

**1 West Deane Park Drive – Zoning Amendment  
Application – Final Report**

<b>Date:</b>	March 18, 2008
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Director, Community Planning, Etobicoke York District
<b>Wards:</b>	Ward 3 – Etobicoke Centre
<b>Reference Number:</b>	07 238388 WET 03 OZ

**SUMMARY**

This application was made on June 29, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

An application has been submitted to permit the construction of six detached dwellings at 1 West Deane Park Drive. The site was previously a gas station.

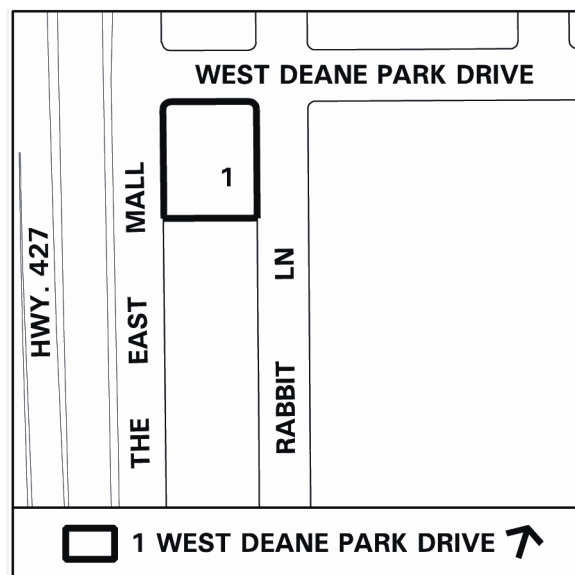
The proposal provides an opportunity to incorporate one of the few remaining non-residential sites into the existing residential fabric of the surrounding neighbourhood. The proposed built-form and relationship to the public streets compliments the existing residential dwellings to the north and east of the development. The development represents an appropriate level of residential intensification for the area.

This report reviews and recommends approval of an application to amend the former City of Etobicoke Zoning Code.

**RECOMMENDATIONS**

**The City Planning Division recommends that:**

1. City Council amend the former City



of Etobicoke Zoning Code substantially in accordance with the draft Zoning By-law Amendment as described in this report.

2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. Before introducing the necessary Bills to City Council for enactment, require the owner to:
  - (a) submit a satisfactory Servicing and Grading Plan for the review and acceptance by the Executive Director, Technical Services;
  - (b) revise Site Plan – SP-1 drawing, dated November 12, 2007 and prepared by PMG Planning Consultants to correctly show the 2.805 road widening (which includes the existing 0.305 metre reserve) and the new 0.300 reserve along The East Mall;
  - (c) submit a revised Landscape Plan to address Urban Forestry Division’s comments, to the satisfaction of the General Manager, Parks, Forestry and Recreation Division; and
  - (d) resolve all outstanding Urban Forestry issues, including providing all Tree Protection and/or Tree Removal fees, to the satisfaction of the General Manager, Parks, Forestry and Recreation Services.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **ISSUE BACKGROUND**

### **Proposal**

The applicant is proposing to redevelop the currently vacant site with six detached dwellings facing Rabbit Lane. The proposed dwellings are three storeys in height. Each of the units will have two parking spaces. Each unit will have one parking space in an integral garage and one space on the driveway leading to the garage. The gross floor area of the proposed units is approximately 185 square metres. The proposed lots have a frontage of 7.5 metres and depths of approximately 36.5 metres.

### **Site and Surrounding Area**

The site abuts The East Mall (and Highway 427) to the west, West Deane Park Drive to the north and Rabbit Lane to the east and has an area of 1 673 square metres. It was previously occupied by a gas station and is currently vacant. A variety of residential uses surround the site as follows:

North: 3 to 4-storey walk up apartments and detached dwellings.

South: 4-storey residential development.

East: townhouse development and an 8-storey apartment building.

West: East Mall and Highway 427

## **Official Plan**

The subject lands are designated ‘Neighbourhoods’ within the Toronto Official Plan. Neighbourhoods are physically stable areas providing for a variety of lower scale residential uses. Policies and development criteria in the Plan require that physical changes to established neighbourhoods be sensitive, gradual and generally “fit” the existing physical character.

