

## 1030 and 1040 Islington Avenue – Zoning Amendment and Subdivision Applications – Final Report

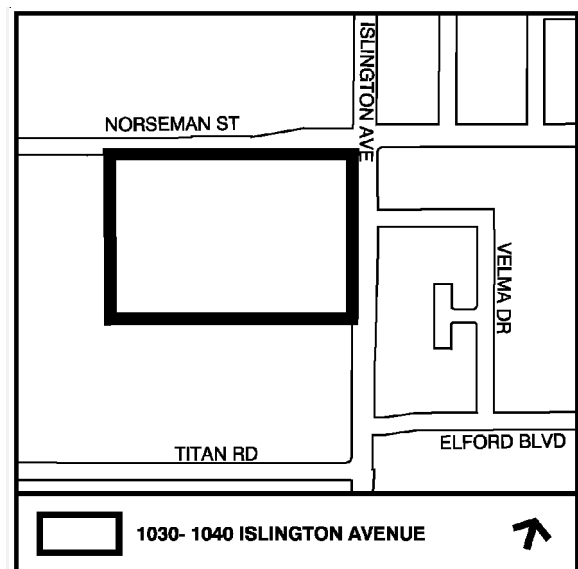
<b>Date:</b>	October 17, 2011
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Director, Community Planning, Etobicoke York District
<b>Wards:</b>	Ward 5 – Etobicoke-Lakeshore
<b>Reference Number:</b>	08 220984 WET 05 OZ and 10 300716 WET 05 SB

### SUMMARY

The zone change application proposes the construction of approximately 250 residential townhouses and a 5,250 square metres GFA industrial building at 1030 and 1040 Islington Avenue. The application for Draft Plan of Subdivision proposes the creation of 13 blocks including a public road that will connect to Islington Avenue and Norseman Street through the lands. (Attachment 1)

The proposal will result in the redevelopment of a former industrial site. Townhouses would occupy the larger, eastern section of the site which is designated *Mixed Use Areas* in the Official Plan. An industrial building will be built on the west part of the site, which is designated *Employment Areas* in the Official Plan. (Attachment 7) This building will buffer the residential area from the existing industrial operations to the west.

This report reviews and recommends approval of the application to amend the Zoning By-law and advises that the Chief Planner may approve the Draft Plan of Subdivision.



## RECOMMENDATIONS

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### **The City Planning Division recommends that:**

1. City Council amend the former City of Etobicoke Zoning Code for the lands at 1030 and 1040 Islington Avenue substantially in accordance with the draft Zoning By-law Amendment as described in the report dated October 17, 2011.
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 enter into an Agreement pursuant to Section 37 of the Planning Act as follows:
  - a. The community benefits recommended to be secured in the Section 37 Agreements are as follows:
    - i. \$125,000 cash contribution to the Land Acquisition Reserve Fund (XR10-12) towards the purchase of the land for the expansion of Fairfield Park, paid prior to the issuance of an above grade building permit, and indexed upwardly in accordance with the Non-Residential Construction Price Index for Toronto from the date of execution of the Section 37 Agreement to the date of payment.
  - b. The following matters are also recommended to be secured in the Section 37 Agreements as a legal convenience to support development:
    - i. Funding from the Owner for turning lane improvements required at the eastbound approach to Norseman Street and Islington Avenue;
    - ii. The provision of noise attenuation measures as detailed in the Environmental Noise Feasibility Study dated June 2, 2011;
    - iii. Agreement to permanently remove the existing drive-through facilities from the building at 1048 Islington Avenue if the current use (TD Bank) is changed; and
    - iv. The Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of Item PG32.3 of the Planning and Growth Committee.
4. Before introducing the necessary Bills to City Council for enactment, require the applicant to:

- i. finalize the Functional Servicing Report to the satisfaction of the Executive Director of Technical Services; and,
  - ii. fulfill the following conditions related to the Ambient Air Quality Assessment Study (AAQAS) to the satisfaction of the Director, Community Planning, Etobicoke York District:
    - a) a third-party Peer Review of the AAQAS for the City has been satisfactorily completed; and,
    - b) written confirmation has been received from the proponent's consulting engineer that the off-site mitigation measures recommended to support the development proposal, if any, have been completed, are operational and have been demonstrated to mitigate air quality and odour impacts to acceptable Ministry of the Environment requirements and/or other arrangements to achieve the outcome noted herein, including financial and implementation arrangements between the odour-emitting industry(s) impacting the development and the development proponent have been made, all to the satisfaction of the Director, Community Planning, Etobicoke York District.
- 5. Before introducing the necessary Bills to City Council for enactment, require the applicant to submit and receive approval of an Official Plan Amendment application to address Chapter 3.2.1 (Housing), Policy 9 respecting the provision of affordable housing on large sites, generally greater than 5 hectares in size.
- 6. In accordance with the delegated approval under By-law 229-2000, as amended, City Council be advised that the Chief Planner intends to approve the Draft Plan of Subdivision as generally illustrated on Attachment 4 to the report dated October 17, 2011 subject to:
  - a. the conditions as generally listed in Attachment 9 to the report dated October 17, 2011, which, except as otherwise noted, must be fulfilled prior to the release of the plan of subdivision for registration; and
  - b. any such revisions to the proposed subdivision plan or any such additional modified conditions as the Chief Planner may deem to be appropriate to address matters arising from the on-going technical review of this development.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **ISSUE BACKGROUND**

### **Pre-Application Consultation**

In the summer of 2007, prior to the submission of the applications, the applicant presented a concept to the community that included approximately 1,410 residential units in 7 apartment buildings, ranging from 8 to 12 storeys in height, a six storey commercial office building containing approximately 6,020 square metres of commercial space at the corner of Norseman Street and Islington Avenue and a two storey industrial building along the west part of the site.

Staff discussed a number of issues with the applicant, including but not limited to:

- the overall height of the proposal, particularly the proposed 8-storey building along Islington Avenue;
- the proximity of the proposed residential development to the industrial uses to the west;
- the appropriate integration of the proposal within the larger area context;
- vehicular and pedestrian access to the site;
- the integration of the existing bank and drive-through on the corner of Norseman Street and Islington Avenue into the development;
- the appropriate separation of the residential/commercial component from the industrial component to the rear; and
- mix of housing types.

### **PROPOSAL**

The application submitted in 2008 has undergone extensive review and discussion with City staff, the community and the local Councillor. As a result, the original proposal was modified to a concept featuring a mix of townhouses, mid-rise apartment buildings and the industrial building. It was further modified to the present version, which was submitted in June 2011 and is reviewed in this report.

The June 2011 revised development concept maintains the industrial building on the west portion of the site and a public road through the site. The parcel upon which the existing one-storey commercial building (bank) at the northeast corner of the site is located is no longer part of the zone change application.

The townhouse portion of the development is organized in five blocks that are divided by private and public roads (Attachment 1). The concept proposes that the entire residential portion of the site be developed with up to 35,000 square metres Gross Floor Area (GFA) of ground-related and stacked townhouses. This would equate to approximately 250 units in the current configuration, of which approximately half would be 3-bedroom units, a third would be 2-bedroom units and a sixth would be 1-bedroom.

The western, southern and northern blocks of townhouses are proposed to be grade-related units with a height of 12.5 metres. Stacked units with a height of approximately

16 metres are proposed for the east block. For the middle block the applicant requests that flexibility be provided in the by-law to allow either grade-related or stacked units.

Parking for the residential development is proposed to be provided in three underground, single-level parking garages accessed by four vehicles ramps, 15 staircases and 7 passenger elevators located throughout the site. The applicant currently proposes to provide a total of 464 on-site parking spaces (including 76 visitor parking spaces). 192 bicycle parking spaces will also be provided, 149 for residents and 43 for visitors.

