

2062 - 2070 Weston Road - Zoning Amendment - Preliminary Report

Date:	December 16, 2009
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 11 – York South-Weston
Reference Number:	09 183714 WET 11 OZ

SUMMARY

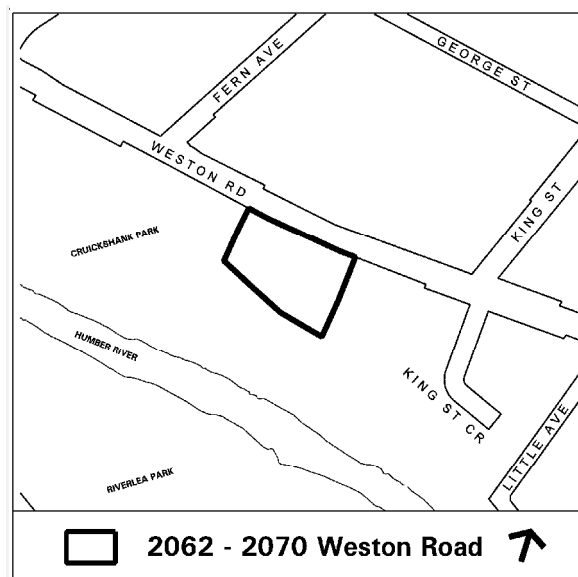
This application was made after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes to amend the former City of York Zoning By-law 1-83 to permit a 21-storey mixed-use residential and commercial building, comprised of an 8-storey podium and 13-storey tower element at 2062 to 2070 Weston Road.

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.

This application has been circulated to relevant divisions and agencies. It is recommended that a community consultation meeting be scheduled by staff, in consultation with the Ward Councillor.

The completion of a further staff report and statutory public meeting under the Planning Act is targeted for the third quarter of 2010. This target assumes that the applicant will provide all required information in a timely manner.



RECOMMENDATIONS

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 an expanded area beyond 120 metres of the site to be determined in consultation with the Ward Councillor and the cost of the expanded notification to be at the owner's expense.
3. Notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The subject property is located within the larger Weston community bounded by Highway 401 to the north, Denison Road to the south, the Humber River valley to the west and Jane Street to the east. In 1994, the former City of York adopted the Weston Community Secondary Plan. A number of the policies contained in the Secondary Plan have been incorporated in the current Official Plan discussed below. In addition, urban design guidelines for the Weston area that were approved to compliment the Secondary Plan have been carried forward and adopted by Toronto City Council on July 20, 2004 for use in the review of development applications in this area.

Pre-Application Consultation

A pre-application consultation meeting was held on January 9, 2008 to discuss a proposed mixed-use residential and commercial development on the site. Letters, dated April 2, 2008 and May 21, 2008, were sent to the owner outlining application submission requirements based on the proposal discussed at the January 2008 meeting.

A site visit was held on Wednesday May 14, 2008 with the owner of the site and his planning consultant as well as staff from the City Planning Division, the Toronto and Region Conservation Authority and the Urban Forestry and Policy units of Parks, Forestry and Recreation.

ISSUE BACKGROUND

Proposal

The applicant is proposing to amend the former City of York Zoning By-law 1-83 to permit a 21-storey mixed-use building at 2062 to 2070 Weston Road.

The proposed development consists of an 8-storey (25.5m) street-related podium building along Weston Road and a 13-storey tower element above, for a total building height of 21 storeys (66.1 metres), plus an additional 5 metre high mechanical penthouse.

Commercial space is proposed at the ground level along Weston Road. The total gross floor area for the proposed building is 22,572 square metres, of which 769 square metres is for commercial uses and 21,813 square metres is for residential uses. The development has an overall density of 4.13 times the gross site area.

The proposed development also includes a 546.4 square metres area at the north end of the site that is proposed to be conveyed to the City for public park purposes. The proposed park has a width of 11.7 metres and extends east to west across the site from Weston Road to the Humber River Valley. The park represents 10% of the gross site area.

The development will contain 232 residential units comprised of a mix of one bedroom, one bedroom plus den, two bedroom and two bedroom plus den units. A 690 sq.m outdoor amenity space for residents is located on the ninth floor of the building adjacent to Weston Road. As well, the building is designed such that portions of floors 3 to 6 extend out over the outdoor parking spaces located at the rear of the property.

A total of 343 parking spaces are proposed to serve the development of which 17 spaces will be provided as outdoor surface parking spaces at the rear of the property and the remainder will be housed in a three level underground parking garage. Vehicle access to the site is located at the north end of the building, adjacent to the proposed public park. This access driveway leads to a drop-off area, the surface parking spaces, the underground parking garage, loading spaces and the garbage storage area which are all located at the rear of the building.

Refer to the Attachments illustrating the site plan, elevations and project data.

Site and Surrounding Area

The site is located on the west side of Weston Road, north of Lawrence Avenue, south of Highway 401 and borders the Humber River Valley to the west.

The site has an area of 5,468.7 square metres (approximately 0.55 hectares), with a frontage of approximately 79.1 metres along Weston Road. The site is currently occupied by Cruickshank Motors and houses a one-storey car dealership showroom at the south end of the property and a one-storey automobile body shop at the north end of the site. The remainder of the property is used as surface parking for the car dealership.

The surrounding land uses are as follows (based on Weston Road being a north-south street):

North: a one-storey office building, followed by a 21-storey residential building and a 14-storey apartment building. Further north towards St Philips Road are a series

of mid-rise (5 to 9 storey) apartment buildings on the west side of Weston Road and low-rise commercial buildings and townhouses on the east side of Weston road.

South: immediately south and adjacent to the property is a two-storey Canada Post building. Further south are low rise commercial buildings, and low-rise residential dwellings along King Street Crescent and Little Avenue. Mixed-use buildings are located at the northeast and northwest corners of Weston Road and Lawrence.

West: immediately west of the site is the Humber River Valley, Cruickshank Park (12-acres) and a bicycle trail system that extends along the river.

East: low rise commercial buildings, a library and further east a low-rise residential neighbourhood.

