet the by-law standard of 2 square metres per unit. Appropriate design measures for amenity areas including indoor and outdoor play areas for children and youth, flexible spaces for use by any age group, hobby rooms and pet amenity space is

required to be provided by the applicant in order for staff to properly assess the proposed development.

Pet Friendly Design

No pet amenity is proposed. For a building with more than 20 units, pet amenity should be 10% of the required amenity space and include an outdoor pet relief area at least 5 square metres in size. An indoor pet washing station is recommended. Given the current rise in dog-owning populations, the applicant is strongly encouraged to provide dog amenities on-site with proper disposal facilities such as dog relief stations to accommodate their future residents' needs in accordance with the Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings. This will help alleviate pressure on neighbourhood parks.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. The applicant is required to meet Tier 1 of the TGS. The applicant is 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. Performance measures for the Tier 1 development features will be secured through the site-specific zoning by-law and other will be secured through the Site Plan Control application.

Consistent with the Official Plan and Council's goal of achieving new zero emissions by 2050 or sooner, staff encourage the applicant to pursue a stronger focus on environmental sustainability in this application, including targeting performance measures that meet higher tiers of the TGS Version 3.

The TGS statistics template indicates that at this stage the applicant is designing the site to achieve the soil volume requirements of the TGS V3. To facilitate the review, required soil volumes should be identified as part of the rezoning application for both on-site trees and street trees. Should the soil volumes not be able to be achieved, the applicant must identify options to meet the TGS requirements that may include revisions to the building footprint or the relocation of underground infrastructure that may impede achieving soil volume minimum requirements for tree planting. It should be noted that as the application is relying on street trees to achieve much of the soil volume required, it is recommended that the applicant confirm during the zoning by-law amendment process that there are not utility conflicts that may prevent planting the proposed trees.

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.

Staff have not discussed community benefits with the applicant. Should this proposal be approved in some form by the OLT, City Planning recommend that City Council request

that the OLT's order be withheld until an appropriate community benefits agreement has been secured with the applicant in consultation with the Ward Councillor.

Site Plan

A site plan control application was also submitted on March 4, 2016 and is currently under appeal. This material is still under review by staff, and certain features of the site plan application will have to be review to address the updated access proposed for the development.

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), the Toronto Official Plan, including the applicable City guidelines intended to implement Official Plan policies. The proposed development is not consistent with the Provincial Policy Statement (2020) and does not conform Growth Plan for the Greater Golden Horseshoe (2020). The current proposal also does not conform with the Toronto Official Plan, particularly as it relates to Public Realm, Built Form and Apartment Neighbourhoods policies and development criteria. The proposal does not meet the intent of the Avenues & Mid-Rise Buildings Study and Addendum.

This report recommends that City Council direct the City Solicitor, with appropriate staff, to attend the OLT to oppose the application in its current form and to continue discussions with the applicant in an attempt to resolve the outstanding issues identified in this report.

City Planning continues to receive additional information regarding this application as of the result of ongoing review by City commenting divisions of materials submitted in support of the proposal and as a result of the requested change to a shared access with the neighbouring proposed development to the east. In addition, Planning staff may be required to evaluate supplementary or revised plans and supporting materials submitted by the applicant after the date of this report. As a result, in addition to the issues specifically addressed above, planning staff may continue to identify further issues or supplement the reasons provided in this report. Where substantive changes to the proposal are made by the applicant, Planning staff may report back to City Council as necessary.

CONTACT

Ben DiRaimo, Senior Planner
Tel. No. (416) 395-7119
E-mail: Ben.DiRaimo@toronto.ca

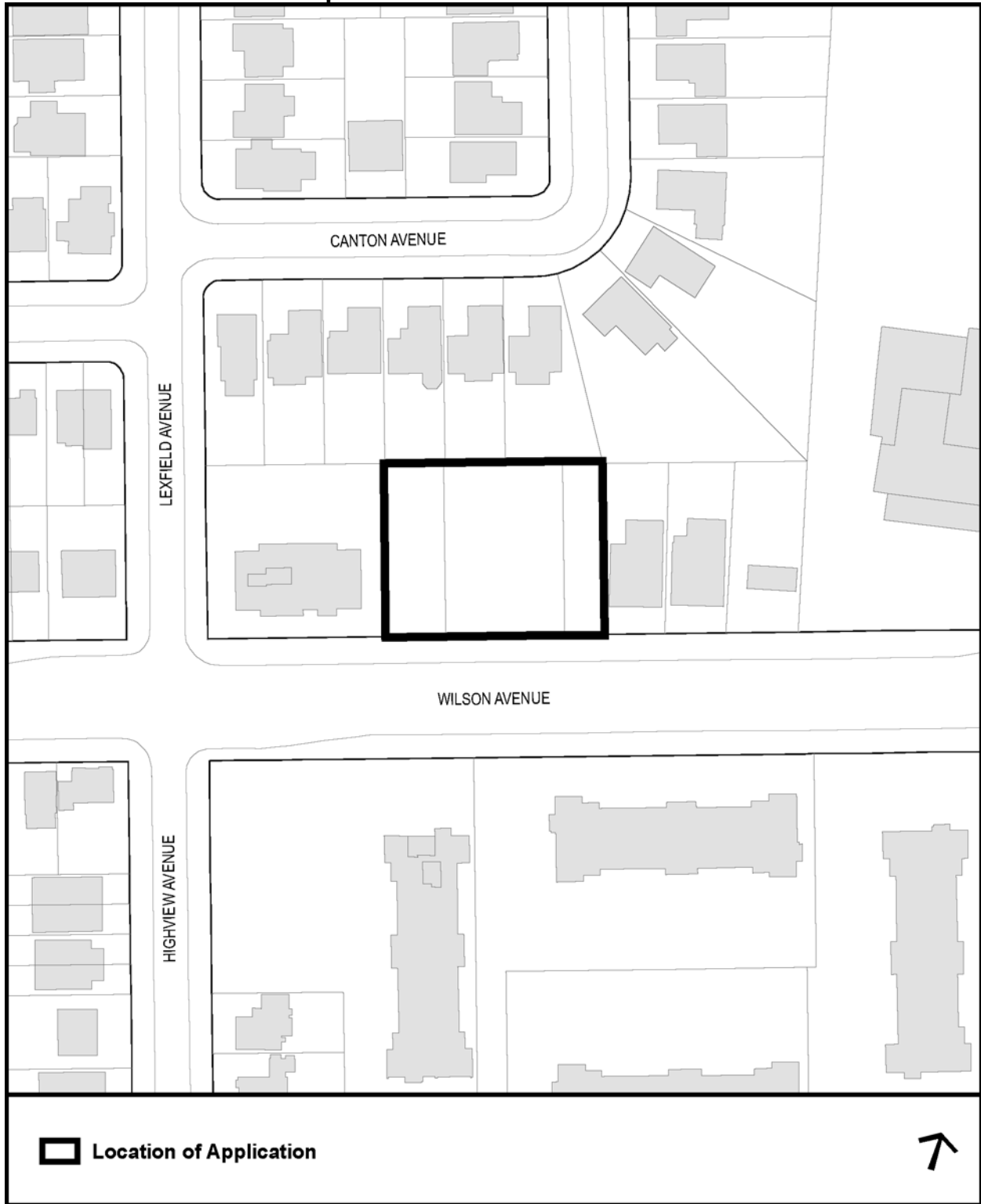
SIGNATURE

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

ATTACHMENTS

- Attachment 1: Location Map
- Attachment 2: Application Data Sheet
- Attachment 3: Site Plan
- Attachment 4a: Three-dimensional representations of the application (Northeast)
- Attachment 4b: Three-dimensional representations of the application (Southeast)
- Attachment 5: South (front) Elevation
- Attachment 6: North (rear) Elevation
- Attachment 7: West Elevation
- Attachment 8: East Elevation
- Attachment 9: Building Cross Section
- Attachment 10: Policy Considerations
- Attachment 11: Official Plan Land Use Map
- Attachment 12: Former City of North York Zoning By-law #7625 Map
- Attachment 13: City of Toronto Zoning By-law #569-2013 Map