All of the ground-related townhouses will front on a public or private street. Half of the stacked units front on a public or private street and the other half face landscaped common areas and walkways between the blocks. These common areas and walkways are found throughout the site between the rears of the ground-related units, except for the southern block. (Attachment 1)

The 20 townhouses of the south block will be designed to provide noise mitigation from the non-residential uses on the adjoining property to the south, specifically the outdoor loading dock for the grocery store and from noise from the industrial area to the west which could be reflected off the walls of the buildings to the south. These townhouses have no setback from the southern property line and will have no windows in their south walls.

A noise attenuation wall will extend from the westernmost of the townhouses in the southern block to the industrial building, to complete the noise barrier. Another noise barrier is required on the property to the south, currently occupied by a supermarket, to shield the development from noise produced by unloading operations. This measure will be secured in the subdivision agreement. The adjacent property is owned by the developer of this site and he has agreed to the provision of this second noise barrier on his lands.

### **Industrial**

A light industrial building is proposed on the west portion of the site, west of the new north-south public street. This building may be used for purposes such as offices, warehousing, light manufacturing, etc. or any purpose permitted by the Class 1 Industrial (I.C1) zoning as modified by the proposed zoning by-law.

The street delineates the boundary between the *Employment Area* to the west and the *Mixed Use Area* to the east. The building will extend almost the entire depth of the site and will be 13 metres in height to the top of the cornice line. Access to the site will be from Norseman Street, on the west side of the building and this driveway will include facilities for loading, at-grade parking and truck manoeuvring. 55 parking spaces are provided. No bicycle parking is provided.

### **Site and Surrounding Area**

The total area of the site is 5.09 hectares, excluding the existing bank site at the north-east corner of Islington Avenue and Norseman Road. It has approximately 220 metres

frontage on Norseman Street and 150 metres frontage on Islington Avenue. The portion of the site in the *Employment Area* is 1.41 hectares, which includes the industrial building and the north-south section of the new public road. The residential section of the lot is 3.68 hectares.

The site is flat, vacant and rectangular, except for the parcel at the corner which is not included in the zone change application. The development site currently has vehicular access from both public streets. Surrounding land uses include:

North: relatively small one-storey industrial buildings that have been largely converted to various commercial uses including a recently built four-storey self-storage facility directly across Norseman Street.

South: Retail, service and commercial uses including a recently occupied “No Frills” supermarket.

East: Single-detached residential community and Norseman School, which is a large Junior / Middle school with an integrated community centre.

West: Industrial uses, including the “Polytainers” plant that abuts the western edge of the site.

### **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; 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.

### **Official Plan**

As part of the review of this application, it was determined that the boundary between the *Mixed Use Areas* and *Employment Areas* designation on the site would be aligned with the property line of the property to the south. Accordingly, the Official Plan designates the eastern 3.68 hectares of the property as *Mixed Use Areas* and the western 1.41 hectares as *Employment Areas* as shown on Map 15 in the Official Plan. (Attachment 7) The *Employment Area* portion of the site is also located within an Employment District on Map 2 – Urban Structure.

*Mixed Use Areas* are intended to absorb most of the anticipated increase in retail, office and services employment in Toronto in the coming decades, as well as much of the new housing. Official Plan policies indicate that the proportion of commercial and residential uses will vary widely among *Mixed Use Areas*, depending on the character and location of a site.

*Employment Areas* are places of business and economic activity which consist of offices, manufacturing, warehousing, distribution, research and development facilities, utilities, media facilities, parks, hotels, retail outlets ancillary to the preceding uses and restaurants and small-scale stores and services that serve area businesses and workers. Residential uses are not permitted.

The Official Plan states that development adjacent to or nearby Employment Districts will be appropriately designed, buffered and/or separated from industries as necessary to mitigate adverse effects from noise, vibration, traffic, odour and other contaminants, and to promote safety and security.

