



REPORT FOR ACTION

1265 Wilson Avenue - Zoning By-law Amendment Application – Appeal Report

Date: September 12, 2023

To: North York Community Council

From: Director, Community Planning, North York District

Ward: 6 – York Centre

Planning Application Number: 21 219425 NNY 06 OZ

Related Planning Application Number: 21 219452 NNY 06 RH

SUMMARY

On November 1, 2021, a Zoning By-law Amendment application was submitted to permit a residential building with 12-storeys (38.2 metres without a mechanical penthouse) along the Wilson Avenue frontage and a 25-storey (78.8 meter) residential building (plus a 6.0 metre mechanical penthouse) at the south end of the site. The 12-storey element on Wilson Avenue would be connected with the tower at the south end with other building elements of varying heights.

There is a 4-storey rental building on the site containing 61 residential rental units which would be demolished and are proposed to be replaced within the new development. This is subject to the related Rental Housing Demolition application 21 219452 NNY 06 RH.

A Preliminary Report dated November 30, 2021 was considered by North York Community Council on January 6, 2022 and adopted with amendments. The motion indicated that staff would not schedule a community consultation meeting for the application until the applicant had an opportunity to modify their application in keeping with initial guidance from Community Planning while considering the adjacent active development application at 1277 Wilson Avenue and striving for better adherence to the Mid-Rise Building guidelines and conducting additional discussions with both staff and the local councillor.

On December 9, 2022, a revised proposal was submitted which proposed 11-storeys (35.285 metres without a mechanical penthouse) along the Wilson Avenue frontage with a 27-storey (85.485 metre) building plus a 6.0 metre mechanical penthouse at the south end of the site. The 11-storey element on Wilson Avenue would be connected with the tower at the south end with three other building elements of varying heights (12-storeys plus mechanical

penthouse (44.985 metre), 12-storeys (39.785 metre) and 5-storeys (16.785 metre). The revised proposal would have an overall gross floor area of 45,745 square metres above grade and 3 levels of a below-grade parking structure. A total of 559 residential units would be proposed in the revised proposal, with 61 of those units being rental replacement units.

On June 30, 2023, the Applicant appealed the Zoning By-law Amendment application to the Ontario Land Tribunal (“OLT”) due to City Council not making a decision within the 120-day time frame in the Planning Act. A Case Management Conference has been scheduled for September 27, 2023.

This report provides an update on the proposal and the outstanding issues. The report recommends that the City Solicitor along with the appropriate City Staff attend the OLT hearing and continues to oppose the application in its current form and to continue discussions with the Applicant to resolve outstanding issues.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor and appropriate City Staff to attend the Ontario Land Tribunal in opposition to the current applicant regarding the Zoning By-law Amendment appeal for the lands at 1265 Wilson Avenue, and to continue discussions with the applicant in an attempt to resolve the outstanding issues detailed in this report.
2. In the event that the Ontario Land Tribunal allows the appeal in whole or in part, City Council authorize the City Solicitor to request that the issuance of any final Order be withheld until such time as the City Solicitor advises that:
 - a) the final form and content of the draft Zoning By-laws are to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning;
 - b) the Owner has submitted a revised Functional Servicing Report, including a Stormwater Management Report and Hydrogeological Report, to determine whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposed development, and to address all the matters in the Engineering and Construction Services Memorandum dated January 16, 2023, all to the satisfaction of the Chief Engineer & Executive Director, Engineering and Construction Services and the General Manager, Transportation Services;

- c) the Owner has made satisfactory arrangements with Engineering and Construction Services and entered into the appropriate agreement with the City for the design and construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support this development, according to the accepted Functional Servicing Report accepted by the Chief Engineer and Executive Director, Engineering and Construction Services;
- d) The Owner has submitted a revised Transportation Demand Management Plan to the satisfaction of the Chief Planner and Executive Director, City Planning and the General Manager, Transportation Services, and that such matters arising from this Plan be secured, if required;
- e) The Owner has addressed matters from the Strategic Initiatives, Policy and Analysis Section of City Planning Memorandum dated February 8, 2023, to the satisfaction of the Chief Planner and Executive Director, City Planning;
- f) The Owner has addressed matters from the Urban Forestry Memorandum dated January 9, 2023 to the satisfaction of the General Manager, Parks, Forestry & Recreation;
- g) The Owner has submitted an updated complete Toronto Green Standards (TGS) Checklist and Statistics Template, to the satisfaction of the Chief Planner and Executive Director, City Planning;
- h) The Owner has provided space within the development for the installation of maintenance access holes and sampling ports on the private side, as close to the property line as possible, for both the storm and sanitary service connections, in accordance with the Sewers By-law chapter 681.10.b;
- i) The Owner has secured replacement of the existing rental housing, including the same number of units, bedroom type and size and with similar rents;
- j) The Owner has secured an acceptable Tenant Relocation and Assistance Plan addressing the right for existing tenants to return to a replacement rental unit on the lands at similar rents, the provision of alternative accommodation at similar rents, and other assistance to lessen hardship, all to the satisfaction of the Chief Planner and Executive Director, City Planning; and

- k) City Council has approved the Rental Housing Demolition Application No. 21 219452 NNY 06 RH in accordance with Chapter 667 of the Toronto Municipal Code pursuant to Section 111 of the City of Toronto Act, 2006 which allows for the demolition of the sixty-one (61) existing rental dwelling units at 1265 Wilson Avenue and the Owner has entered into, and registered on title to the lands, one or more agreements with the City to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor, securing all rental housing-related matters necessary to implement City Council's decision.
3. City Council direct the City Solicitor and appropriate City staff to request that a Holding provision (H) be included in the final form of the site-specific Zoning By-law Amendment, not to be lifted until such time as the owner has made satisfactory arrangements, including entering into appropriate agreements(s) with the City for required mitigation, as well as the design and construction of any improvements to the municipal infrastructure and the provision of financial securities to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and General Manager, Transportation Services.
4. City Council authorizes 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

Current Application

The subject Application for Zoning By-law Amendment was determined to meet the complete application submission requirements of the Planning Act and the Toronto Official Plan as of November 1, 2021.

The Preliminary Report was adopted by North York Community Council with amendments on January 6, 2022 requiring staff not to schedule a community consultation meeting for the application until the applicant had an opportunity to modify their application is in keeping with initial guidance from Community Planning while considering the adjacent active development application at 1277 Wilson Avenue and striving for better adherence to the Mid-Rise Building guidelines and conducting additional discussions with both staff and the local councillor.

The decision of the North York Community Council can be found here:
[Agenda Item History - 2022.NY29.8 \(toronto.ca\)](#)

SITE AND SURROUNDING AREA

Site Description and Dimensions: The site is located at 1265 Wilson Avenue. The site is a 4-sided polygonal shape with a frontage along Wilson Avenue of 69 metres, a depth of 116 metres and a site area of 7,065.21 square metres.

Existing Use: 4-storey rental apartment building containing 61 residential units which is proposed to be demolished.

Surrounding uses include:

North: On the north side of Wilson Avenue is the 3-storey Pierre Laporte Middle School, an 8-storey apartment building (1286 Wilson Avenue) and a 2-storey Paramedic station.

East: To the east of the site is a private driveway to the LIUNA Local 183 lands to the south, and the Humber River Regional Hospital site (1201 Wilson Avenue) containing the 14-storey main hospital building and associated parking structures, surface parking areas and accessory loading facility.

South: Directly south of the site is a 3-storey office building with surface parking on the LIUNA Local 183 lands. To the south and southwest of the subject lands is a low-density neighbourhood.

West: Immediately west of the site is 1277 Wilson Avenue, a 4-storey rental apartment building, which is subject to an application for zoning by-law amendment (File No. 18 219970 NNY 09 OZ) and rental housing demolition (File No. 18 219984 NNY 09 RH). The applications have been paused at the request of the applicant.

THE APPLICATION

The applicant submitted revised plans to the City on December 9, 2022. The table below identifies the details of the December 9, 2022 revisions compared to the original November 1, 2021 submission.

