

1240 - 1250 Weston Rd – Official Plan Amendment, Zoning By-law Amendment and Rental Housing Demolition Applications – Decision Report - Approval

Date: October 26, 2023

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Wards: Ward 5 - York South-Weston

Planning Application Number: 22 166923 WET 05 OZ and 22 198769 WET 05 RH

SUMMARY

The applications propose to amend the Official Plan and Zoning By-law to permit a 14-storey mixed-use building consisting of 175 dwelling units, 229.47 square metres of retail space and 3158.21 square metres of community space to be used by the Learning Enrichment Foundation. The proposed development contains 175 residential units, of which 20 units will be rental replacement units, with a total gross floor area of 13,571.29 square metres resulting in a density (FSI) of 6.89 times the area of the lot. The proposal also includes a Tenant Relocation and Assistance Plan that addresses the right for eligible tenants to return to a replacement rental dwelling unit at similar rents and financial compensation to lessen hardship.

This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-law and the Rental Housing Demolition application. Provided the matters subject to the Holding Provisions in the Zoning By-law are addressed, staff have determined that the proposed development represents appropriate intensification, transition in scale and is compatible with the existing and planned surrounding context and provides for the replacement of the existing rental housing.

RECOMMENDATIONS

The Director, Community Planning, Etobicoke York recommends that:

1. City Council amend the Official Plan for the lands at 1240, 1246, and 1250 Weston Road substantially-in-accordance with the draft Official Plan Amendment attached as Attachment 5 to this report.

2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 1240, 1246 and 1250 Weston Road substantially-in-accordance with the draft Zoning By-law Amendment attached as Attachment 6 to this report, including a hold for the following:

a. The owner, as operator of the social housing program, has, at its sole cost and expense, pursuant to Section 453.1 of the City of Toronto Act, 2006, entered into an agreement with the City to secure the provision of a social housing program on the lands and register it in priority against title to the lands, with such terms and conditions satisfactory to the Executive Director, Housing Secretariat and the City Solicitor; with the terms including:

1. The required minimum gross floor area for the exclusive use of a “social housing program” is 2,735.42 square metres; and,

2. Units in the social housing program will be operated using rents at 80% of Average Market Rent for a period of at least 40 years;

b. Revised plans, drawings and studies have been submitted by the owner and accepted by the General Manager, Transportation Services;

c. Revised plans, drawings, studies and Functional Servicing and Stormwater Management reports, Hydrological Assessment Report, Servicing Report Groundwater Summary form, Hydrological Review Summary form, Foundation Drainage form have been submitted by the owner and accepted by the Chief Engineer and Executive Director, Engineering and Construction Services, in consultation with Toronto Water;

d. Satisfactory arrangements are in place to secure the construction of new municipal infrastructure or any improvements to the existing municipal infrastructure, to service the proposed development, and the owner has entered into a financially secured agreement to pay for and construct any necessary municipal infrastructure to the satisfaction of the General Manager, Toronto Water, and the Chief Engineer and Executive Director, Engineering and Construction Services and the City Solicitor;

e. Satisfactory Pedestrian Level Wind Study, with the required mitigation tested and satisfactory conditions confirmed has been submitted by the owner and accepted by the Chief Planner and Executive Director, City Planning; and,

f. Application to Injure or Remove Trees has been submitted by the owner and accepted by the General Manager of Parks, Forestry and Recreation.

3. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.

4. City Council approve the Rental Housing Demolition Application File No. 22 198769 WET 05 RH in accordance with Chapter 667 of the Toronto Municipal Code and pursuant to Section 111 of the City of Toronto Act, 2006 which allows for the demolition of 20 existing rental dwelling units located at 1240, 1246 and 1250 Weston Road, subject to the following conditions:

a. The owner shall provide and maintain 20 replacement rental dwelling units on the subject site for a period of at least 20 years beginning from the date that each replacement rental dwelling unit is first occupied and, during which time, no application may be submitted to the City for condominium registration, or for any other conversion to a non-rental housing purpose, or for demolition without providing for replacement, and the replacement rental dwelling units shall collectively have a total gross floor area of at least 1249 square metres and be comprised of 13 one-bedroom units, six two-bedroom units, and one three-bedroom unit as generally illustrated in the plans submitted to the City Planning Division dated October 24, 2023, and any revisions to these plans shall be to the satisfaction of the Chief Planner and Executive Director, City Planning;

b. The owner shall, as part of the 20 replacement rental dwelling units, required in Recommendation 4.a. above, provide at least 13 one-bedroom, six two-bedroom, and one three-bedroom replacement rental dwelling units at affordable rents as currently defined in the City's Official Plan, all for a period of at least 10 years beginning from the date of first occupancy of each unit;

c. The owner shall provide an acceptable Tenant Relocation and Assistance Plan to all Eligible Tenants of the eight existing rental dwelling units proposed to be demolished at 1246 and 1250 Weston Road, addressing the right to return to occupy one of the replacement rental dwelling units at similar rents, the provision of rent gap assistance, and other assistance to lessen hardship, and the Tenant Relocation and Assistance Plan shall be developed in consultation with, and to the satisfaction of, the Chief Planner and Executive Director, City Planning;

d. The owner shall provide the Canadian Mental Health Association, as a tenant of 1240 Weston Road, with the right of first refusal to enter into an operating agreement for 12 of the one-bedroom replacement rental dwelling units required in Recommendation 4.a above, provided at rents described in Recommendation 4.b above, for a period of at least 10 years beginning from the date of the first occupancy of the first replacement unit, and to the satisfaction of the Chief Planner and Executive Director, City Planning;

e. The owner shall provide an acceptable Tenant Relocation and Assistance Plan to all Eligible Tenants of the 12 existing rental dwelling units proposed to be demolished at 1240 Weston Road, addressing the right to return to occupy one of the replacement rental dwelling units at similar rents, relocation assistance and other assistance to lessen hardship, and the tenant relocation and assistance

plan shall be developed in consultation with, and to the satisfaction of, the Chief Planner and Executive Director, City Planning;

f. The owner shall provide tenants of all 20 replacement rental dwelling units with access to, and use of, all indoor and outdoor amenities in the proposed 14-storey building at no extra charge, and access to, and use of, these amenities shall be on the same terms and conditions as any other resident of the building without the need to pre-book or pay a fee, unless specifically required as a customary practice for private bookings;

g. The owner shall provide central air conditioning in each replacement rental dwelling unit at no extra charge;

h. The owner shall provide and make available for rent at least one vehicle parking space to tenants of the replacement rental dwelling units. Such parking space shall be made available firstly to returning tenants who previously rented a vehicle parking space, and at similar monthly parking charges that such tenants previously paid, and secondly to tenants of the replacement rental units to the satisfaction of the Chief Planner and Executive Director, City Planning;

i. The owner shall provide tenants of all replacement rental dwelling units with access to bicycle and visitor parking on the same terms and conditions as any other resident of the proposed building;

j. The replacement rental dwelling units required in recommendation 4.a. above shall be made ready and available for occupancy no later than the date by which 70% of the new dwelling units in the proposed development, exclusive of the replacement rental dwelling units, are made available and ready for occupancy, subject to any revisions to the satisfaction of the Chief Planner and Executive Director, City Planning; and

k. The owner shall enter into, and register on title to the lands at 1240, 1246 and 1250 Weston Road an agreement pursuant to Section 111 of the City of Toronto Act, 2006 to secure the conditions outlined in Recommendations 4.a. through 4.j. above, all to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning, prior to issuance of Notice of Approval Conditions for Site Plan Control approval.

5. City Council authorize the Chief Planner and Executive Director, City Planning to issue Preliminary Approval of the Rental Housing Demolition Permit under Chapter 667 of the Toronto Municipal Code for the demolition of the 20 existing rental dwelling units located at 1240, 1246 and 1250 Weston Road after all the following have occurred:

a. All conditions in Recommendation 4 above have been fully satisfied and secured;

- b. The Official Plan Amendment(s) have come into full force and effect;
- c. The Zoning By-law Amendment(s) have come into full force and effect;
- d. The issuance of the Notice of Approval Conditions for Site Plan Control approval;
- e. The issuance of excavation and shoring permits (conditional or full permit) for the approved development on the site; and,
- f. The owner has confirmed, in writing, that all existing rental dwelling units proposed to be demolished are vacant.

6. City Council authorize the Chief Building Official and Executive Director, Toronto Building Division to issue a Rental Housing Demolition Permit under Chapter 667 of the Toronto Municipal Code after the Chief Planner and Executive Director, City Planning Division have given Preliminary Approval referred to in Recommendation 5 above.