Infill development policies are outlined in Section 4.1.5 – Neighbourhoods. These policies state that development in established neighbourhoods will respect and reinforce the existing physical character of the neighbourhood. The physical character of the neighbourhood includes: size and configuration of lots; setbacks of buildings from the street or streets; prevailing patterns of rear and side yard setbacks and landscaped open space; and continuation of special landscape or built form features that contribute to the unique physical character of a neighbourhood. No changes will be made through rezoning, minor variance, consent or other public action that are out of keeping with the physical character of the neighbourhood.

## **Zoning**

By-law No. 11,455 passed in 1958 amended the zoning category applying to the subject lands from Second Density Residential Classification to a Planned Commercial Local Classification still applying to the lands today. This designation does not permit residential uses.

## **Site Plan Control**

The application is not subject to subject to Site Plan Control.

## **Reasons for Application**

As noted in the zoning section, an amendment to the Etobicoke Zoning Code is required because the residential proposal is not a permitted use in a CPL zone.

## **Community Consultation**

A community consultation meeting was held at St. Philip’s Lutheran Church on December 17<sup>th</sup>, 2007. Three members of the public attended. The local Councillor, the applicant’s consultant and City Planning staff were also in attendance. Questions were raised regarding the size and height of the residential units, the adequacy of the proposed parking and the development’s relationship to surrounding uses. These comments are addressed in the report.

## **Agency Circulation**

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

## **COMMENTS**

### **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health safety. City Council's planning decisions are required to be consistent with the PPS. This application implements the Official Plan Neighbourhoods designation and is consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

The proposal is at a density and scale that is appropriate for the site. The development is in close proximity to a public transit route along The East Mall. The project makes efficient use of existing municipal infrastructure that already exists close to the subject lands.

City Council's planning decisions are required by the Planning Act to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

The application is consistent with the policies of the Growth Plan for the Greater Golden Horseshoe.

### **Land Use**

The relevant Official Plan policies support residential uses on this site.

The site is designated as "Neighbourhoods" in the Official Plan. This designation allows for low scale residential uses as well as parks, local institutions, home occupations, cultural and recreational facilities and small scale retail, service and office uses that support the local residential uses.

The Plan also contains criteria that require development in Neighbourhoods to respect and reinforce the existing physical character of the neighbourhood, including heights, massing, scale and dwelling type of nearby residential properties, setbacks of buildings from public streets, prevailing patterns of rear and side yard setbacks and landscaped open space.

The proposal is consistent with the scale and character of the neighbourhood to the north, south and east in respect to building height, bulk and built form and provides for adequate parking.

### **Density, Height, Massing**

The built form policies of the Official Plan (Section 3.1.2) encourage new development to be located and organized to fit within the planned context. It should also frame and support adjacent streets, parks and open space. New development should also be massed to fit harmoniously into the surroundings, while respecting and improving the local scale and character.

Staff have reviewed the development in the context of the Official Plan's Built Form policies for suitable grade and street relationships, adequate open space and amenity areas and creating and/or extending existing sidewalks to established pedestrian links. The proposal complies with these Official Plan policies.

The proposed density of 0.7 times the area of the lot, in the proposed built form, is appropriate for this site. The site is located between areas of higher density residential developments to the north and south along The East Mall (three and fourplexes) and lower density residential to the east. There is also an existing 8-storey residential building to the east of Rabbit Lane, just south of the subject site.

The proposed height of 11 metres complies with the requirements of the Etobicoke Zoning Code for single family dwellings and generally reflects the heights and massing of the existing residential buildings to the north, south and east of the proposal.

The design of the proposed dwellings is an appropriate fit within the surrounding area.

A draft Zoning By-law will be distributed at the public meeting held by Community Council.

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

The proposed six dwelling units will generate substantially less vehicle traffic than the potential 'as-of-right' uses permitted under the existing CPL zoning. Staff from Transportation Services do not anticipate that the proposed development will significantly impact the level of service of the adjacent street network and have therefore not required a transportation impact study.

The proposed dwelling units will front on Rabbit Lane and provide two tandem parking stalls, one in an integral garage and one in the driveway leading up to the garage. Access to the garages is provided from Rabbit Lane. This satisfies the general requirements of the by-law and staff are satisfied with the proposed parking.