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 and safety. City Council's planning decisions are required to be 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. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The site is designated by the Toronto Official Plan as *Apartment Neighbourhoods* on Map 14 of the Plan. *Apartment Neighbourhoods* are made up of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of area residents. All land uses provided for in the *Neighbourhoods* designation are also permitted in *Apartment Neighbourhoods*.

Section 4.2 of the Plan contains policies that set out the development criteria for new buildings in *Apartment Neighbourhoods*. Policy 2 states that development will contribute to the quality of life by:

- a) locating and massing new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives

- of this Plan, through means such as providing setbacks from, and/or a stepping down of heights towards, lower-scale *Neighbourhoods*;
- b) locating and massing new buildings so as to adequately limit shadow impacts on properties in adjacent lower-scale *Neighbourhoods*, particularly during the spring and fall equinoxes;
 - c) locating and massing new buildings to frame the edge of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
 - d) including sufficient off-street motor vehicle and bicycle parking for residents and visitors;
 - e) locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences;
 - f) providing indoor and outdoor recreation space for building residents in every significant multi-unit residential development;
 - g) providing ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces; and
 - h) providing buildings that conform to the principles of universal design, and wherever possible contain units that are accessible or adaptable for persons with physical disabilities.

The site is also subject to Site and Area Specific Policy 51. The applicable policy for properties along Weston Road states that:

- a) View corridors to the Humber Valley from street intersections of Weston Road in the Weston community should be maintained. Links between the Weston community and the Humber Valley will be improved by adding and improving existing pedestrian connections including: an expansion of the pedestrian/bicycle trail system north of Cruickshank Park and establishing additional amenities for park users such as a café, retail pavilion, and washrooms.
- b) A significant open space feature should be provided in the Lawrence employment area.

The Official Plan also places the site in an *Avenues* corridor as identified in Map 2 of the Plan. The *Avenues* are important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities while improving the pedestrian environment, the look of the street, shopping opportunities and transit service for community residents. Reurbanization of the Avenues is to be achieved through the preparation of an Avenue Study. Section 2.2.3 of the Official Plan establishes the policy objectives of Avenue studies.

Map 9 of the Official Plan places the western portion of the site within the Natural Heritage System. The Official Plan explains that the Natural Heritage System is made up of areas where protecting, restoring and enhancing the natural features and functions

should be given high priority in city-building decisions and where impacts of new development in areas near the natural heritage system are to be carefully assessed.

Section 3.4 of the Plan contains a number of policies related to development in or near the Natural Heritage System. Policy 3.4.8 states that development will be set back from the following locations by at least 10 metres, or more if warranted by the severity of existing or potential natural hazards:

- a) the top-of-bank of valleys, ravines and bluffs;
- b) other locations where slope instability, erosion, flooding, or other physical conditions present a significant risk to life or property; and
- c) other locations near the shoreline which may be hazardous if developed because of flooding, erosion or dynamic beach processes.

Policy 3.4.10 states that development is generally not permitted in the natural heritage system. Where the underlying land use designation provides for development in or near the natural heritage system, development will:

- a) recognize natural heritage values and potential impacts on the natural ecosystem as much as is reasonable in the context of other objectives for the area; and
- b) minimize adverse impacts and when possible, restore and enhance the natural heritage system.

Policy 3.4.12 states that all proposed development in or near the natural heritage system will be evaluated to assess the development's impacts on the natural heritage system and identify measures to mitigate negative impact on and/or improve the natural heritage system, taking into account the consequences for:

- a) terrestrial natural habitat features and functions including wetlands and wildlife habitat;
- b) known watercourses and hydrologic functions and features;
- c) significant physical features and land forms;
- d) riparian zones or buffer areas and functions;
- e) vegetation communities and species of concern; and
- f) significant aquatic features and functions including the shoreline of Lake Ontario.

To assist with this evaluation, the applicant has submitted a Natural Heritage Study as part of the application at the request of City planning staff.

Section 3 of the Official Plan also contains a number of policies related to the Built Environment and the Human Environment that will be considered in the review of the proposed development. In conjunction with these policies staff will also apply the urban design guidelines for the Weston area. These guidelines are a companion document to the Official Plan and are discussed in more detail below.

Zoning

The subject property is zoned Main Street Commercial/Residential Zone (MCR) in the former City of York Zoning By-law 1-83, as amended (See attachment 3). Permitted uses include but are not limited to the following: street townhouses, stacked street townhouses, apartment house, retirement lodge, nursing home, retail store, office, restaurant, recreational use, theatre, funeral parlour, institutional use, commercial school, public garage and hotel.

The MCR zoning regulations specify that the maximum building height shall be the lesser of 8-storeys or 24 metres, except where the lands front onto Weston Road then any portion of a building or structure constructed within 6 metres of the front lot line shall be limited to 9 metres in height. The maximum permitted density is 2.5 times the lot area. The proposed mix-use building is permitted but does not comply with the regulations of this zone.

Site Plan Control

The proposed development is subject to Site Plan Control. An application for Site Plan Approval is required but has not yet been submitted as part of this application.

Demolition Control Application

In March 2007 a demolition approval application was submitted, pursuant to By-law 3102-95 of the former City of York, to remove the stand alone accessory building associated with the dealership at 2062 and 2070 Weston Road. City Council on June 19, 20 and 22, 2007 adopted the recommendations of the Etobicoke York Community Council to approve the application to demolish the accessory building, subject to the Owner entering into a Beautification Agreement, containing a beautification plan, with the City to be registered on-title prior to the issuance of a demolition permit.

The owner has not entered into the Beautification Agreement in light of their proposed rezoning application for redevelopment of the site. The need to require a Beautification Agreement will be determined through the outcome of this rezoning application.

Ravine Control

A portion of the property along the west property line is subject to provisions of the City of Toronto Municipal Code Chapter 658 – Ravine and Natural Feature Protection. Any development within the City's ravine and natural feature protection areas may require a permit from Urban Forestry, Ravine and Natural Protection and is subject to the regulations of this by-law.

Tree Preservation

This application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees by-law) and III (Private Tree by-law). The applicant has submitted an Arborist Report/Tree Preservation Plan, which is currently being review by staff.

Toronto and Region Conservation Authority

The westerly edge of the site falls within an area that is subject to Toronto and Region Conservation Authority Regulation O. Reg. 166/06, associated with the Humber River Valley. A permit is required from the Conservation Authority for any development or site alteration within the regulated area.

