

**Preliminary Report  
Zoning By-law Amendment Application  
1, 35 and 40 Fountainhead Road and 470 Sentinel Road**

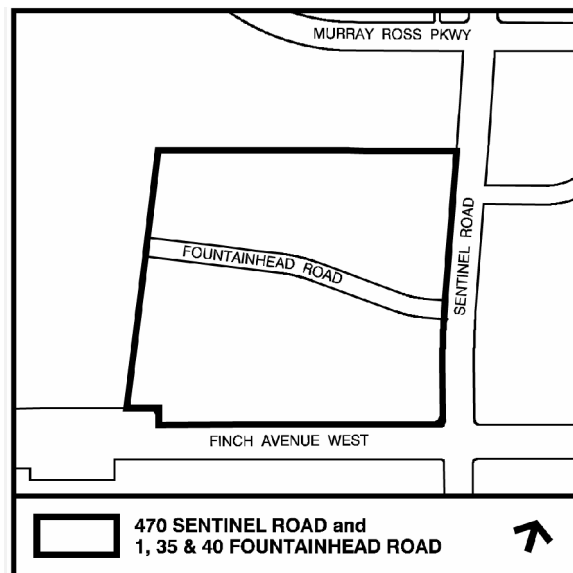
|                          |   |
|--------------------------|---|
| <b>Date:</b>             | January 25, 2007                                  |
| <b>To:</b>               | North York Community Council                      |
| <b>From:</b>             | Director, Community Planning, North York District |
| <b>Wards:</b>            | Ward No. 8 – York West                            |
| <b>Reference Number:</b> | File No. 06 157157 NNY 08 OZ                      |

**SUMMARY**

The applicant is requesting an amendment to the Zoning By-law to permit the construction of 1,116 residential units within eight new condominium apartment buildings at 1, 35 and 40 Fountainhead Road and 470 Sentinel Road. A separate two-storey private recreational centre is also proposed on the site.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process.

It is recommended that a community consultation meeting be scheduled by staff, in consultation with the local councillor and, upon the completion of the evaluation of the proposal that a Final Report be prepared with notice provided for a Public Meeting when appropriate.



## RECOMMENDATIONS

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### The City Planning Division recommends that:

1. staff be directed to schedule a community consultation meeting together with the Ward Councillor;
2. notice for the community consultation meeting be given to landowners and residents within 120 metres of the site; and
3. notice for the Public Meeting under the *Planning Act* be given according to the regulations of the *Planning Act*.

### Financial Impact

The recommendations in this report have no financial impact.

## DECISION HISTORY

The previous owners of the property, Met Cap Living Management Inc., filed an application to amend the North York Official Plan and Zoning By-law to permit a three-storey, 160-bed, long-term care facility between the existing apartment buildings at 40 Fountainhead Road and 470 Sentinel Road. To implement the proposal, the applicant proposed to reconfigure and sever the properties at 40 Fountainhead Road and 470 Sentinel Road to create a third property for development.

At its meeting of June 5, 2002 North York Community Council adopted a preliminary report on the proposal recommending that staff schedule a community consultation meeting together with the Ward Councillor, and that Notice for the Public Meeting be given according to the regulations under the *Planning Act*. The application was appealed to the Ontario Municipal Board on August 27, 2002 citing Council's failure to make a decision within 90 days of receipt of the application.

An Ontario Municipal Board decision was issued on May 22, 2003 approving the Official Plan Amendment and Zoning By-law Amendment to permit the long-term care facility, subject to certain conditions of approval. These conditions were not satisfied and the Board's Order was never issued.

## ISSUE BACKGROUND

### Proposal

Four existing 22-storey, rental apartment buildings, the addresses being 1, 35 and 40 Fountainhead Road and 470 Sentinel Road, are located on the subject site. Three of the buildings contain 370 units and the fourth contains 368 dwelling units. Presently, the majority of parking is provided underground in parking structures associated with the individual buildings. A total of 1,699 parking spaces are provided on site for the existing buildings, with 1,330 of the spaces being provided in below-grade structures. The total supply of parking spaces will increase from 1,699 to 2,614 spaces.

The owners, El Ad Group of Canada Incorporated, are proposing to add 1,116 residential units within eight new condominium apartment buildings to the site. The development proposal adds an additional Gross Floor Area of 96,201m<sup>2</sup> to the existing site total GFA of 123,791m<sup>2</sup>. Each building will have a height of between 6 – 12 storeys.

