

2388-2398 Lake Shore Boulevard West and 13 Superior Avenue – Zoning Amendment Application - Preliminary Report

Date:	June 3, 2010
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 6 – Etobicoke-Lakeshore
Reference Number:	10 166310 WET 06 OZ

SUMMARY

This application was made on or 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 build a 14-storey mixed use building (including mezzanine above the first floor and an amenity area on the 14th floor) with retail at grade and 150 units above at 2388-2398 Lake Shore Boulevard West and 13 Superior Avenue.

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.



RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 2388-2398 Lake Shore Boulevard West and 13 Superior

Avenue together with the Ward Councillor.

2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
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

City Council enacted By-laws 970-2003 and 971-2003 on September 24, 2003 for that portion of the site known as 2398 Lake Shore Boulevard West and 13 Superior Avenue. It should be noted that the current application also includes 2388 and 2390 and 2392 Lake Shore Boulevard West as well.

By-law 970-2003 effected Amendment 109-2003 to the Etobicoke Official Plan and introduced Site Specific Policy No. 86. It permitted a Seniors' Residence with a height of 7-storeys and without meeting the 45 degree angular plane provisions. The Etobicoke Official Plan had a height limit of 6-storeys for Commercial Residential Strip Areas. This site specific policy was rescinded upon the adoption of the Toronto Official Plan.

By-law 971-2003 amended the Etobicoke Zoning Code to adopt a specific set of development standards for the site, notwithstanding Sections 340-36 and 340-40 of the Code. The site-specific by-law allowed a maximum of 118 seniors' residence home rooms, 140 square metres of retail space on the ground floor, a number of setback requirements, a maximum gross floor area of 6,175 square metres, a height of 22.8 metres, coverage of 88 percent of the site area and required 43 parking spaces. A definition of Seniors' Residence Home was also introduced.

Site Plan Approval was not completed as the applicant was trying to sell the property.

Pre-Application Consultation

A pre-application consultation meeting was held with the applicant to discuss complete application submission requirements.

Fifty-five people attended a pre-application community consultation meeting on December 10, 2009. The 14-storey building was presented to the community. Concerns were raised about the number of proposed parking spaces and the possibility of overflow parking on the surrounding residential streets. The community expressed interest in redevelopment on the site to replace the vacant buildings.

ISSUE BACKGROUND

Proposal

The applicant is proposing to construct a 14- storey building (including mezzanine above the first floor and an amenity area on the 14th floor) with retail at grade and 150 units above, at a density of 6.36 times the lot area (See Attachment 4: Application Data Sheet). The building is stepped back from Lake Shore Boulevard West, Superior Avenue, and on the west face of the building, creating a terraced profile. Landscaping has been provided on the terraces and the applicant is also providing a green roof.

Site and Surrounding Area

The site is located at the northwest corner of Lake Shore Boulevard West and Superior Avenue. The site has 3 buildings: two on Lake Shore Boulevard West and one on Superior Avenue. The Lake Shore Boulevard West buildings are two and three-storey commercial buildings with residential uses above. The corner building has been vacant for a number of years and is subject to site-specific By-law 971-2003 described above. The Superior Avenue building is two-storeys and was the fire station for the Town of Mimico. It is listed as a heritage building and is also included in By-law 971-2003.

Lake Shore Boulevard is generally oriented north south at this location. The abutting properties are as follows:

North: A 2-storey commercial building that completes the block on the west side of Lake Shore Boulevard West between Superior and Albert Avenues.

West: A 2-storey house in a C zone and a Neighbourhoods Area beyond consisting of 1 and 2-storey detached houses.

East: Commercial buildings and 6-storey apartment buildings fronting Lake Shore Boulevard and Lake Ontario beyond.

South: Two-storey commercial/residential buildings.

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 Official Plan designates the site Mixed Use Area on Map 15, and shows the site on an Avenue on Map 2.

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. Such reurbanization is subject to the policies contained in the Plan, including, in particular, the neighbourhood protection policies.