Archaeological Assessment

The site is within the Interim Screening Areas for Archaeological Potential identified in the Archaeological Master Plan of the City. The applicant has submitted a Stage 1 and 2 Archaeological Assessment Report. The submitted report concludes that the subject property is free of archaeological concern and no further study is required.

Reasons for the Application

An amendment to the former City of York Zoning By-law 1-83 is required to permit an increase in height and density and to amend other performance standards as may be required.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- (a) Area Based Planning Study
- (b) Arborist Report
- (c) Environmental Noise Analysis
- (d) Natural Heritage Study
- (e) *Planning Act* information requirement as per Schedule 1 of O.Reg 545/06.
- (f) Planning Rationale including a Community Services and Facilities Study
- (g) Phase I Environmental Site Assessment and Phase II Environmental Site Assessment Report
- (h) Preliminary Pedestrian Level Wind Study
- (i) Site Servicing Assessment
- (j) Shadow Study
- (k) Stage 1 Archaeological Resource Assessment
- (l) Transportation Impact Study
- (m) Toronto Green Development Standard Checklist

A Notification of Incomplete Application, issued on November 18, 2009 and November 25, 2009, identifies the outstanding material required for a complete application submission as follows:

- (a) Draft zoning by-law
- (b) Plan of Topography
- (c) Plan of Survey

- (d) Preliminary Pedestrian Level Wind Study that is signed and/or stamped by the professional engineer who prepared the report
- (e) Computer Generated Building Mass Model
- (f) Slope Stability Analysis and revised drawings illustrating the TRCA staked top of bank and the Geotechnical Stable Top of Bank Line (applicant advised by TRCA via email on November 26, 2009).

As of the date of this report, a number of the outstanding materials listed above had yet to be submitted. Once the remaining material is received, City staff will review the application for completeness and advise the applicant accordingly.

Issues to be Resolved

The application has been circulated to City departments and public agencies for comment. There are a number of issues that need to be resolved including but not limited to the following listed below.

Height, Density and Built Form

To enhance the public realm and ensure new tall buildings fit well within their existing and planned context, City Council approved specific urban design guidelines to be used in the review of tall buildings entitled the “Design Criteria for Review of Tall Building Proposals”. These guidelines define a tall building as one whose height is greater than the width of the principal street on which it is located.

As the Official Plan identifies Weston Road as having a right-of-way width of 27 metres the proposed development is considered a tall building. The proposed building has a height of 21 storeys (66.1 metres) and a density of 4.13 times the lot area. Currently the zoning by-law only permits a maximum building height the lesser of 8 storeys or 24 metres and a maximum density of 2.5 times the lot area.

Although the Official Plan does not specify a specific height limit for new buildings on the subject site, Site and Area Specific Policies 45, 49 and 232 limit buildings heights for surrounding lands along Weston Road. For example the height of new buildings on properties fronting on Weston Road is limited to:

- a) 8 storeys (24 metres) south of King Street,
- b) 14 storeys for 2426-2438 Weston Road
- c) 2 to 4 storeys for lands in the vicinity of Humberview Crescent

The applicant has been requested to submit a Computer Generated Building Mass Model that illustrates the proposed development within the existing and planned built form context. Staff will review the proposed additional building height, mass and density in the context of all the policies of the Official Plan and applicable urban design guidelines.

Weston Urban Design Guidelines

The proposed development is to be consistent with the urban design guidelines for the Weston area. These guidelines are to be read in conjunction with the Built Form policies in the Official Plan. The guidelines place the subject property within the Weston Road Corridor. The guidelines state that buildings within the Weston Road Corridor will be a maximum height of eight storeys (24 metres) along the Weston Road frontage with a minimum 3 metre setback required above the sixth floor.

Avenue Study

The Official Plan places the site within an Avenues Corridor along Weston Road. The Plan states that the reurbanization of the Avenues is to be achieved through the preparation of an Avenue Study. The purpose of an Avenue Study is to establish a vision and implementation strategy to guide new development that promotes intensification and redevelopment in a mid-rise building form that is contextually appropriate for an area and minimizes adverse impacts on surrounding areas, natural features and uses.

Specifically, Policy 2 of Section 2.2.3 states that an Avenue Study will set out contextually appropriate as-of-right zoning and other regulations designed to achieve high quality development along the *Avenue* which establishes:

- i) permitted uses and maximum density and height limits;
- ii) appropriate massing, scale, siting and organization of buildings;
- iii) appropriate scale transitions to adjacent areas;
- iv) restrictions on parking at-grade and driveways in front of buildings; and
- v) transit-supportive measures

A City initiated Avenue Study has not commenced for Weston Road. New development along the Avenues are generally envisioned to be mid-rise buildings where the building is no taller than the width of the adjacent principal street. The proposed building has a height of 66.1 metres, whereas the width of Weston Road is 27 metres.

Section 2.2.3 of the Plan contains policies stating that development may be permitted on the Avenues prior to an Avenue Study were it implements all the policies of the Plan including the policies of the relevant designation area(s). At the request of planning staff the applicant submitted an Area Based Planning Study that is required to address what built form precedent the proposed development would set for other potential redevelopment sites and what the subsequent cumulative impacts on community services and facilities, parks, transportation, etc. such a precedent would have on the surrounding area. In addition, the study is to:

- a) include an assessment of the impacts of the incremental development of the entire corridor segment at a similar form, scale and intensity, appropriately allowing for distinguishing circumstances;

- b) consider whether incremental development of the entire corridor segment as identified in the above assessment would adversely impact any adjacent land uses and designations; and
- c) consider whether the proposed development is supportable by available infrastructure.

The Area Based Planning Study will be reviewed as part of the application. The study will assist Planning Staff in determining whether the proposed development will establish a positive precedent on the future reurbanization of this segment of Weston Road.

Open Space and Parkland

Parks, Forestry and Recreation staff have advised that the subject property is in a priority area, as per Alternative Parkland Dedication Rate By-law 1420-2007. As the site is also within a priority area for parkland acquisition, a parkland conveyance at the alternative rate of 10% of the site area has been requested along the north-west boundary of the property, from Weston Road to the rear of the property. The park design and orientation will be reviewed as part of this application.