The overall gross Floor Space Index is proposed to increase from 1.45 to 2.49 including the valley lands. When the lands below the top-of-bank are excluded from the calculation, the overall site density increases to 2.58 times the lot area.

The proposal includes a variety of built forms including:

- four 6-storey street related buildings along Fountainhead Road (Buildings B, D, E and H) which provide grade-related units accessible to Fountainhead Road and include three 12-storey building elements integrated with the 6-storey base buildings;
- two 10-storey buildings along Sentinel Road (Buildings G and J) which provide grade related units accessible to Sentinel Road; and
- two 10-storey buildings (Buildings A and C) located over existing surface parking areas serving 35 and 40 Fountainhead Road.

Two of the new condominium buildings (Building A and C) will be geared towards seniors housing and consist of 304 dwelling units.

A separate 1,782 m<sup>2</sup>, two-storey private recreational facility is proposed for the use of the tenants in the existing rental buildings. The recreational facility is intended to replace two existing outdoor swimming pools that will be demolished through the redevelopment process and will contain an indoor pool, change room facilities, and community meeting space as well as outdoor passive recreation amenity including seating and sunning areas. The proposed recreational facility will be located on the western portion of the site and be oriented towards the Black Creek to take advantage of the significant views of the adjacent valley lands.

The existing access from Sentinel Road and Fountainhead Road will remain with a new signalized access to Finch Avenue being proposed at the southwest corner of the site. A

new access into the northeast portion of the site from the existing signalized intersection at Sentinel Road and Four Winds Drive is also proposed.

## **Site and Surrounding Area**

The 8.8ha site is bounded by Finch Avenue to the south, Sentinel Road to the east, an Ontario Hydro easement to the north and Black Creek and its adjacent valley lands to the west. Fountainhead Road, which is a municipal right-of-way, runs west from Sentinel Road and dead ends at the valley edge of Black Creek. The site is generally flat and slopes gently toward Black Creek. The exclusion of the lands below the top-of-bank reduces the site area to 85,308m<sup>2</sup>. Surface parking and two levels of underground parking is presently provided for each building, however shared open space areas are located between the buildings that provide active (swimming pools) and passive (treed area/walking paths) recreation for the residents.

The following is a summary of the surrounding land uses:

North: Ontario Hydro corridor beyond which are residential uses (existing 18-storey apartment building and the 650-unit Tribute Homes community under construction) and York University Keele Street Campus.

South: Finch Avenue West, and beyond, 3 and 4 storey apartment buildings, St. Wilfred Roman Catholic School and Church as well as a Public Library.

East: mixed residential (13-storey apartment building and townhouses), commercial uses (University City Plaza) fronting onto Four Winds Drive, the University Recreation Centre which includes a YMCA operated day care and Fountainhead Park fronting onto Finch Avenue West and Sentinel Road which supports playing fields and recreation facilities.

West: Black Creek and related valley lands.

The intersection of Keele Street and Finch Avenue West, which is anticipated to be the location of a future subway station on the proposed Spadina Subway extension is located approximately 950 metres to the east from the centre of the subject site.

## **Official Plan**

On July 6, 2006 the Ontario Municipal Board issued Order No. 1928 bringing the majority of the new Toronto Official Plan into force and effect. The Order also repealed most of the policies of the North York Official Plan that were previously in effect. On November 10, 2006, the Municipal Board issued Order No. 3190 bringing into force and effect the new Plan policies related to Section 37 matters. Order No. 3534 dated December 20, 2006 subsequently brought into force the new Plan policies related to Housing with the exception of Section 3.2.1, Policy 5(b), Policy 9, and the definitions respecting “Affordable rental housing and affordable rents” and “Affordable ownership housing”. These remain under appeal as do the floodplain ‘Special Policy Areas’. Until

the appeal of these sections is resolved, the policies of the predecessor plans are still applicable.

Map 16 Land Use Plan of the City of Toronto Official Plan designates the majority of the site as *Apartment Neighbourhoods* and the lands along Black Creek as *Natural Areas*. The Plan states that built-up *Apartment Neighbourhoods* are considered to be physically stable areas where major growth is not anticipated. The Plan further states that development within these areas will be consistent with this objective and will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas. Although major growth is not anticipated in these areas, the Plan notes there may be opportunities for additional apartments on a site that already contains an apartment building. The Plan recognizes that infill development on underutilized sites can create a net benefit to the community, provided it contributes to the quality of life by meeting various development criteria found in Section 4.2.2.

