

## **429 Walmer Road – Zoning By-law Amendment Application – Decision Report - Approval**

**Date:** August 24, 2023  
**To:** Toronto and East York Community Council  
**From:** Director, Community Planning, Toronto and East York District  
**Ward:** 12 - Toronto-St. Paul's

**Planning Application Number:** 22 192578 STE 12 OZ

### **SUMMARY**

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This report reviews and recommends approval of the application to amend the Zoning By-law to permit a 74-metre (19-storey including mechanical penthouse) mixed-use building at 429 Walmer Road. The proposed building would have a total gross floor area of 18,500 square metres, including 200 square metres of commercial space, and 98 residential dwelling units.

### **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 429 Walmer Road substantially in accordance with the draft Zoning By-law Amendment included as Attachment No. 8 to this report.
2. City Council amend former City of York Zoning By-law 1-83 for the lands at 429 Walmer Road substantially in accordance with the draft Zoning By-law Amendment included as Attachment No. 9 to this report.
3. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.

### **FINANCIAL IMPACT**

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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.

## THE SITE

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**Description:** The site is located on the east side of Walmer Road between St. Clair Avenue West and Heath Street West. The site is rectangular in shape with a total lot area of 2,364 square metres and a 64.8-metre frontage along Walmer Road. There is a grade change of about 3.5 metres from the south to north side of the site.

**Existing Use:** A 6-storey privately-owned long-term care facility which is being transitioned for closure and vacancy as per Provincial approval and regulations.

## THE APPLICATION

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**Description:** A 74-metre (19-storey including mechanical penthouse) mixed-use building.

**Density/Floor Space Index:** 7.8 times the area of the lot.

**Dwelling Units:** 98 dwelling units, includes 28 one-bedroom (29%), 48 two-bedroom (49%), and 22 three-bedroom (22%) units.

**Non-residential component:** 200 square metres of retail/commercial space.

**Access, Parking, and Loading:** Vehicle access would be provided by a driveway from Walmer Road at the north end of the site leading to a three-level underground garage containing 130 residential and 9 residential visitor vehicle parking spaces, and a Type "G" loading space. The proposed 109 bicycle parking spaces would be located on the ground floor and first underground garage level.

**Additional Information:** See Attachment Nos. 1, 2, 3, 4 and 5 of this report, for a location map, application data sheet, three dimensional representation of the project in context, a site plan and ground floor plan of the proposal.

Detailed project information, including all plans and reports submitted as part of the application, can be found on the City's Application Information Centre at:  
<http://app.toronto.ca/AIC/index.do?folderRsn=JWtQH%2B%2BexSO6%2BffqG%2FwAfA%3D%3D>

**Reasons for the Application:** The Zoning By-law Amendment Application proposes to amend Zoning By-law 569-2013 and 1-83 to vary performance standards including building height and building setbacks.

## POLICY CONSIDERATIONS

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**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 (PPS), and shall conform to provincial plans.

**Official Plan Designation:** *Apartment Neighbourhoods*. See Attachment No. 6 of this report for the Official Plan Land Use Map.

**Site and Area Specific Policy (SASP) 717:** delineates the St. Clair West Protected Major Transit Station Area (PMTSA), and specifies minimum population and employment target per hectare and minimum building densities.

**Zoning:** The site is zoned Residential Apartment RA (d2.5) in the City of Toronto Zoning By-law 569-2013 with a permitted maximum height of 24.0 metres, and RM2 in former City of York By-law 1-83, also with a permitted maximum height of 24.0 metres. The zoning categories permit a range of residential uses, including apartment buildings, and other conditional uses. See Attachment No. 7 of this report for the Existing Zoning By-law Map.

**St. Clair Avenue West and Bathurst Street Planning Framework:** places this site within the Tweedsmuir-Walmer Apartments Character Area and identifies built form principles and special public realm features, including: maintaining landscaped setbacks; consolidating and internalizing servicing areas and driveways; maximizing sunlight on streets and sidewalks; mitigating wind impact on open spaces; and transitioning in height and massing from the Station District to the west.