The Ministry of Transportation (MTO) was circulated with this application and requested that a 14 metre-wide strip of the subject site along The East Mall be reserved for future

highway enlargement. This setback has been consistently required for all properties abutting The East Mall, north of the proposal. Most of the “reserve” north of the subject site is currently being used for parking.

Given the request for the reserve, the applicant is not able to provide access from the East Mall into the site. Therefore all access, including vehicular access must be taken off Rabbit Lane. Also, given that the applicant can not provide for stand-alone garages at the rear of the lot, all parking was provided in integral garages with access off of Rabbit Lane.

The applicant is also required to convey a 2.8 metre-wide strip of land across The East Mall frontage to secure the minimum 27 metre road allowance width specified in the Official Plan. A new 0.305 metre reserve is also required along The East Mall, which shall be taken from the new property line, once the 2.8 metre-wide strip dedication has been determined. The revision of the plans should take place prior to the introduction of the Bills to Council. The conveyance of the land will occur through the consent application.

The applicant will be required to submit a Draft Reference Plan showing the six new lots and the conveyed land, to the satisfaction of the Executive Director, Technical Services at the time he submits the consent application to the Committee of Adjustment.

## **Servicing**

A Functional Servicing Report has been submitted in support of the application. The Technical Services Division reviewed and accepted the report. Technical Services staff require that the applicant submit a revised Servicing and Grading Plan prior to the introduction of the Bills to Council.

## **Design and Streetscape Improvement**

The proposed development will result in an improvement to the existing streetscape on both, West Deane Park Drive and Rabbit Lane.

The building facades have been designed to complement the existing residential development along Rabbit Lane (east of the proposal) and the applicant proposes to plant approximately 14 new trees along all streets frontages, including The East Mall, West Deane Park Drive and Rabbit Lane. The front yards of the proposed dwellings will consist of a driveway leading up to the garage and landscaped open space. The applicant proposes to meet the provisions of the new front yard landscaping requirements of By-law No. 973-2006.

The 14 metre reserve along The East Mall required by MTO will provide for larger backyards than usual, thus increasing the amount of open space provided on-site. The applicant proposes to provide backyards that are approximately 20 metres in length (6 metres plus the 14 metre reserve), on 7.5 metre-wide lots.

There are also numerous concrete blocks and a retaining wall situated in the existing and future right-of-way of The East Mall. The applicant will be required to remove the encroachments.

Lastly, the subject property currently provides three full movement driveways: one driveway to The East Mall; one to West Deane Park Drive; and one to Rabbit Lane. The applicant will be required to eliminate the existing driveways and will provide 2.6 metre-wide driveways for each of the six proposed dwellings, with access only to Rabbit Lane. This will result in the consolidation of all new access points into the site to and from only one street (Rabbit Lane). The applicant will also be required to landscape the remaining front yards with 'soft' landscaping such as sod and flower gardens.

### **Tree Preservation**

The applicant submitted an Arborist Report, prepared by Ontario Tree Experts Inc. and dated October 26, 2007. The report identifies four existing trees situated on the City's right-of-way. The applicant has requested permission to either remove or transplant two of those trees elsewhere on-site. If it is determined that the trees can be transplanted, the applicant will be required to enter into a Tree Protection Agreement and provide a Tree Protection Deposit. Alternatively if the trees need to be removed, the applicant will be required to make a request in writing to the Urban Forestry Division, pay a \$300 per tree application fee, provide payment for the value of the trees and a landscape plan that is satisfactory to both, Urban Forestry Division and the Ward Councillor.

There is also one tree located on site which qualifies for protection under the Private Tree By-law. The report identifies that this tree is to be retained and will be protected through the course of construction.

Urban Forestry is in agreement with the proposed protection measures but require the applicant to determine the preferred option for the trees on the City's right-of-way and the submission of a revised landscape plan.

The applicant will have to satisfy Urban Forestry Division's requirements prior to the introduction of the Bills at Council.

### **Environment**

The site was previously used as a gas station since the early 1960's. The applicant will be required to conduct a Phase I and II Environmental Assessments and will have to provide a Record of Site Condition (RSC) to the City's Building Division confirming the land has been decommissioned and is satisfactory to accommodate a residential use, prior to the release of a building permit.