The Plan also encourages the provision and maintenance of a full range of housing, in terms of form, tenure and affordability, including affordable and mid-range rental housing.

The Plan provides for the use of Section 37 of the *Planning Act* to secure the provision of community benefits in return for an increase in height and/or density of development. The City may require the owner to enter into an agreement to secure such matters.

The western portion of the site is designated as *Parks and Open Space Areas – Natural Areas* which reflects the function of the Black Creek ravine as part of the green open space network in Toronto. The areas shown as *Natural Areas* will be maintained primarily in a natural state, while allowing for compatible recreational, cultural and educational uses and facilities that minimize adverse impacts on natural features and functions, and; conservation projects, public transit and public works for which no reasonable alternatives are available, and that are designed to have only minimal adverse impacts on natural features and functions.

## **North York Official Plan**

As noted above, certain Housing Policies of the City of Toronto Official Plan are not yet in effect so related policies found in Part C.4 Housing, of the former City of North York Official Plan, continue to apply. Relevant in-force policies include Part B, Section C4, Subsection 1.1.7 which addresses the objective of providing public benefits within new multiple residential developments, Subsection 1.1(f) which encourages the conservation and rehabilitation of private rental housing, and Section 2.6 which speaks to the preservation and maintenance of the city's housing supply. Section 2.4.3, introductory paragraph, sub-sections (i), (ii), (iii) and Sub-section 1 Affordable Housing also remain in effect which outline and describe the concept of Affordability.

## **Zoning**

The majority of the subject site is zoned RM6 (Multiple Family Dwellings Sixth Density Zone). This zone permits apartments and townhouses, as well as less intensive residential forms, group housing, hospitals, nursing homes, religious institutions, sanitariums and various other recreational and institutional uses. The zoning regulations permit a maximum density of 150% of the lot area (or 1.5FSI).

The 470 Sentinel Road parcel is zoned RM6(45) which permits, in addition to the uses permitted by the RM6 zone, a convenience store on the ground floor of the existing apartment house dwelling.

## **Site Plan Control**

An application for Site Plan Control Approval has not been filed.

## **Tree Preservation**

The application is subject to the City of Toronto Tree protection By-law which requires the applicant to obtain a permit to injure or destroy any tree located on private property having a diameter equal to or greater than 30cm (12in.). The applicant has submitted an Arborist Report.

## **Ravine Control**

The portion of the property in the valley lands is subject to the provisions of the City of Toronto Ravine Protection By-law and the TRCA Fill, Construction and Alteration Regulation.

## **Reasons for the Application**

An application to amend the Zoning By-law is required to permit the proposed density and building heights and establish performance standards to facilitate the proposed development.

## **COMMENTS**

### **Issues to be Resolved**

The applicant is proposing a significant reurbanization within the Finch Avenue/Sentinel Road neighbourhood. The applicant's proposal would increase the number of units on the lands from 1,478 dwelling units to 2,594 units.

The following issues have been identified for review and evaluation. Further issues may be identified through the processing of the application or through community consultation.

- Appropriate density, massing and building heights;
- The location and organization of buildings including appropriate built form relationships to the street, open spaces, woodlots and adjacent buildings;
- Investigating the use of a Section 37 Agreement to address matters related to securing the rental tenure of the existing apartment buildings as well as improvements to address the loss of the swimming pool amenity and open space amenity area;
- Net improvements for existing tenants and minimizing tenant hardship during site construction;
- Securing unit mix, rents and assistance for tenants;
- Securing affordable housing units in accordance with the policies of the Toronto Official Plan;
- Traffic impacts and parking assessment;
- An evaluation of impact on the surrounding community; and,
- Adequacy of community facilities and services.

## **CONTACT**

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## **SIGNATURE**

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Thomas C. Keefe, Director  
Community Planning, North York District