	Original Submission (November 1, 2021)	Revision 1 (December 9, 2022)
Site Area	7,065.21 square meters	7,065.21 square metres
Building Height elements from north to south	12-storey (38.3 metres) along Wilson Avenue	11-storey (35.285 metres) along Wilson Avenue

	13-storey (42.8 metres) plus mechanical penthouse (47.3 metres)	12 storey plus mechanical penthouse (44.985 metres)
	11-storey (34.8 metres) building	12-storey (39.785 metres)
	6-storey (19.8 metres) building	5-storey (16.785 metres)
	25-storey (78.8 metres) tower plus mechanical penthouse (84.8 metres) at south end of site	27-storey (85.485 metres) plus mechanical penthouse (91.485 metres) at south end of site
Building setbacks from property lines – north to south	North to Wilson Avenue – 5.394 metres	North to Wilson Avenue – 4.435 metres
	12-storey mid-rise element fronting Wilson Avenue – 9.0 metres to west, 2.267 – 5.223 metres to east	11-storey mid-rise element fronting Wilson Avenue – 10.1 metres to the west, 8.456 metres to the east
	13-storey element – 25.4 metres to west, 17.267 metres to east	12-storey element – 32.412 metres to the west, 7.2 – 10.2 metres to the east
	11-storey element – 25.4 metres to west, 17.267 metres to east	12-storey element – 25.756 metres to the west, 11.5 – 14.0 metres to the east
	6-storey element – 16.4 metres to west, 23.63 metres to east,	5-storey element – 19.0 metres to the west, 18.2 metres to the east
	25-storey tower- 5.5 metres to west, 7.448 metres to east, 12.486 metres to south	27 storey tower - 10.243 metres to west, 5.101 metres to east, 9.5 meters to south lot line
Tower Floor Plate (Gross Construction Area)	Floors 2 to 3 – 3,277 square metres, floors 4 to 6 – 3,192 square metres, floors 7 to 11 – 2,975 square metres, floor 12 – 2,286 square metres, floor 13 – 1,295 square metres, floors 14 to 25 – 802 square metres	Floors 2 to 3 – 3,213 square metres, floors 4 to 5 – 3,134 square metres, floors 6 to 7 – 2891 square metres, floor 8 to 11 – 2,673 square metres, 12 floor – 1,642 square metres, floors 13 to 27– 750 square metres
Total Residential Gross Floor Area	45,068 square metres	43,039 square metres

Floor Space Index	6.4 times the lot area	6.09 times the lot area
Existing Residential Units	Studio – 1 (1.6%) One-bedroom – 31 (50.8%) Two bedroom – 29 (47.5%) Total Existing – 61 units	Studio – 1 (1.6%) One-bedroom – 31 (50.8%) Two bedroom – 29 (47.5%) Total Existing – 61 units
Proposed Residential Units (including replacement units)	Studio – 74 (13%) One-bedroom – 299 (52.5%) Two bedroom – 123 (21.5%) Three bedroom – 74 (including 7 townhouses) (13%) Total Proposed – 570 (includes 61 replacement units) (100%)	Studio – 51 (9.1%) One-bedroom – 261 (46.7%) Two bedroom – 183 (32.7%) Three bedroom – 58 (including 6 townhouses) (10.4%) Total Proposed – 559 (includes 61 replacement units) (100%)
Amenity Area Proposed	Indoor – 1,286 square metres Outdoor – 907 square metres Total – 2,193 square metres	Indoor – 1,498 square metres Outdoor – 993 square metres Total – 2,495 square metres
Vehicular Parking Proposed (Residential: Visitor)	477 spaces (419:58)	443 spaces (414:29)
Bicycle Parking Proposed (Long Term: Short Term)	428 spaces (388:40)	421 spaces (381:40)

Rental Housing Demolition and Conversion By-law

On September 29, 2021 a Rental Housing Demolition application was submitted to demolish 61 rental dwelling units on the site. The application proposes to replace all 61 existing rental units.

Additional Information

See Attachments 1-8 of this report for an Application Data sheet, location map, 3D Building Massing models, building elevations, and a site plan of the proposal.

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/>

ISSUE BACKGROUND

Reasons for Application

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

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

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

POLICY CONSIDERATIONS

Official Plan Designation: The site is designated *Apartment Neighbourhoods* on Land Use Map 16 of the Official Plan.

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

COMMENTS

Provincial Framework

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 (“PPS”) and shall conform to provincial plans. Staff’s review of this application has had regard for the relevant matters of provincial interest set out in the Planning Act. Staff has reviewed the current proposal for consistency with the PPS, and conformity with the Growth Plan. Staff find the proposal to be generally consistent with the PPS and conforms with the Growth Plan but would note that Policy 1.6.6.6 of the PPS is subject to the demonstration of adequate servicing capacity being available. The report contains a recommendation to address this and other matters raised by Engineering and Construction Services

Land Use

The site is designated *Apartment Neighbourhoods* by Land Use Map 16 of the Official Plan and identified as being within an *Avenue* overlay on the Urban Structure Map 2. The proposed residential apartment building is permitted by the Official Plan designation of *Apartment Neighbourhoods* on the site. The City's Official Plan directs that infill in *Apartment Neighbourhoods* may be appropriate subject to a number of policy directives, including addressing matters that would contribute to a quality of life and being compatible with adjacent properties. On this basis, the proposed residential development could be appropriate subject to addressing the matters raised in this report.

Built Form

Development along an *Avenue* prior to an Avenue Study will implement the policies of the Official Plan. Amongst others, development that precedes an Avenue Study must demonstrate that there will be no adverse impacts to the entire *Avenue* segment. In consideration of the foregoing, the proposed 27-storey tower element and the deployment of density on the subject lands as presently constituted needs to be carefully considered to provide for a context-sensitive proposal.

At the south end of the site, the tower appears to be provided with a 7-storey base building. The tower does not have direct frontage on a public street to anchor the building or provide an address or entrance. In this regard, the applicant needs to provide other means to provide this building component with address and street presence.

The base building of the tower has a setback of 5.1 metres at the southeast corner and should be setback more to ensure an appropriate interface with the adjacent property to the east. This setback should be increased to at least 5.5 metres but not at the expense of other setbacks on the site which should remain or be increased.

The proposal is comprised of two tall (12-storeys each) buildings and a mid-rise building (5-storeys) element between the Wilson Avenue component and the tower at the south end of the site forming the base of the building. The Official Plan policies direct that a tall building should typically be designed to consist of a base, a tower and a top. The proposal as presently constituted does not conform to this policy. Clear base and tower elements should be provided.

Tall buildings and mid-rise buildings are guided by the City's design guidelines. The building separation distance between the tower and the closest 12-storey component to the north is only 11.0 metres. The separation distance is not sufficient for units that have primary windows facing this area and should be increased to improve privacy and limit overlook. This separation distance should be increased.

There are some areas on site where balconies have been incorporated into the building but they are filling desirable setback and stepback areas. The presence of vertical rows of balconies negates the effect of setbacks and stepbacks on a building, minimizing pedestrian perception zones and increasing the bulk of a building in terms of shadowing.

Tower Floor Plate

The tower floor plate size in the original proposal exceeded the maximum floor plate size recommended by the Tall Buildings Guidelines of 750 square metres. The original proposal had a gross construction area tower floor plate of 802 square metres from the 14th floor and up. The current plans propose a gross construction area for the tower of 750 square metres from the 14th floor and up. As noted in the above section of this report, a tall building is to have a clear base, tower and top. The proposed floor plate of 750 square metres should apply to all floors above the base, and not only to floors 14th and up.

Site Organization, Driveway Access, Pedestrian Circulation

In the November 21, 2021 proposal, the driveway access along the west property line ran the entire extent of the site, from Wilson Avenue southerly to the tower at the south end, with a potential to connect along the south side of the tower to the private driveway owned by the southerly neighbour at 1263 Wilson Avenue. The proposed loading and servicing area and the vehicular access to the underground parking structure would be provided under the tower building at the extreme south end of the site. This scheme brought vehicles much further into the site than is desirable, provided a lot of hard surface on the site, offered multiple pick-up/drop off areas and created numerous points of potential conflict between vehicles and pedestrians. The length of the driveway along the west lot line also provided a poor interface with the neighbouring property at 1277 Wilson Avenue, which has an open landscaped area immediately to the west.

The December 9, 2022 submission addresses many of the above-noted city planning concerns. The driveway length has been shortened so that it extends approximately half way into the depth of the site, with a single drop-off/pickup cul-de-sac area to serve both the mid-rise component on Wilson Avenue and the tower element at the south end. The loading and servicing area, and vehicular access to the underground garage has been relocated to be under the mid-rise building along Wilson Avenue. This scheme also provides an improved relationship to the open space on the neighbouring property at 1277 Wilson Avenue.