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

- Tall Building Design Guidelines;
- Growing Up Guidelines Planning for Children in New Vertical Communities; and
- Pet Friendly Design Guidelines;

The City's Design Guidelines can be found here:

<https://www.toronto.ca/citygovernment/planning-development/official-planguidelines/design-guidelines/>

**Toronto Green Standard:** The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard.

## COMMUNITY CONSULTATION

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A Virtual Community Consultation Meeting was hosted by City staff on January 11, 2023. Approximately 100 people participated, and a representative from the office of the

Ward Councillor. Following a presentation by City staff and the Applicant, the following comments and issues were raised:

- Concerns regarding the closure of a long-term care facility and impact to the community;
- Concern around the proposed height and massing;
- Concern about the proposed commercial use;
- Desire for additional height and increased number of dwelling units;
- Views from existing tall buildings;
- Desire for the proposal to have rental tenure;
- Desire for the inclusion of affordable housing units;
- Concern about the number of parking spaces, as it relates to an increase in residential street parking, traffic congestion and pedestrian safety; and
- Support for a reduced parking rate given the proximity to the subway.

The issues raised through community consultation have been considered through the review of the application. Comments with respect to the proposed height and massing, commercial retail use, setbacks, and parking rate are addressed in the Comments section below.

## **Statutory Public Meeting Comments**

In making their decision with regard to this application, Council members have the opportunity to view the oral submissions made at the statutory public meeting held by the Toronto and East York Community Council for this application, as these submissions are broadcast live over the internet and recorded for review.

## **COMMENTS**

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### **Provincial Framework**

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 Provincial Policy Statement, and conformity with the Growth Plan. Staff find the proposal to be consistent with the PPS and conforms with the Growth Plan.

### **Built Form**

City Planning staff finds that the proposal conforms with the applicable Official Plan policies with respect to built form and massing.

The development will create a balance of residential and commercial uses and public realm that meet the needs of the local community as anticipated in the Official Plan for *Apartment Neighbourhoods*, the Tall Building Guidelines, Site and Area Specific Policy 717, and the Tweedsmuir Character Area as per the St. Clair Avenue West and Bathurst Street Planning Framework.

The proposed height of approximately 74 metres (19 storeys including the mechanical penthouse) is acceptable given the site's proximity to the St. Clair Avenue West dedicated streetcar line and subway station, and inclusion within a Council delineated PMTSA. The surrounding existing and planned context includes multiple tall buildings to the west and north of the site. The proposed tower achieves appropriate tower setbacks and separation distances to adjacent sites. The transition to lower scale buildings within the *Neighbourhoods* designation, east of the site, is achieved via setbacks and stepbacks. The proposed building height is slightly less than the tall buildings immediately west of the site.

The proposed massing would provide a streetwall height of approximately 30-metres (8-storeys) on Walmer Road, framing the street with good proportion and fitting with the existing and planned context. The base building would also incorporate active ground floor uses such as the residential lobby and commercial space. At the rear, the base building is 26.5 metres (7 storeys), creating a transition to the adjacent lower-scale buildings within the *Neighbourhoods* designation.

At the ground floor level, the proposed development would be setback 10.0 metres from the curb along Walmer Road and approximately 3.5 metres from the front property line. The proposal would maintain the existing sidewalk, and have ample space for tree planting and other soft landscaping. This also achieves the built form objectives and public realm concept envisioned for the Tweedsmuir-Walmer Character Area. At the rear, the ground floor is setback 7.5 metres from the property line, providing an appropriate setback to the east and an area for outdoor amenity space.

Floors 2-8 of the base building would be setback 7.0 metres from both the north and south property lines, and 3.0 metres from the west property line. At the rear, Floors 2-6 would be setback 7.5 metres from the east lot line and Floor 8 would step back further and provide a 9.5 metre setback.

Floors 9-19 would have setbacks from the east, north and south property line of 12.5 metres, and 4.8 metres from the west property line. The proposed tower placement would reinforce the base building as the defining element for the public realm, enhance pedestrian comfort by absorbing downward wind shear, and limit the visual impact of the tower from the ground.

### **Shadow Impact**

City Planning staff find the shadows that would be generated by the proposed development are acceptable and would adequately limit shadow impacts on *Neighbourhoods*-designated lands to the east, particularly during the spring and fall equinoxes.

The shadow studies demonstrate that the proposed development adds incremental shadow on the rear yards of properties immediately east of the site beginning at 2:18pm, and on a few front yards and the public sidewalk at 4:18pm along Shorncliffe Avenue beginning during the spring and fall equinoxes.