7. City Council authorize the Chief Building Official and Executive Director, Toronto Building Division to issue a Residential Demolition Permit under Section 33 of the Planning Act and Chapter 363 of the Toronto Municipal Code for 1240, 1246 and 1250 Weston Road after the Chief Planner and Executive Director, City Planning have given Preliminary Approval referred to in Recommendation 5 above, which may be included in the Rental Housing Demolition Permit under Chapter 667 pursuant to section 6.2 of Chapter 363, on condition that:

- a. The owner removes all debris and rubble from the site immediately after demolition;
- b. The owner erects solid construction hoarding to the satisfaction of the Chief Building Official and Executive Director, Toronto Building;
- c. The owner erects the proposed building on site no later than four years from the date that demolition of the existing rental dwelling units commences, subject to the timeframe being extended to the discretion of the Chief Planner and Executive Director, City Planning; and,
- d. Should the owner fail to complete the proposed building within the time specified in Recommendation 7.c. above, the City Clerk shall be entitled to enter on the collector's roll, as with municipal property taxes, an amount equal to the sum of \$20,000 per dwelling unit for which a demolition permit is issued, and that such amount shall, until payment, be a lien or charge upon the land for which the Residential Demolition Permit is issued.

8. City Council authorize and direct the City Solicitor and appropriate City staff, to take such 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

A pre-application consultation (PAC) meeting was held on December 2, 2021. The current application was submitted and deemed complete as of July 7, 2022. Staff conducted a Community Consultation Meeting for the application on June 6, 2023, details of which are summarized in the Comments section of this report.

On July 19, 2022, at the time City Council considered and adopted the Mount Dennis Secondary Plan (Item EY33.11), Council directed staff to use the Mount Dennis Secondary Plan in the evaluation of all current and new development proposals within its boundaries. Further, Council also requested that City Planning and the Housing Secretariat prioritize the review and reporting on this application, taking into account:

- The development of new affordable rental housing;
- Service use incorporated at grade fronting Weston Road supporting the commercial character and function of the street and co-located with other community programming;
- Affordable, accessible space for non-profit community-based organizations;
- Flexible, multi-purpose space to deliver diverse programming and meet varied needs; and
- Through consultation with local communities to create spaces that are safe, accessible and inviting for all, particularly the most marginalized and vulnerable communities.

PROPOSAL

Application Description

This application proposes to amend the Official Plan and Zoning By-law to permit the development of a 14-storey (48 metres) mixed-use building containing 175 residential dwelling units, 229.5 square metres of retail space at-grade and 3,158.2 square metres of community space located in the first, second and third storeys of the building. The total proposed gross floor area of the building (GFA) is approximately 13,571.29 square metres.

Vehicular access to the site is proposed through a two-way driveway off of Somerville Avenue, leading to a one-level underground parking garage. A total of 18 residential vehicular parking spaces are proposed. A total of 227 bicycle parking spaces are

proposed, of which 167 are for residents and 60 are for visitors. The proposal also includes one Type G loading space and a Type C loading space.

The proposal includes 461 square metres indoor amenity and 265 square metres outdoor amenity area located on the third and thirteenth floors.

Please refer to Attachment 7 and 8 for the site plan and elevations. Project data for the entire development can be found on Attachment 1: Application Data Sheet.

Site and Surrounding Area

The site is an L-shaped parcel located on the southeast corner of Weston Road and Somerville Avenue comprised of three properties addressed as 1240, 1246 and 1250 Weston Road. A two-and-a-half-storey residential apartment building containing 20 residential units is located at 1240 Weston Road. Of these 20 units at 1240 Weston Road, 12 units are leased to tenants under the Residential Tenancies Act (RTA) while eight units have occupancy agreements which are not subject to the RTA. A two-and-a-half-storey residential apartment building containing six residential units is located at 1246 Weston Road; and a two-and-a-half-storey detached residential building containing two dwelling units and four dwelling rooms is located at 1250 Weston Road. All three existing buildings are proposed to be demolished.

Table 1. Unit Mix of Rental Dwelling Units at 1240-1250 Weston Road subject to Rental Demolition Control By-law.

	1-Bedroom	2-Bedroom	3-Bedroom	Dwelling Rooms	Total
1240 Weston Road	12	0	0	0	12
1246 Weston Road	1	5	0	0	6 units
1250 Weston Road	0	1	1	4	2 units and 4 dwelling rooms
Total	13	6	1	4	20 units and 4 dwelling rooms

At the time of this report, all 20 rental dwelling units with RTA leases were occupied by eligible tenants and four dwelling rooms units were vacant. All rental dwelling units have affordable rents.

The following uses surround the site:

North: Directly north of the site is Weston Road with low scale commercial and residential uses lining the street. Further north are low-rise residential buildings and two 10- and 15-storey residential apartments which abut the Metrolinx Kitchener GO and UP Express rail corridor. On the north side of the rail corridor is a Metrolinx maintenance and storage facility.

South: To the south of the site are single detached residential dwellings and a large park complex including Fergy Brown and Pearen Parks.

East: Adjacent to the site to the east along the south side of Weston Road is the City-owned Mount Dennis Early Learning and Child Care Centre. Further east along Weston Road towards Eglinton are low scale residential uses on the south side of Weston Road and commercial and residential uses on the north side of Weston Road. The future entrance to the Mount Dennis station along the Eglinton Crosstown will be located near the intersection of Eglinton Avenue West and Weston Road.

West: The site is bounded to the west by Somerville Avenue with detached dwellings to the west and a mix of low-rise commercial, residential and service uses lining both sides of Weston Road.

Reasons for Application

The proposed development requires an amendment to the Official Plan to redesignate the site from *Neighbourhoods* to *Mixed Use Areas* to allow for the proposed use and height.

The proposed development also requires an amendment to city-wide Zoning By-law 569-2013 in order to vary several performance standards including but not limited to density, height, setbacks, unit types, and parking spaces.

The Rental Housing Demolition application is required as the proposal would require the demolition of 20 existing rental dwelling units.

APPLICATION BACKGROUND

Application Requirements

The materials and studies submitted in support of the application can be found by visiting the [Application Information Centre](#).

Agency Circulation Outcomes

The application together with the applicable materials and submitted studies have been circulated to all appropriate agencies and City Divisions. Responses received have

been used to assist in evaluating the application and to formulate the draft Official Plan Amendment and draft Zoning By-law amendment.

POLICY CONSIDERATIONS

Provincial Land Use Policies

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement (2020) (PPS), and shall conform to provincial plans, including the Growth Plan for the Greater Golden Horseshoe (2020) (Growth Plan), the Greenbelt Plan, and others.

Official Plan

The Official Plan Urban Structure Map 2 identifies the site as an *Avenue* and the land use designation on Map 14 for the site is *Neighbourhoods*. The draft Official Plan Amendment (OPA) proposes to re-designate the site to *Mixed Use Areas*, consistent with the policy direction in OPA 571 (Mount Dennis Secondary Plan). See Attachment 3 of this report for the Land Use Map. Weston Road is identified as a major street on Map 3 of the Official Plan. The site is within the SASP 53 for the Mount Dennis area.

The Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making.

The Official Plan can be found [here](#).

Mount Dennis Secondary Plan

The subject site is located in the Mount Dennis Secondary Plan. The Mount Dennis Secondary Plan was adopted by City Council on July 19, 2022, through OPA 571, and provides a framework for the area to grow as an inclusive complete community that is shaped through diversity, affordability and cultural heritage. The Secondary Plan sets the policy framework to assist in the implementation of the urban structure and growth management objectives of the City. Staff note that although the Mount Dennis Secondary Plan has been appealed to the Ontario Land Tribunal (OLT), staff have been directed by City Council to use the Mount Dennis Secondary Plan in the evaluation of all current and new development proposals within its boundaries and Council has authorized that development may proceed by site-specific Zoning By-law Amendments that conform to the Mount Dennis Secondary Plan.

The draft Official Plan Amendment proposes to re-designate the site to Mixed Use Areas in order to be consistent with the adopted Mount Dennis Secondary Plan.

The Mount Dennis Secondary Plan designates the site as Mixed-Use Main Street North Core which would allow for a range of residential and commercial uses planned to

accommodate a predominantly mid-rise character punctuated by a limited number of tall buildings in strategic locations. Priorities for new development within this district are maintaining and enhancing the historic main street character, development that is compatible with the historic streetwall heights and small-scale storefronts and development that is well designed with architectural detailing and finishes that are compatible with the heritage character of Weston Road.