Environmental Issues

The Official Plan places the western portion of the site within the Natural Heritage System. The review of the application will include an assessment of environmental issues and impacts related to the site's proximity to the Humber River Valley and other applicable policies and regulations under the Official Plan's Natural Heritage System, the Ravine and Natural Feature Protection by-law, and Toronto and Region Conservation Authority.

Sun/Shadow Study and Wind Study

The applicant has submitted a Shadow Study and a Pedestrian Wind Study to assist staff in assessing the effect of massing with the objective of minimizing the negative impacts of shadows and winds on adjacent public areas and streets, neighbouring properties, open spaces and the proposed public park.

Mid-rise Building Study

In 2008, the City retained Brook McIlroy Planning + Urban Design/Pace Architects to conduct a mid-rise building typology study that is intended to provide the City with recommended actions that would help encourage mid-rise development along the City's Avenues. Staff will consider the initial findings of the Mid-rise Building Study in the review of this application.

Section 37 Agreement

The Official Plan contains provisions pertaining to the exchange of public benefits for increased height and density for new development pursuant to Section 37 of the *Planning Act*. City Planning staff, in consultation with the local Councillor, will be discussing with the applicant how these policies will be addressed, and secured in a Section 37 Agreement.

Toronto Green Standard

Staff will be encouraging the applicant to review sustainable development opportunities by utilizing the Toronto Green Standard.

Further Review

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

CONTACT

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E-mail: lgalli@toronto.ca

SIGNATURE

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

ATTACHMENTS

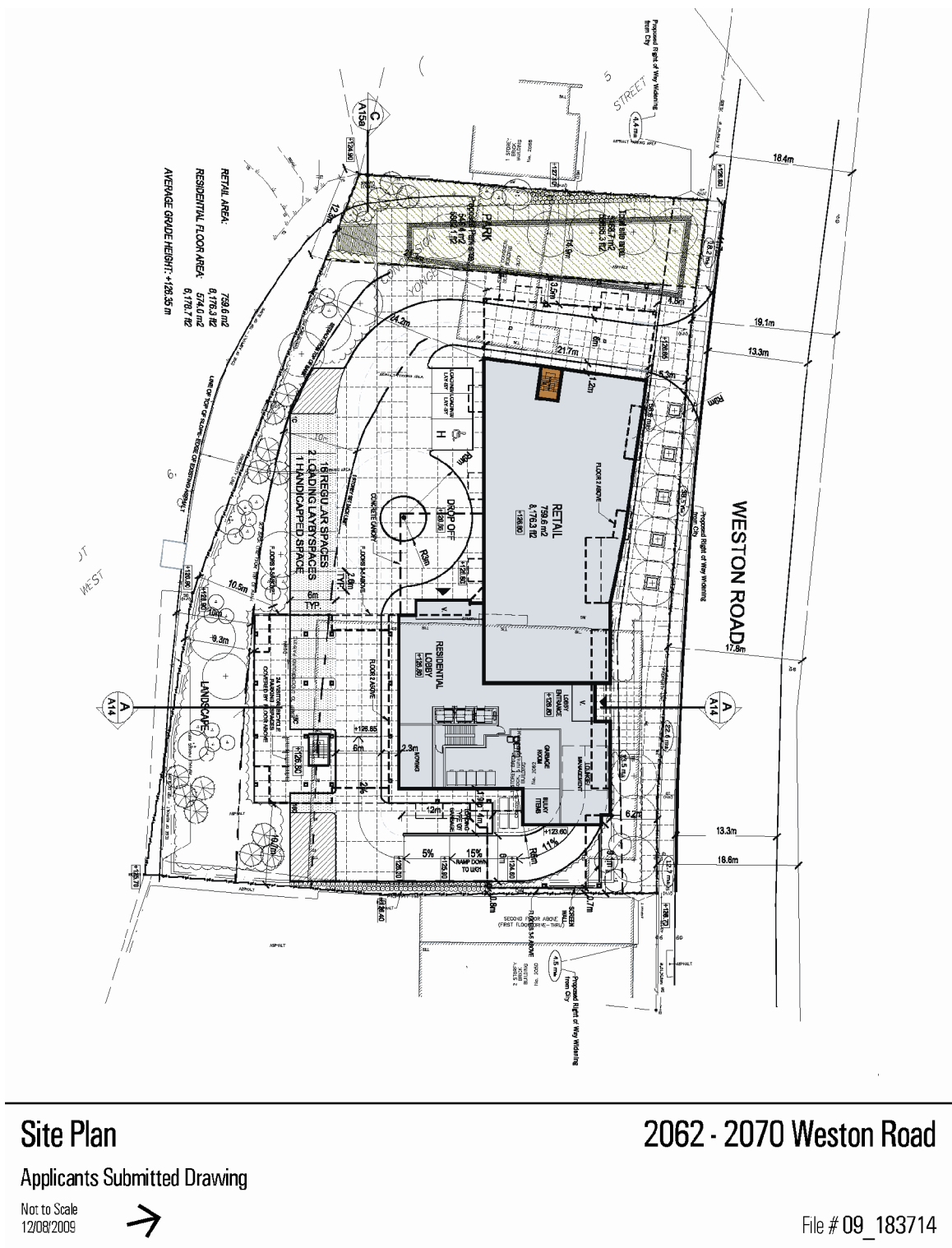
Attachment 1: Site Plan

Attachment 2: Elevations (as provided by applicant)