### **Development Charges**

It is estimated that the development charges for this project will be \$66,492.00. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

## **CONTACT**

Pedro Lopes, Planner

Tel. No. (416) 394-2608

Fax No. (416) 394-6063

E-mail: plopes2@toronto.ca

## **SIGNATURE**

---

Gregg Lintern, MCIP, RPP  
Director, Community Planning  
Etobicoke York District

## **ATTACHMENTS**

Attachment 1: Site Plan

Attachment 2: Front Elevations

Attachment 3: Side Elevations

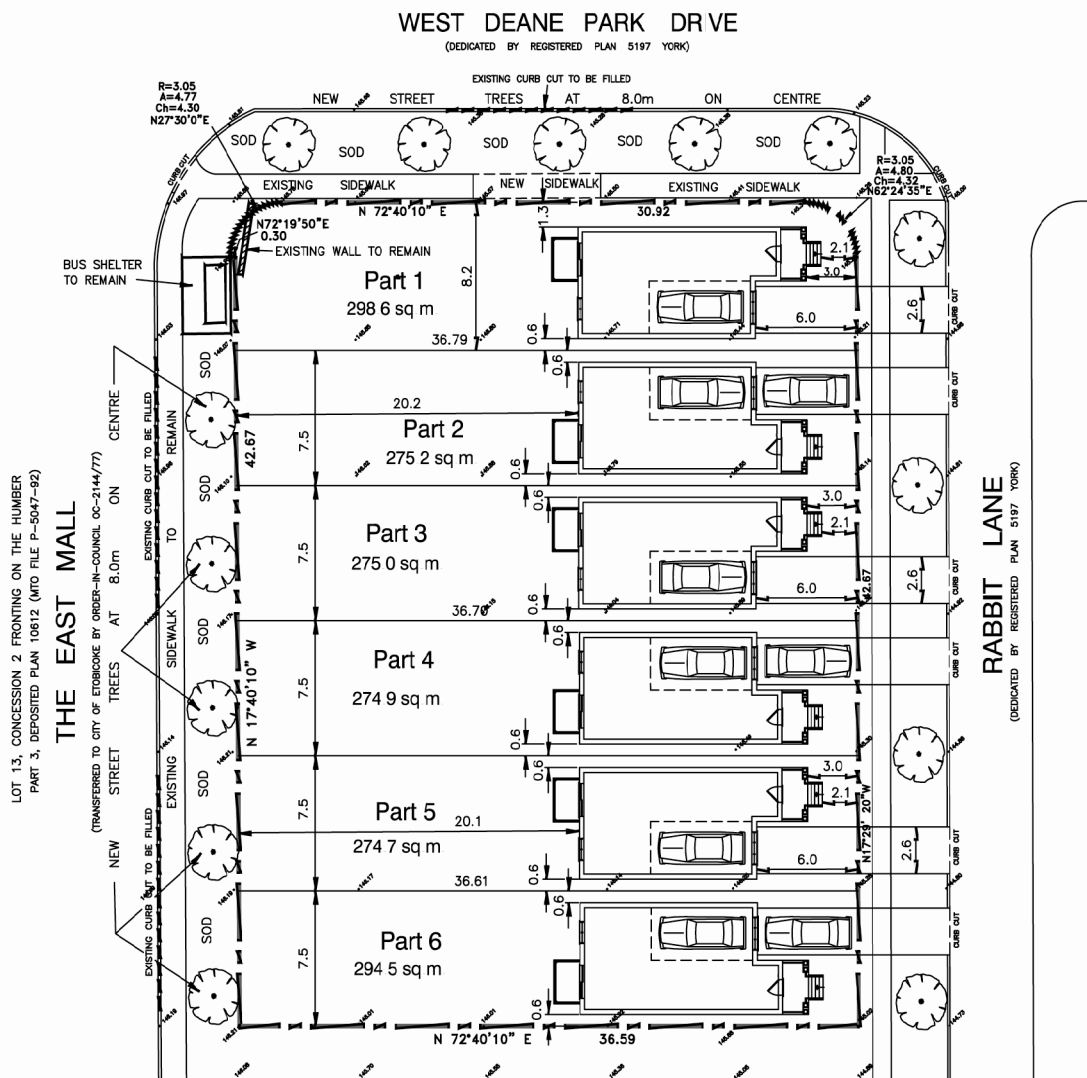
Attachment 4: Zoning Map

Attachment 5: Application Data Sheet

Attachment 6: Agency Advisory Comments



# Attachment 1: Site Plan



Site Plan