Reurbanizing the Avenues will be achieved through the preparation of Avenue Studies for strategic mixed use segments of the corridors shown on Map 2. An Avenues Study has not yet been prepared for the area.

Preliminary planning work has been carried out in the Mimico area. The study area includes both sides of Lake Shore Boulevard West between Park Lawn Road and Royal York and to Lake Ontario. Consultation with residents regarding the future of the Mimico area has been ongoing for several years. The Mimico 20/20 Revitalization Action Plan – Planning and Design Charette - was released in September 2009. The Action Plan recognized the development potential of the subject site, as well as a number of others in the area. The Action Plan also identified the need for further studies, including design guidelines for future development. A Request for Proposals to undertake further more detailed work in the area is currently being prepared by staff.

While the consideration of this application will include co-ordination with the Mimico 20/20 work, the applicant wishes to proceed prior to this work being completed; therefore an Avenues Segment Study must be submitted.

Development may be permitted on the Avenues prior to an Avenue Study and will be considered on the basis of all of the policies of the Official Plan. Development requiring a rezoning will not be allowed to proceed prior to the completion of an Avenue Study unless an Avenue Segment Study has been carried out and completed by the applicant. The Segment Study must demonstrate that subsequent development of the entire Avenue segment will have no adverse impacts within the context and parameters of the review.

The applicant will be submitting an Avenues Segment Study in order to evaluate whether the proposed development will establish a positive precedent on the future reurbanization of the Avenue, with particular regard to building form, massing and intensity. The boundary of the Segment Study is still under review.

The site is in a Mixed Use Area. The application will be evaluated with the performance criteria that apply to the lands in Mixed Use Areas. The Avenues Segment Study will also be used to evaluate the type of development that should be considered for the area.

Zoning

Site Specific Zoning By-law 971-2003 permits a 7-storey Seniors' Home Residence subject to specific setbacks, parking and coverage standards. The by-law applies to two of the three properties that make up the site. The C – Commercial Zoning in the Etobicoke Zoning Code applies to the northerly building in the application.

The C zone allows the following uses: new and used car sales room, banks, business, professional and government offices, dwelling unit over a commercial use, hotel, library, retail store, supermarket, and dry cleaning establishment.

The applicant is proposing to amend the Etobicoke Zoning Code to allow the proposed residential use, with the appropriate development standards.

Site Plan Control

An application has not been submitted to date.

Design Review Panel

In December, 2009, City Council expanded the mandate of the Design Review Panel to include all projects in the City of Toronto that meet certain thresholds. The subject application will be submitted to the panel as it is located along an Avenue and contains significant public realm impacts as a result of its location, scale, and form of development.

Tree Preservation

A Vegetation Analysis Plan has been provided and will be reviewed in the course of considering the application.

Reasons for the Application

The application does not meet the requirements of the site specific by-law as it relates to 2398 Lake Shore Blvd W and 13 Superior Avenue. While not a direct comparison because the lot areas are different, the proposed building is 14-storeys (39.3 m) rather than 7-storeys (22.8 m), the floor space index is proposed to be 6.36 rather than 4.83, and the use is an apartment building rather than a Senior's Home Residence. There are also different setbacks that will not be met due to the expanded development site.

The remaining building in the C zone does not comply because an apartment building is not a listed use.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

Traffic and Parking Impact Study
Pedestrian Level Wind Assessment
Shadow Study
Storm Water Management Report
Green Standard Check List
Vegetation Analysis Plan
Planning Rationale Report

A Notification of Incomplete Application issued on May 19, 2010 identifies the outstanding material required for a complete application submission as follows:

Avenues Segment Study

Issues to be Resolved

The application will be reviewed to determine, among other matters:

(a) Positive precedent for the area

The proposed development will establish a precedent for future developments in the area. The scale, massing, density and height of an approved development will be considered by other developers wishing to build in the area. The application will be reviewed to determine if this is the right type of development to be replicated on other sites. The review will determine whether this type of development is a positive addition to the community. The Avenues Segment Study will also be used for this evaluation.