### **Housing**

Chapter 3, Section 2.1 - Housing of the Official Plan provides direction on the provision of adequate and affordable housing. The City's objective is to provide for a range and mix of housing based on unit type, size, tenure and affordability within all neighbourhoods of the City.

Policy 3.2.1.9 of the Plan addresses the mix of housing on large sites. This policy states that on sites greater than 5 hectares in size, where an increase in height or density is sought, the first priority for Section 37 community benefits should be for the provision of 20 per cent of the additional residential units as affordable housing.

The subject site is 5.09 hectares in size, of which 3.68 hectares is designated *Mixed Use Areas* and will be developed for residential uses and 1.41 hectares is designated *Employment Areas* and forms part of an Employment District.

### **Zoning**

The entire site is currently zoned Class 1 Industrial (I.C1) which permits light industrial, commercial, educational and recreational uses. The proposed industrial building and the existing bank on the corner are permitted by the I.C1 zone category.

### **Site Plan Control**

The proposed development is subject to Site Plan Control. An application has not yet been submitted.

## **Plan of Subdivision**

A Plan of Subdivision application has been submitted for the public roads and to establish separate development blocks for the proposed industrial and residential blocks.  
(Attachment 4)

## **Tree Preservation**

The applicant has submitted an Arborist Report and a Tree Preservation Plan. A separate process will be required for any trees to be removed

## **Reasons for Application**

The proposed residential uses are not permitted by the I.C1 zone category. An amendment is required to permit this use and establish appropriate development standards.

The Etobicoke Zoning Code requires a 30 metre setback from a drive-through queuing lane or building to any lot in a residential zone. The application does not achieve this condition, as the existing bank building is 13.5 metres from residential lots in the north townhouse blocks.

The applicant is requesting that certain uses currently permitted in the I.C1 zone (educational institutions, places of worship, day care centres, hospitals, playgrounds, community centres, libraries, studios for arts-related purposes and accessory residential units) be removed from the list of permitted uses for the proposed industrial site to help prevent adverse affects by or on the adjacent and nearby employment uses.

An application for an amendment to the Official Plan is also required with respect to the provision of affordable housing, because Housing Policy 3.2.1.9(b) requires such provision as the first priority Section 37 community benefit and the proposal does not include any affordable housing. The applicant has not submitted the appropriate Official Plan Amendment application, and Recommendation 5 of this report addresses the need for such an application.

## **Community Consultation**

Community Consultation Meetings or Open Houses were held on June 25, 2009, November 22, 2010 and June 21, 2011 as the project evolved. Fifteen written communications were received by City Planning and/or the local councillor.

Comments and concerns received from the community centred on the following issues:

- ability of local schools, which are perceived to be overcrowded, to absorb students from the new development
- potential negative effect on traffic on Norseman Street and Islington Avenue, which are perceived to be congested already, and potential for traffic to infiltrate the *Neighbourhoods* to the east of the site
- the height of buildings and number of units (then being proposed) are not compatible with or appropriate for the area



- the lack of adequate provision of green space and recreational areas in the development.

All the issues identified by interested parties are addressed in the Comments section of this 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**

The site is located at the edge of a large and thriving industrial area to the west and north, a commercial area to the south and a stable residential community to the east, across Islington Avenue. The application reflects this and helps to create a proper transition between the two designations. The north-south section of the new public street assists this by creating a physical separation between the employment and residential areas.

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

The proposal is consistent with the PPS. As an infill project it supports the policy objectives of focusing growth in existing settlement areas (intensification). The development promotes efficient land use, reduces land consumption, utilizes existing services and infrastructure and protects existing employment lands.

The proposal conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe. Its compact and efficient form helps to optimize the utilization of existing services and infrastructure and to reduce the need to convert rural land to urban uses. These are examples of intensification through redevelopment of underutilized sites.