Attachment 1: Location Map



Attachment 2: Application Data Sheet

Municipal Address: 1326-1328 Wilson Avenue Date Received: March 4, 2016
 Application Number: 16 123717 NNY 09 OZ
 Application Type: OPA & Rezoning
 Project Description: Proposed 9 storey (31.3 metre high) mixed use building containing 73 dwelling units, gross floor area of 7,846 m² (Residential:6,035 m² & Retail/Office: 1,811 m²); 3 level below grade parking for 107 vehicular and 67 bicycle parking spaces. Comprised of 3 lots. City Staff have requested proposal consider shared access with adjacent proposal at 1304-1308 Wilson Avenue (File 18-268503 NNY 06 OZ) and coordinated grading and landscaping features along natural feature at north property line including common plantings, furniture and materials along the public realm

Applicant	Agent	Architect	Owner
Evans Planning c/o Adam Layton, 8481 Keele Street, Vaughan ON L4K 1Z7		Alan Tregobov 40 St. Clair Avenue East, Suite 303, Toronto ON M4T 1M9	8570442 Canada Inc. 477 Wilson Heights Blvd., Toronto ON M3H 2V4

EXISTING PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhoods, Natural Areas	Site Specific Provision:	N
Zoning:	RM5	Heritage Designation:	N
Height Limit (m):	11.5	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	2,431	Frontage (m):	45	Depth (m):	44
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Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq. m):	0			
Residential GFA (sq. m):	0		6,035	6,035
Non-Residential GFA (sq. m):	0		1,811	1,811
Total GFA (sq. m):	0		7,846	7,846
Height - Storeys:	0		9	9
Height - Metres:	0		31.3	31.3

Lot Coverage Ratio (%)	42	Floor Space Index:	3.2
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Floor Area Breakdown Above Grade (sq. m) Below Grade (sq. m)

Residential GFA: 6,035

Retail GFA: 150

Office GFA: 1,661

Industrial GFA:

Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
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Rental:	0		0	0
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Freehold:

Condominium:

Other:

Total Units:			73	73
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Total Residential Units by Size

	Rooms	Studio	1 Bedroom	2 Bedroom	3+ Bedroom
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Retained:

Proposed:	4	36	33		
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Total Units:	4	36	33		
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Parking and Loading

Parking Spaces:	107	Bicycle Parking Spaces:	67	Loading Docks:	1
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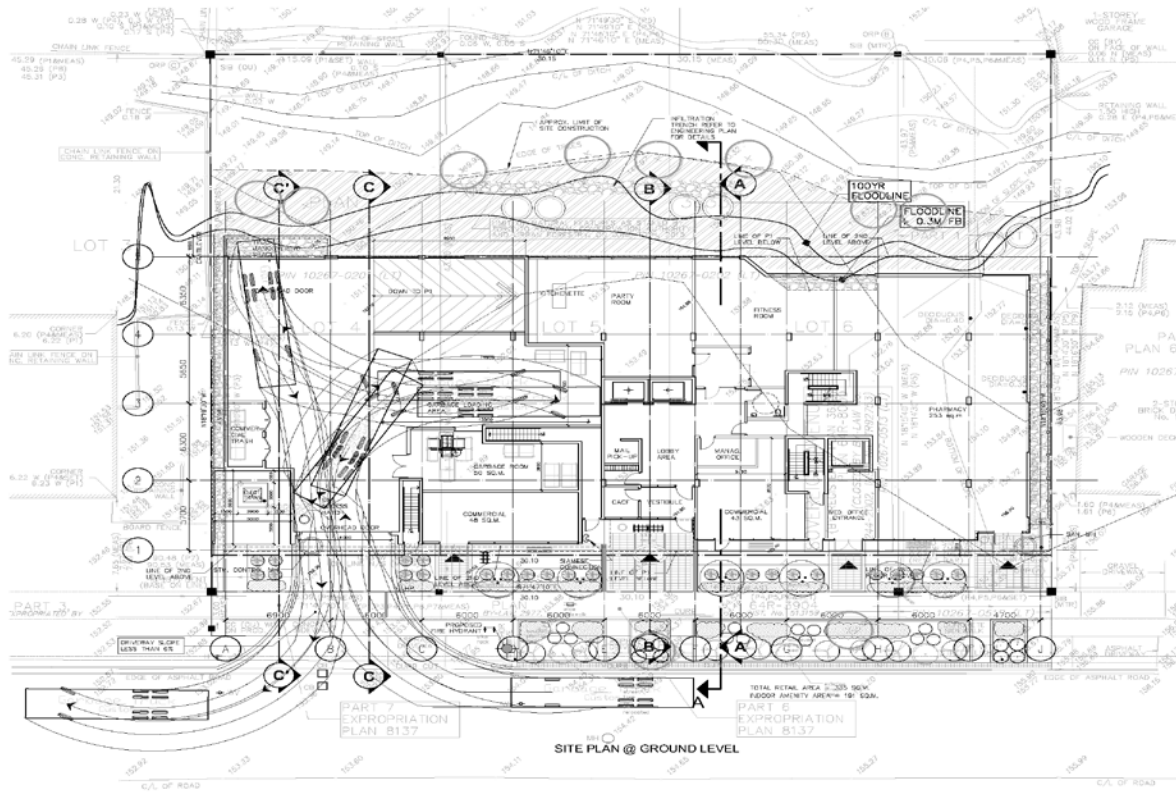
CONTACT:

Ben DiRaimo, Senior Planner, Community Planning

(416) 395-7119

Ben.DiRaimo@toronto.ca

Attachment 3: Site Plan



Site Plan

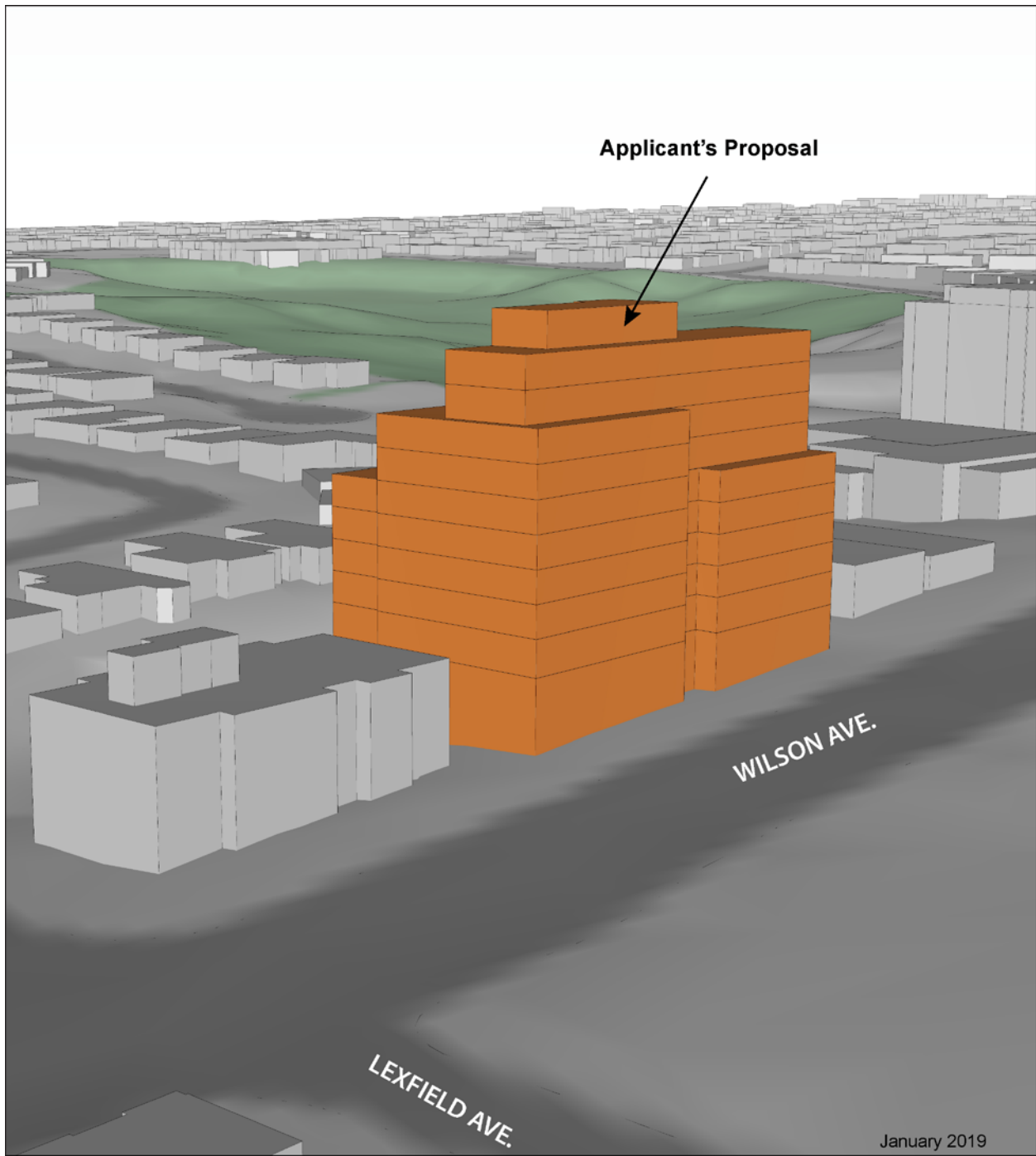
1326 & 1328 Wilson Avenue

Applicant's Submitted Drawing

Not to Scale 
01/07/2019

File # 16 123717 NNY 09 OZ & 16 123726 NNY 09 SA

Attachment 4a: Three- dimensional representation of the application (Northeast)