There are, however, impacts from this revised scheme. For example, the townhouses which were previously along Wilson Avenue have been relocated to the south end of the tower. The previous location of the townhouses has been replaced with indoor amenity space, some of it oddly configured and of questionable usability. The proposed indoor amenity space along Wilson Avenue should be appropriately sized to allow for programming that enables an active

street frontage. It is City Planning staff's opinion that the residential element along Wilson Avenue should be reinstated as it has the potential to provide overlook and activation along Wilson Avenue that passive amenity space does not.

Increasing the amount of open space on site provides additional opportunity to provide improvements to the on-site pedestrian circulation and increase the outdoor amenity areas for future residents. Segments of walkways have been provided to the west of the proposed building but dimensions have not been provided regarding their width. Moreover, some of these walkways have the potential to put pedestrians in conflict with the proposed loading and servicing area and vehicular ramp to the underground garage beneath the Wilson Avenue 11-storey building. To the east of the building, the applicant has depicted a north-south pedestrian connection on the abutting neighbouring property at 1263 Wilson Avenue to provide a sidewalk along their driveway, which currently does not exist. This connection must be located entirely within the subject lands.

Landscaping

The reduction of the length of the driveway from Wilson Avenue into the site and the removal of the driveway around the south end of the tower component has implications for the amount of landscaped areas on site. The neighbouring property to the west has a large open space with mature trees immediately adjacent to the subject lands. The increase in open space and landscaping on the subject site creates a larger contiguous landscaped area in conjunction with that of the neighbouring property.

The underground garage has been provided with varying setbacks from the property lines ranging from 0.981 metres to 1.247 metres. We recommend that the below-grade garage footprint be reduced for the purpose of maximizing existing tree retention around the site periphery and to ensure that new trees are planted in native soil and not impeded by the location of the garage.

We are aware that there are grading differences between the subject site and adjacent properties, particularly to the east. The applicant should provide drawings to better capture the grading relationship with the adjacent properties to ensure smooth transition.

Parking and Loading

The parking space requirements for the proposal are governed by the applicable parking provisions contained in Zoning By-law 569-2013. However, Zoning By-law 89-2022 was recently approved in order to update the parking requirements for development proposals. As a result, Transportation Services can support the parking being provided for this project in accordance with Zoning By-law No. 89-2022. Based upon By-law 89-2022, the minimum parking required for this development is 29 spaces and the maximum parking required for this development is 534 parking spaces. The applicant has proposed 443 parking

spaces, which is acceptable. In terms of accessible parking spaces, By-law 89-2022 requires a minimum of 5 parking spaces plus 1 parking space for every 50 effective parking spaces or part thereof, in excess of 100 parking spaces. As per the By-law, the proposed number of accessible parking spaces for this development is 13 spaces while 14 spaces are required. The proposal is to be revised to provide for the minimum required accessible parking spaces.

With regard to loading space requirements, a minimum of two loading spaces are required for this development; a Type 'C' space and a Type 'G' space. The site proposes a 1 Type 'C' space and 1 Type 'G' space, which is acceptable.

Bike Parking

The applicant is proposing a total of 421 bicycle parking spaces on site. The long-term bicycle parking spaces are provided in the P1 level of the parking garage, the majority of them being provided at the south end under the tower element of the building. The only bicycle elevator for the building is provided in this location as well. A small number of long term bicycle parking spaces are provided on the P1 level of the parking garage, in the central east portion of the building closer to the Wilson Avenue end but it is unclear how cyclists would get up to grade from this location, without walking their bikes along the drive aisle south toward the bike elevator or going north up the vehicular ramp to grade, both potentially dangerous. The only bike repair station provided appears to be located in this isolated bicycle parking area previously mentioned. The applicant should consider locating bicycle parking areas that take into consideration the safety of the cyclists and convenience to the bike repair stations. The provision of the bike parking areas should be more evenly distributed throughout the P1 level parking garage and have good access to bicycle elevators to grade and consideration could be given to providing additional repair stations in various locations.

Rental Housing Replacement

This application involves the demolition of rental housing. Official Plan Policy 3.2.1.6 requires new development that would result in the loss of six or more rental dwelling units to replace at least the same number, size, and type of rental units at similar rents to those in effect at the time of application. The policy also requires the applicant to provide an acceptable tenant relocation and assistance plan, addressing the right of existing tenants to return to the replacement units at similar rents and other assistance to lessen hardship.

The subject site is currently occupied by a 4-storey rental apartment building that contains 61 rental units. The application proposes to replace the existing rental units with 1 studio, 30 one-bedroom and 30 two-bedroom replacement rental dwelling units. City Planning staff have requested the applicant submit additional information to confirm the unit mix of the existing rental units as well as a revised rental replacement strategy to ensure all 61 existing rental dwelling units are replaced by the same bedroom type and size and with similar rents.

Other matters to be resolved include an appropriate tenant relocation and assistance plan for eligible tenants addressing the right to return to occupy a replacement rental unit at similar rents and other assistance to lessen tenant hardship.

In the event that the OLT allows the Zoning By-law Amendment application appeal in whole or in part, City staff recommend that the City Solicitor request that the Tribunal withhold its final Order until it has been advised that City Council has approved the Rental Housing Demolition application and secured the replacement rental housing and tenant relocation and assistance plan in a Section 111 agreement. Prior to a decision by Council on the Rental Housing Demolition application, a tenant consultation meeting will be held to review the impact of the proposal on tenants of the residential rental property.

Transportation Demand Management (TDM)

A TDM plan was included as part of the applicant's Updated Transportation Impact Study (TIS) Report submitted in support of the application. The TDM plan specified measures such as a bicycle repair station and car-share vehicle and space to reduce the single occupancy auto vehicle trips generated by the proposed development. However, additional information is required in order for staff to assess the appropriateness of the proposed TDM Plan. Staff have also asked the applicant to consider additional TDM measures that are appropriate for the subject site.

In the event that the OLT allows the Zoning By-law Amendment application appeal in whole or in part, the final Order should be withheld pending confirmation that the owner has submitted a revised Transportation Demand Management Plan acceptable to, and to the satisfaction of the Chief Planner and Executive Director, City Planning and the General Manager, Transportation Services and that such matters arising from such study be secured, if required.

Servicing

A Functional Servicing and Stormwater Management Report and associated plans have been submitted for the site and have been reviewed by Engineering and Construction Services. Revisions to the Functional Servicing and Stormwater Management Report are required prior to acceptance by Engineering and Construction Services.

Due to the outstanding servicing issues, staff are recommending the subject lands be zoned with a holding provision ("H") until such time as an acceptable sanitary system solution is constructed and operational as determined by the Chief Engineer & Executive Director, Engineering and Construction Services which may include the applicant obtaining MECP Environmental Compliance Approval and upgrading the existing municipal infrastructure off site.

The applicant will also be required to make satisfactory arrangements with Engineering and Construction Services and enter into the appropriate agreement with the City for the design and construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support this development, according to the accepted Functional Servicing Report accepted by the Chief Engineer & Executive Director of Engineering and Construction Services.

In the event that the OLT allows the Zoning By-law Amendment appeal in whole or in part, the final Order should rezone the lands with a Holding provision.

Indoor/Outdoor Amenity Space

The City of Toronto standard for amenity space is 2 square metres minimum of each indoor and outdoor amenity area. For a development of 559 residential units, a minimum of 1,118 square metres of indoor and 1,118 square metres of outdoor amenity area minimum.

The November 1, 2021 submission of the application submission proposed a total of 2,193 square metres of amenity area with 1,286 square metres being indoor amenity area and 907 square metres being outdoor amenity area, reflecting a shortage of outdoor amenity area for this development.

The December 9, 2022 development scheme proposes a minimum of 1,498 square metres of indoor amenity area and 995 square metres of outdoor amenity area for a total of 2,493 square metres of amenity area. This reflects an increase of both indoor and outdoor amenity area but is still less than the minimum city standard for outdoor amenity area. While the minimum indoor amenity area is being provided in the current proposal, the applicant should revise the proposal to increase the outdoor amenity space and meet the minimum of 2.0 square metres per unit proposed.

Toronto Green Standard

The applicant is required to meet Tier 1 of the Toronto Green Standard, and is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and achieving net-zero emissions by 2040 or sooner. Standards for matters such as a Travel Demand Management (TDM) Plan, tree planting areas, tree soil volume, trees along street frontages and Engineering and Construction Services-related requirements as noted in City-division memorandums provided to the applicant and noted previously in this report, have not been met by the proposed development.

In the event that the OLT allows the Zoning By-law Amendment appeal in whole or in part, the final Order should be withheld pending the confirmation that the Owner has submitted an updated and acceptable Toronto Green Standards (TGS) Checklist and Statistics Template, to the satisfaction of the Chief Planner and Executive Director, City Planning.