## **Wind Impact**

A Pedestrian Level Wind Study was submitted in support of the application. The study indicates that the surrounding public realm would experience wind conditions that are acceptable for the intended use (suitable for sitting or better in the spring/fall/winter, and sitting or better in the summer). A comparison of the existing versus future wind comfort surrounding the study site indicates that the proposed development would have a neutral influence on grade-level wind conditions, even slightly improving wind conditions in various points. The outdoor amenity spaces would be suitable for sitting or sedentary activities throughout the spring and summer without the need for mitigation. The outdoor amenity spaces of adjacent apartment buildings would see negligible changes to the wind conditions.

City Planning staff have reviewed the Pedestrian Level Wind Study and are satisfied with the assessment, conclusions, and recommendations contained within the study.

## **Unit Mix**

The application proposes to provide 48 (49%) of the 98 dwelling units as two-bedroom units, and 22 (22%) of the dwelling units as three-bedroom units, which satisfies the unit mix objectives of Guideline 2.1 of the Growing Up: Planning for Children in New Vertical Communities Urban Design Guidelines (the "Growing Up Guidelines").

## **Amenity Space**

Amenity space for building residents is proposed on the ground floor and mezzanine levels of the proposed development at a rate that would exceed the minimum requirement of 4.0 square metres of amenity space per dwelling unit (of which at least 2.0 square metres shall be indoor) contained in Zoning By-law 569-2013. A total of 953 square metres of indoor amenity space (9.72 square metres per dwelling unit) is proposed along with 380 square metres of outdoor amenity space (3.8 square metres per dwelling unit).

## **Public Realm**

At the ground floor level, the proposed building would be setback 10.0 metres from the curb and approximately 3.0 metres from the front property line.

The proposed setback would accommodate a pedestrian clearway, trees, street furniture, and soft landscaping which is consistent with the existing character of this *Apartment Neighbourhood* and the surrounding properties.

A Landscape Concept Plan submitted in support of the application plans to maintain 2 existing street trees and plant 3 new street trees on Walmer Road.

The residential lobby and commercial retail entrance would be located on the northwest and southwest corners of the site, respectively, and accessed from Walmer Road. These ground floor uses would allow for access and views from the public realm.

City staff are satisfied that the proposal is consistent with the applicable public realm policies of the Official Plan, and incorporates comments made regarding the public realm at community consultations.

### **Tree Preservation**

The applicant proposes to injure 5 City-owned trees regulated by the Street Tree By-law, and 14 privately-owned trees regulated by the Private Tree By-law requiring a permit under the City of Toronto Municipal Code, Chapter 813, the Tree Protection By-law.

### **Parkland**

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

The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. Payment would be required prior to the issuance of the first above-grade building permit for the proposed development.

### **Traffic Impact, Access, Parking**

Vehicular access for parking would be provided from Walmer Road. A driveway at the northwest corner of the site would provide access to a three-level underground parking garage containing a total of 139 parking spaces, including 130 parking spaces for residents, and 9 spaces for residential visitors. A minimum of 9 accessible parking spaces is required. No parking spaces are proposed for the commercial retail use. An enclosed Type G loading space has been provided and would be accessed from the driveway.

A total of 109 bicycle parking spaces are proposed, including 89 bicycle parking spaces for residents, 10 bicycle parking spaces for visitors and 10 bicycle spaces for public use on the P1 and ground floor levels. The proposed number of bicycle parking spaces and the loading space meet Zoning By-law requirements.

Transportation Services staff have reviewed the Urban Transportation Considerations Report and are satisfied with its conclusions.

### **Servicing and Stormwater Management**

The applicant has submitted a Functional Servicing and Stormwater Management Report, prepared by Arcadis IBI Group, dated August 5, 2022 and revised on May 11, 2023, and a Hydrogeological Review Report, prepared by B.I.G Consulting Inc., dated April 22, 2022, and revised on July 21, 2023, all in support of the proposal. Engineering and Construction Services and Toronto Water staff have reviewed the submitted materials and determined they are acceptable.

The owner will also pay for and construct any improvements to the municipal infrastructure in connection with the site servicing report, should it be determined that upgrades to such infrastructure are required to support this development.

Other issues identified by Engineering and Construction Services staff will be addressed as part of the Site Plan approval process.