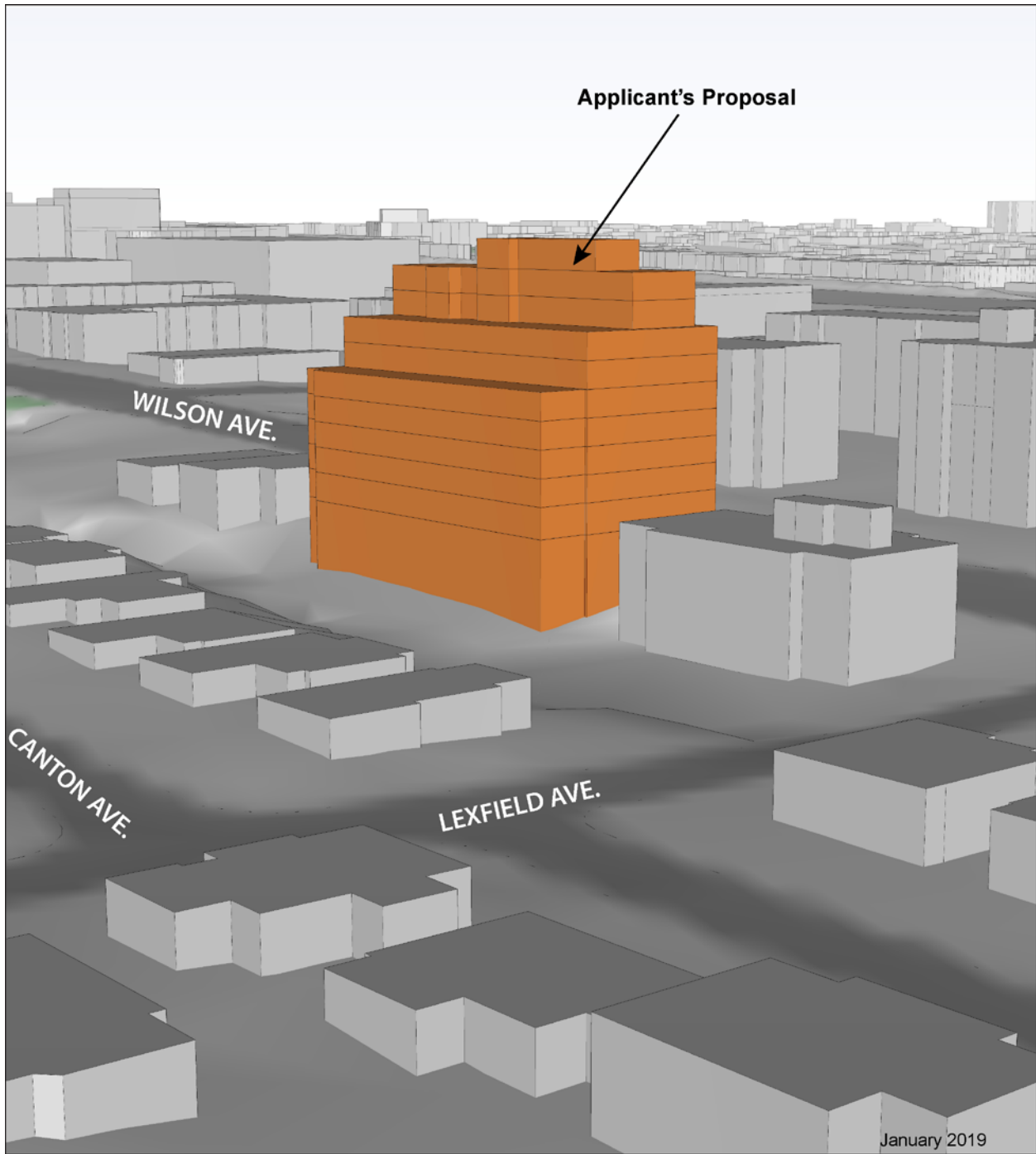


View of Applicant's Proposal Looking Northeast

Note: Modelled by City Planning using Applicant's Architectural Drawings



**Attachment 4b: Three- dimensional representation of the application
(Southeast)**

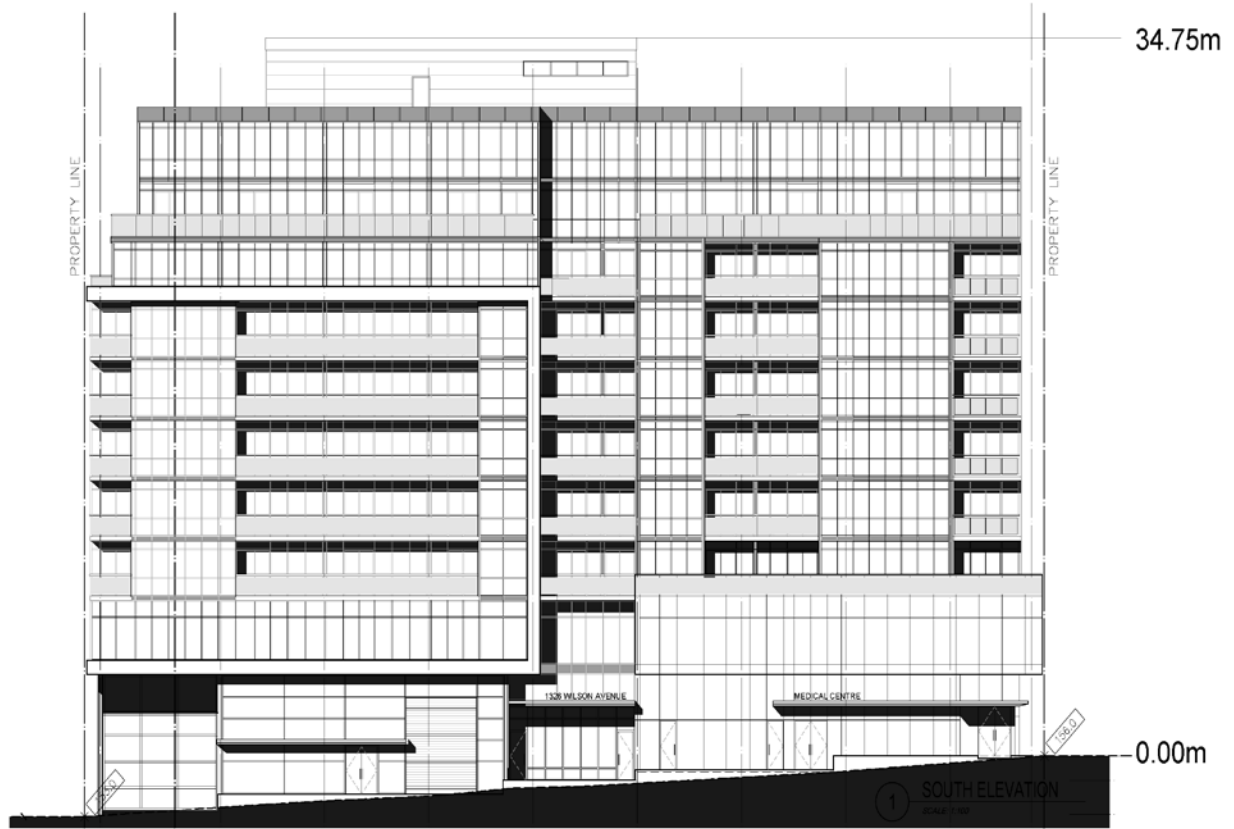


View of Applicant's Proposal Looking Southeast

Note: Modelled by City Planning using Applicant's Architectural Drawings



Attachment 5: South (front) Elevation



South Elevation

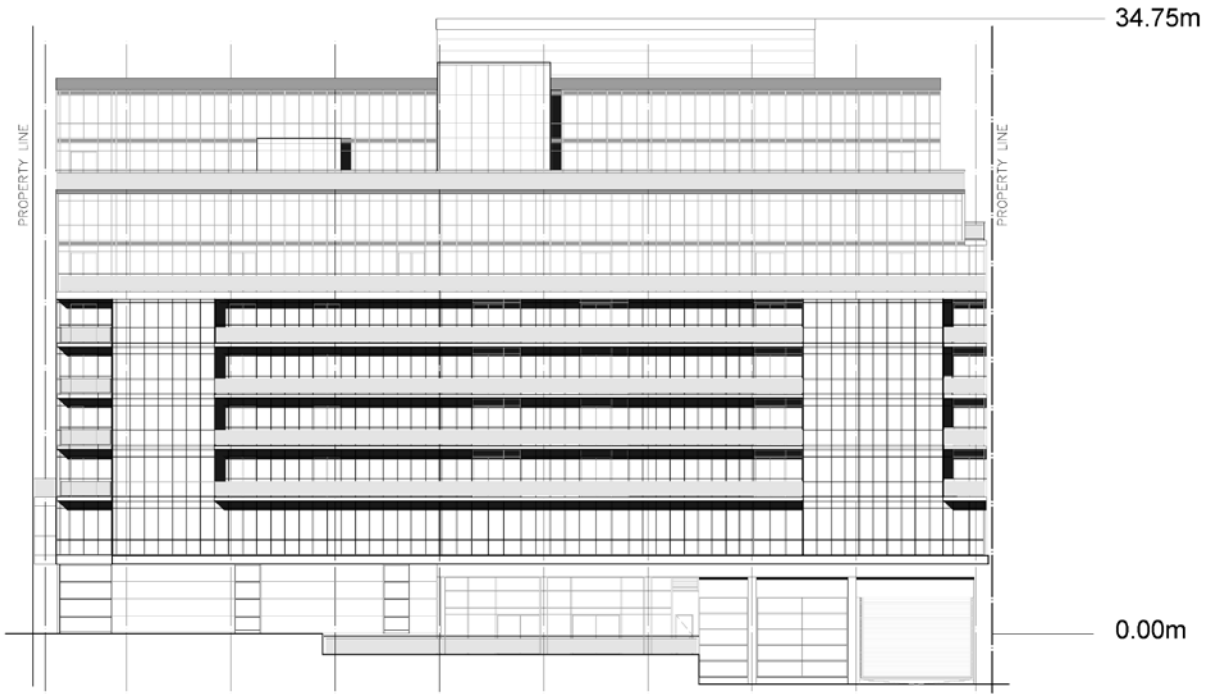
Applicant's Submitted Drawing

Not to Scale
01/10/2019

1326-1328 Wilson Avenue

File # 16 123717 NNY 09 02 & 16 123726 NNY 09 SA

Attachment 6: North (rear) Elevation



North Elevation

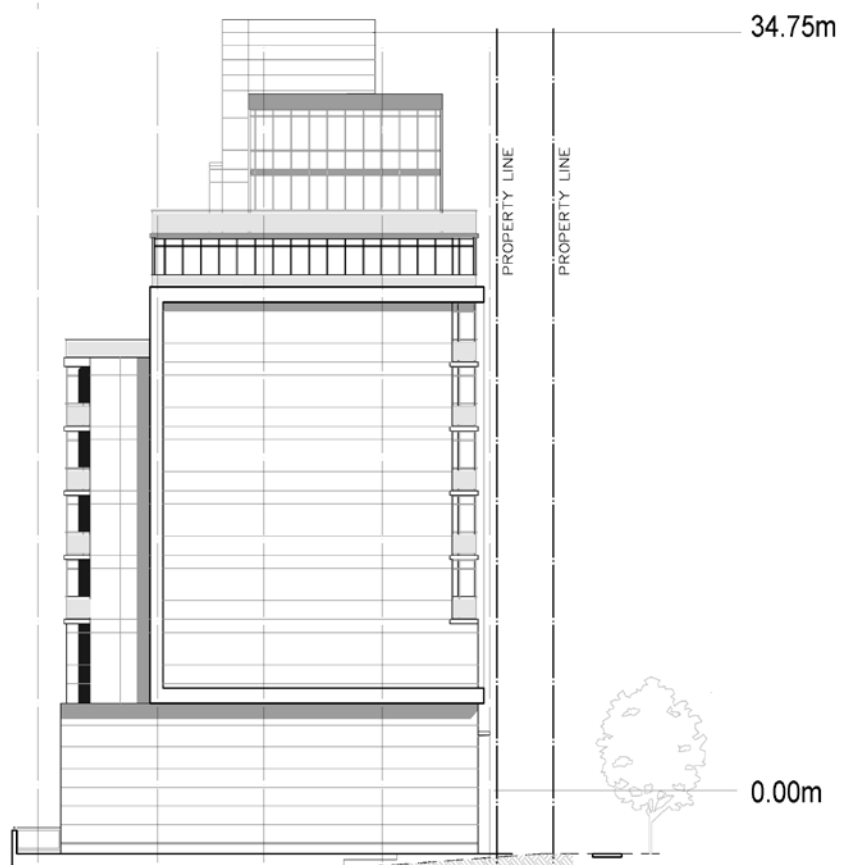
Applicant's Submitted Drawing

Not to Scale
01/10/2019

1326-1328 Wilson Avenue

File # 16 123717 NNY 09 0Z & 16 123726 NNY 09 SA

Attachment 7: West Elevation



West Elevation

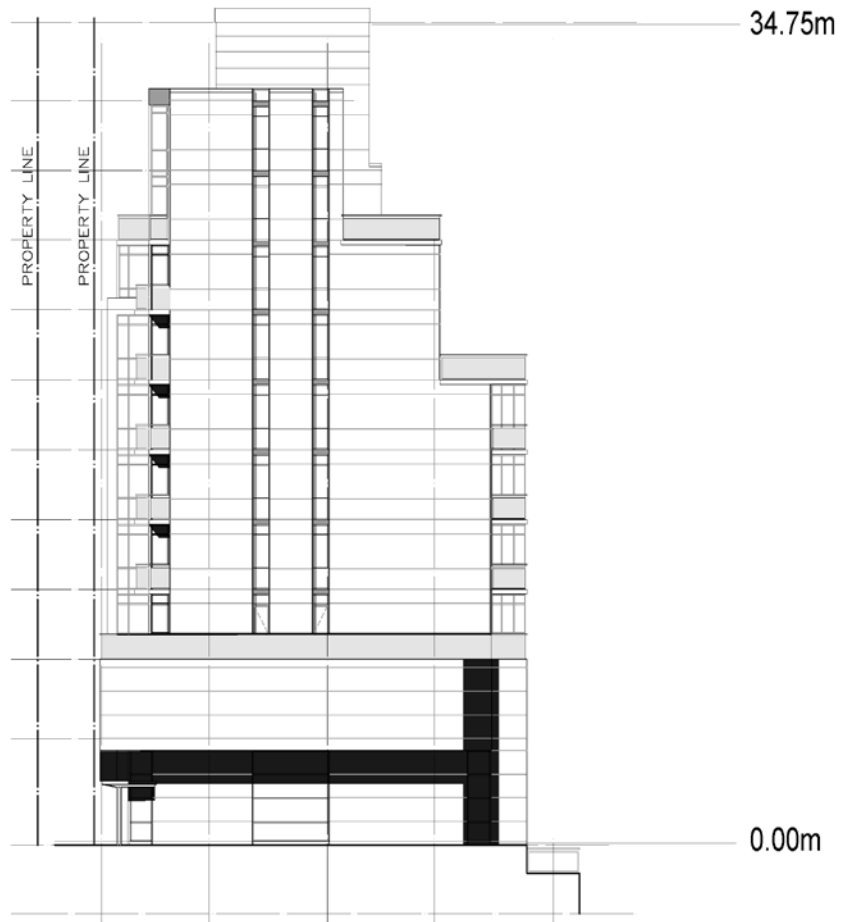
Applicant's Submitted Drawing

Not to Scale
01/10/2019

1326-1328 Wilson Avenue

File # 16 123717 NNY 09 0Z & 16 123726 NNY 09 SA

Attachment 8: East Elevation



East Elevation

Applicant's Submitted Drawing

Not to Scale
01/10/2019

1326-1328 Wilson Avenue

File # 16 123717 NNY 09 02 & 16 123726 NNY 09 SA

Attachment 10: Policy Considerations

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

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

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.

The Provincial Policy Statement (2020)

The Provincial Policy Statement (2020) (the "PPS") provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- encouraging a sense of place, by promoting well-designed built form;
- 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 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 Council shall also be consistent with the PPS.

Relevant PPS (2020) policies applicable to this development include:

Policy 1.1.3.3 which states planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment;

Policy 1.1.3.4 which states that appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety;

Policies 1.2.1 a) and g) which state that a coordinated, integrated and comprehensive approach should be used when dealing with planning matters, including: managing and/or promoting growth and development that is integrated with infrastructure planning;

Policy 1.5.1 a) which states that healthy, active communities should be promoted by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity;

Policies 1.7.1 a), d) and e) which speak to long-term economic prosperity being supported by: promoting opportunities for economic development and community investment-readiness; maintaining and, where possible, enhancing the vitality and viability of downtowns and main streets; and encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes.

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."

All decisions of 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 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) (the "Growth Plan (2020)") came into effect on August 28, 2020. The Growth Plan (2020) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region (the "GGH"), 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;
- Conserve cultural heritage resources in order to foster a sense of place and benefit communities, particularly in strategic growth areas;
- 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).

Relevant Growth Plan (2020) policies applicable to this development include:

Policy 2.2.1.4 d) which states that applying the policies of this Plan will support the achievement of complete communities that, amongst other matters: expand convenient access to a range of transportation options, including options for the safe, comfortable and convenient use of active transportation; and an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities;

Policy 2.2.1.4 e) which provides for a more compact built form and a vibrant public realm, including public open spaces;

Policies 2.2.2.3 b), d) and f) of the Growth Plan speak to delineated built-up areas and state that all municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will: identify the appropriate type and scale of development in strategic growth areas and transition of built form to adjacent areas; ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities; and be implemented through official plan policies and designations, updated zoning and other supporting documents;