Parkland

The site is approximately a 300 metre walk from Roding Park, an 80,000 square metre park which contains a ball diamond, two tennis courts, four bocce courts, a children's playground, and the Roding Community Centre.

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 of this proposal is subject to a cap of 10% parkland dedication.

The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. The appraisal will be conducted upon the submission of an application for the first above ground building permit and is valid for six months. Payment will be required prior to the issuance of said permit.

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

Public Art

Section 3.1.4 of the Official Plan encourages the inclusion of public art in all significant private sector developments across the City. At a total gross floor area of more than 45,000 square metres, the applicant is encouraged to consider the inclusion of public art in this development.

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020) and the Toronto Official Plan. Staff are of the opinion that the proposal is generally consistent with the PPS (2020) subject to demonstration of adequate servicing capacity for the proposal. Further, it does not conflict with the Growth Plan (2020) that is in effect at the time of this report. A further assessment would have to be undertaken should a new Provincial Planning Statement come into effect prior to the OLT making a decision. The proposal as presently constitutes does not conform to the Official Plan.

Staff recommend that City Council direct City Staff to continue to negotiate with the applicant to resolve the outstanding issues detailed in this report and that arise through the appeal process. City Council direct the City Solicitor, and appropriate City Staff, to attend at the OLT and oppose the application in its current form, as per the issues identified in this report and those issues that may arise as a results of further discussions.

CONTACT

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SIGNATURE

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

ATTACHMENTS

Attachment 1: Application Data Sheet
Attachment 2: Location Map
Attachment 3a: 3D Model of Proposal in Context Looking southwest from Wilson Avenue
Attachment 3b: 3D Model of Proposal in Context Looking northeast
Attachment 4: Simplified Site Plan
Attachment 5a: North Elevation (Wilson Avenue)
Attachment 5b: South Elevation
Attachment 5c: East Elevation
Attachment 5d: West Elevation
Attachment 6: Official Plan Urban Structure Map 2
Attachment 7: Official Plan Land Use Map 16
Attachment 8: Zoning By-law No. 569-2013 Map

Attachment 1: Application Data Sheet

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

Application Number: 21 219425 NNY 06 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: The applicant has filed an application for Zoning By-law Amendment to facilitate the development of a 27-storey rental apartment building containing 559 residential units (including 61 rental replacement units) and 45,741square metres and a Floor Space Index of 6.47. There is an existing 4-storey rental apartment on the site which would be demolished. The applicant has filed a concurrent Rental Housing Demolition application (21 219452 NNY 06 RH)..

Applicant	Agent	Architect	Owner
HAZELVIEW DEVELOPMENTS INC	David Charezenko, Bousfields Inc.	Diamond Schmitt Architects	MR-V 1265 WILSON AVENUE INC

EXISTING PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhoods	Site Specific Provision:	N
Zoning:	RM (f24.0; a1100; d0.75)	Heritage Designation:	N
Height Limit (m):		Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 7,065.21 Frontage (m): 69 Depth (m): 116

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	1,330		2,903	2,903
Residential GFA (sq m):	5,300		43,928	43,928
Non-Residential GFA (sq m):				
Total GFA (sq m):	5,300		43,928	43,928
Height - Storeys:	4		25	25
Height - Metres:	12		79	79
Lot Coverage Ratio (%):	41.09		Floor Space Index:	6.47

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	45,741	19,468
Retail GFA:		
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	61	0	559	559
Freehold:				
Condominium:				
Other:				
Total Units:	61		559	559

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		51	261	183	64
Total Units:		51	261	183	64