### **Land Use**

Consistent with the Official Plan, the applicant proposes to develop the *Mixed Use Areas* designated portion of the site with residential uses and the *Employment Areas* designated portion of the site with employment uses. The proposed industrial development maintains the objectives of the Official Plan with respect to supporting employment uses in Employment Districts. The residential component helps develop an underutilized *Mixed Use Area* site.

## **Density, Height, Massing, Site Organization and Layout**

### **Density**

The proposed development results in a net density (excluding the public road) of approximately 1.1 FSI on the residential portion of the site. The residential development is more intensive than the previous use, which is consistent with the *Mixed Use Areas* designation.

### **Height and Massing**

Existing houses on the east side of Islington Avenue are almost exclusively single-storey detached homes with a height limit of 11 metres. (Attachment 2) The applicant proposes 3-storey stacked townhouse units for the block fronting onto Islington Avenue. The proposed height for these townhouse blocks is approximately 16 metres to top of roof. (Attachment 5) The ground-related townhouses are proposed to be 12.5 metres in height. Both are complementary to the surrounding existing and planned neighbourhood.

Given the location of the middle block within the site, and the adequate landscaped common space in the centre of the block, City Planning is satisfied that either stacked or ground-related townhouses are appropriate in the middle block. The draft-by-law provides for 16 metre heights in this block.

### **Site Organization and Layout**

The proposed residential buildings are laid out to frame the existing and newly proposed public and private streets. The blocks along Islington Avenue have been setback approximately 7 metres from the property line, in order to allow for a generous landscaped front yard, some privacy and an overall comfortable relationship with Islington Avenue.

The proposed street and block patterns are consistent with the grid pattern of the existing neighbourhood. The public and private streets will have continuous sidewalks and street trees to create a consistent look and promote a natural flow between the public and private roads.

The closest townhouses are within approximately 20 metres of the existing TD bank building, which has a drive-through that was approved in 1998, prior to the 2002 inclusion in the Etobicoke Zoning Code of the 30 metre separation requirement from a residential zone boundary mentioned above. The minimum separation distances between drive-through facilities and residential zones should be maintained, to reduce the potential for disturbance to the new residents.

As the bank drive-through was built prior to the by-law controlling these facilities was enacted, it would be appropriate to vary the provision to allow for a 30 metre separation between the bank building and the townhouses themselves, not the residential zone boundary. The draft zoning by-law reflects this, which results in a reduction of 5 townhouses, in the current concept.

The applicant owns the bank site and has offered to eliminate the drive-through should the use of the bank property change in the future. This provision will be secured in the Section 37 Agreement.

### **Sun, Shadow**

The applicant has provided sun/shadow studies to allow staff to assess the impacts of the shadows that the proposed buildings will cast on their own and neighbouring properties, as required by the Official Plan. The illustrations show the position of the shadows every

hour from 9:18 a.m. to 6:18 p.m. on March 21 and September 21. Between March and September the shadows will be shorter and between September and March the shadows will be longer.

There are no shadow impacts at any time on the existing residential properties on the east side of Islington Avenue on March 21 and September 21. The impacts of shadows within the development are reasonable.

### **Affordable Housing**

As noted above Policy 3.2.1.9 of the Official Plan states that, for sites larger than 5 hectares where an increase in height and density is sought, the first priority community (Section 37) benefit should be the provision of an affordable housing component as part of the overall development. The application does not include any affordable housing as a Section 37 community benefit.

City Planning is of the opinion that this site is unique in that a portion of the site is within an *Employment District* as shown on Map 2 of the Official Plan. Such lands are protected from non-employment uses by both the Official Plan and the Provincial Policy Statement. Because the deduction of the lands designated *Employment Area* from the total site area would bring the site area below the 5 hectare threshold, the provision of affordable housing is not necessary in this unique circumstance. However, an amendment to Housing Policy 3.2.1.9(b) is required to exempt this development from the affordable housing requirement. City Planning recommends that such an OPA be submitted and approved before the Bill is introduced to City Council enacting the zoning by-law.