1 West Deane Park Drive

Applicants Submitted Drawing

Not to Scale  
09/07/07

File # 07\_238388

## Attachment 2: Front Elevations



### Front Elevation

Applicants Submitted Drawing

Not to Scale  
09/10/07

### 1 West Deane Park Drive

File # 07\_238388

### Attachment 3: Side Elevations



## Elevations

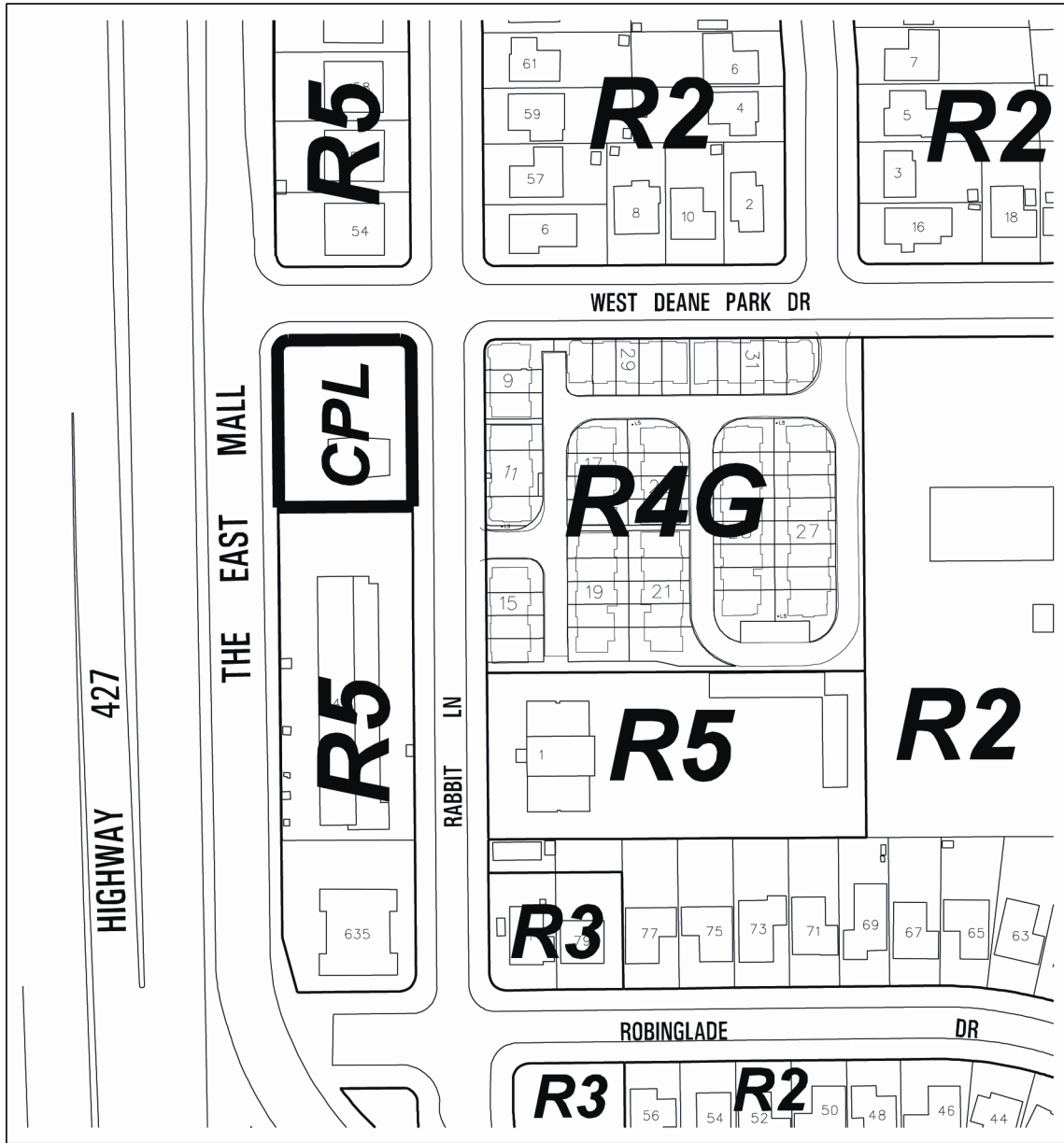
Applicants Submitted Drawing

Not to Scale  
09/27/07

1 West Deane Park Drive

File # 07\_238388

Attachment 4: Zoning Map



1 West Deane Park Drive

File # 07\_238388

Former Etobicoke By-law 11,737

- R2 Residential Second Density
- R3 Residential Third Density
- R5 Residential Fifth Density