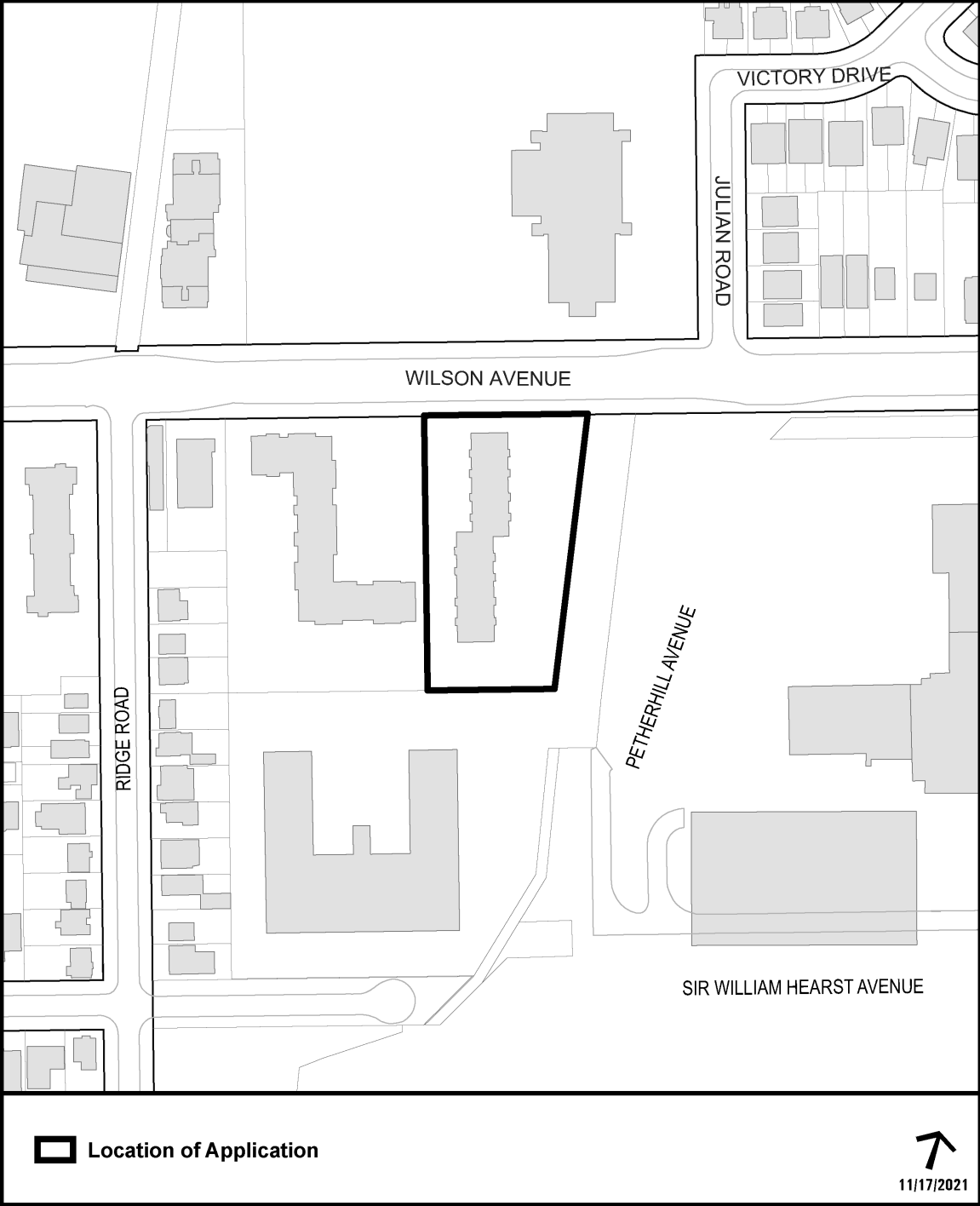
Parking and Loading

Parking Spaces: 443 Bicycle Parking Spaces: 421 Loading Docks: 2

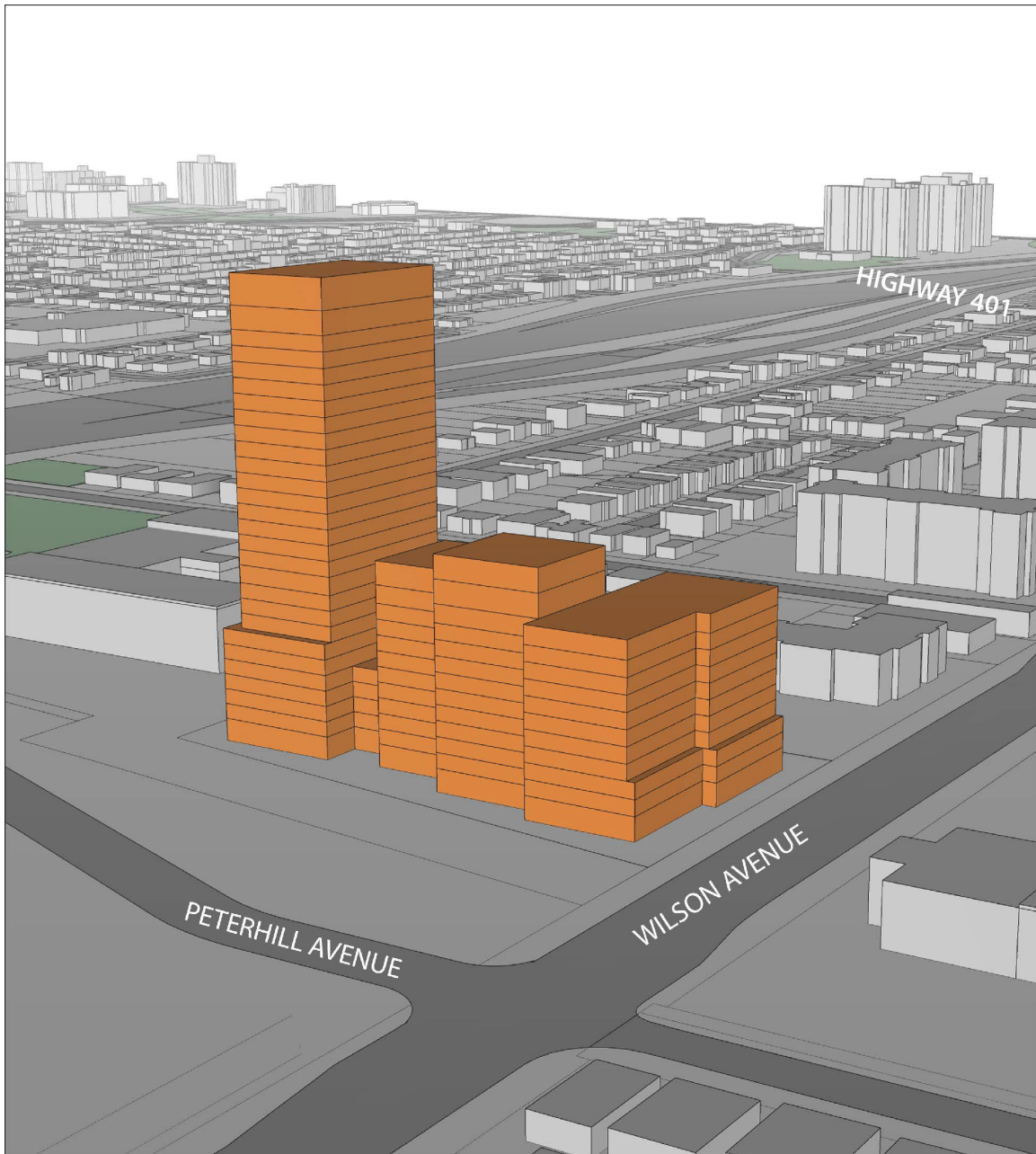
CONTACT:

Cathie Ferguson, Senior Planner
(416) 395-7117
Cathie.Ferguson@toronto.ca

Attachment 2: Location Map



Attachment 3: 3D Model of proposal in context looking southwest from Wilson Avenue