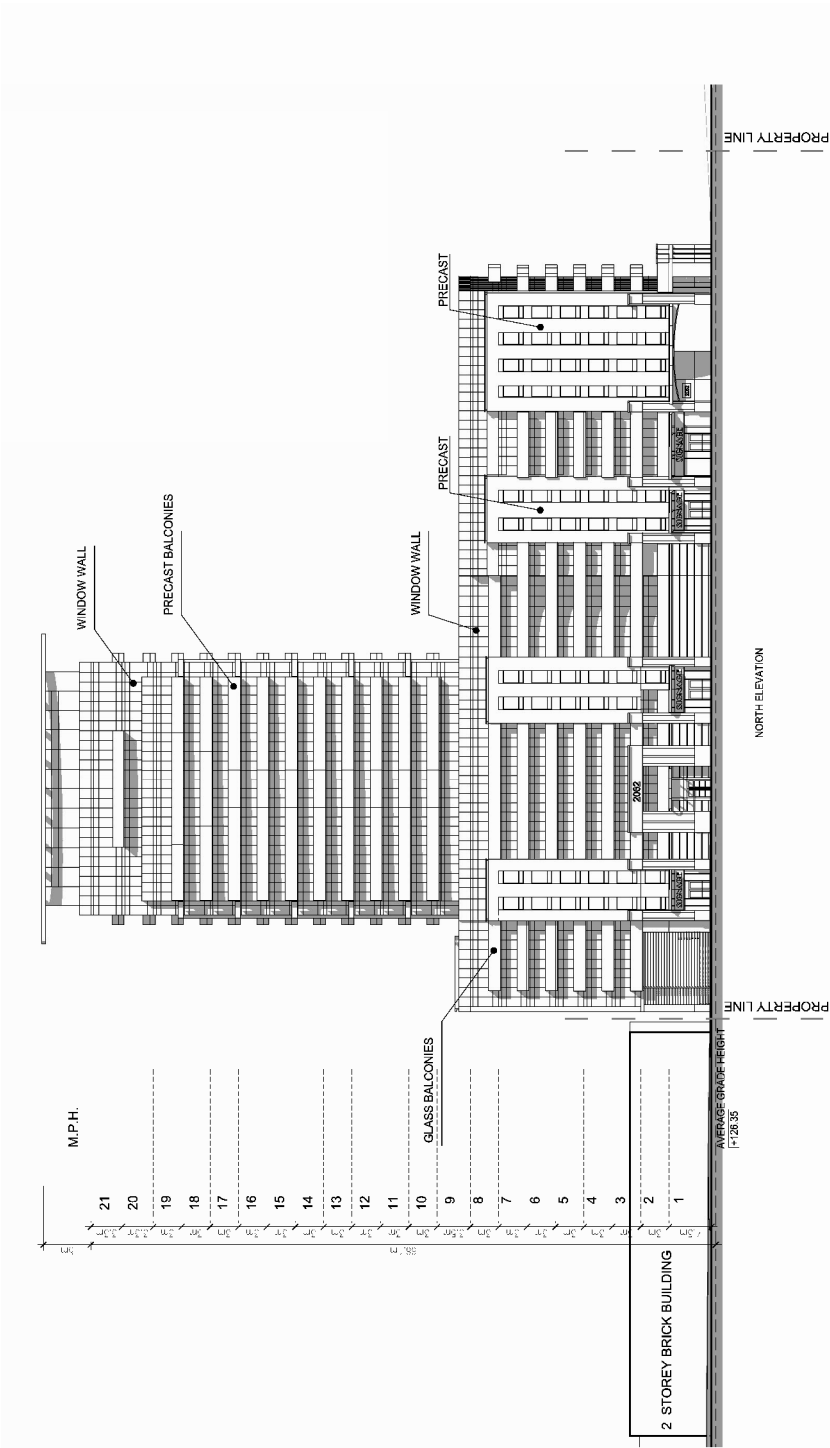
Attachment 3: Zoning

Attachment 4: Official Plan

Attachment 5: Application Data Sheet



Attachment 2: Elevations



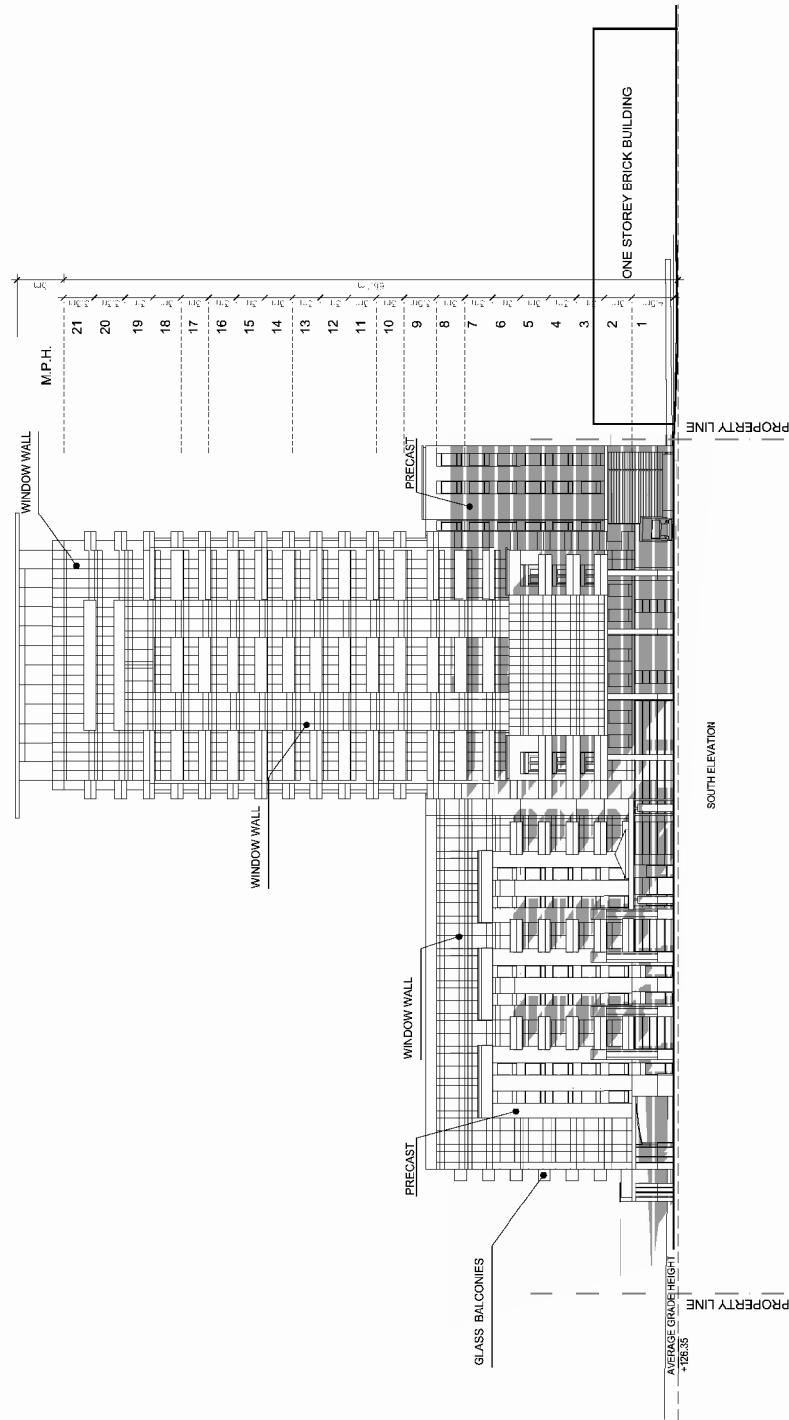
Elevations

Applicant's Submitted Drawing
Not to Scale

2062 - 2070 Weston Road

File # 09_183714

Attachment 2: Elevations (West)