## **ATTACHMENTS**

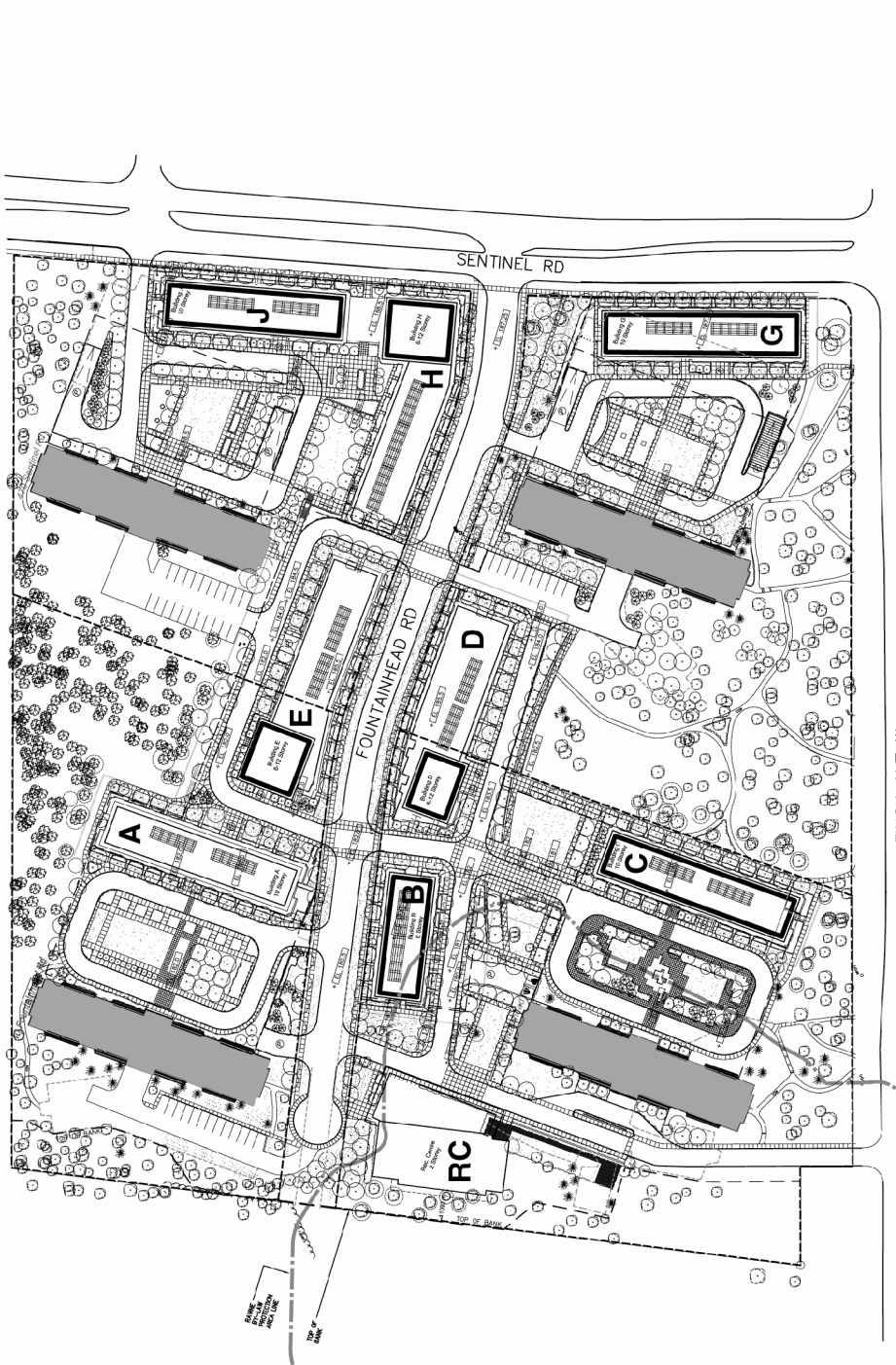
Attachment 1: Site Plan

Attachment 2: Elevations

Attachment 3: Zoning

Attachment 4: Application Data Sheet

Attachment 1: Site Plan



Site Plan  
Applicant's Submitted Drawing  
Not to Scale  
11/22/06

470 Sentinel Road and 1, 35 & 40 Fountainhead Road

File # 06\_157157



Attachment 2: Elevations



South Elevation