Protected Major Transit Station Area

In June 2020, City Planning initiated a Growth Plan Conformity exercise and Municipal Comprehensive Review, which included the delineation of approximately 180 potential Major Transit Station Areas and Protected Major Transit Station Areas (MTSAs and PMTSAs) to meet provincial minimum intensification requirements. The subject site is in the Draft Site and Area Specific Policy 671 Mount Dennis PMTSA Area associated with the Future Mount Dennis station located near the intersection of Eglinton Avenue West and Weston Road. This preliminary draft PMTSA boundary was presented to City Council in July of 2022 and identified as requiring further consultation. The Picture Mount Dennis Framework study final report recommended a minimum population and employment target of 160 residents and jobs combined per hectare for the future Mount Dennis PMTSA area.

Zoning

The subject site is zoned Residential Multiple RM (f12.0; u2; d0.8) under Zoning By-law 569-2013. The Residential Multiple zoning category permits residential uses within various residential building types including detached, duplexes, triplexes and apartments. A height overlay of 11 metres and three storeys applies to the property. Under the current zoning, the property is subject to Exception RM 252, which has a site-specific provision that the minimum lot frontage is eight metres for a detached house. See Attachment 4 of this report for the existing Zoning By-law Map.

Design Guidelines

The following design guidelines have been used in the evaluation of this application:

- Growing Up: Planning for Children in New Vertical Communities;
- Mid-Rise Building Performance Standards and Addendum;
- Pet Friendly Design Guidelines for High Density Communities;
- Retail Design Manual; and
- Streetscape Manual.

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 TGS.

Site Plan Control

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

Rental Housing Demolition and Conversion By-law

This application involves the demolition of rental housing. Since the development site contains six or more residential units, of which at least one unit is rental housing, an application is required under Chapter 667 of the City's Municipal Code, the Rental Housing Demolition and Conversion By-law. The By-law requires an applicant obtain a permit from the City allowing the demolition of the existing rental housing units. The City may impose conditions that must be satisfied before a demolition permit is issued.

COMMENTS

Provincial Policy Statement and Provincial Plans

Staff have reviewed the current proposal for consistency with the Provincial Policy Statement (2020) and conformity with the Growth Plan (2020), and find the proposal to be consistent with the PPS and conforms with the Growth Plan.

Land Use

City Council directed staff to evaluate all current and new development proposals within the Mount Dennis Secondary Plan area boundaries against the policies of the Secondary Plan. Staff consider the proposed redesignation of the site from *Neighbourhoods* to *Mixed Use Areas* to be generally in conformity with the Mount Dennis Secondary Plan. The *Mixed Use Areas* Official Plan and Secondary Plan policies encourage development to support the economic function by achieving a balance of residential and job growth. The vision of the Secondary Plan is that Mount Dennis will grow as an inclusive complete community to accommodate residents, businesses, community agencies and institutions and provide good connections among them. The Mixed-Use Main Street - North Core district allows for a range of residential and commercial uses. The proposed development adds to the local housing stock while also providing a unique home to a community service organization through non-residential office and retail uses being provided within the proposal.

Density, Height, Massing

The subject site is located within the Mixed-use Main Street - North Core built form district in the Mount Dennis Secondary Plan, which provides for a predominantly mid-rise character but allows for a limited number of taller built forms in strategic locations. The proposed 14-storey building would reflect the typical mid-rise massing with the exception of its height, which is in accordance with the unique policy context of the site. Moreover, it would serve as a transitional element between planned blocks: westwards

towards the Weston North, where six- to eight-storey buildings would dominate, and eastwards the future Mount Dennis Station, where heights can gradually increase to 25 storeys. The introduction of this 14-storey form would facilitate a gradual height transition along Weston Road towards Eglinton Avenue West in accordance with the direction in the Mount Dennis Secondary Plan.

The Weston Road frontage would have a setback at-grade to achieve an 8.8 to 12.5-metre sidewalk zone from the curb to the building face and a streetwall with heights of three storeys and five storeys, which defines the street edge with a good proportion and introduces variation to the envisioned low-rise streetwall in the Mount Dennis Secondary Plan. Above the streetwall, the proposed building would step back three metres and rises to 14 storeys. Additionally, a significant setback would be incorporated on the west side to help alleviate the visual impact along Weston Road, opening opportunities for sunlight and sky view in the surrounding public realm.

At the rear, the west portion of the site abuts mixed-use parcels. The proposed building would be built to the property line, up to a height of two storeys, where the massing would step back 5.5 metres to a height of nine storeys. Above the ninth floor, the building would step back a further two metres and would go up to 12 and 14 storeys. This design approach considers the unique situation of these neighbouring mixed-use parcels, which are relatively small in size, totaling only about 500 square metres, and are adjacent to properties within the *Neighbourhoods* designation. Based on the Mount Dennis Secondary Plan, the future redevelopment of these mixed-use parcels is expected to take a mid- to low-rise form. The proposed setbacks of 5.5 and 7.5 metres would provide sufficient separation distances to address concerns related to privacy and overlook.

The west portion of the site abuts *Neighbourhoods* designated properties. In addition to a 7.5-metre setback at grade, the proposed building would step back 2.5 metres above the second floor and 4.2 metres above the ninth floor. This series of setbacks provides a transition in scale to *Neighbourhoods* properties and aligns with Mount Dennis Secondary Plan policy 8.17.4, which requires the achievement of good transition through the application of separation distances, building setbacks, and, as appropriate, through stepping down of heights.

The east side of the proposed building, next to the new Mount Dennis Early Learning and Child Care Centre, would be built to the property line up to a height of two and three storeys, where the massing steps back 5.5 metres (north) to a height of nine storeys. Above the ninth floor, the building would step back a further two metres and goes up to 14 storeys. This series of setbacks serves to establish a transition in scale to the newly constructed two-storey daycare centre and appropriate separation to future potential development.

The Somerville Avenue frontage would have a setback at grade to achieve a six-metre sidewalk zone from the curb to the building face and a streetwall with heights of five and two storeys which responds to the existing surrounding low-rise context. Above the

streetwall, the proposed building would step back three metres to the 12th storey and 8.8 metres on the 13th floor.

The setbacks from the east and west reduce the impact of the upper floors and ensure that massing along Weston Road would be appropriately separated to maximize sunlight access and sky views.

Sun, Shadow, Wind

The Shadow Study shows no adverse effects on adjacent park and *Neighbourhoods* properties and minimal shadow impacts on the Mount Dennis Early Learning and Child Care Centre site. Shadow impacts occur on the north side of Weston Road from 12:18 to 6:18 p.m. The Mount Dennis Secondary Plan recognizes the need to balance intensification with the mitigation of shadow impact and encourages developments to maximize sunlight access. The strategies recommended in the Mount Dennis Secondary Plan include limiting the building's height and floor sizes, increasing separation distance and setbacks, and expanding public spaces. The proposed building incorporates all of these strategies, stepping down its height with generous setbacks on both the east and west sides and utilizing relatively smaller floor plates on the upper floors.

The Pedestrian Level Wind Study identifies a few locations with elevated wind conditions that could be uncomfortable during winter and spring and in the case of the 13th floor outdoor amenity terrace, potentially unsafe. To ensure safety and comfort for all intended uses is achieved, the draft Zoning By-law makes provision for building projections and encroachments for the purposes of wind mitigation. Staff are including a Holding Symbol in the Zoning By-law Amendment to remain in place until such time that a satisfactory Pedestrian Level Wind Study, with the required mitigation tested and satisfactory conditions confirmed has been submitted by the owner and accepted by the Chief Planner and Executive Director, City Planning.

Amenity Space

The development is proposing two square metres of indoor amenity area per dwelling unit and two square metres of outdoor amenity area per dwelling unit. Staff recommend securing this minimum amenity space requirement through the draft Zoning By-law attached to this report. Through the Site Plan Control application review process, details on the specific locations and layout of the amenity space will be reviewed and secured.

Guideline 4.1.1 of the Pet Friendly Guidelines indicates that 10 percent of the amenity space be allocated as pet friendly spaces, including pet relief areas, wash stations and off-leash areas. Additional pet friendly design requirements will be considered in the Site Plan Control application.

Traffic Impact, Access, Parking

A Transportation Impact Study (TIS) prepared by Trans-Plan, dated May 2022, was submitted in support of the Official Plan and Zoning By-law amendment applications. The proposal has changed since the original TIS was submitted. An updated TIS is required. Staff are including a Holding Symbol in the Zoning By-law Amendment to remain in place until such time that revised plans, drawings, studies have been submitted by the owner and accepted by General Manager, Transportation Services, and that any associated financial agreement for required upgrades and necessary approvals have been issued.