Section 24 of the Planning Act states that no by-law shall be passed that does not comply with the Official Plan. Without such an OPA, the recommended zoning by-law would not comply.

### **Environmental Impacts – Noise and Odour**

The Official Plan requires that development adjacent to or nearby Employment Districts will be appropriately designed, buffered and or separated from industries as necessary to mitigate any adverse impacts of industry on the new development and the new development on industry. The applicant submitted an Environmental Noise Feasibility Study (ENFS) and an Ambient Air Quality Assessment Study (AAQAS). Addendums to the original studies were provided in order to address the different iterations of the proposal. A Peer Review of both studies was conducted by a consultant chosen by the City.

#### **Noise**

The ENFS concluded there could be potential noise impacts from the surrounding industry and roads on the proposed residential development and that certain mitigative measures should be implemented in order to minimize those impacts to levels accepted by the Ministry of the Environment (MOE).

The measures include construction of the industrial building of at least 13 metres height (with restricted uses) and the southern block of townhouses with no noise sensitive windows in the south facade, erection of noise walls, inclusion of warning clauses in agreements of purchase and sale, provision of air conditioning in some of the townhouse blocks and provision of windows specially designed to dampen noise on the eastern side of the stacked townhouses facing Islington Avenue. All of the recommended measures have been included as part of the development's design and are required in the zoning by-law and Section 37 Agreement and will be secured at the Site Plan Approval stage, where appropriate.

The results of the peer review were consistent with the recommendations of the ENFS. The industry immediately abutting the site on the west (Polytainers) has reviewed the mitigative measures proposed and is satisfied that Polytainers will be protected from complaints by the new residents. City Planning is satisfied that the noise mitigation measures included will fulfill the Official Plan's requirement to protect existing industry.

### **Air Quality (Odours)**

According to Ministry of the Environment (MOE) Guideline D-6, when assessing compatibility between land uses, all industries in the area of up to 1,000 metres from the development site must be reviewed.

The AAQAS identified four industrial facilities that could impact the proposed townhouse development site with odours. The applicant's consultant is of the opinion that no adverse effect will be created on the proposed residential development from odours created by existing industries but does caution that there is a potential that odours leading to complaints will be detected on the site, as they currently are by residents on the east side of Islington Avenue.

The City's peer reviewer has requested additional information and analysis to allow him to verify the conclusions of the AAQAS. Staff recommend that the Bill not be introduced to Council for enactment until the following conditions have been fulfilled to the satisfaction of the Director of Community Planning, Etobicoke York District:

- i) a third-party Peer Review of the AAQAS for the City has been satisfactorily completed; and
- ii) written confirmation has been received from the proponent's consulting engineer that the off-site mitigation measures recommended to support the development proposal, if any, have been completed, are operational and have been demonstrated to mitigate air quality and odour impacts to acceptable Ministry of the Environment requirements and/or other arrangements to achieve the outcome noted herein, including financial and implementation arrangements between the odour-emitting industry(s) impacting the development and the development proponent have been made, all to the satisfaction of the Director of Community Planning, Etobicoke York District.

## **Traffic Impact, Parking**

The applicant has submitted a Transportation Impact Study (TIS) which indicates that the additional trips generated by this development can be accommodated without significant negative impact to local traffic. The study notes that the trips generated by the site are substantially fewer than the number to be expected from the as-of-right I.C1 zoning currently applying to the whole site. Transportation Services staff have reviewed the study and accepted the consultant's findings.

### **Parking**

The zoning by-law requires the applicant to provide a minimum of 1.5 parking spaces per townhouse unit for residents and a minimum of 0.2 parking spaces per townhouse unit for the exclusive use of visitors. The proposed resident and visitor vehicle parking supply of 464 parking spaces in 3 underground parking garages satisfies this parking requirement.