Policy 2.2.4.10 which states that lands adjacent to or near to existing and planned frequent transit should be planned to be transit-supportive and supportive of active transportation and a range and mix of uses and activities;

Policy 2.2.5.3 which states that retail and office uses will be directed to locations that support active transportation and have existing or planned transit; and,

Policy 2.2.6.3 which refers to multi-unit residential developments to incorporate a mix of unit sizes and incomes.

Toronto Official Plan

The City of Toronto Official Plan (the "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.

The Official Plan contains policies related to building complete communities, heritage preservation, community services, transportation, and environmental stewardship.

The site is located on lands shown as Avenues on Map 2 of the Official Plan. The site is designated Mixed Use Areas and Natural Areas as shown on Land Use Map 16. See Attachment 11 of this report for the Official Plan Land Use Map.

Chapter 2- Shaping the City

Section 2.3.1: Healthy Neighbourhoods of the Official Plan contains policies that specifically address the relationship between Neighbourhoods and areas with other Official Plan designations in order to ensure development is sensitive to the physically stable areas within the Neighbourhoods designation.

The proposed development is immediately adjacent to an area designated Neighbourhoods in the Official Plan. Section 2.3.1 of the Official Plan states that: "the diversity of Toronto's neighbourhoods, in terms of scale, amenities, local culture, retail services and demographic makeup, offers options within communities to match every stage of life". Neighbourhoods are where people connect and by focusing development into the Centres and Avenues we preserve the character of those neighbourhoods. Whether low-rise or apartment buildings, the policies in the Official Plan are intended to apply equally to both. Policies 2.3.1.1 and 2.3.1.2 state that Neighbourhoods and Apartment Neighbourhoods are considered to be physically stable.

Policy 2.3.1.3 states that developments in Mixed Use Areas, Regeneration Areas and Apartment Neighbourhoods that are adjacent or close to Neighbourhoods will: "a) be compatible with those Neighbourhoods; b) provide a gradual transition of scale and density, as necessary to achieve the objectives of this Plan through the stepping down of buildings towards and setbacks from those Apartment Neighbourhoods; c) maintain adequate light and privacy for residents in those Neighbourhoods.

Policy 2.3.1.4 states that intensification of land adjacent to neighbourhoods will be carefully controlled so that neighbourhoods are protected from negative impact. Where significant intensification of land adjacent to a Neighbourhood or Apartment Neighbourhood is proposed, Council will determine, at the earliest point in the process, whether or not a Secondary Plan, area specific zoning by-law or area specific policy will

be created in consultation with the local community following an Avenue Study, or area based study.

Chapter 3 – Building a Successful City

Section 3 of the Official Plan contains policies that guide growth by integrating social, economic and environmental perspectives in decision making to create an attractive Toronto with a strong economy and complete communities. The policies focus on the built environment, the human environment, the natural environment, economic health and new neighbourhoods.

Section 3.1.1 of the Official Plan includes policies on the public realm. The policies encourage development that improves the public realm (streets, sidewalks and open spaces) for pedestrians. This section speaks to the importance of views from the public realm to prominent buildings, structures, landscapes and natural features. Parks and open spaces will be located and designed to connect and extend, wherever possible, to existing parks, natural areas and other open spaces. New development lots within city blocks will be designed to have an appropriate size and configuration for the proposed land use, scale of development and intended form of buildings and open space, and will promote street-oriented development with buildings fronting onto street and park edges.