Official Plan policy 3.1.3.4 directs development to locate and organize vehicle access, parking, loading and servicing to minimize the impact on the public realm. All vehicular access to the site is proposed through a single driveway access curb-cut along Sommerville Avenue leading to an interior driveway, which connects to the underground parking ramp. One Type G loading space is provided with an additional Type C loading space.

All parking would be located underground, accessed through a ramp at the rear of the lot. No surface parking is proposed. Although the current drawings show 18 resident parking spaces, including one accessible parking space, staff require the following minimum parking standards to be used in the Zoning By-law:

0.1 parking spaces per dwelling unit for resident parking; 1.16 parking spaces per 100 square metres of GFA for non-residential uses; and no parking spaces for visitors. These minimum parking standards were accepted by Transportation Services through the review of the TIS submitted in May 2022. There has not been any updated TIS provided to justify only 18 parking spaces.

Bicycle Parking

A total of 227 bicycle parking spaces are proposed on the site. The proposed development would be providing the minimum required number of bicycle parking spaces.

Road Widening

In order to satisfy the Official Plan requirement of a 27-metre right-of-way for this segment of Weston Road a 2.83-metre road widening dedication along the Weston Road frontage of the subject site is required and would be conveyed to the City through the site plan control process. The draft Zoning By-law includes notation in the diagrams to illustrate the required widening.

Streetscape

The site has frontage on two public roads, including Sommerville Avenue on the west and Weston Road to the north. Existing public sidewalks along both public roads are to

be removed and reconstructed as new 2.1-metre-wide public sidewalks free of any obstructions. Staff are in support of the proposed streetscape treatment on the site. Detailed landscaping to ensure proper pedestrian walkway transitions will be secured as part of the site plan control process. The obligation to reconstruct the public sidewalks will be secured in the Site Plan Control application process.

Servicing

The applicant submitted a Functional Servicing and Stormwater Management Report, prepared by MGM Consulting Inc., dated May 27, 2022, and a revised report dated September 7, 2023. A Hydrogeological Site Assessment prepared by Peto MacCallum Ltd dated May 20, 2022 and a revised report dated August 31, 2023, Foundation Drainage Summary Form dated August 31, 2023 and Hydrological Review Summary Form dated August 30, 2023, prepared by Peto MacCallum Ltd were also provided.

The purpose of these reports is to evaluate existing sub-surface conditions and the effects of the development on the municipal servicing infrastructure and watercourses, and to identify and provide the rationale for any new infrastructure or upgrades to existing infrastructure necessary to adequately service the proposed development.

Staff are including a Holding Symbol in the Zoning By-law Amendment to remain in place until such time that a satisfactory Functional Servicing and Stormwater Management Report, Servicing Report Groundwater Summary Form, Hydrogeological Site Assessment, Foundation Drainage Summary Form, and Hydrological Review Summary Form have been submitted by the owner and accepted by Chief Engineer and Executive Director, Engineering and Construction Services, and that any associated financial agreement for required upgrades and necessary approvals have been issued.

Unit Mix

A total of 175 new residential units are proposed, consisting of 48 studio units (27%), 79 one-bedroom units (45%), 27 two-bedroom units (15%) and 21 three-bedroom units (12%).

The unit mix meets the policy direction of the Official Plan to provide a full range of housing and meets the unit mix objectives of the Growing Up: Planning for Children in New Vertical Communities Urban Design Guidelines (Growing Up Guidelines) to provide a minimum of 15% two-bedroom units and 10% three-bedroom units within new developments.

Rental Housing Demolition and Replacement

Section 3.2.1 of the Official Plan contains the City's policies pertaining to the provision, maintenance, and replacement of housing.

Policy 3.2.1.6 requires new development that would result in the loss of six or more existing rental dwelling units to replace at least the same number, size, and type of rental units as exist on the site and maintain rents similar to those in effect at the time of application. The policy also requires an acceptable tenant relocation and assistance plan, addressing the right for tenants to return to one of the replacement units at similar rents and other assistance to lessen hardship.

Policy 3.2.1.11 requires new development that would result in the loss of six or more rental dwelling rooms to replace at least the same amount of residential gross floor area and maintained as dwelling rooms or rental studio units and the applicant develops an acceptable tenant relocation and assistance plan addressing the right for tenants to return to the replacement housing at similar rents and other assistance to mitigate hardship. The policy applies where dwelling rooms are permitted.

In accordance with Official Plan Policy 3.2.1.6, the applicant is proposing to replace all 20 existing rental units in the new development by their respective bedroom types and at rents similar to those in effect at the time of application. The four dwelling rooms are not required to be replaced pursuant to Official Plan Policy 3.2.1.11 as fewer than six dwelling rooms would be lost.

The Canadian Mental Health Association (CMHA) is a nationwide non-profit organization that promotes mental health and supports people recovering from mental illness. The CMHA operates 20 dwelling units at 1240 Weston Road under a head lease with the owner. All 20 units are sub-leased at Rent-Geared to-Income (RGI) rents through subsidies delivered directly to CMHA. Twelve units at 1240 Weston Road have leases under the Residential Tenancies Act (RTA) while eight units have occupancy agreements under the Long Term Care Homes Act or the Ministry of Correctional Services Act. The RTA does not apply to the eight dwelling units above and as such are not subject to the Rental Housing Demolition By-law and Official Plan policy 3.2.1.6. This is consistent with the application of Official Plan rental unit and dwelling room replacement policies across the city.

All replacement rental units would be provided central air conditioning and access to a shared laundry room. Tenants of the replacement rental units would have access to bicycle parking and all indoor and outdoor amenities on the same terms and conditions as the residents of the rest of the building.

Tenants of the replacement rental dwelling units would have access to at least one vehicle parking spaces, with returning tenants who currently have a parking space included in their lease receiving first priority and based on seniority.

Replacement rental units are proposed to be located on the fourth through the ninth floors of the new development. The total GFA of the 20 replacement rental units is 1249 square metres, which is 102% of the GFA of the existing rental units proposed to be demolished. The average unit size of the replacement units is equal or greater than the average unit size by unit type of the existing rental units.

Tenants would be provided with the right to return to a replacement rental unit of a similar unit type and size at similar rent, and rents for replacement rental units without returning tenants would not exceed affordable rents for a period of at least 10 years. Tenants who return to replacement rental units would be subject to rent increases capped by the provincial rent increase Guideline, irrespective of whether such Guideline applied to those units under the *Residential Tenancies Act 2006* (RTA), until their tenancies end. All 20 replacement rental dwelling units will be secured as rental tenure within the proposed development for a period of at least 20 years, beginning on the date that each replacement rental dwelling unit is first occupied.

City Planning staff are of the opinion that the proposed replacement plan is appropriate and consistent with the intent of Official Plan_policy 3.2.1.6.

Tenant Relocation and Assistance Plan

The applicant has agreed to provide tenant relocation and assistance to all eligible tenants, all to the satisfaction of the City Planning and secured through legal agreements with the City. The Tenant Relocation and Assistance Plan would assist tenants in finding and securing alternative accommodations during the demolition and construction period. As part of this plan, eligible tenants would be entitled to the following:

Eligible tenants at 1246 and 1250 Weston Road would receive:

- The right to return to one of the replacement rental dwelling units in the new building at similar rents;
- At least six months' notice before having to vacate their rental unit, inclusive of notice required under the Residential Tenancies Act ("RTA");
- Financial compensation equal to three months' rent pursuant to the RTA;
- Financial compensation, above and beyond that required under the RTA, in the form of rent gap assistance. The rent gap would be calculated as the difference between the monthly rent paid by each eligible tenant and the most recent average rent for vacant private rental apartments by unit type in Canada Mortgage and Housing Corporation's (CMHC) Rental Market Survey Zone 8 - York which encompasses the development site, over the period of construction of the proposed building (estimated at 36 months). The vacant market rents used to establish rent gap payments will be indexed upwardly to better reflect changes in market conditions since the completion of the latest CMHC survey;
- A rental leasing agent available upon request;
- A move-out moving allowance and a move-back moving allowance if the eligible tenant exercises their right to return to a replacement rental dwelling unit; and
- Any special needs compensation as determined by the Chief Planner and Executive Director, City Planning.

Eligible tenants with RTA leases at 1240 Weston Road (operated by CMHA) would receive:

- Relocation to another unit of similar size, type and rent within the CMHA portfolio;
- The right to return to one of the replacement rental dwelling units in the new building at similar rents;
- At least six months' notice before having to vacate their rental unit, inclusive of notice required under the Residential Tenancies Act (RTA);
- Financial compensation equal to three months' rent pursuant to the RTA; and
- The provision of moving services, coordinated by CMHA.