Elevations

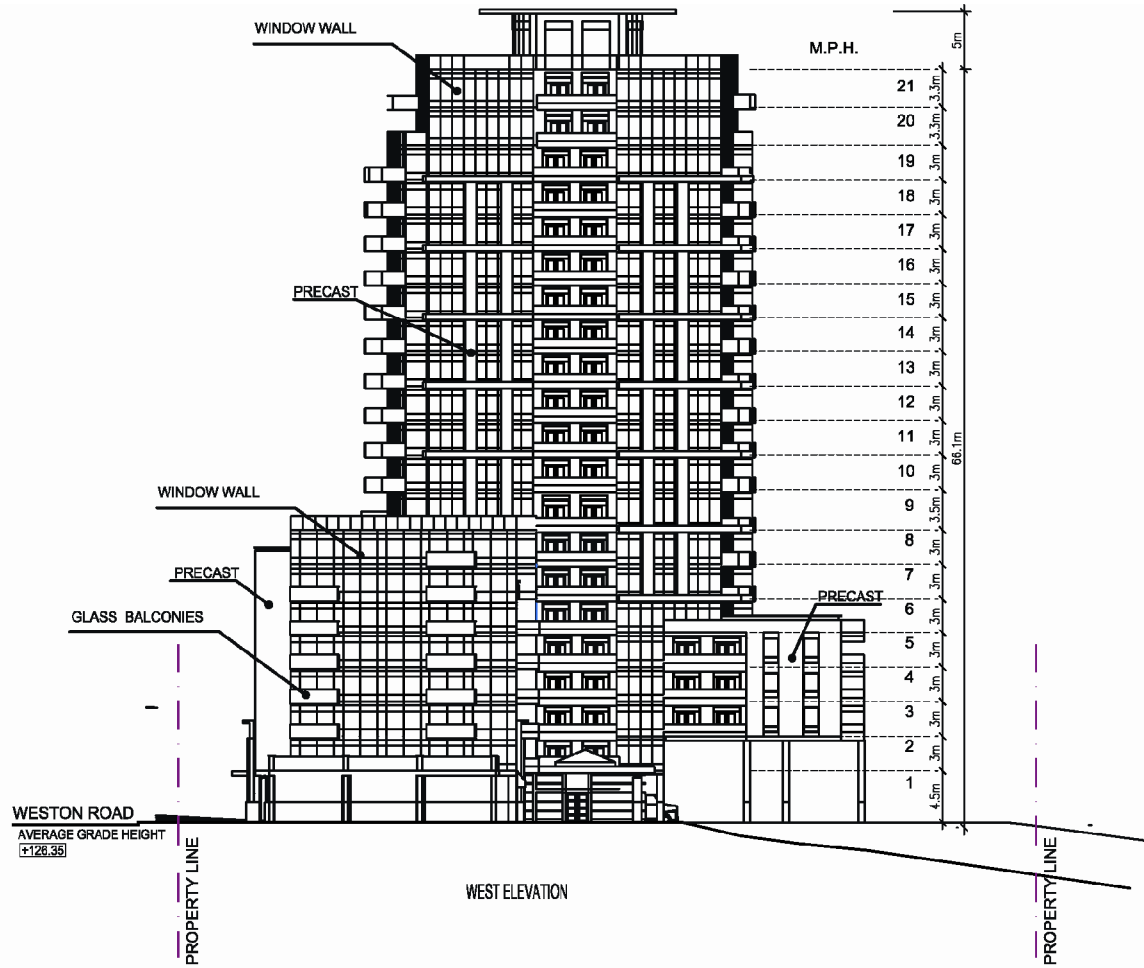
Applicant's Submitted Drawing

Not to Scale

2062 - 2070 Weston Road

File # 09_183714

Attachment 2: Elevations



Elevations

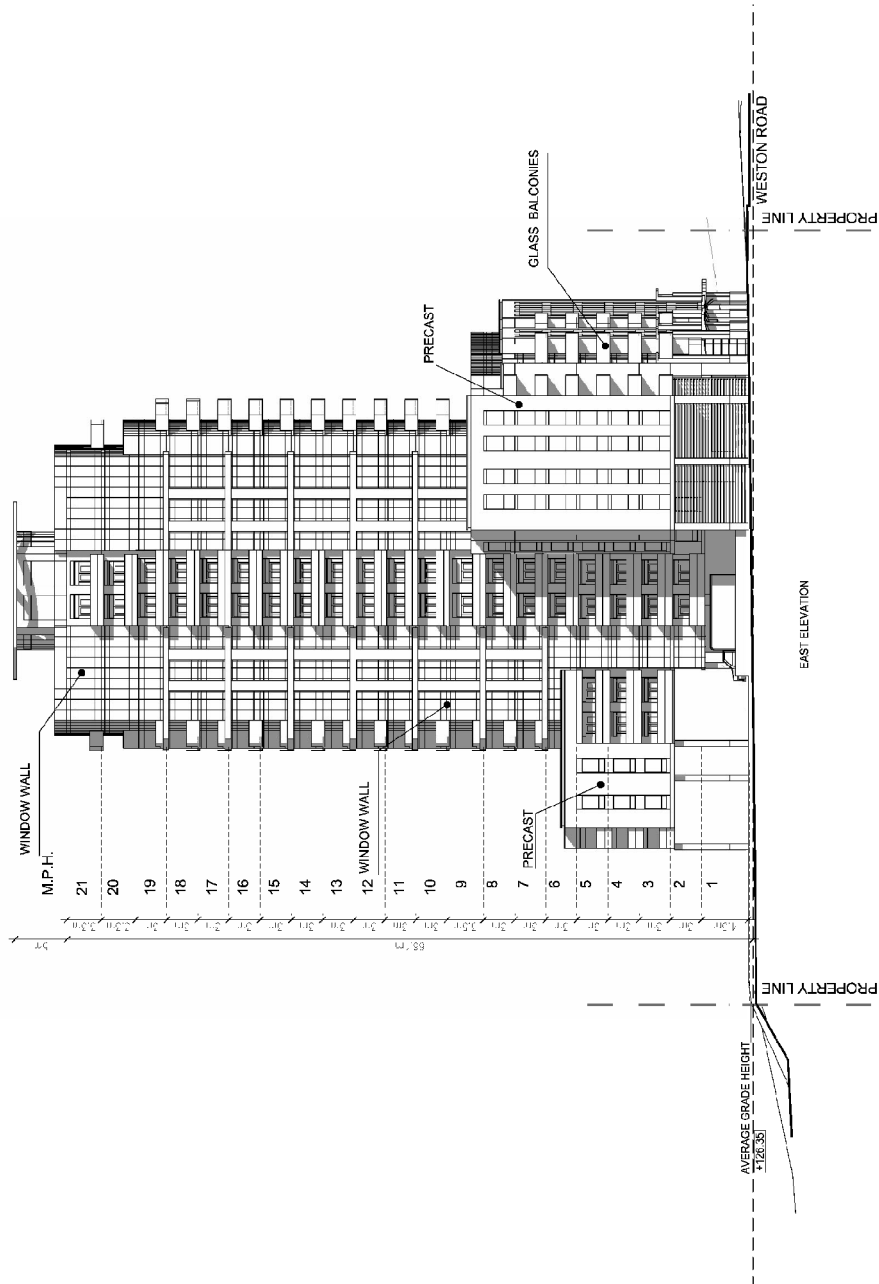
2062 - 2070 Weston Road

Applicants Submitted Drawing

Not to Scale
12/08/2009

File # 09_183714

Attachment 2: Elevations



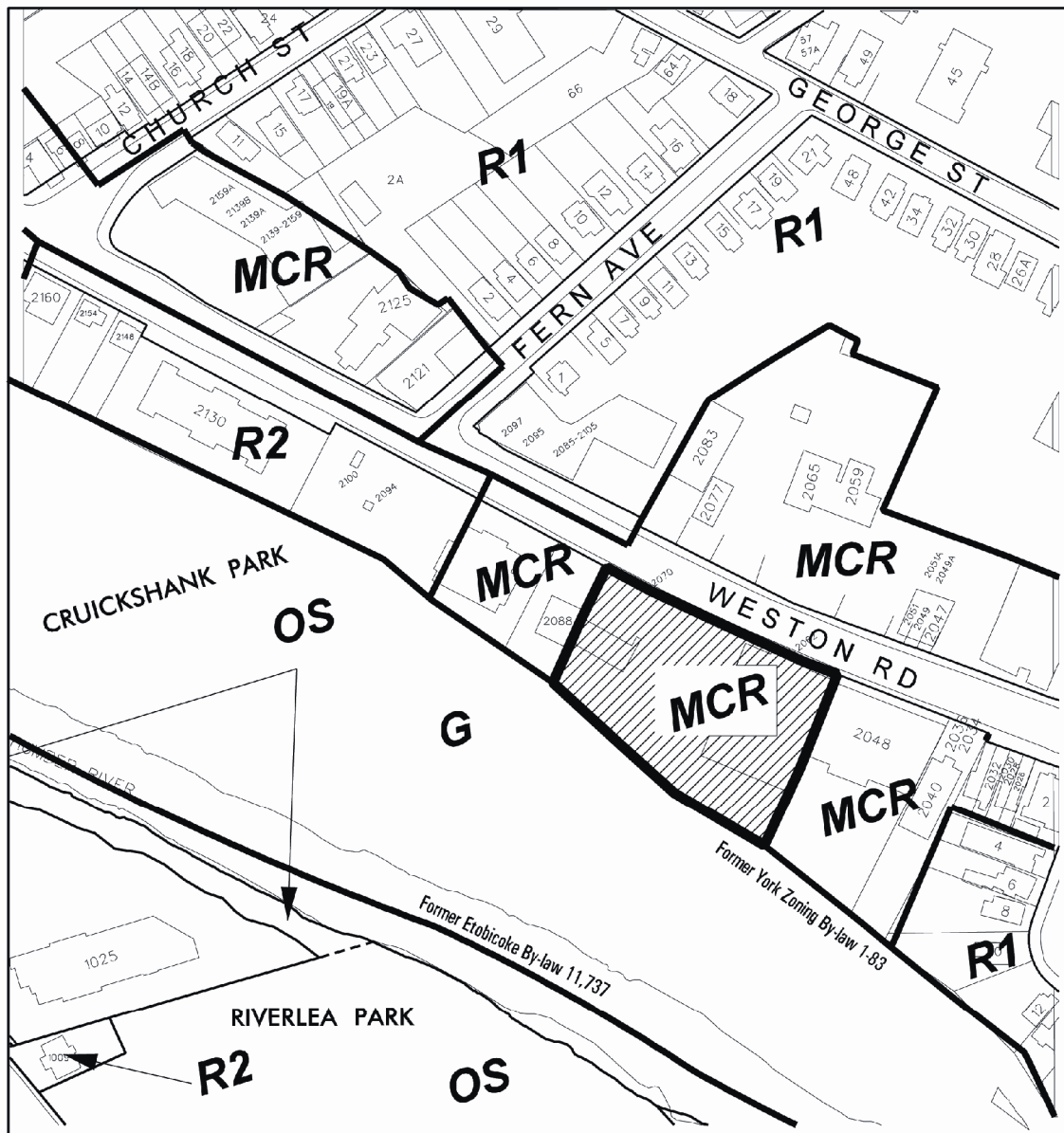
Elevations

Applicant's Submitted Drawing
Not to Scale

2062 - 2070 Weston Road

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Attachment 3: Zoning



Toronto City Planning
Zoning

2062- 2070 Weston Road

File # 09_183714

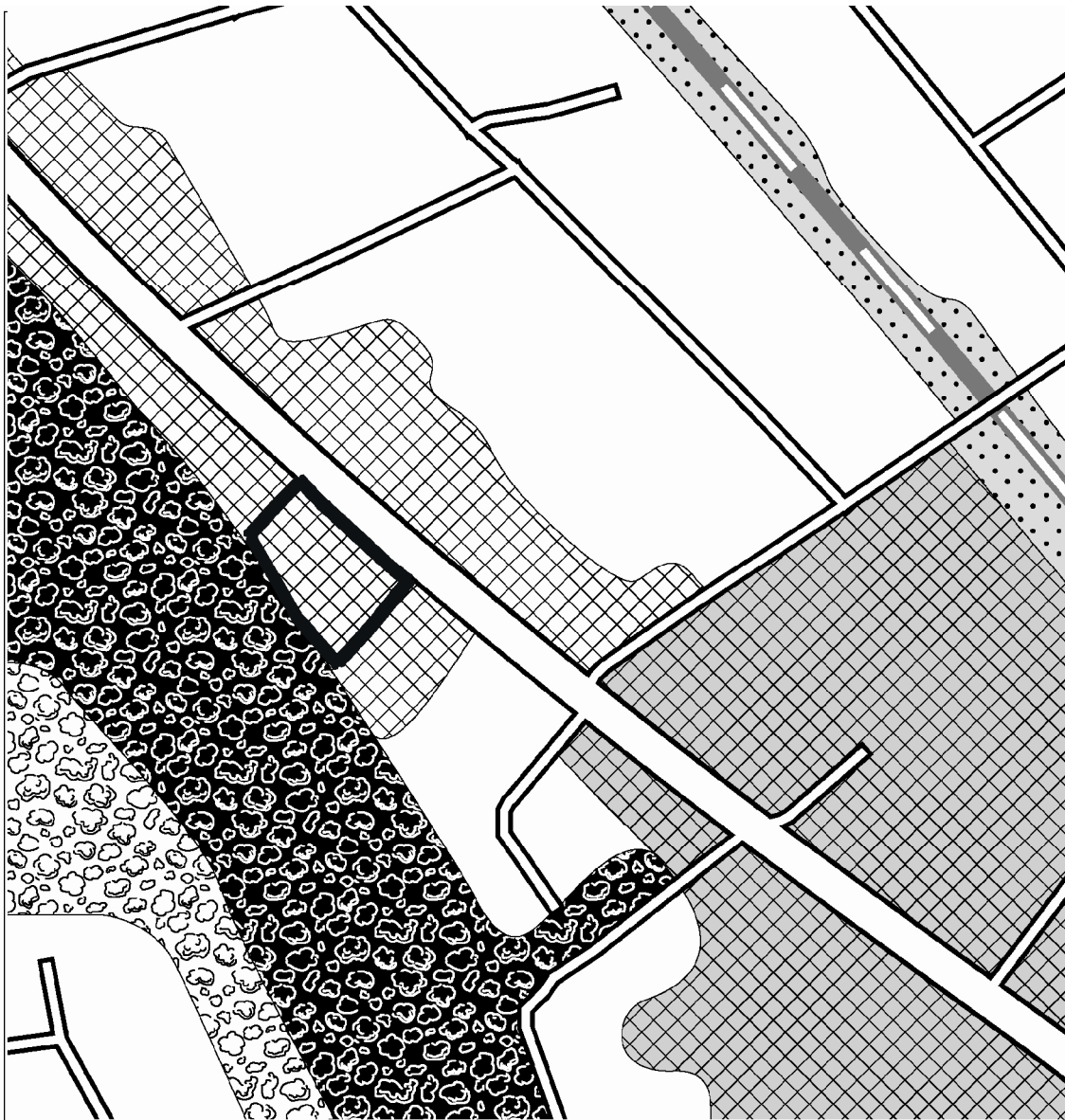
Former York Zoning By-law 1-83
R1 Residential Zone
R2 Residential Second Density
MCR Main Street Commercial/Residential Zone
G Green Open Space

Former Etobicoke By-law 11,737
R2 Residential Second Density