View of Applicant's Proposal Looking Southwest


07/28/2023

Attachment 3: 3D Model of proposal in context looking northeast

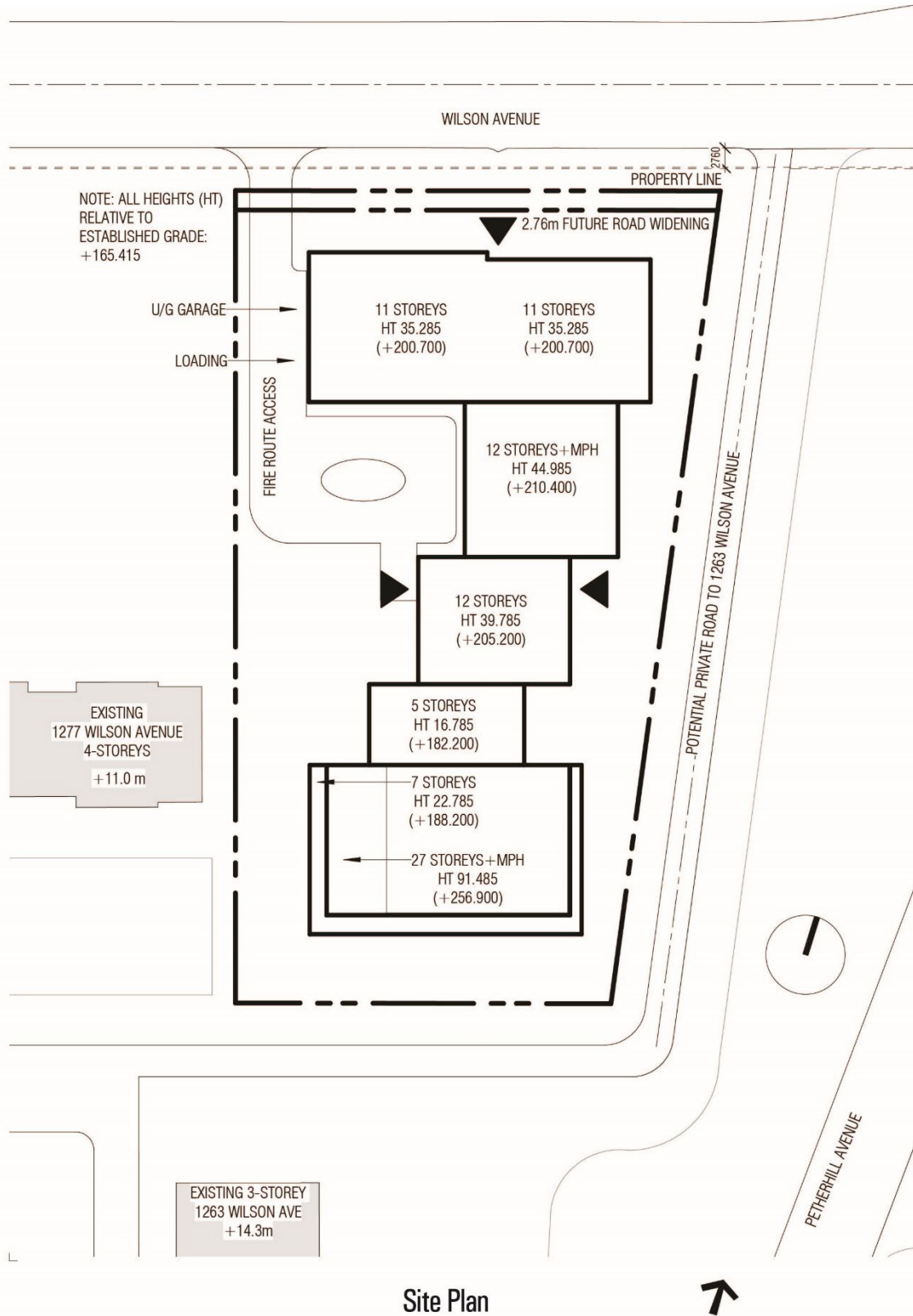


View of Applicant's Proposal Looking Northeast

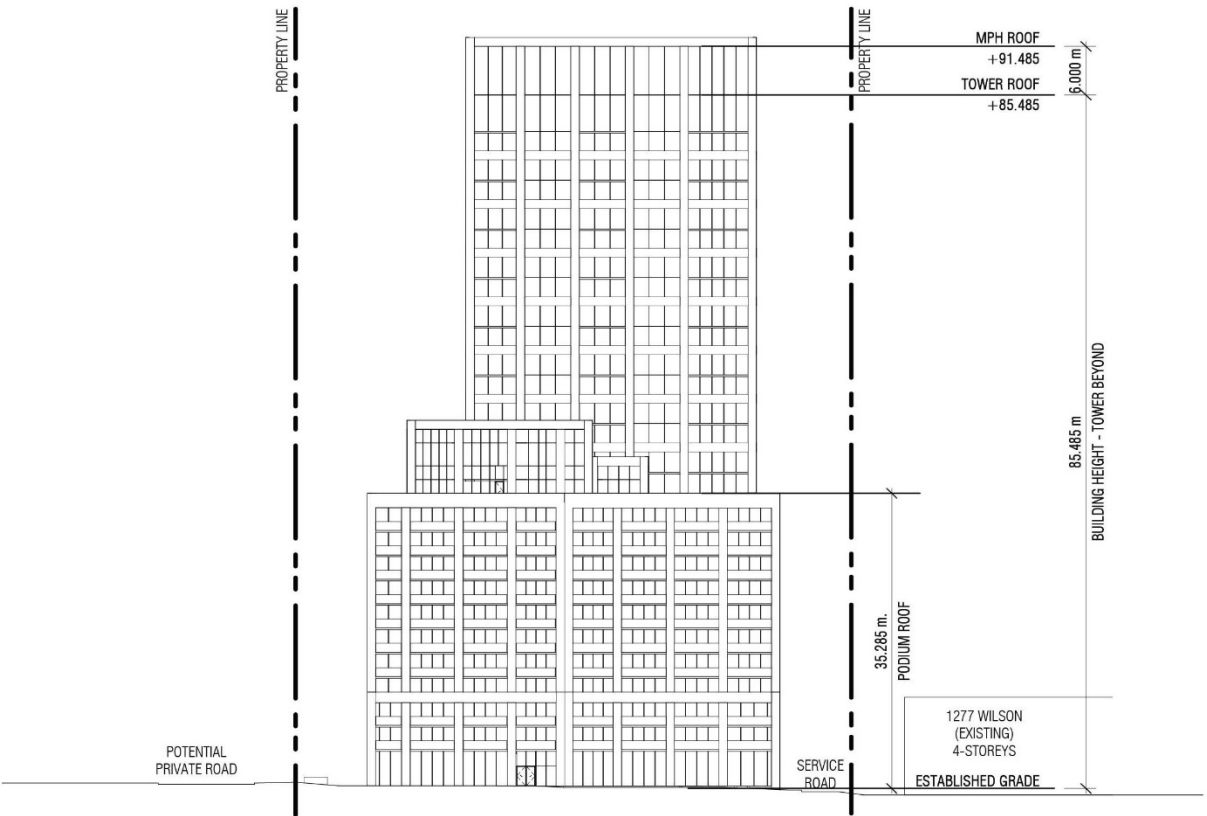


07/28/2023

Attachment 4: Simplified Site Plan

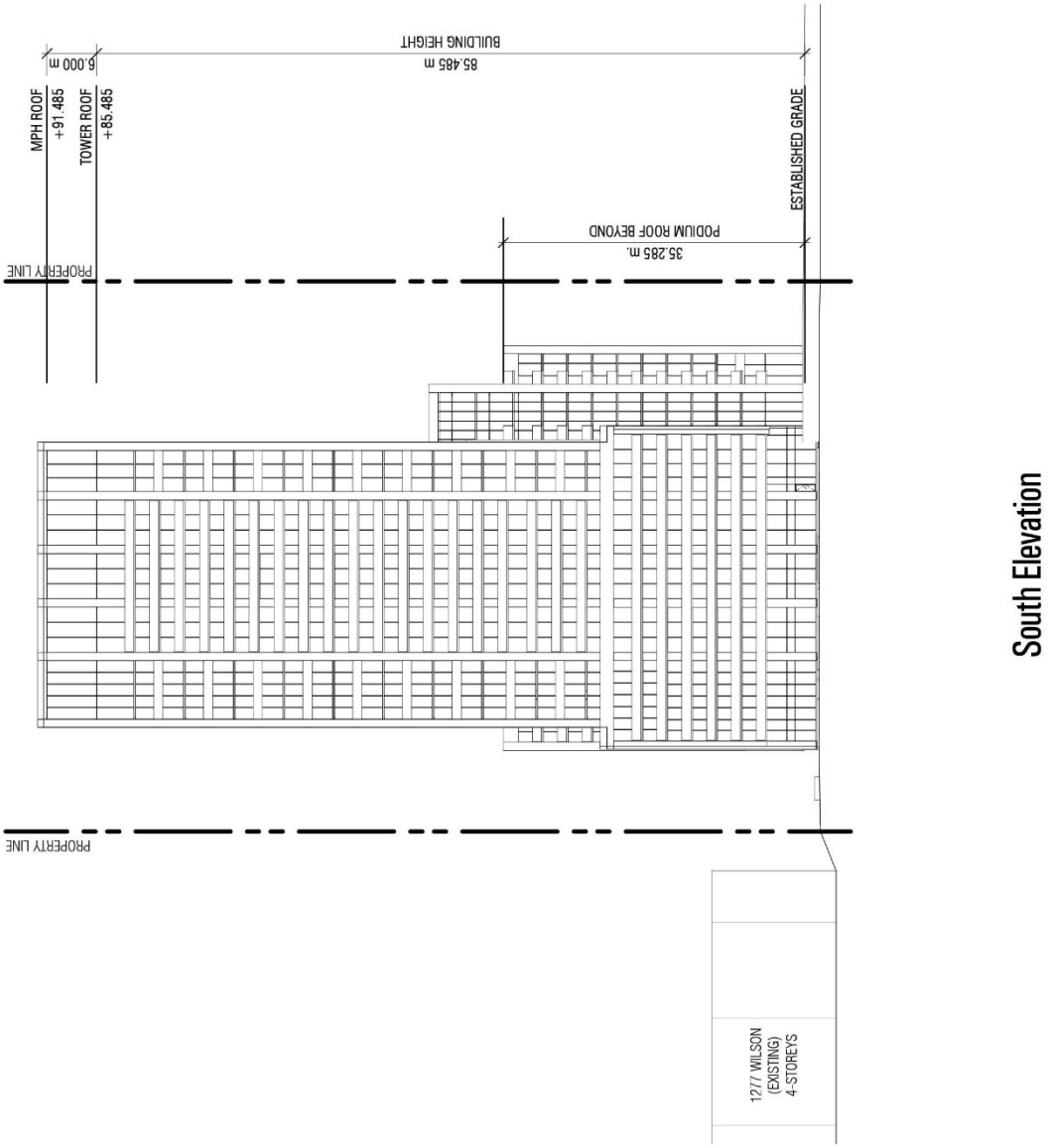


Attachment 5a: North Elevation (Wilson Avenue)