Occupants with occupancy agreements under the Long Term Care Homes Act or the Ministry of Correctional Services Act at 1240 Weston Road (operated by CMHA) would receive:

- Relocation to another unit of similar size, type and rent within the CMHA portfolio as coordinated by CMHA;
- At least six months' notice before having to vacate their rental unit; and
- The provision of moving services, coordinated by CMHA.

The key difference between the tenant relocation and assistance plans for 1240 Weston Road and 1246 and 1250 Weston Road is that CMHA (1240 Weston Road) is providing and coordinating the relocation of their tenants elsewhere in their existing portfolio or within other units in the private rental market. As the head lessee of 1240 Weston Road, the CMHA would be eligible for the Tenant Relocation and Assistance Plan and would receive additional compensation to assist in securing relocation units. As part of this plan, CMHA, would receive the first right of refusal to enter into an operating agreement for up to twelve (12) of the replacement rental dwelling units (all one-bedroom units) in the new building. Existing tenants under CMHA leases retain the right to return to one of those units. If the tenant does not choose to return, those units will continue to be operated by the CMHA, provided CHMA elects to lease those units.

City Planning staff are satisfied with the applicant's proposed tenant relocation and assistance plan as it is in line with the intent of the City's standard practices and will appropriately address and lessen hardship experienced by tenants. The tenant assistance matters will be secured through one or more agreements with the City and to the satisfaction of the Chief Planner and Executive Director, City Planning.

Staff is recommending that Council approve the Rental Housing Demolition Application, with conditions, to demolish 20 existing rental units, subject to the conditions of approval identified within this report.

Affordable Housing

The applicant has proposed 77 of the 155 net new units to be rented at 80% average market rent for a minimum period of 40 years. This includes 40 studio and 37 one-bedroom units and a minimum GFA of 2,735.42 square meters. It will be secured through Section 453.1 of the City of Toronto Act.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Official Plan shows local parkland provisions across the City. The site is approximately a 150-metre walk away from Pearen Park, a 12,763 square metre park which contains a playground and a baseball diamond field and neighbouring Fergy Brown Park, a 112,776 square metre park which contains a two cricket pitch fields. The City's Parkland Strategy is a 20-year strategic city-wide plan that guides long-term planning for new parks, park expansions and improvements, and improved access to existing parks. The strategy includes a new methodology to measure and assess parkland provision, using the baseline of residential population against the area of parkland available across the city. According to the 2022 draft update to the strategy's methodology, the development site is currently in an area with four to 12 square metres of local parkland per person, which is below the city-wide average provision of 28 square metres of parkland per person (2022).

In accordance with Section 42 of the Planning Act, the owner is required to satisfy the parkland dedication requirement through cash-in-lieu. As per Toronto Municipal Code Chapter 415-29, the appraisal of the cash-in-lieu will be determined under the direction of the Executive Director, Corporate Real Estate Management. Additionally, Toronto Municipal Code Chapter 415-28 requires that the payment be made prior to the issuance of the first above-ground building permit for the land to be developed.

Tree Preservation and Planting

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 Arborist Report indicates that the proposed development would require removal of one By-law protected private tree, and removal of three By-law protected City street trees, located on the City road allowance along Somerville Avenue. Urban Forestry requires that the applicant provide a tree permit application to remove the trees in question. Staff are including a Holding Symbol in the Zoning By-law Amendment to remain in place until such time that an Application to Injure or Remove Trees has been submitted by the owner and accepted by the General Manager of Parks, Forestry and Recreation.

The application is also required to comply with the Tier 1: Ecology elements of the Toronto Green Standard (TGS), Version 3. The submission of satisfactory plans/revisions will be a condition of Urban Forestry's approval of the subsequent Site Plan Control application. One by-law protected private tree would be required to be removed, and as a result, the planting of three satisfactory replacement trees on the site (excluding the ROW) would be required. The applicant has provided a Landscape Plan indicating three trees proposed to be planted on private property and seven trees on City Road allowances.

In consultation with Urban Forestry staff, the landscape plan has been revised to include tree planting areas and soil volumes within the site meeting TGS requirements. Staff recommend that appropriate below-grade setbacks be secured in the proposed Zoning By-law in order to protect for adequate soil volumes. The final number and location of new trees would be secured through the Site Plan Control application review process.

School Boards

The Toronto District School Board (TDSB) advised that it is anticipated that there will be sufficient capacity for this development in the new secondary school. However, the TDSB also advised that there may be accommodation pressures in the long-term when considering the cumulative impact arising from future, unknown residential development in the schools' attendance area.

Toronto Catholic District School Board (TCDSB) advised that at this time, the local elementary school is operating close to capacity and may not be able to accommodate additional students from the development as proposed. Sufficient space exists within the local secondary schools to accommodate additional students. The TCDSB will continue to monitor development growth in this area as it relates to cumulative impact on local schools

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. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. 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 2040 or sooner. Performance measures for Tier 1 development features, such as cycling infrastructure will be secured through the site-specific Zoning By-law. Other applicable TGS performance measures will be secured through the Site Plan Control approval process.

Noise and Vibration Assessment

The subject property is located in close proximity to Metrolinx's Weston Subdivision line, which carries Kitchener GO train service. As such, a Noise and Vibration Impact Study is required to be conducted to determine the proposal's compliance with Provincial

regulations and guidelines. Staff recommend requiring the Noise and Vibration Impact studies as part of the Site Plan Control application.

Community Services and Facilities

The Official Plan establishes and recognizes that the provision of, and investment in, community services and facilities supports healthy, safe, liveable, and accessible communities. Community services and facilities are the building blocks of our neighbourhoods, foundational to creating complete communities and include matters such as recreation, libraries, childcare, schools, public health, and human and cultural services. Providing for a full range of community services and facilities in areas that are inadequately serviced or experiencing growth is a shared responsibility.

Community Consultation

An in-person community consultation meeting was held for this proposed development with City staff, the Ward Councillor, the applicant's team and approximately 25 members of the public in attendance. The community consultation meeting was held on June 6, 2023 at the Learning Enrichment Foundation located at 116 Industry Street. At the meeting, City Planning staff presented the planning policy framework and an overview of the application review process, and the applicant presented their development proposal. Community comments from the June 6, 2023 meeting included:

- Concerns over whether enough parking spaces are proposed;
- Concerns about increased traffic and safety;
- Questions about the size and unit mix of the proposed development; and
- Concerns over the proposed height and density.

City Planning staff have worked with the applicant to address these issues through refining the massing of the buildings, creating a pedestrian-friendly environment and securing the ratio of proposed two- and three-bedroom units. The site can accommodate the proposed additional height and density and still be in keeping with the area and policy context, while not creating a negative impact on surrounding residential properties.

Comments from community members have continued to inform the review of this proposed development, and additional items such as safety and site visibility will continue to be reviewed with the Site Plan Control application.

Tenant Consultation

On October 2, 2023, a tenant consultation meeting was held for tenants of 1246 and 1250 Weston Road to review the City's housing policies, the impact of the proposed demolition on existing tenants, and the proposed Tenant Relocation and Assistance Plan. The meeting was held in person and attended by approximately 2 tenant households, representatives of the applicant and City Planning staff.

During the meeting, tenants asked questions regarding:

- The timing of the proposed demolition, when tenants would have to vacate their existing rental units, and the estimated length of time over which the proposed development would be constructed;
- The proposed replacement rental unit sizes; and
- How and when the financial compensation provided under the City-approved Tenant Relocation and Assistance Plan would be administered to tenants.

On October 12, 2023, a tenant consultation meeting was held for tenants of 1240 Weston Road to review the City's housing policies, the impact of the proposed demolition on existing tenants, and the proposed Tenant Relocation and Assistance Plan. The meeting was held in person and attended by approximately eight tenants, representatives of the applicant, representatives of CMHA and City Planning staff.

During the meeting, tenants asked questions regarding:

- The timing of the proposed demolition, when tenants would have to vacate their existing rental units, and the estimated length of time over which the proposed development would be constructed;
- The design of the new building;
- CMHA's relocation process; and
- Eligibility for financial compensation.

CONCLUSION

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020) and the Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2020) and does not conflict with the Growth Plan (2020). Furthermore, the proposal is in keeping with the intent of the Official Plan and the Mount Dennis Secondary Plan, particularly as it relates to *Mixed Use Areas* and intensification in an area designated for growth. Staff worked with the applicant and the community to address and resolve key concerns including the proposed height and massing, and compatibility with the surrounding existing and planned context.