OS Public Open Space



Not to Scale
Former York Zoning By-law 1-83
Extracted 12/07/2009/JM

Attachment 4: Official Plan



TORONTO City Planning
Official Plan

2062 - 2070 Weston Road

File # 09_183714



↑
Not to Scale
12/09/2009

Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	09 183714 WET 11 OZ
Details	Rezoning, Standard	Application Date:	October 29, 2009

Municipal Address: 2062 WESTON RD

Location Description: CON 5 WYS PT LT6 **GRID W1102

Project Description: An application to amend the former City of York Zoning By-law 1-83 to permit a 21 storey building comprised of an 8 storey podium with commercial uses at grade and a 13-storey tower element above the podium. The proposed development will contain 232 residential condominium units.

Applicant:	Agent:	Architect:	Owner:
MCCARTHY TETRAULT LLP JOHN DAWSON			2062 WESTON ROAD HOLDINGS

PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhood	Site Specific Provision:	Policy 51
Zoning:	MCR Main Street Commercial / Residential	Historical Status:	
Height Limit (m):	8 storeys (24 metres)	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	5624.91	Height:	Storeys:	21	
Frontage (m):	91.8		Metres:	66.1	
Depth (m):	61.27				
Total Ground Floor Area (sq. m):	1,333.6				Total
Total Residential GFA (sq. m):	21,813		Parking Spaces:	343	
Total Non-Residential GFA (sq. m):	760		Loading Docks	0	
Total GFA (sq. m):	22,572				
Lot Coverage Ratio (%):	0				
Floor Space Index:	4.12				

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	91
2 Bedroom:	141
3 + Bedroom:	0
Total Units:	232

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	21813	
Retail GFA (sq. m):	760	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

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