### **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 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.

### **CONTACT**

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Sipo Maphangoh, Senior Planner  
Tel. No. 416-338-2478  
E-mail: Sipo.Maphangoh@toronto.ca

### **SIGNATURE**

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Oren Tamir, Acting Director  
Community Planning, Toronto and East York District

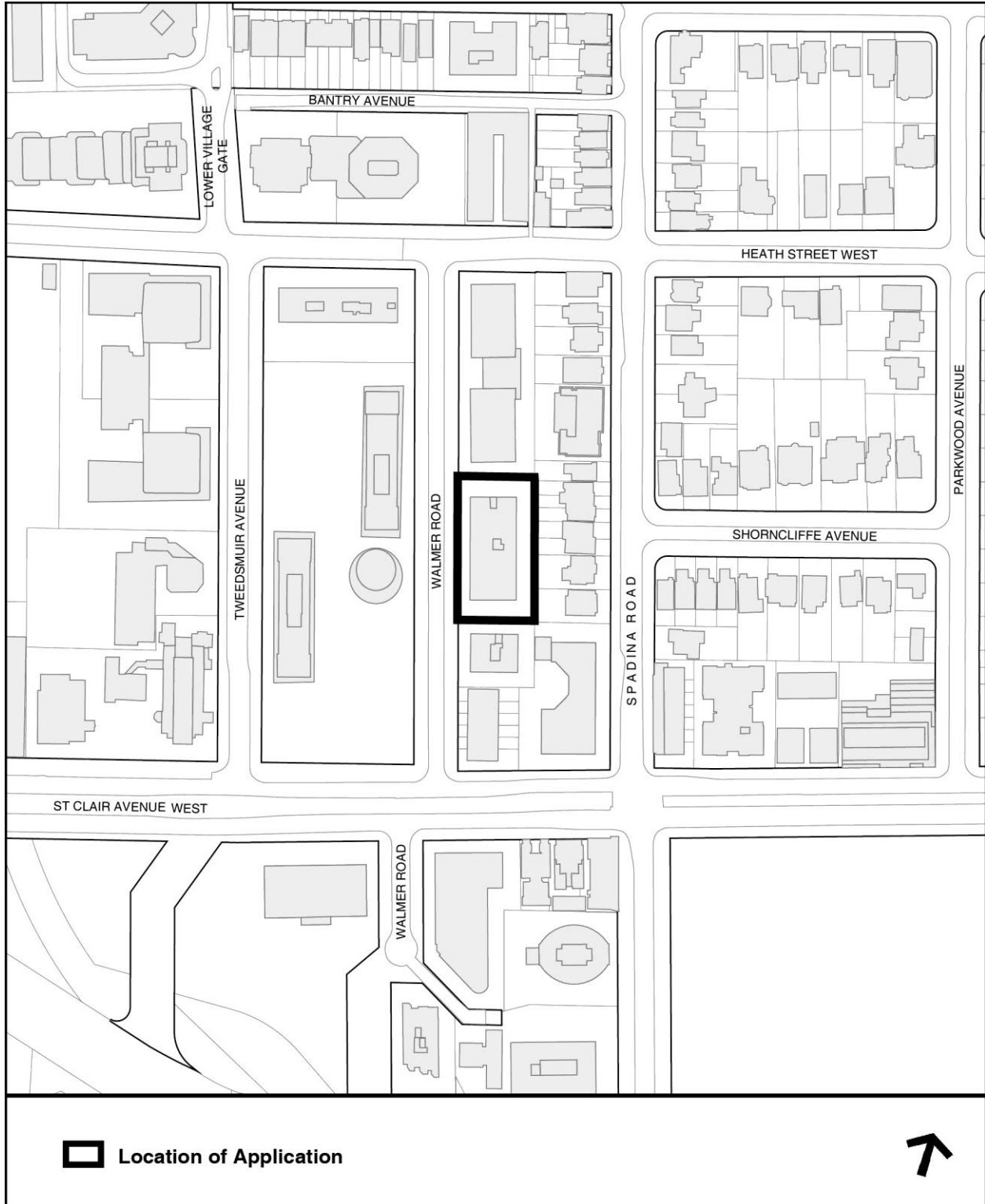
### **ATTACHMENTS**

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- Attachment 1: Location Map
- Attachment 2: Application Data Sheet
- Attachment 3: 3D Model of Development in Context
- Attachment 4: Site Plan
- Attachment 5: Ground Floor Plan
- Attachment 6: Official Plan Land Use Map
- Attachment 7: Existing Zoning By-law Map
- Attachment 8: Draft Zoning By-law Amendment 569-2013
- Attachment 9: Draft Zoning By-law Amendment 1-83