Given the location of the proposed development along a major east-west transit and arterial corridor it will be important to evaluate the proposed 9-storey mixed use development with the City's built form policies of the Official Plan as found in section 3.1.2.1. These policies help to guide and encourage development that improves the enjoyment and quality of the built environment by ensuring:

- 1) New development will be located and organized to fit with its existing and/or planned context and will help frame and support adjacent streets, parks and open spaces to improve the safety, pedestrian interest and casual views to these spaces from the development;
- 2) New development will locate and organize vehicular parking, 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;
- 3) New development will be massed and its exterior façade will be designed to fit harmoniously into its existing and /or planned context, and will limit its impact on neighbouring streets, parks and open spaces;
- 4) New development will be massed to define the edges of streets, parks and open spaces at good proportion. Taller buildings will be located to ensure adequate access to sky view for the proposed and future use of these areas;
- 5) New development will provide amenity for adjacent streets and open spaces to make these areas attractive, interesting, comfortable and functional for pedestrians; and
- 6) Every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the new development. Each resident of such development will have access to outdoor amenity spaces such as balconies, terraces, courtyards, rooftop gardens and other types of outdoor spaces.

Section 3.1.2 of the Official Plan speaks to built form. The policies stress that infill and redevelopment sites will need to "fit in", respecting and improving the character of the surrounding area. Developments must be conceived not only in terms of the individual building site and program, but also in terms of how that site, building and its facades fit within the existing and/or planned context of the neighbourhood and the City.

The policies of Section 3.1.2 provide guidance pertaining to the massing of new buildings to frame adjacent streets in a way that respects the existing and/or planned street proportion, incorporating exterior design elements, form, scale, proportion, pattern and materials, and sustainable design. This is done in order to influence the character, scale and appearance of the development, creating appropriate transitions in scale to neighbouring existing and/or planned buildings for the purpose of achieving the objectives of the Official Plan.

Further, Section 3.1.2 requires new development to be massed to define the edges of streets at good proportion and provide amenity for adjacent streets to make these areas attractive, interesting, comfortable and functional for pedestrians. This can be achieved by, amongst other things, the provision of adequate amenity and landscaped open space, coordinated landscape improvements in setbacks to create attractive transitions from the private to public realms and landscaped open space within the development itself. The intention is to enable new developments to "fit" within its existing context, while also improving the character of the surrounding area.

Policy 3.1.2.2(a) states that new development will locate and organize vehicle parking, vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties, by using shared service areas where possible within development block(s) including public and private lanes, driveways and service courts.

Chapter 4 – Land Use Designations

The proposal is also being considered under policy 4.2.2 which requires that development in Apartment Neighbourhoods contributes to the City's quality of life by:

- 1) Locating and massing new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of this Plan, through means such as providing setbacks from and/or a stepping down of heights towards lower scale Neighbourhoods;
- 2) Locating and massing new buildings so as to adequately limit shadow impacts on properties in adjacent lower-scale Neighbourhoods;
- 3) Locating and massing new buildings to frame the edge of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
Including sufficient off-street motor vehicle and bicycle parking for residents and visitors;
- 4) Locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences;
Providing indoor and outdoor recreation space for building residents in every significant multi-unit residential development;
- 5) Providing ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces; and

6) Providing buildings that conform to the principles of universal design, and wherever possible contain units that are accessible or adaptable for persons with physical disabilities.

The lands at the northern portion of the subject site are designated Parks and Open Space Areas – Natural Areas by Map 16, Land Use Plan of the Official Plan. The Plan seeks to improve, preserve and enhance the Green Space System. Land designated Natural Areas is to be maintained primarily in a natural state while also allowing for compatible recreational, cultural and educational uses and facilities that minimize adverse impacts on natural features.

Proposed development in Natural Areas will also be required to be considered under policy 4.3.3 which requires that the lands will be maintained primarily in a natural state while providing for compatible recreational, cultural; and educational uses and facilities that minimize adverse impacts on natural features and functions.

The Official Plan's Natural Environment policies (Section 3.4 of the Official Plan) require that public and private city-building initiatives and changes to the built environment will be environmentally friendly, based on consideration of various policies such as:

- 1) Protecting and improving the health of the natural ecosystem;
- 2) New development that includes stormwater management in accordance with best management practise;
- 3) Studies when appropriate to assess a proposed development's impact on the natural environment and propose measures to reduce negative impacts on and where possible improve, the natural environment;

Development will be set back from the following locations by at least 10 metres, or more if warranted by the severity of existing or potential hazards:

- a) the top-of-bank of valleys, ravines and bluffs;
- b) other locations where slope instability, erosion, flooding, or other physical conditions present a significant risk to life or property.

Although development is generally not permitted within the Natural Heritage system, where the underlying land use designation provides for development in or near the natural heritage system, development will also recognize natural heritage values and potential impacts on the natural ecosystem as much as is reasonable in the context of other objectives for the area; and minimize adverse impacts and when possible, restore and enhance the natural heritage system.

Chapter 5 – Implementation

Policy 5.1.1 of the Official Plan allows for an increase in height and/or density in return for the provision of community benefits for a proposed development, in accordance with Section 37 of the Planning Act. The proposed density for this development meets the Official Plan's threshold for Section 37 considerations.

Official Plan Amendment 479 – Public Realm and Official Plan Amendments 480 (Built Form)

On September 11, 2020, Official Plan Amendments 479 (Public Realm) and 480 (Built Form) came into force. These OPAs introduced new or revised policies regarding building types, building design and massing, parks, POPs (privately owned, publicly accessible spaces), and trees and natural areas, among other policies. OPA No. 479 also introduced the Block Context Plan requirement for some applications that shows how the physical form of the proposed development fits within the existing and planned context.

Zoning By-laws

The lands are zoned as RM5, Multiple-Family Dwellings Fifth density Zone former City of North York Zoning By-law 7625. A variety of residential uses, including single family dwellings, semi-detached dwellings, multiple attached dwellings and apartment houses are permitted within the RM5 zone. Apartment house buildings are required to have a minimum lot area of 835 square metres, a maximum coverage of 35% and a minimum lot frontage of 21 metres. Minimum side yard setbacks are required to be 7.5 metres at the front, one half the height of the building or 1/10 of the length of the building measured adjacent to the side yard concerned, whichever is greater, provided that no such side yard setback is less than 3.5 metres, and 7.5 metres at the rear. The maximum gross floor area is not permitted to exceed 100% of the lot area and the maximum building height is 11.5 metres.

Although the property is not subject to Zoning By-law 569-2013, the standards of Zoning By-law will be used to create performance standards for the proposed development, and should it be approved, to bring the site into conformity with Zoning By-law 569-2013.

The City's Zoning By-law 569-2013 can be found at:
https://map.toronto.ca/maps/map.jsp?app=ZBL_CONSULT

Urban Forest/Ravines/Environment

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).

Avenues & Mid-Rise Building Study and Addendum

City Council adopted the Avenues and Mid-rise Buildings Study and an addendum containing performance standards for mid-rise buildings. The Avenues & Mid-Rise Building Study provides a list of best practises and establish a set of performance and design standards for new mid-rise buildings, particularly on the Avenues as identified on Map 2 of the Official Plan.

The main objective of this study is to encourage future intensification along the Avenues that is compatible with the adjacent Neighbourhoods through appropriately-scaled and designed mid-rise buildings. The Avenues and Mid-Rise Building Study provides a list of best practices, categorizes the Avenues based on historic, cultural and built form characteristics, establishes a set of performance standards for new mid-rise buildings and identifies areas where the performance standards should be applied. The performance standards are intended to provide for a pleasant pedestrian experience

and an appropriate transition between new mid-rise buildings in Apartment Neighbourhoods and low-rise houses in adjacent Neighbourhoods through measures such as setbacks, building stepbacks, and angular planes.