North Elevation

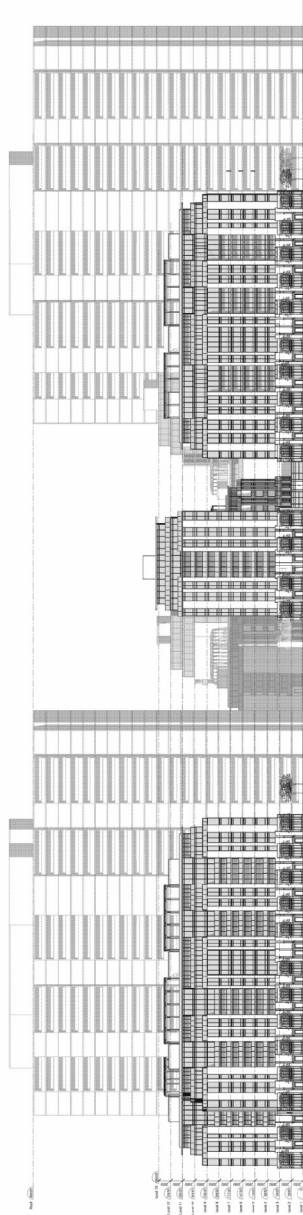
**Elevations**

Applicant's Submitted Drawing

Not to Scale  
11/22/06

470 Sentinel Road and 1, 35 & 40 Fountainhead Road

File # 06\_157157



East Elevation

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**Elevations**

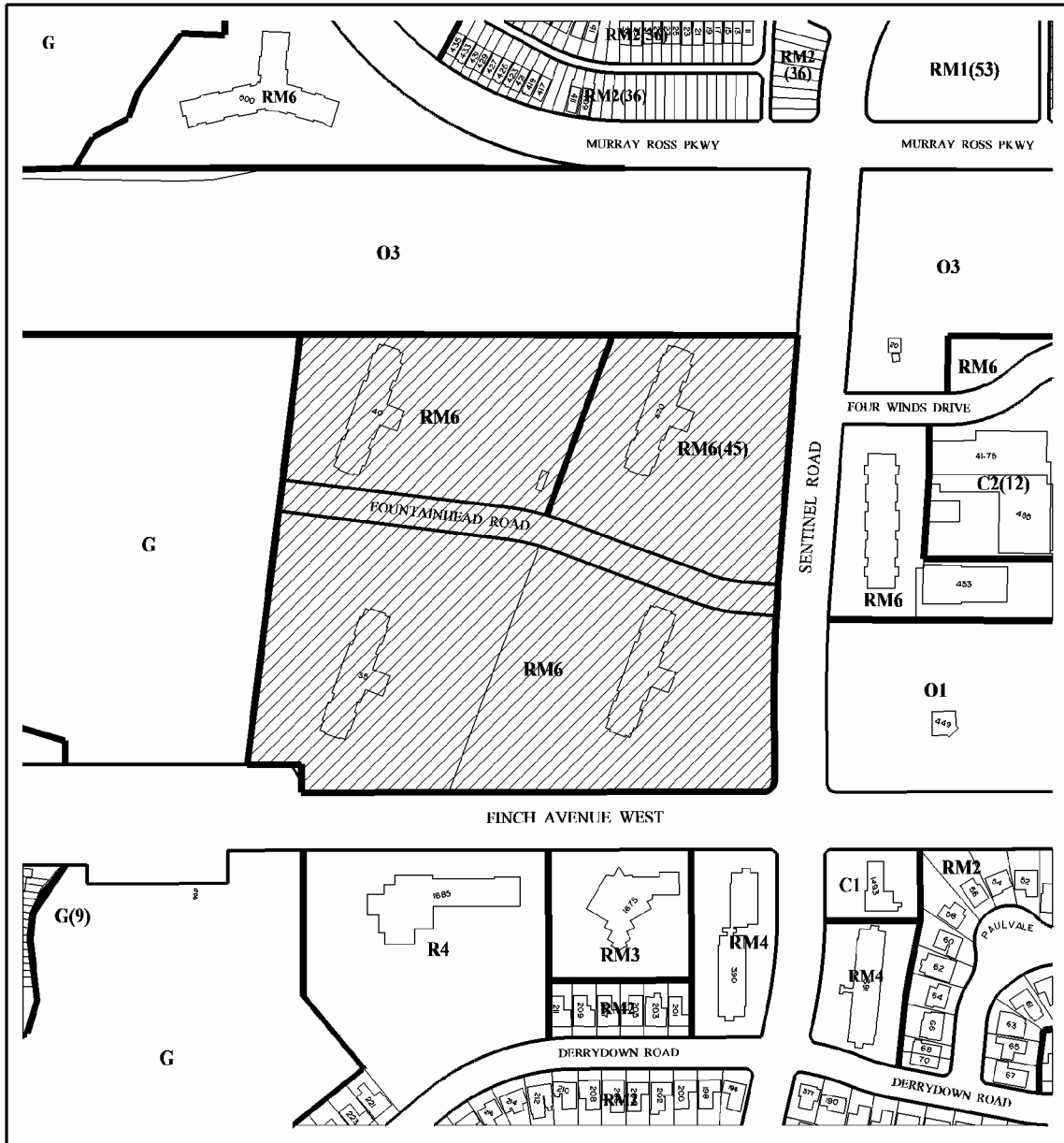
**470 Sentinel Road and 1, 35 & 40 Fountainhead Road**