(b) Impact on surrounding area

A Neighbourhoods district is located to the west of the development site. The closest detached one and two-storey houses will be shadowed for part of the day, as will the buildings to the north along Lake Shore Boulevard West. The review will determine whether the shadow impact is acceptable.

(c) Height

The proposed development is 14-storeys. The review will determine whether this height is appropriate for the intersection at Lake Shore Boulevard West and Superior Avenue, taking into account Official Plan and other relevant planning considerations.

(e) Built Form, massing and setbacks

A number of setbacks and setbacks are shown at various levels of the proposed development. These will be reviewed to determine whether they are at the appropriate depth and on the appropriate floor and whether other configurations would reduce shadow and increase amenity space, among other considerations.

(f) Traffic and parking impact

A Traffic and Parking Impact Study has been submitted. Commenting divisions will review the study to determine whether the findings are accurate and to assess appropriate development conditions.

Potential infiltration into the surrounding Neighbourhood Area must also be examined.

(g) Intersection improvements

The increased number of vehicles and pedestrians generated by the development may require improvements to the intersection to protect pedestrians and aid vehicles turning the corner at Lake Shore Boulevard West and Superior Avenue to access or egress the entrance to the underground garage.

(h) Section 37 Requirements

Given the proposed increase in height and density City Planning, the local Councillor and the applicant will begin discussions to determine what benefits are required for the surrounding community. The benefits will be secured in the Section 37 Agreement.

(i) Preservation of elements of the heritage building

The former Mimico Fire Station at 13 Superior Avenue had been identified by Heritage staff. The previous proposed development on the original site was required to incorporate the 'dog bone' that is over the garage doors on the first floor. Heritage will review requirements for the proposed development.

Toronto Green Standard

The Toronto Green Standard (TGS) is a tool to implement the broader environmental policies of the Official Plan. Several of the natural environment policies of the Official Plan encourage green development. These policies are geared to reduce the negative impacts of development on the natural environment through practices such as improved stormwater management, water and energy efficiency, and waste reduction and recycling. These policies also promote development that enhances the natural environment and support green industry.

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

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

CONTACT

Wendy Johncox, Senior Planner
Tel. No: (416) 394-8227
Fax No: (416) 394-6063
E-mail: wjohncox@toronto.ca