The link to the guidelines is here: <https://www.toronto.ca/wp-content/uploads/2017/08/960c-Performance-Standards-for-Mid-Rise-Buildings.pdf>:

In June 2016, City Council approved the Mid-Rise Building Performance Standards Addendum. The Addendum is to be used by City Staff together with the 2010 approved Mid-Rise Building Performance Standards during the evaluation of development applications where mid-rise buildings are proposed and the Performance Standards are applicable. The Addendum is approved as an interim supplement to the 2010 Performance Standards until such time as Council considers and adopts updated Mid-Rise Building Design Guidelines.

Council's decision can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7>

The Mid-Rise Building Performance Standards Addendum may be found here:

<https://www.toronto.ca/wp-content/uploads/2017/08/96be-Mid-Rise-Building-Performance-Standards-Addendum.pdf>

Growing Up: Planning for Children in New Vertical Communities

On July 28, 2020, City Council adopted the final 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 Growing Up Guidelines can be found at: <https://www.toronto.ca/city-government/planning-development/planningstudiesinitiatives/growing-up-planning-for-children-in-new-vertical-communities/>

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 pet amenities for high density residential communities.

The Pet Friendly Design Guidelines can be found at:

<https://www.toronto.ca/wpcontent/uploads/2019/12/94d3-CityPlanning-Pet-FriendlyGuidelines.pdf>

Retail Design Manual

On October 27, 2020, City Council adopted the Retail Design Manual. The Retail Design Manual supports the objectives of complete communities and vibrant streets which are closely tied to the provision of successful, resilient and dynamic retail uses. The Retail Design Manual is a collection of best practices and is intended to provide

guidance on developing successful ground floor retail spaces by providing aspirational retail design best practices to inform, guide, inspire and educate those involved in the design and development of retail uses.

The Retail Design Manual can be found here:

<https://www.toronto.ca/legdocs/mmis/2020/ph/bgrd/backgroundfile-157291.pdf>

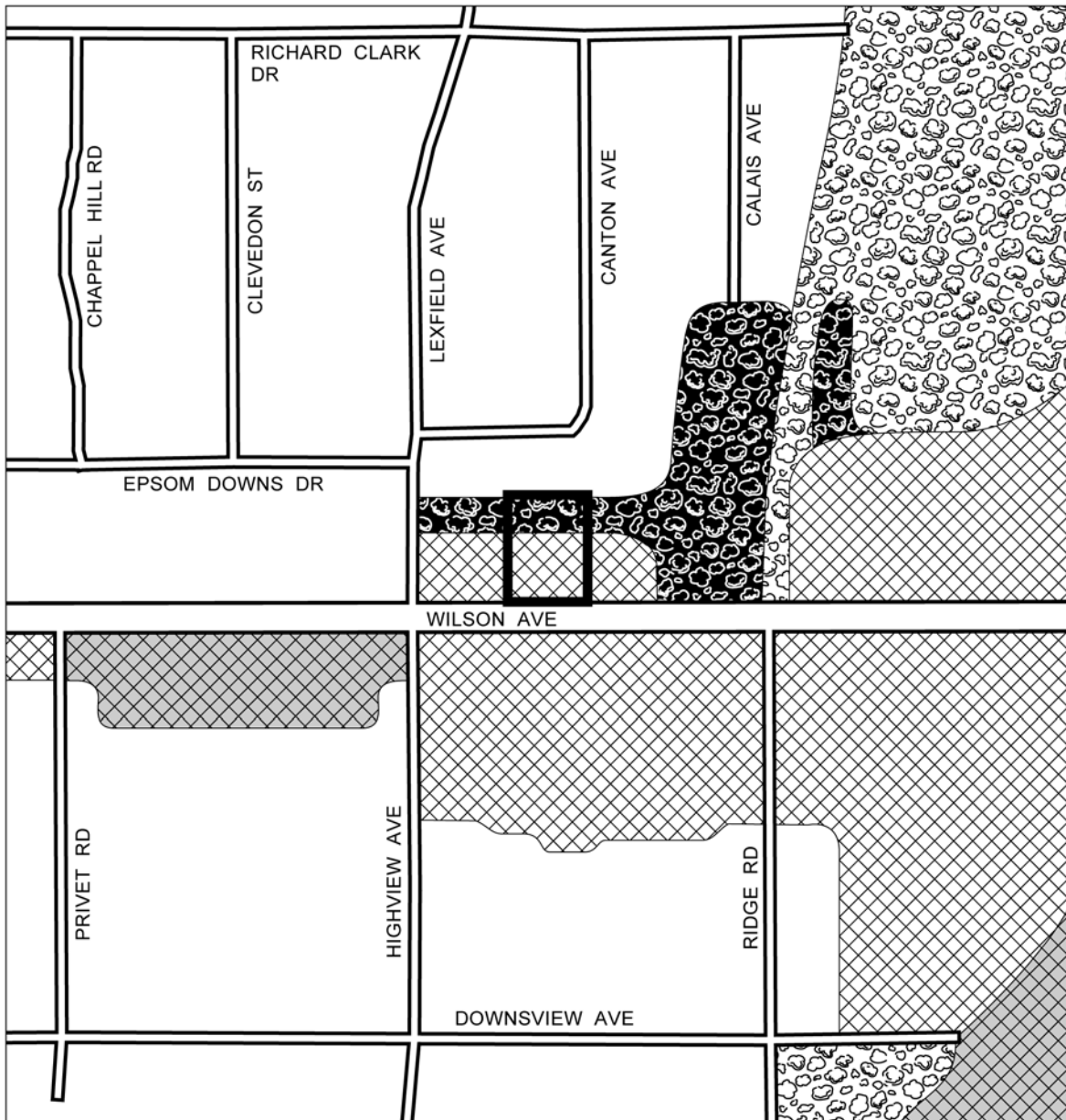
Toronto Green Standard

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.

Applications must use the documentation required for the version of the Toronto Green Standard in effect at the time of the initial application.

The Toronto green Standards can be found at: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/toronto-green-standard/tier-1-planning-application-requirements/>.