Applicant's Submitted Drawing

Not to Scale  
11/22/06

File # 06\_157157

### Attachment 3: Zoning



**Toronto** City Planning Division  
**Zoning**

**470 Sentinel Road and 1, 35 & 40 Fountainhead Road**

File # 06\_157157

- RM1 Multiple-Family Dwellings First Density Zone
- RM2 Multiple-Family Dwellings Second Density Zone
- RM3 Multiple-Family Dwellings Third Density Zone
- RM4 Multiple-Family Dwellings Fourth Density Zone
- RM6 Multiple-Family Dwellings Sixth Density Zone

- C1 General Commercial Zone
- C2 Local Shopping Centre Zone
- G Greenbelt Zone
- O3 Semi-Public Open Space Zone
- NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

↑  
 Not to Scale  
 Zoning By-law 7625  
 Extracted 11/14/06

## Attachment 4: Application Data Sheet

|                  |                    |                     |                     |
|------------------|--------------------|---------------------|---------------------|
| Application Type | Rezoning           | Application Number: | 06 157157 NNY 08 OZ |
| Details          | Rezoning, Standard | Application Date:   | July 17, 2006       |

Municipal Address: 1, 35 and 40 Fountainhead Road & 470 Sentinel Road  
 Location Description: PLAN M1299 BLK B \*\*GRID N0803  
 Project Description: The proposal is for 8 new residential condo buildings from 6 to 12 storeys, with a total of 1,116 new residential units and a 1,782m<sup>2</sup> private recreational facility

|  |   |                     |  |
|--|---|---------------------|--|
| <b>Applicant:</b>                                | <b>Agent:</b>                           | <b>Architect:</b>   | <b>Owner:</b>                                  |
| MARSHALL MACKLIN<br>MONAGHAN LTD.<br>DIANA SANTO | Alan Slobodsky,<br>Slobodsky Associates | Zeidler Partnership | 2041098 ONTARIO LTD<br>(El Ad Group of Canada) |

### PLANNING CONTROLS

|                            |  |                          |
|----------------------------|--|--------------------------|
| Official Plan Designation: | <i>Apartment Neighbourhood and Natural Areas</i> | Site Specific Provision: |
| Zoning:                    | RM6 & RM6(45)                                    | Historical Status:       |
| Height Limit (m):          |  | Site Plan Control Area:  |

### PROJECT INFORMATION

|                                    |        |         |                 |              |
|------------------------------------|--------|---------|-----------------|--------------|
| Site Area (sq. m):                 | 88336  | Height: | Storeys:        | 12           |
| Frontage (m):                      | 0      |         | Metres:         | 32.45        |
| Depth (m):                         | 0      |         |                 |              |
| Total Ground Floor Area (sq. m):   | 19259  |         |                 | <b>Total</b> |
| Total Residential GFA (sq. m):     | 218100 |         | Parking Spaces: | 1339         |
| Total Non-Residential GFA (sq. m): | 1892   |         | Loading Docks   | 7            |
| Total GFA (sq. m):                 | 219992 |         |                 |              |
| Lot Coverage Ratio (%):            | 21.8   |         |                 |              |
| Floor Space Index:                 | 2.49   |         |                 |              |

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

|              |               |                                  | Above Grade | Below Grade |
|--------------|---------------|----------------------------------|-------------|-------------|
| Tenure Type: | Rental, Condo |                                  |             |             |
| Rooms:       | 0             | Residential GFA (sq. m):         | 94419       | 0           |
| Bachelor:    | 0             | Retail GFA (sq. m):              | 0           | 0           |
| 1 Bedroom:   | 625           | Office GFA (sq. m):              | 0           | 0           |
| 2 Bedroom:   | 491           | Industrial GFA (sq. m):          | 0           | 0           |
| 3 + Bedroom: | 0             | Institutional/Other GFA (sq. m): | 1782        | 0           |
| Total Units: | 2594          |                                  |             |             |

**CONTACT: PLANNER NAME: Cathie Ferguson, Senior Planner**  
**TELEPHONE: (416) 395-7117**