The proposal contributes to the development of Mount Dennis as an inclusive complete community and would provide much needed housing within walking distance of higher-order transit.

Staff recommend that Council support approval of the application.

CONTACT

Emilia Sasso, Planner, Community Planning
Tel. No.: 416-394-2615
E-mail: Emilia.Sasso@toronto.ca

Andrew Cohrs, Planner, Strategic Initiatives, Policy and Analysis
Tel. No.: 416-392-4730
E-mail: Andrew.Cohrs@toronto.ca

SIGNATURE

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

ATTACHMENTS

City of Toronto Data/Drawings

Attachment 1: Application Data Sheet
Attachment 2: Location Map
Attachment 3: Official Plan Land Use Map
Attachment 4: Existing Zoning By-law Map
Attachment 5: Draft Official Plan Amendment
Attachment 6: Draft Zoning By-law Amendment

Applicant Submitted Drawings

Attachment 7: Site Plan
Attachment 8a: North Elevations
Attachment 8b: East Elevations
Attachment 8c: South Elevation
Attachment 8d: West Elevation

Attachment 1: Application Data Sheet

APPLICATION DATA SHEET

Municipal Address: 1240, 1246, 1250 Weston Road Date Received: July 7, 2022

Application Number: 22 166923 WET 05 OZ

Application Type: OPA / Rezoning, OPA & Rezoning

Project Description: To construct a 14-storey mixed-use building including residential, retail and community uses. The application proposes 175 residential units, 230 square metres of retail space and 3158 square metres of office space for community services. A total of 18 parking spaces are proposed below-grade.

Applicant	Agent	Architect	Owner
Robert Walter-Joseph			The Learning Enrichment Foundation

EXISTING PLANNING CONTROLS

Official Plan Designation: Neighbourhoods Site Specific Provision: 053-Mount
Dennis Area

Zoning: Residential
Multiple RM
(f12.0;u2;d0.8)(x
252) Heritage Designation:

Height Limit (m): Site Plan Control Area:

PROJECT INFORMATION

Site Area (sq m): 1,970.33 Frontage (m): 61.60 Depth (m): 43.70

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			851.88	851.88
Residential GFA (sq m):			10,183.61	10183.61
Non-Residential GFA (sq m):			3,387.68	3,387.68
Total GFA (sq m):			13,571.29	13,571.29
Height - Storeys:	2.5		14	14

Height - Metres: 48 48

Lot Coverage Ratio 67 Floor Space Index: 6.89
(%):

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	10,183.61	
Retail GFA:	229.47	
Office GFA:	3,158.21	
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	28		175	175
Freehold:				
Condominium:				
Other:	4			
Total Units:			175	175

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		48	79	27	21
Total Units:		48	79	27	21

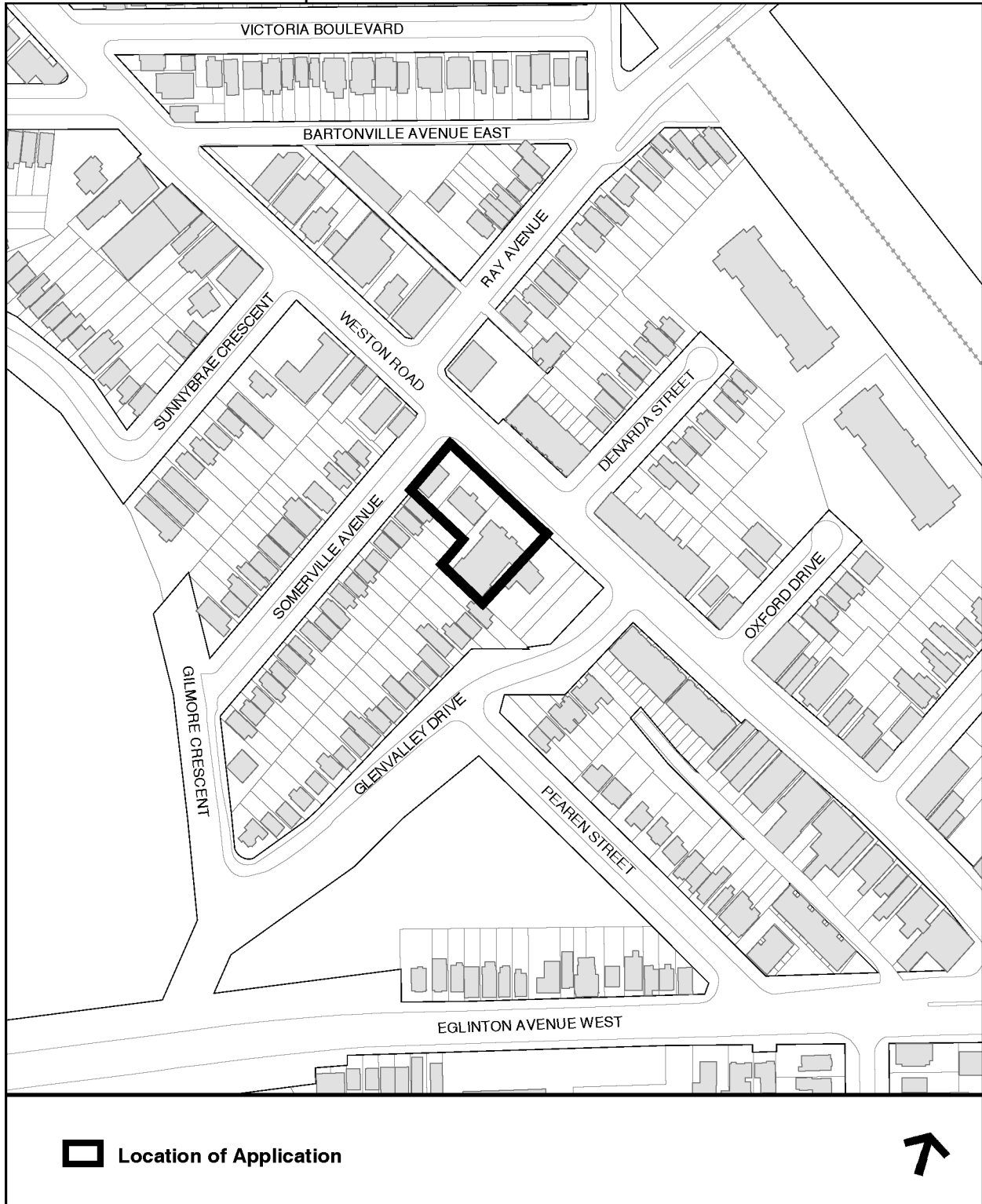
Parking and Loading

Parking Spaces: 18 Bicycle Parking Spaces: 227 Loading Docks:

CONTACT:

Emilia Sasso, Planner
416-394-2615
Emilia.Sasso@toronto.ca

Attachment 2: Location Map











Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #14

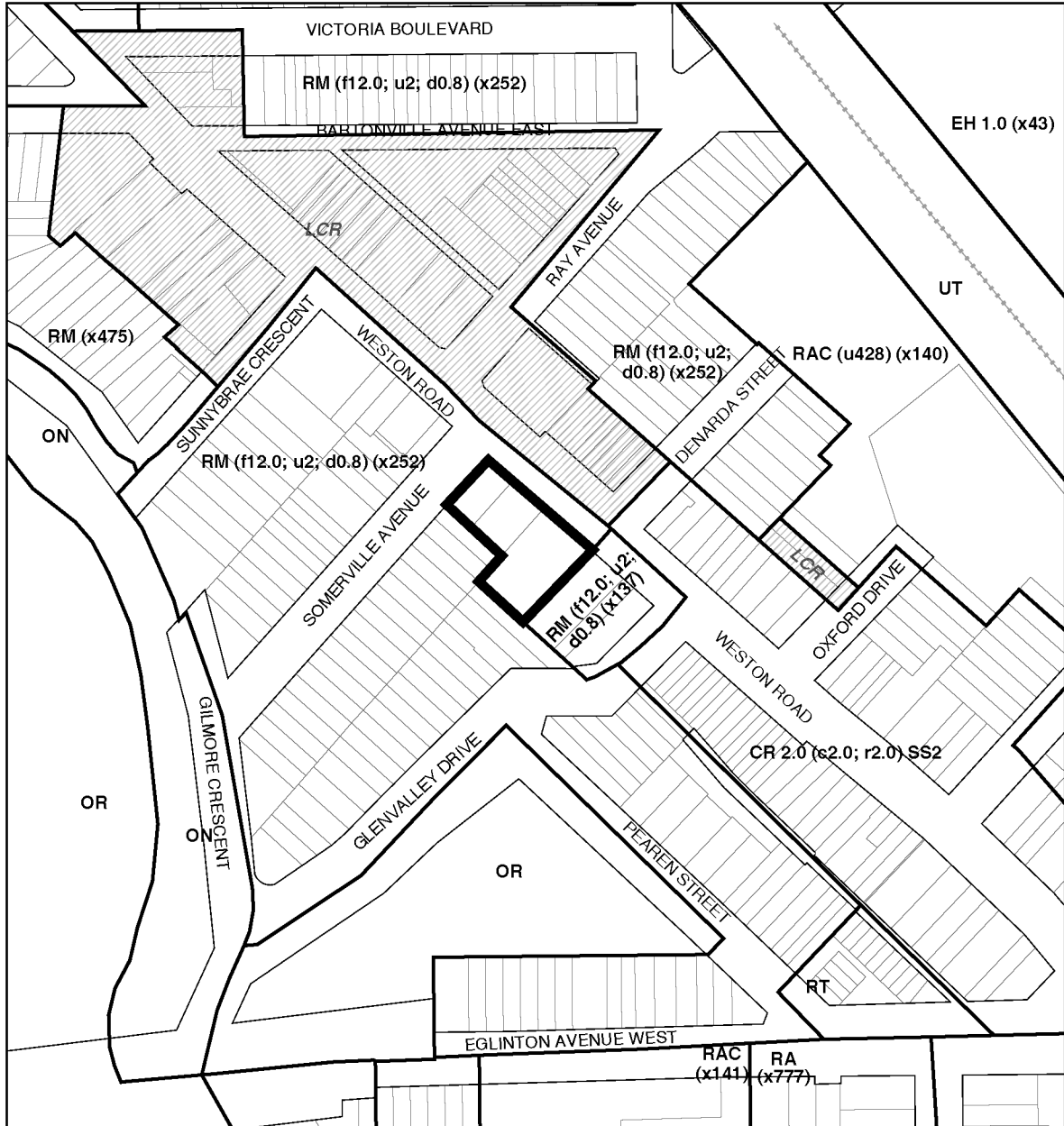
1240, 1246, 1250 Weston Road

File # 22 166923 WET 05 0Z

- | | | | | | |
|---|--------------------------|---|---------------|---|-----------------------|
|  | Location of Application |  | Natural Areas |  | Utility Corridors |
|  | Neighbourhoods |  | Parks |  | Core Employment Areas |
|  | Apartment Neighbourhoods | | | | |
|  | Mixed Use Areas | | | | |

↑
Not to Scale
Extracted: 07/13/2022

Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

1240, 1246, 1250 Weston Road

File # 22 166923 WET 05 0Z



Location of Application

- RD** Residential Detached
- RT** Residential Townhouse
- RM** Residential Multiple
- RA** Residential Apartment
- RAC** Residential Apartment Commercial
- CR** Commercial Residential

- EH** Employment Heavy Industrial
- ON** Open Space Natural
- OR** Open Space Recreation
- UT** Utility and Transportation



See Former City of York By-law No. 1-83
LCR Local Commercial Residential

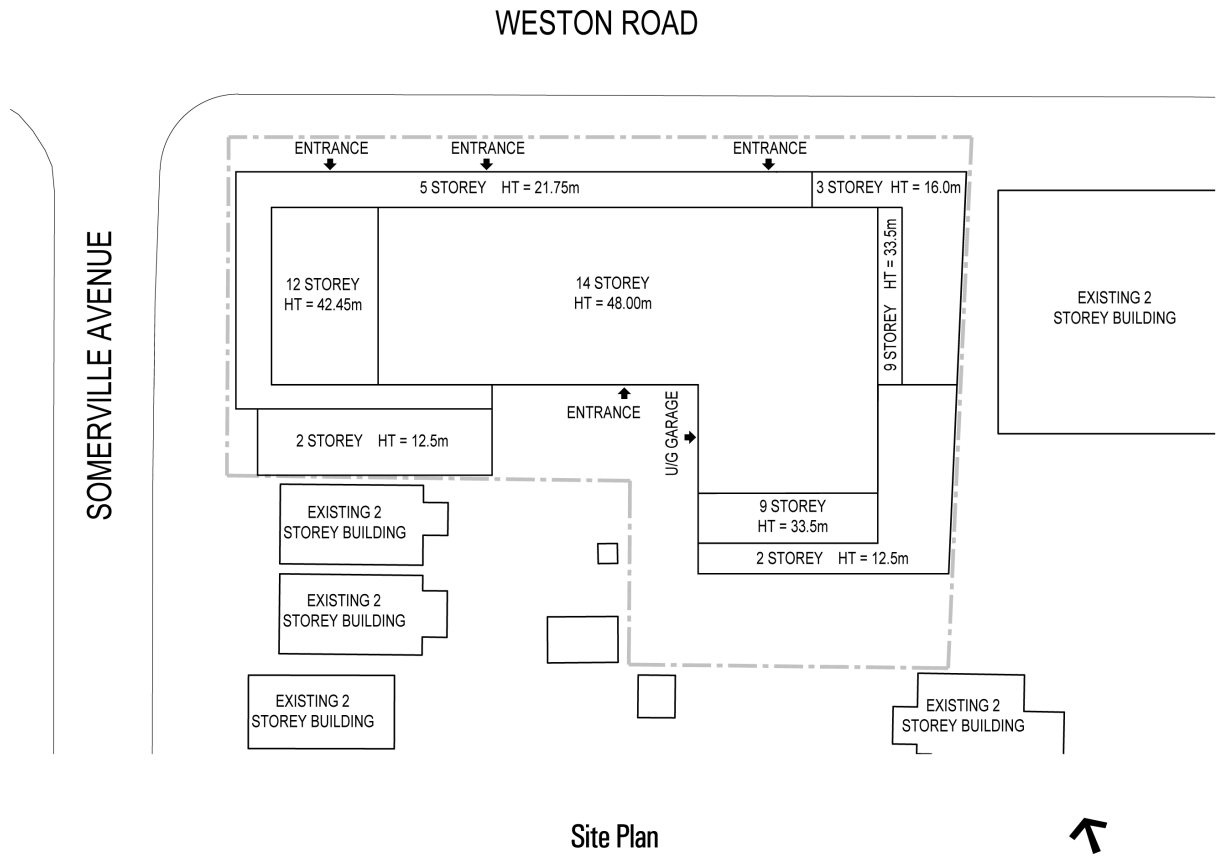


Not to Scale
Extracted: 07/13/2022

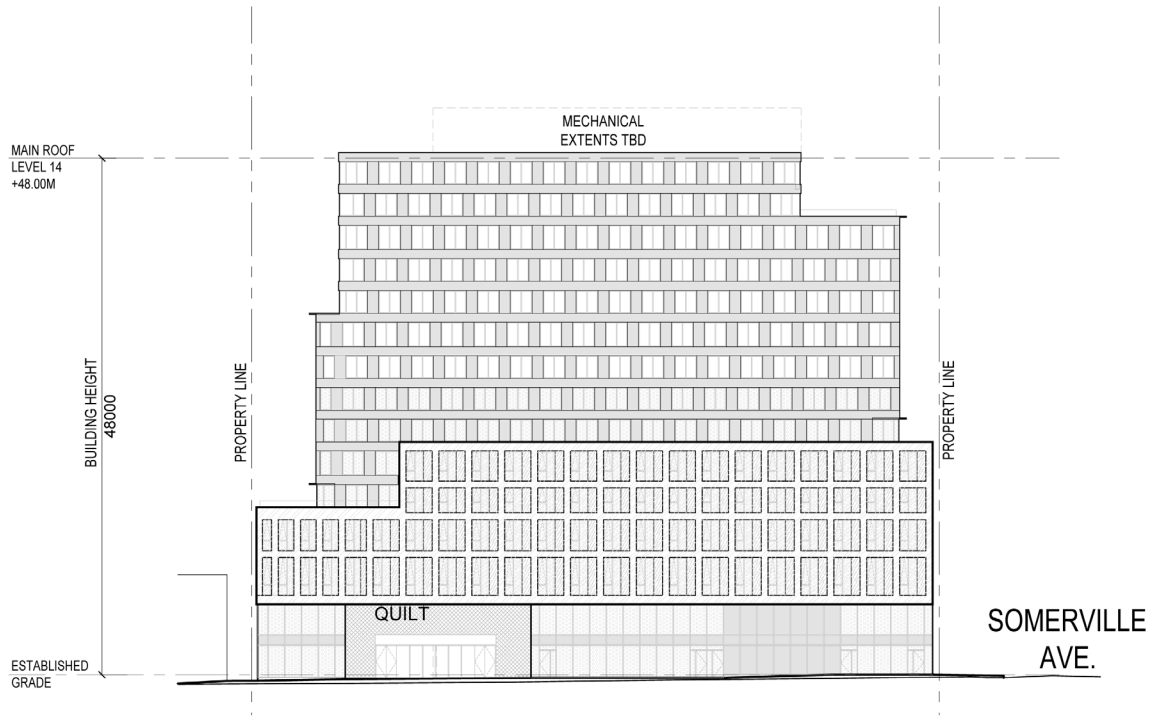
Attachment 5: Draft Official Plan Amendment
(Attached under separate cover.)