CPL Commercial Planned Local



Not to Scale  
Zoning By-law 11,737 as amended  
Extracted 09/07/07 - MH

## Attachment 5: Application Data Sheet

### APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	07 238388 WET 03 OZ
Details	Rezoning, Standard	Application Date:	June 29, 2007

Municipal Address: 1 WEST DEANE PARK DR, TORONTO ON M9B 2R3

Location Description: PL 5197 BLK C \*\*GRID W0302

Project Description: The proposal is for the redevelopment of a former gas station site with six single-detached dwellings. The proposed dwellings are three storeys in height and are approximately 185 m<sup>2</sup> in size. Two parking spaces are proposed for each unit.

#### PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	11,455
Zoning:	CPL	Historical Status:	No
Height Limit (m):	11 m	Site Plan Control Area:	No

#### PROJECT INFORMATION

Site Area (sq. m):	1673	Height: Storeys:	3
Frontage (m):	45.2	Metres:	11
Depth (m):	36.5		
Total Ground Floor Area (sq. m):	1122		<b>Total</b>
Total Residential GFA (sq. m):	1122	Parking Spaces:	12
Total Non-Residential GFA (sq. m):	0	Loading Docks	0
Total GFA (sq. m):	1122		
Lot Coverage Ratio (%):	70		
Floor Space Index:	0.7		

#### DWELLING UNITS

Tenure Type:	Freehold
Rooms:	0
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	0
3 + Bedroom:	6
Total Units:	6

#### FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	1122	1122	0
Retail GFA (sq. m):	0	0	0
Office GFA (sq. m):	0	0	0
Industrial GFA (sq. m):	0	0	0
Institutional/Other GFA (sq. m):	0	0	0

**CONTACT: PLANNER NAME: Pedro Lopes, Planner**  
**TELEPHONE: (416) 394-2608**

## **Attachment 6: Agency Advisory Comments**

**The owner is advised that the following approvals and/or permits are required in conjunction with this application which must be obtained prior to development**

### **Right-of-Way Permits**

The applicant must obtain the necessary authorizations and permits from the City's Right-of-Way Management Unit before excavating within or encroaching into the municipal road allowance. The applicant is advised to contact Tamara MacDonald at 416-394-8348 of our Right-of-Way Management Unit regarding site-specific permit and licensing requirements.

### **Encroachments**

The applicant is advised that any physical or landscaping features that they propose to install within public right(s)-of-way are subject to encroachment agreements that are recognized in the applicant's site plan agreement. The applicant is responsible for the costs of installing and maintaining these encroachments.

### **Toronto Hydro Approval**

The applicant shall obtain approval from Toronto Hydro Street Lighting Incorporated, THSLI, for removing and/or relocating any utility with attached municipal street lighting and for any upgrades. The applicant is advised to contact THSLI (416-542-3195) or [www.torontohydro.com/streetlighting](http://www.torontohydro.com/streetlighting) for comment and cost estimates for required fieldwork.

### **Utilities**

The applicant is financially responsible for all costs associated with the excavation, improvement, removal and/or relocation of any above or below-grade municipal services/utilities resulting from the development of this property. The applicant is responsible for all costs associated with excavating, removing, improving and relocating any street furniture, transit shelter(s) and above- or below-grade utilities that are necessary to construct this proposed development.

### **Site Servicing Connections**

The owner will be required to make an application to (Bruce Grainger , 416-394-8454) Toronto Water Division for the installation of any proposed service connections within the City right-of-way/easement after acceptance of the stormwater management report and site servicing plan.

**Insurance**

The owner will be required to obtain public liability insurance (\$5,000,000.00 per occurrence) for the applicant's City-approved contractor to work within the City road allowance and easements.