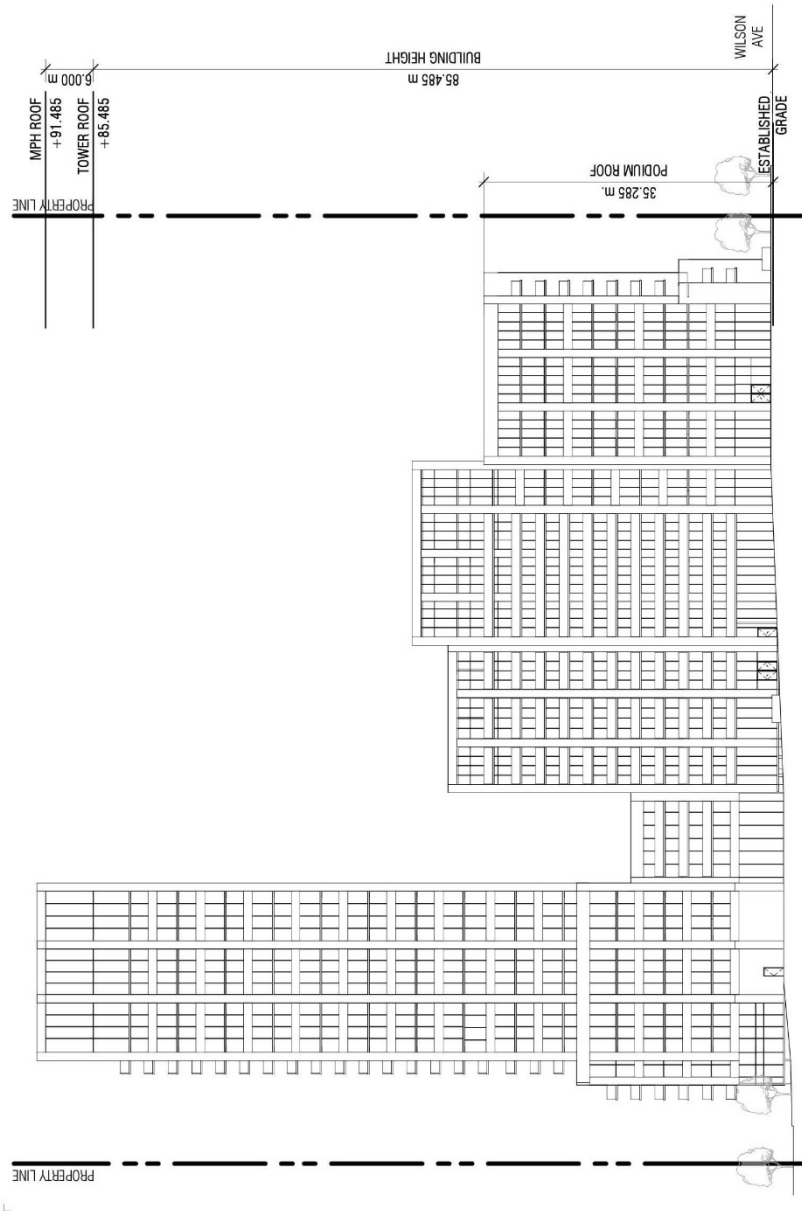
North Elevation

Attachment 5b: South Elevation



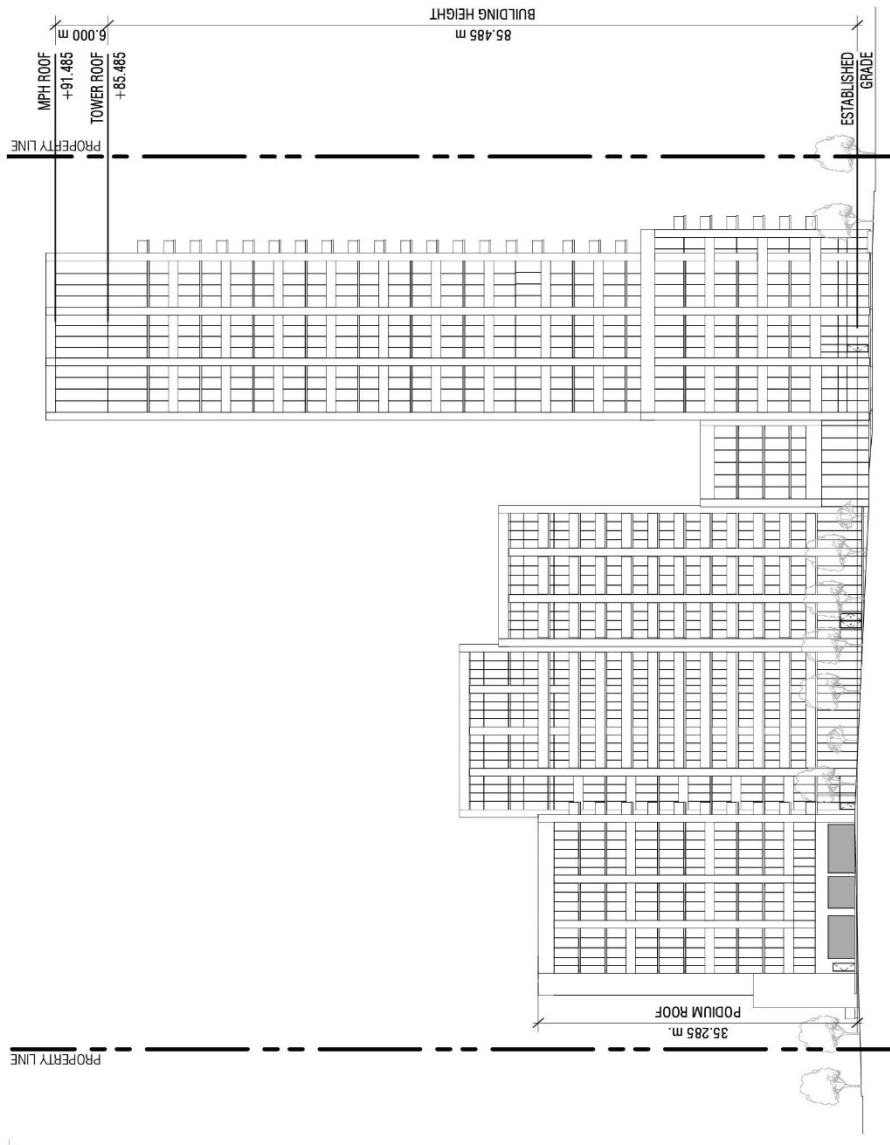
South Elevation

Attachment 5c: East Elevation



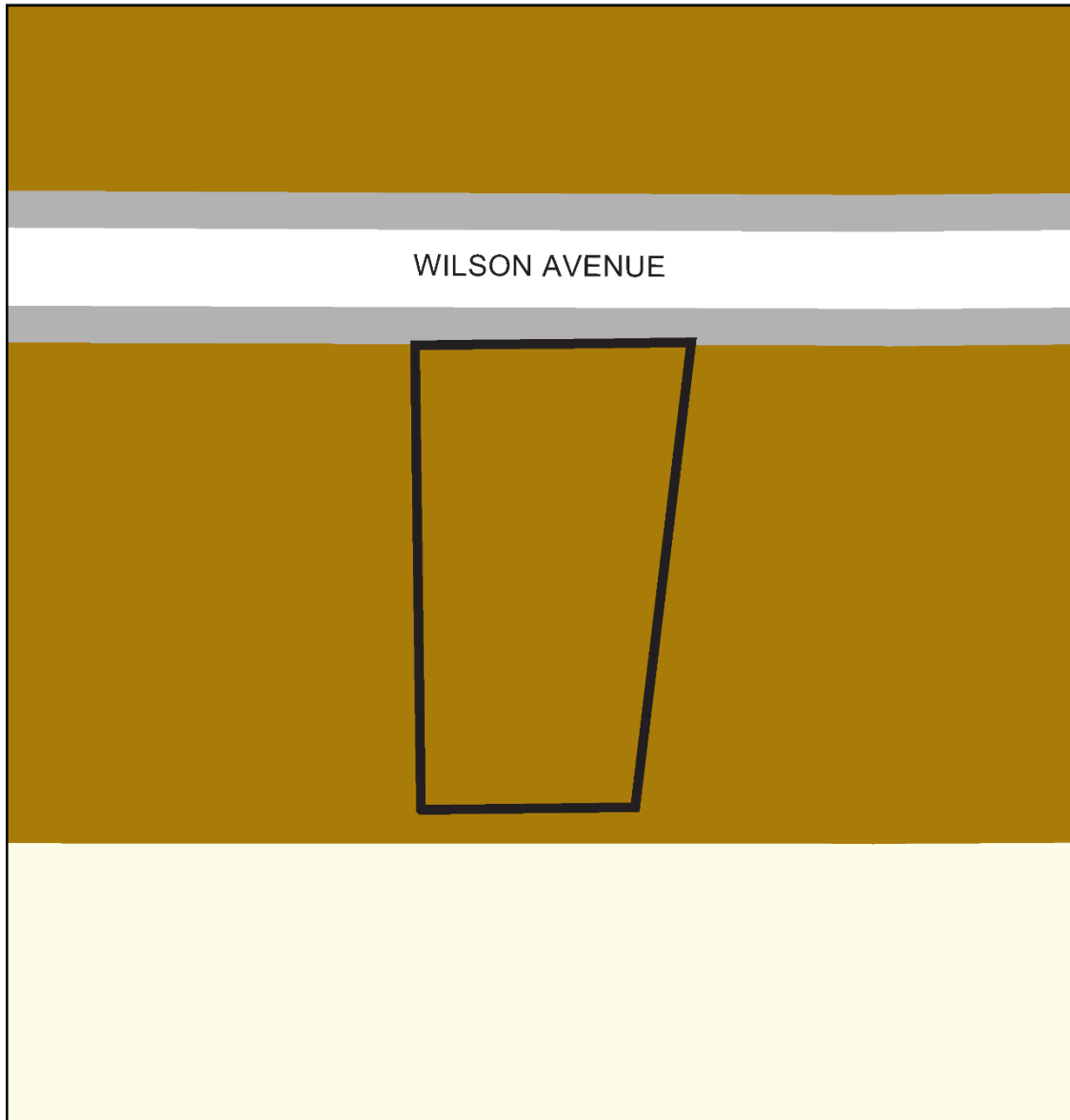
East Elevation

Attachment 5d: West Elevation



West Elevation

Attachment 6: Official Plan Urban Structure Map 2



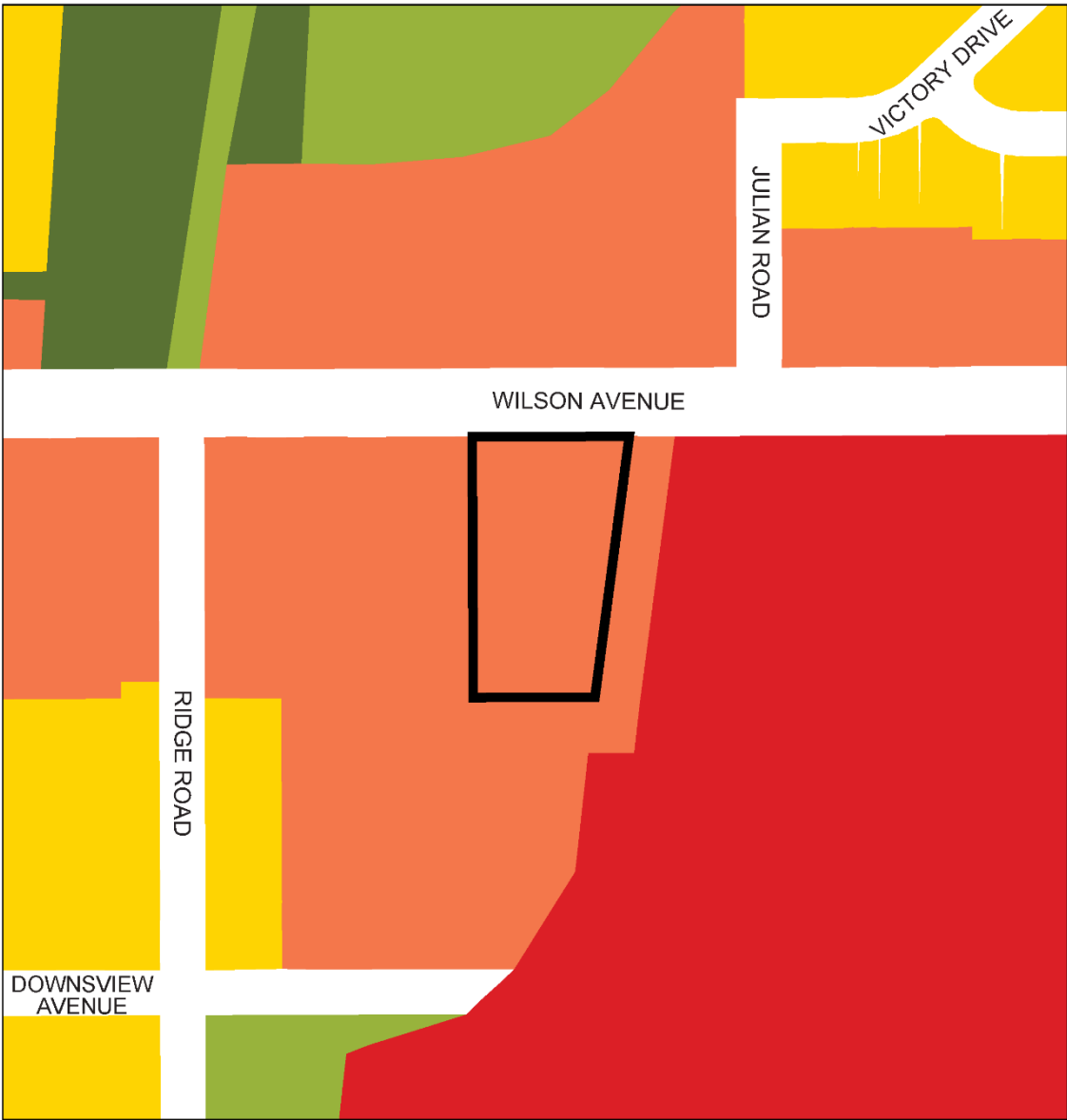
Official Plan Map #2 Urban Structure

1265 Wilson Avenue
File # 21 219425 NNY 06 0Z



↑
Not to Scale
Extracted: 11/25/2021

Attachment 7: Official Plan Land Use Plan Map 16




Official Plan Land Use Map #16

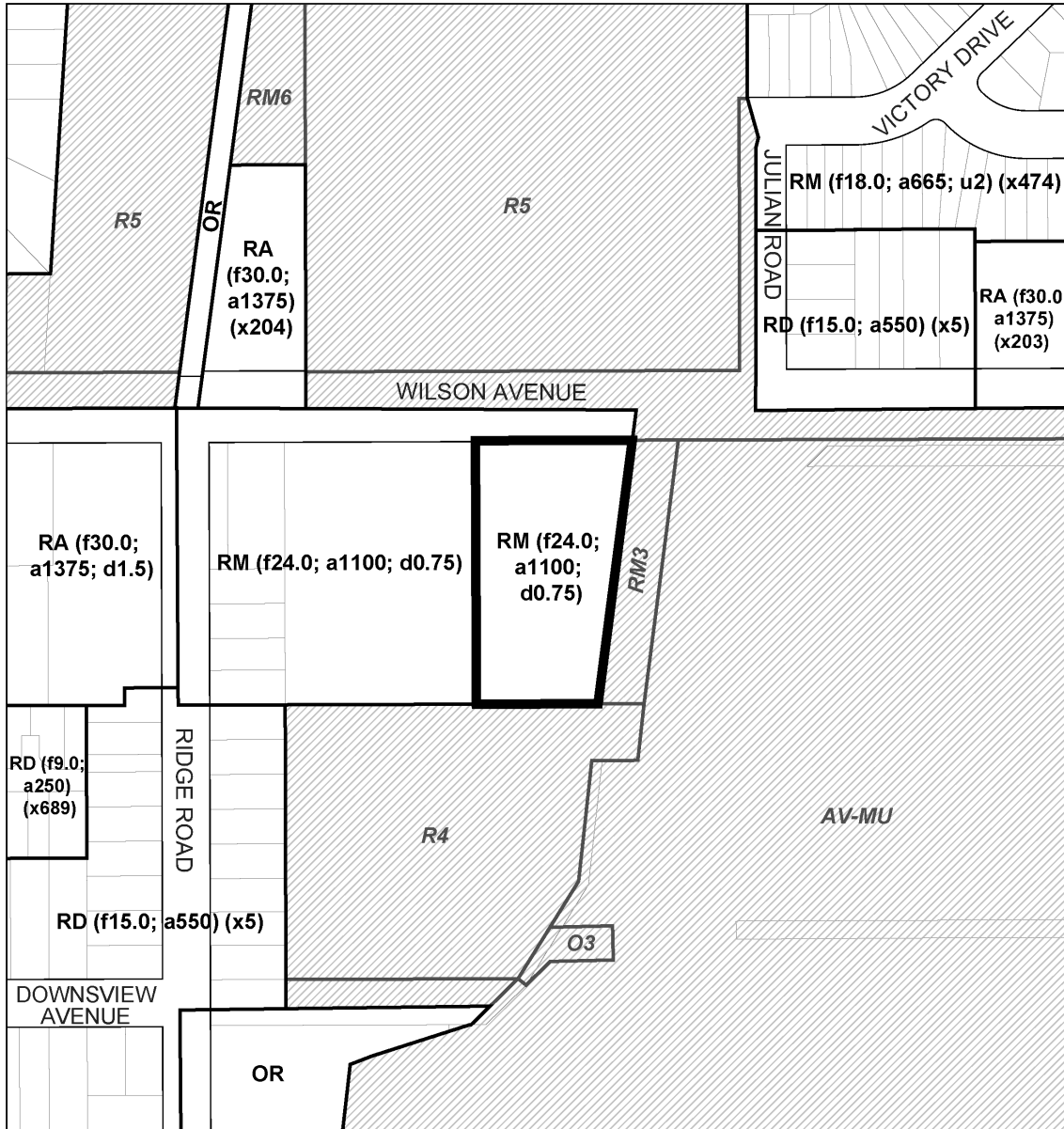
1265 Wilson Avenue

File # 21 219425 NNY 06 0Z

-  Location of Application
-  Neighbourhoods
-  Apartment Neighbourhoods
-  Mixed Use Areas
-  Natural Areas
-  Parks


 Not to Scale
 Extracted: 10/04/2021

Attachment 8: Zoning By-law 569-2013 Map



Zoning By-law 569-2013

1265 Wilson Avenue

File # 21 219425 NNY 06 0Z

- Location of Application
- RD** Residential Detached
- RM** Residential Multiple
- RA** Residential Apartment
- OR** Open Space Recreation

- See Former City of North York By-law No. 7625
- R4** One-Family Detached Dwelling Fourth Density Zone
- R5** One-Family Detached Dwelling Fifth Density Zone
- RM3** Multiple-Family Dwellings Third Density Zone
- RM6** Multiple-Family Dwellings Sixth Density Zone
- AV-MU** Avenue Mixed Use Zone
- O3** Semi-Public Open Space Zone



Not to Scale
Extracted: 10/04/2021