Attachment 11: Official Plan Land Use Map










TORONTO City Planning
Extract from Official Plan

1326-1328 Wilson Avenue

File # 16 123717 NNY 09 0Z & 16 123726 NNY 09 SA

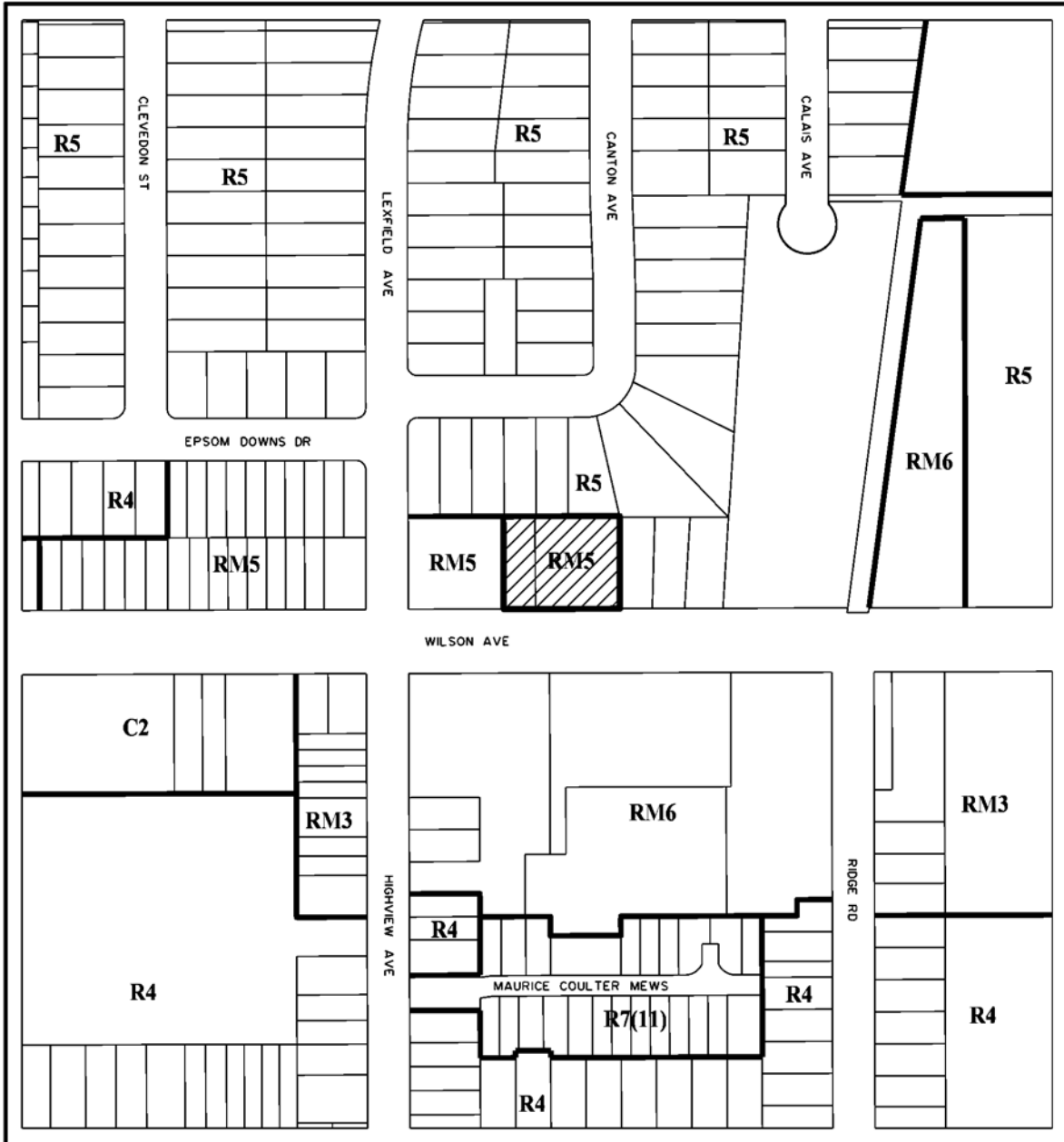
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|---|--------------------------|---|--------------------------|
|  | Site Location |  | Parks & Open Space Areas |
|  | Neighbourhoods |  | Natural Areas |
|  | Apartment Neighbourhoods |  | Parks |
|  | Mixed Use Areas | | |



Not to Scale
 03/08/2016

Attachment 12: Former City of North York Zoning By-law #7625 Map



Zoning By-Law No. 7625

1326-1328 Wilson Avenue

File # 16 123717 NNY 09 0Z & 16 123726 NNY 09 SA



Location of Application

- R4 One-Family Detached Dwelling Fourth Density Zone
- R5 One-Family Detached Dwelling Fifth Density Zone
- R7 One-Family Detached Dwelling Seventh Density Zone

- RM3 Multiple-Family Dwellings Third Density Zone
- RM5 Multiple-Family Dwellings Fifth Density Zone
- RM6 Multiple-Family Dwellings Sixth Density Zone
- C2 Local Shopping Centre Zone

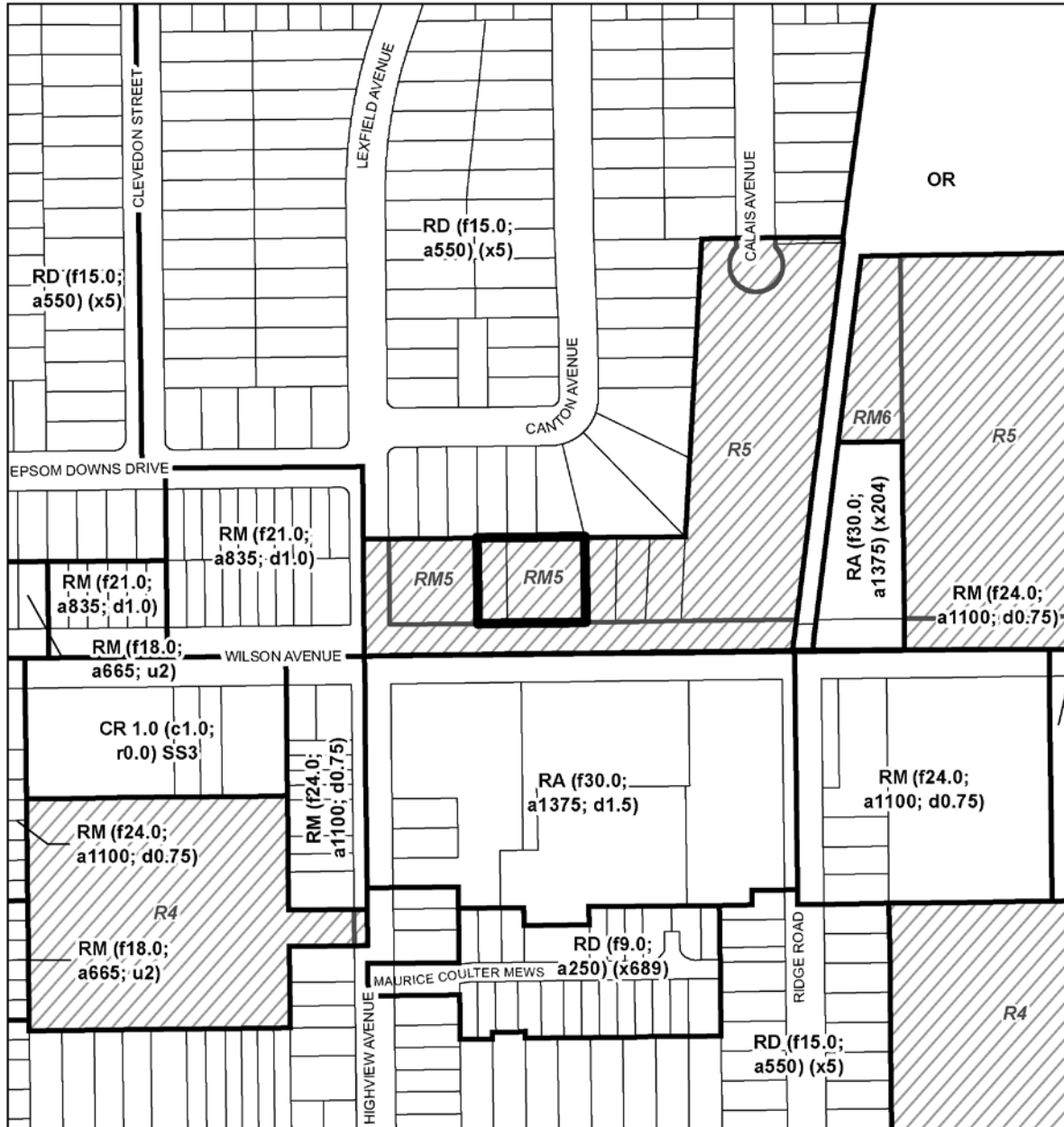
NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category



Not to Scale

Extracted 03/09/2016

Attachment 13: City of Toronto Zoning By-law #569-2013 Map



Zoning By-Law No. 569-2013

1326-1328 Wilson Avenue

File # 16 123717 NNY 09 OZ & 16 123726 NNY 09 SA

Location of Application

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

RD Residential Detached
RM Residential Multiple
RA Residential Apartment
CR Commercial Residential
OR Open Space Recreation

R4 One-Family Detached Dwelling Fourth Density Zone
R5 One-Family Detached Dwelling Fifth Density Zone
RM5 Multiple-Family Dwellings Fifth Density Zone
RM6 Multiple-Family Dwellings Sixth Density Zone



Not to Scale
Extracted: 03/08/2016