The Etobicoke Zoning Code requires parking for the industrial building at the rate of 1 space per 100 square metres. Fifty-five spaces are proposed, which exceeds the requirement.

Transportation Services is in agreement with the proposed parking arrangements.

Bicycle parking is required at a ratio of 0.75 spaces per townhouse and 5% of the vehicle requirement for the industrial component (3 spaces). The proposed bicycle parking meets the requirements of the Toronto Green Standard for the residential component but no bike parking is shown on the plans for the industrial building. The applicant has agreed to meet all bicycle parking requirements.

The vehicle and bicycle parking requirements will be secured in the zoning by-law.

### **Access and Turns**

The existing site is currently provided with three full movement driveways to Islington Avenue and four full-movement driveways to Norseman Street. Two of the existing driveways to Islington Avenue and three of the existing driveways to Norseman Street are proposed to be closed as part of the redevelopment of the lands. The existing access driveways to Norseman Street and Islington Avenue from the bank site will be retained.

A new full-movement private road access to Norseman Street will be located approximately 150 metres west of Islington Avenue. It will be restricted to right-in/right-out vehicular movements with a channelizing island in the entrance to the driveway to ensure compliance. This will be secured through the Site Plan Approval process.

Two new full-movement private road accesses are proposed from the residential portion of the site to the east-west portion of the proposed public street. The existing north driveway from Islington Avenue providing access to the existing "No Frills" grocery store to the south of the site is proposed be closed and replaced with an additional full-movement access to the proposed new public road. (Attachment 1)

The proposed industrial building to the west of the site would have a single full-movement access driveway to Norseman Street but no internal vehicular connection to the residential area.

The left turn storage lane at the west approach of Norseman Street to Islington Avenue must be increased to 45 metres with a 15 metre transition taper. This improvement shall be paid for by the applicant and will be secured through the subdivision process and at the Site Plan Approval stage.

### **Draft Plan of Subdivision**

A 1.44 metre widening of Norseman Street is required across the westerly approximately 180 metres of the Norseman Street frontage, as identified in Schedule 1 of the Official Plan, to secure a 27 metre right-of-way. This will be secured through subdivision process and the Site Plan Approval process.

The applicant will also be required to convey the proposed public road to the City. The road will be required to meet Development Infrastructure Policy Standards (DIPS) design with an 18.5 metre right-of-way, an 8.5 metre pavement width, and a 1.7 metre sidewalk located within a boulevard on both sides of the public road. (Attachment 4) The public road will be secured through the subdivision process.

### **Servicing**

The applicants have submitted a Functional Servicing Report (FSR) which includes information on Stormwater Management. City staff are continuing to review this study.

Development Engineering has confirmed that there is sufficient water pressure and sanitary sewage capacity to support the proposed development with no infrastructure improvements needed.

City Planning recommends that the Bill not be introduced for enactment of the zoning by-law until the FSR has been completed to the satisfaction of the Executive Director of Technical Services.

### **Open Space/Parkland**

The use is proposed to be combined residential/industrial. The site is in the third highest quintile of current provision of parkland, as per Map 8B/C of the Official Plan. The site is in a parkland priority area, as per Alternative Parkland Dedication Rate By-law 1020-2010.

The residential component of the application proposes 248 residential units on a site of 3.68 hectares. At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication would be 3,300 square metres (0.33 hectares). The industrial component is exempt from the parkland dedication requirement.

Based on the alternative rate in By-law 1020-2010, the proposal is subject to a cash-in-lieu payment equal to approximately 9% of the value of the residential development site, net of any conveyances for public road purposes. The actual amount may vary and will be determined and taken upon issuance of building permit.

The applicant proposes to satisfy the parkland dedication requirement by cash-in-lieu. This is appropriate because Fairfield Park and Norseman Park and Community Pool are located near this development. Parks, Forestry and Recreation is in agreement with these comments.