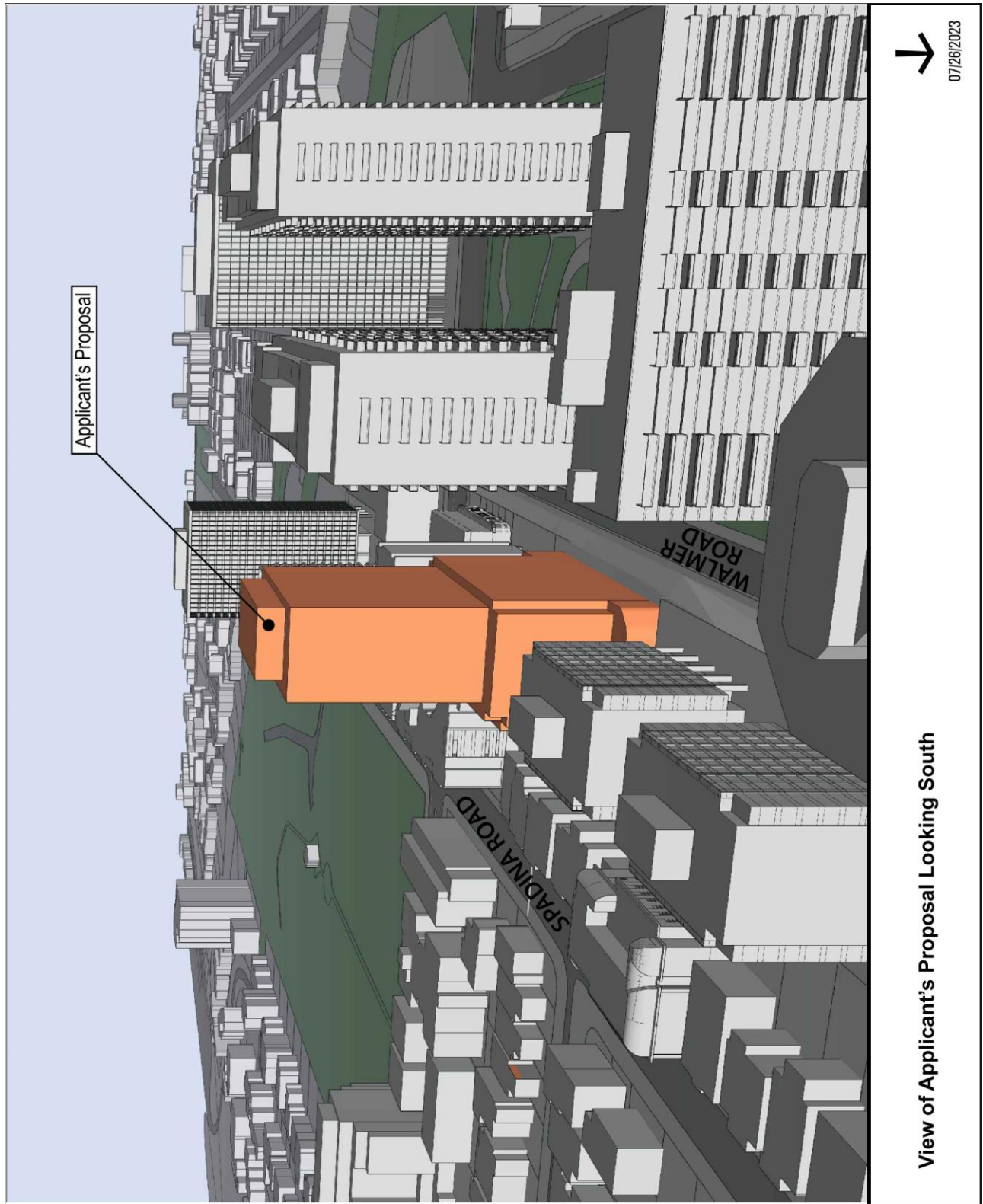


Attachment 1: Location Map

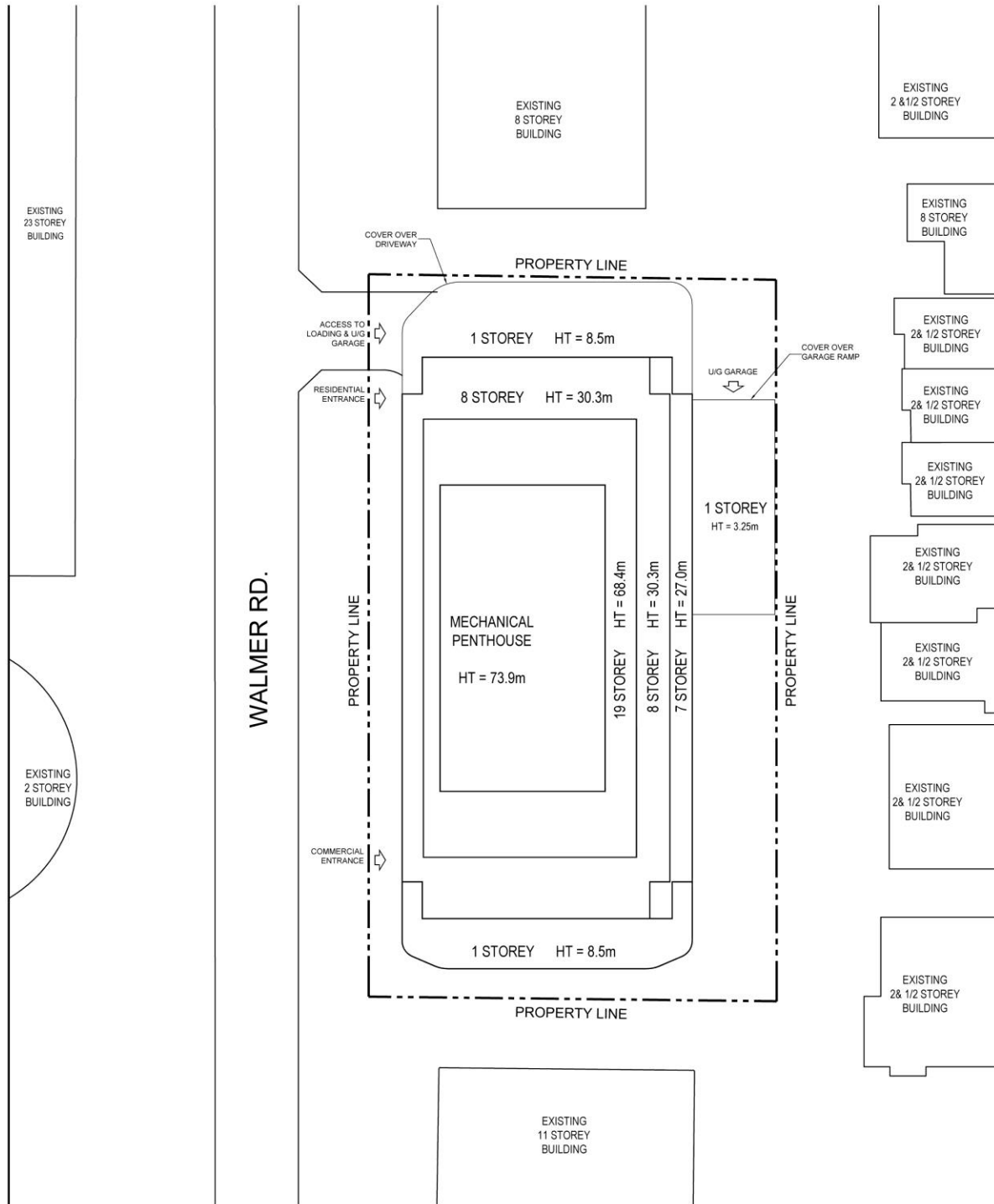




Attachment 3: 3D Model of Development in Context



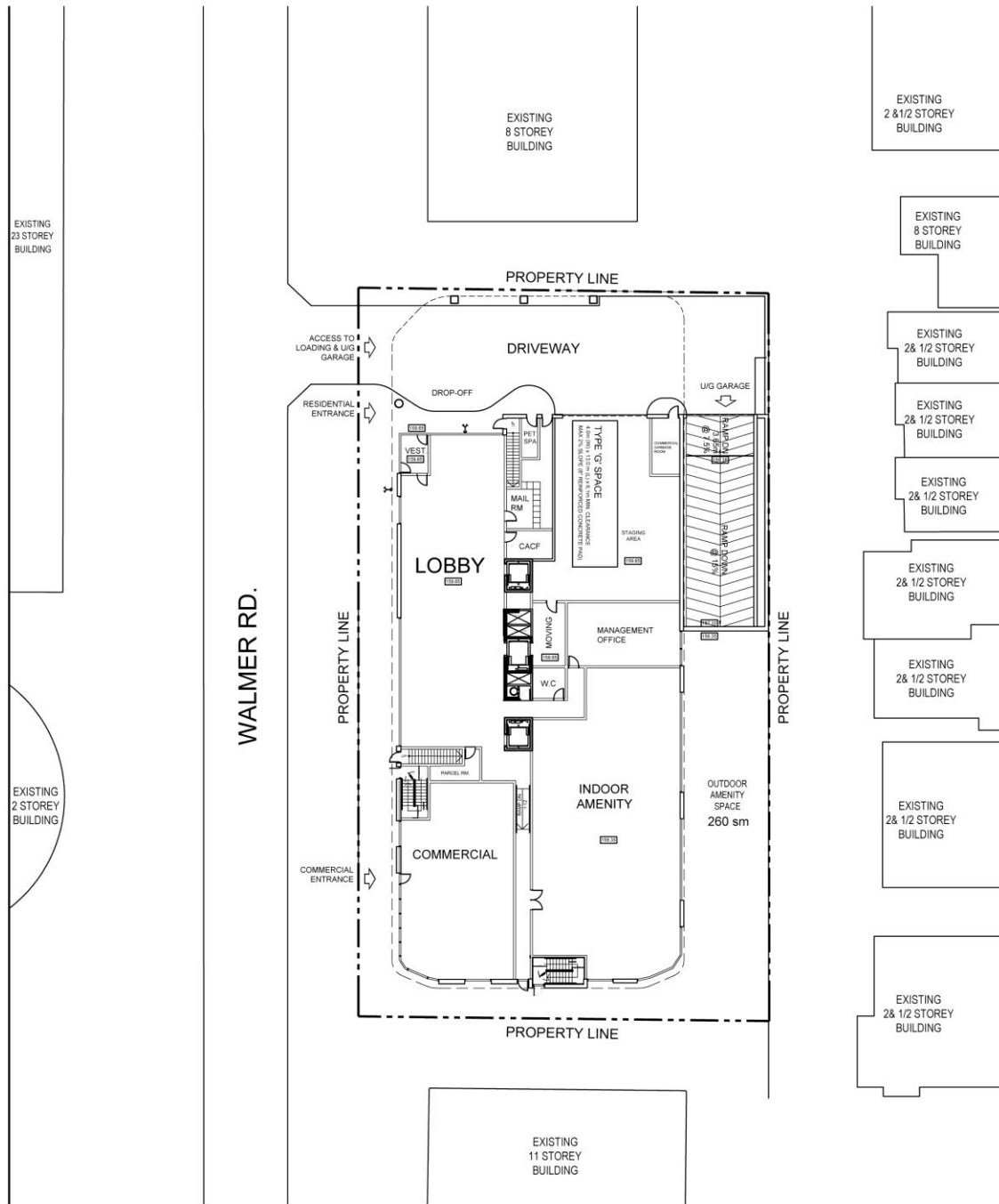
# Attachment 4: Site Plan



Site Plan



# Attachment 5: Ground Floor Plan



Ground Floor Plan



Attachment 6: Official Plan Land Use Map



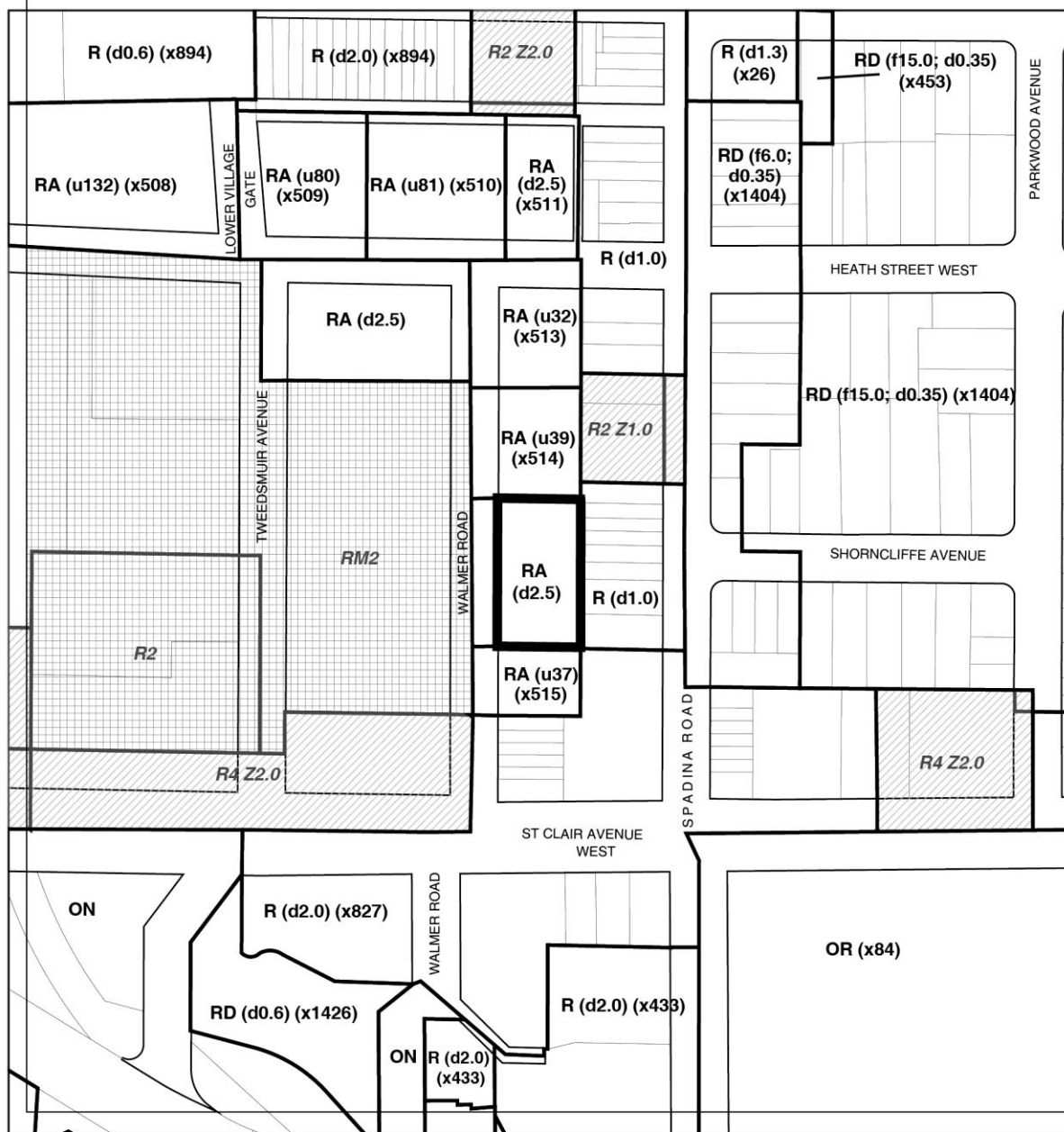
Official Plan Land Use Map #17

429 Walmer Road  
File # 22 192578 STE 12 0Z



  
Not to Scale  
Extracted: 08/22/2022

# Attachment 7: Existing Zoning By-law Map




Zoning By-law 569-2013


429 Walmer Road

File # 22 192578 STE 12 0Z

-  Location of Application
- R** Residential
- RD** Residential Detached
- RA** Residential Apartment
- CR** Commercial Residential
- ON** Open Space Natural
- OR** Open Space Recreation

-  See Former City of Toronto By-law No. 438-86
- R2** Residential District
- MCR** Mixed-Use District
- R2** Residential Districts
- RM2** Residential Multiple Zone
- MCR** Mixed Commercial Residential

-  See Former City of York By-law No. 1-83
- R2** Residential Zone
- RM2** Residential Multiple Zone

  
 Not to Scale  
 Extracted: 08/22/2022

Attachment 8: Draft Zoning By-law Amendment 569-2013

The draft Zoning By-law Amendment will be made available on or before the September 19, 2023, meeting of Toronto and East York Community Council.



## Attachment 9: Draft Zoning By-law Amendment 1-83

The draft Zoning By-law Amendment will be made available on or before the September 19, 2023, meeting of Toronto and East York Community Council.