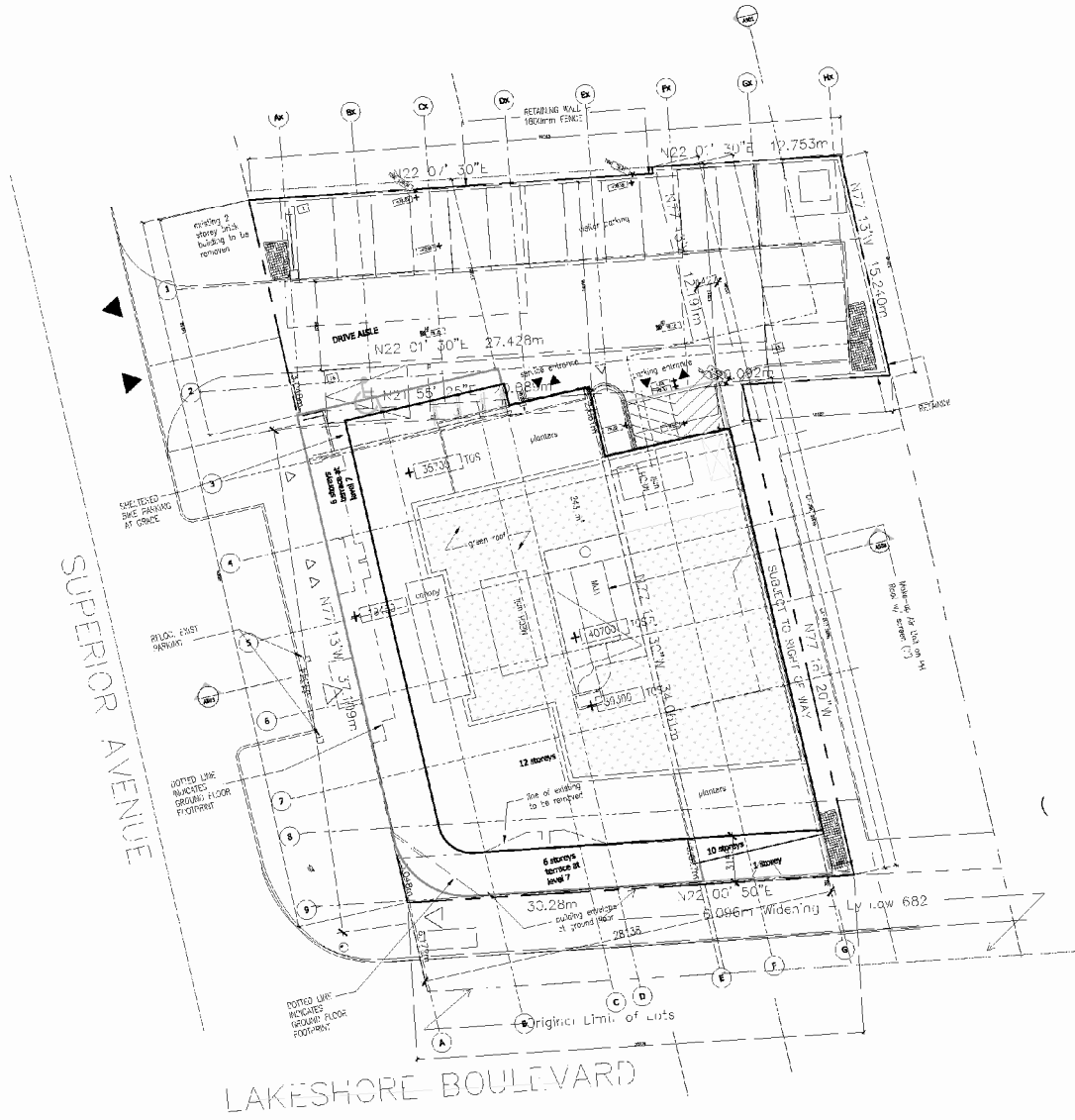
SIGNATURE

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

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Zoning
Attachment 4: Application Data Sheet