Attachment 6: Draft Zoning By-law Amendment
(Attached under separate cover.)

Attachment 7: Site Plan

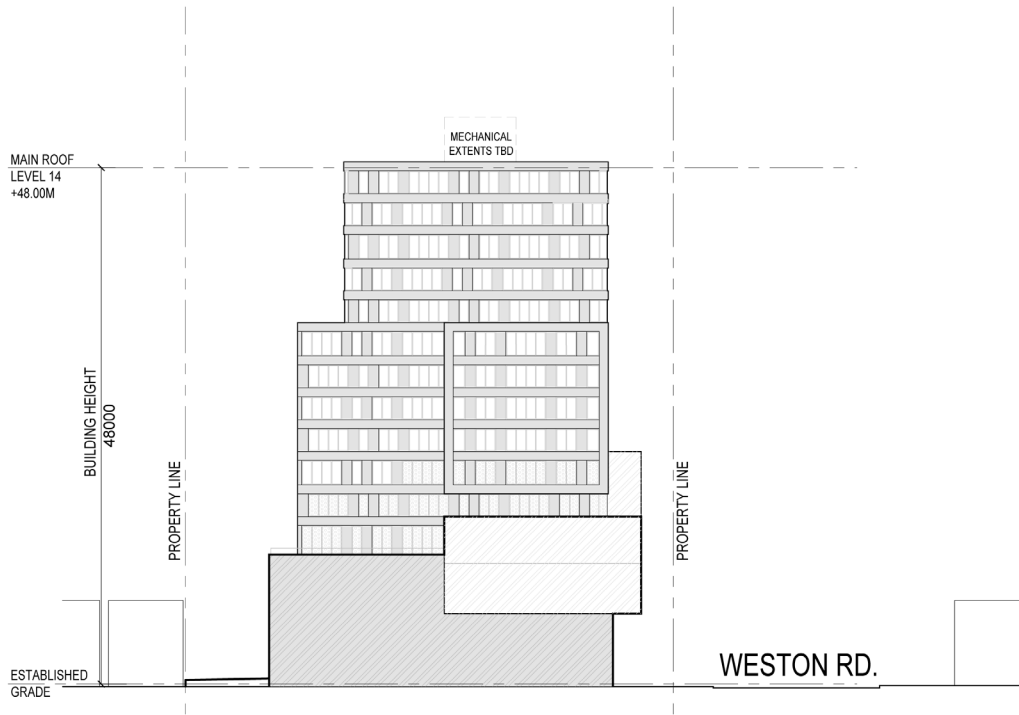


Attachment 8a: North Elevation



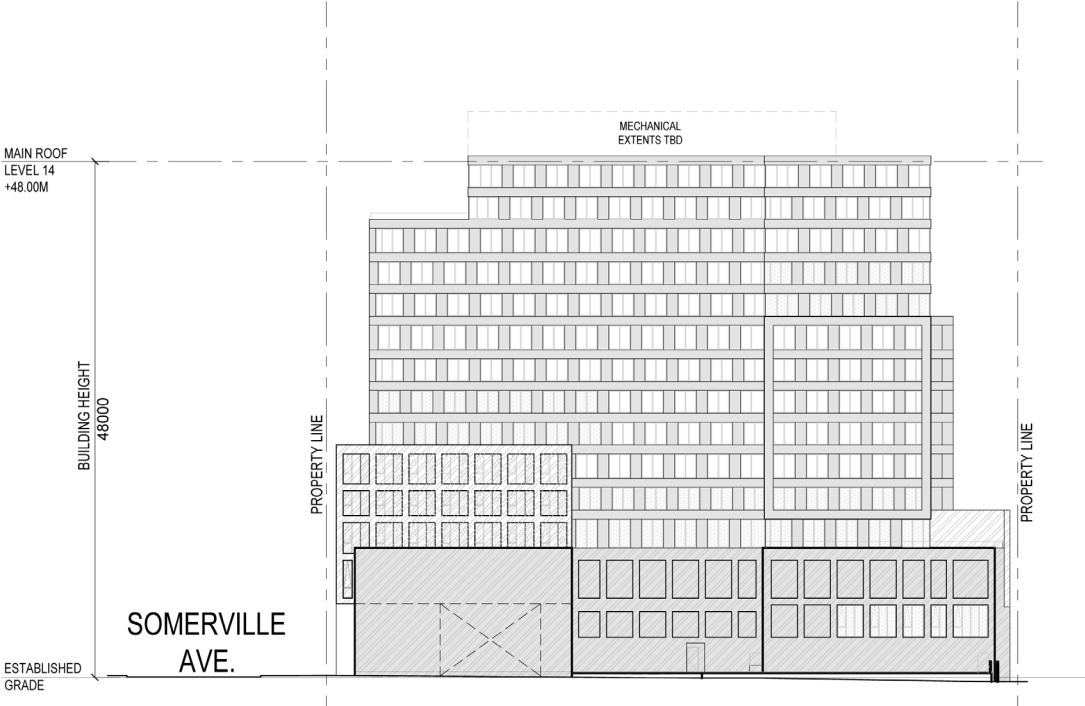
North Elevation

Attachment 8b: East Elevation



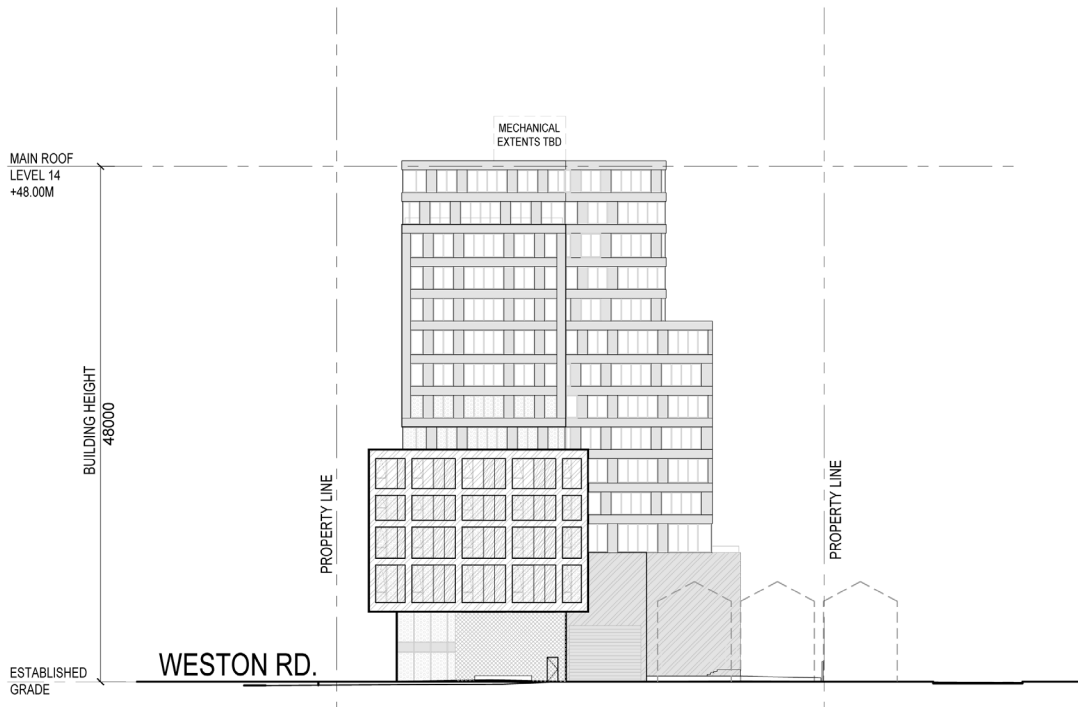
East Elevation

Attachment 8c: South Elevation



South Elevation

Attachment 8d: West Elevation



West Elevation