Attachment 1: Site Plan



Site Plan

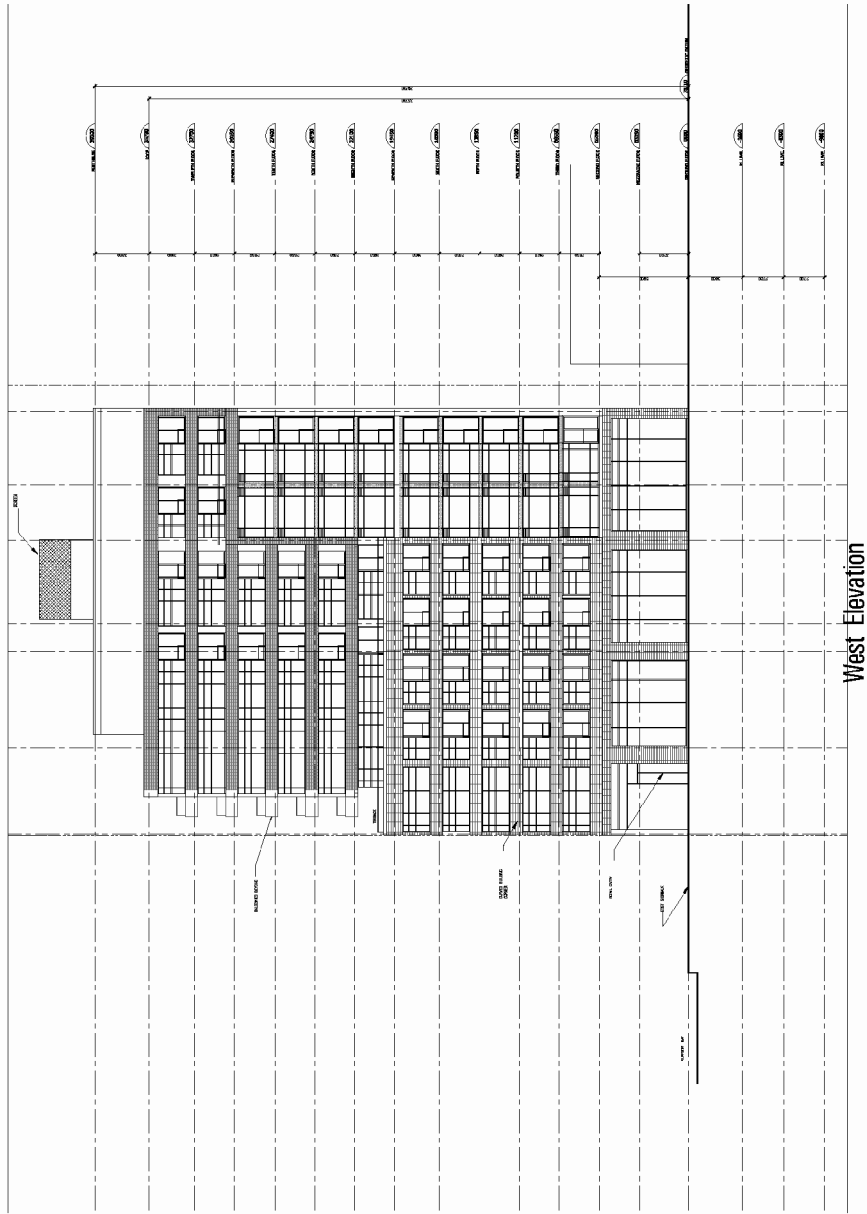
Applicant's Submitted Drawing

Not to Scale
05/03/2010 ➔

2388-2398 Lake Share Blvd. &
13 Superior Ave

File # 10_166310

Attachment 2: Elevations



West Elevation

2388-2398 Lake Shore Blvd. &
13 Superior Ave

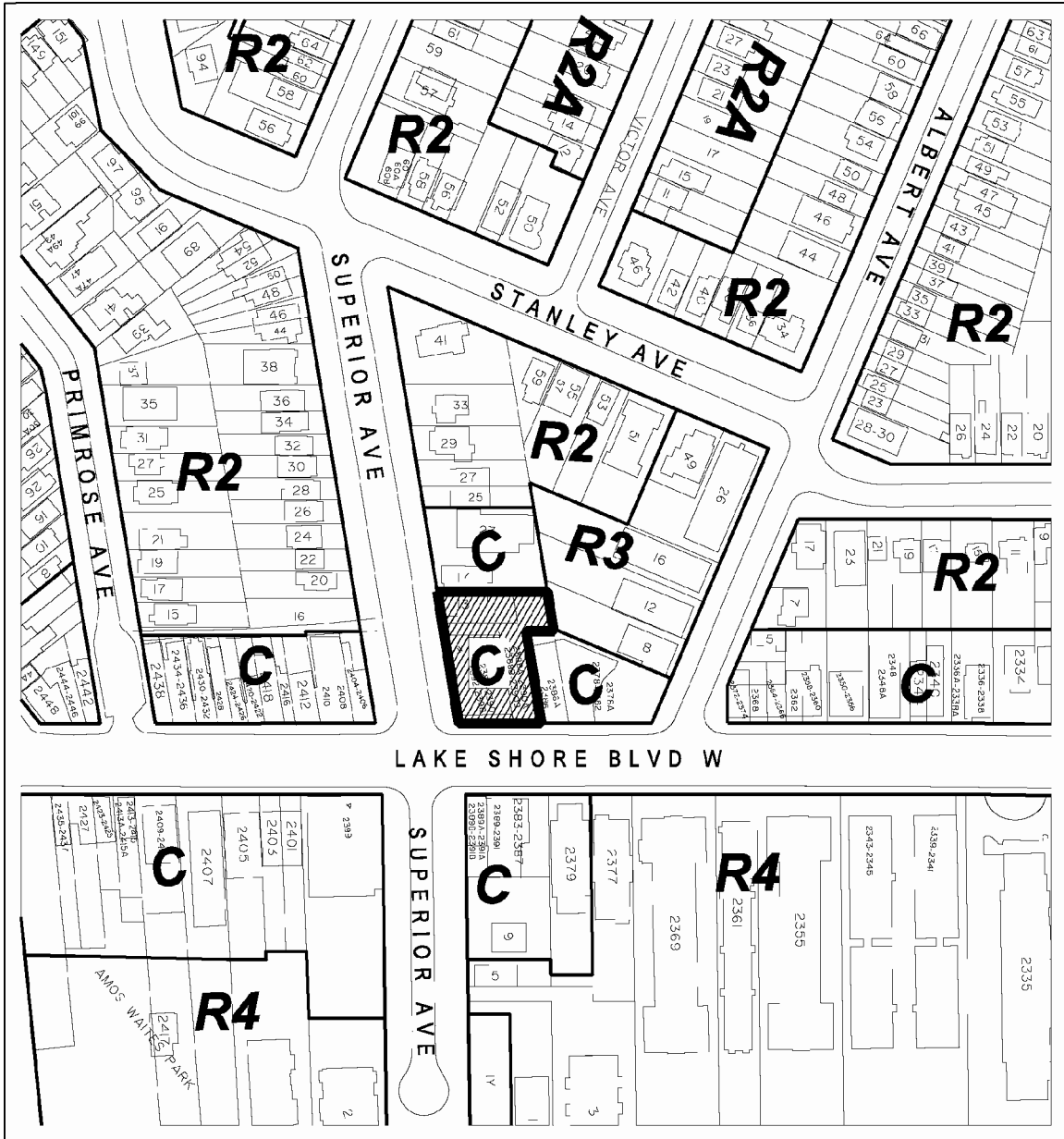
File # 10_166310

Elevations

Applicant's Submitted Drawing

Not to Scale
06/03/2010

Attachment 3: Zoning



2388-2398 Lake Share Blvd. &
13 Superior Ave
File # 10_166310

- Former Mimico By-law 1930
- R2 Residential 1, 2, & 3 Family
- R2A Residential Single & Duplex
- R4 Residential Multiple
- C Commercial

➔
Not to Scale
Zoning By-law 7625 as amended
Extracted 05/25/2010/JM

Attachment 4: Application Data Sheet

APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	10 166310 WET 06 OZ
Details	Rezoning, Standard	Application Date:	April 29, 2010

Municipal Address: 2392-2398 LAKE SHORE BLVD W
 Location Description: & 7-11 SUPERIOR AVE PLAN M77 PT LOT 341 LOT 342 **GRID W0607
 Project Description: Proposed rezoning to permit proposed 14 storey residential condominium apartment building with 150 residential units and two retail units on ground floor.

Applicant:	Agent:	Architect:	Owner:
DAVIES SMITH DEVELOPMENT PARTNERSHIP			TOWER INVESTMENTS LTD.

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	971-2003 and C- Commercial	Historical Status:	Listed Building
Height Limit (m):	22.8 m	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	1614	Height:	Storeys:	14
Frontage (m):	29.88		Metres:	39.3
Depth (m):	30.3			
Total Ground Floor Area (sq. m):	645			Total
Total Residential GFA (sq. m):	9907		Parking Spaces:	139
Total Non-Residential GFA (sq. m):	360		Loading Docks	0
Total GFA (sq. m):	10267			
Lot Coverage Ratio (%):	39.9			
Floor Space Index:	6.3			

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	94
1 Bedroom:	33
2 Bedroom:	23
3 + Bedroom:	0
Total Units:	150

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	9907	9907	0
Retail GFA (sq. m):	360	360	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: Wendy Johncox, Senior Planner
TELEPHONE: (416) 394-8227