### **Schools/Library**

The Toronto District School Board has indicated that their local schools are at capacity and have requested warnings be posted at the sales centre and in all Agreements of Purchase and Sale indicating that students from this development may not be accommodated in local schools but will be bussed to other schools.

The Toronto Catholic District School Board has not provided comment but the Community Facilities Study provided by the applicant has indicated that their schools are likely in the same situation.

The development will be served by the Brentwood Library.

### **Phasing / Application of an “H” Holding Symbol**

Phasing of the development is necessary to provide adequate protection, from noise generated by industrial sources, for the portion of the townhouse development bordered by Norseman Street, Islington Avenue and the new public road. The proposed site-specific zoning by-law will accomplish this by requiring construction of the industrial building, the southern block of townhouses, the road and the noise walls before the remaining townhouses to the north and east of the new public road can be built. (Attachment 3)

An “H” Holding Symbol will be imposed on above-ground construction on the area bounded by Norseman Street, Islington Avenue and the new public road until the noise attenuation buildings and features listed above have been constructed and are providing their noise attenuation functions to the satisfaction of the Director of Community Planning, Etobicoke York District.

### **Tenure**

The residential development is proposed to be sold as a condominium(s). The private roads would become the property of one or more of the condominiums. The industrial building will be a freehold property, as will the bank site, once these properties are severed or created through the subdivision process. (Attachment 4)

The applicant has indicated that he wishes to sever the bank lot and the parcel upon which the industrial building will be built before Final Approval is given to the Plan of Subdivision, as he will be required to proceed with the industrial building before

constructing most of the townhouses (see Phasing / Application of an “H” (Holding Symbol) above). (Attachments 3 and 4) He will apply for severance of the industrial site after the Draft Plan of Subdivision conditions have been approved so that they can be included in the conditions of severance, as necessary.

### **Section 37**

The Official Plan calls for the use of Section 37 of the *Planning Act* to secure the provision of community benefits, should City Council determine that an increase in height and/or density of development is appropriate.

### **Fairfield Park**

City Council, at its meeting of August 25, 2010, directed that Section 37 public benefits which are generated from development in Ward 5 within the local community of Fairfield Park may be used to help fund the prior purchase of the lands for this park expansion by making a contribution to the Land Acquisition Reserve Fund (XR10-12).

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.EX46.49>

Fairfield Park is located just east of Islington Avenue, approximately 500 metres north of the subject site.

The applicant has agreed to provide \$125,000 to the Land Acquisition Reserve Fund as a public benefit. The Section 37 Agreement will contain a provision whereby the value of this contribution increases in accordance with the Non-Residential Construction Price Index from the time the Agreement is signed (before the introduction of bills to Council) to the time the funds are received by the City.

The community benefits recommended to be secured in the Section 37 Agreements are as follows:

- i) \$125,000 cash contribution to the Land Acquisition Reserve Fund (XR10-12) towards the purchase of the land for the expansion of Fairfield Park

The following matters are also recommended to be secured in the Section 37 Agreements as a legal convenience to support development:

- i) Funding from the Owner for turning lane improvements required at the eastbound approach to Norseman Street and Islington Avenue
- ii) The provision of noise attenuation measures as detailed in the Environmental Noise Feasibility Study dated June 2, 2011,
- iii) The Owner shall construct and maintain the developments in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of Item PG32.3 of the Planning and Growth Committee.



## **Toronto Green Standard**

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS. The site specific zoning by-law will secure performance measures for the following Tier 1 development features: Automobile Infrastructure and Cycling Infrastructure.

Other applicable TGS performance measures will be secured through the Site Plan Approval process

## **Development Charges**

It is estimated that the development charges for this project will be \$2,788,000. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

## **CONTACT**

Brian Gallaugh, Senior Planner  
Tel. No. (416) 394-8230  
Fax No. (416) 394-6063  
E-mail: bgallau@toronto.ca

## **SIGNATURE**

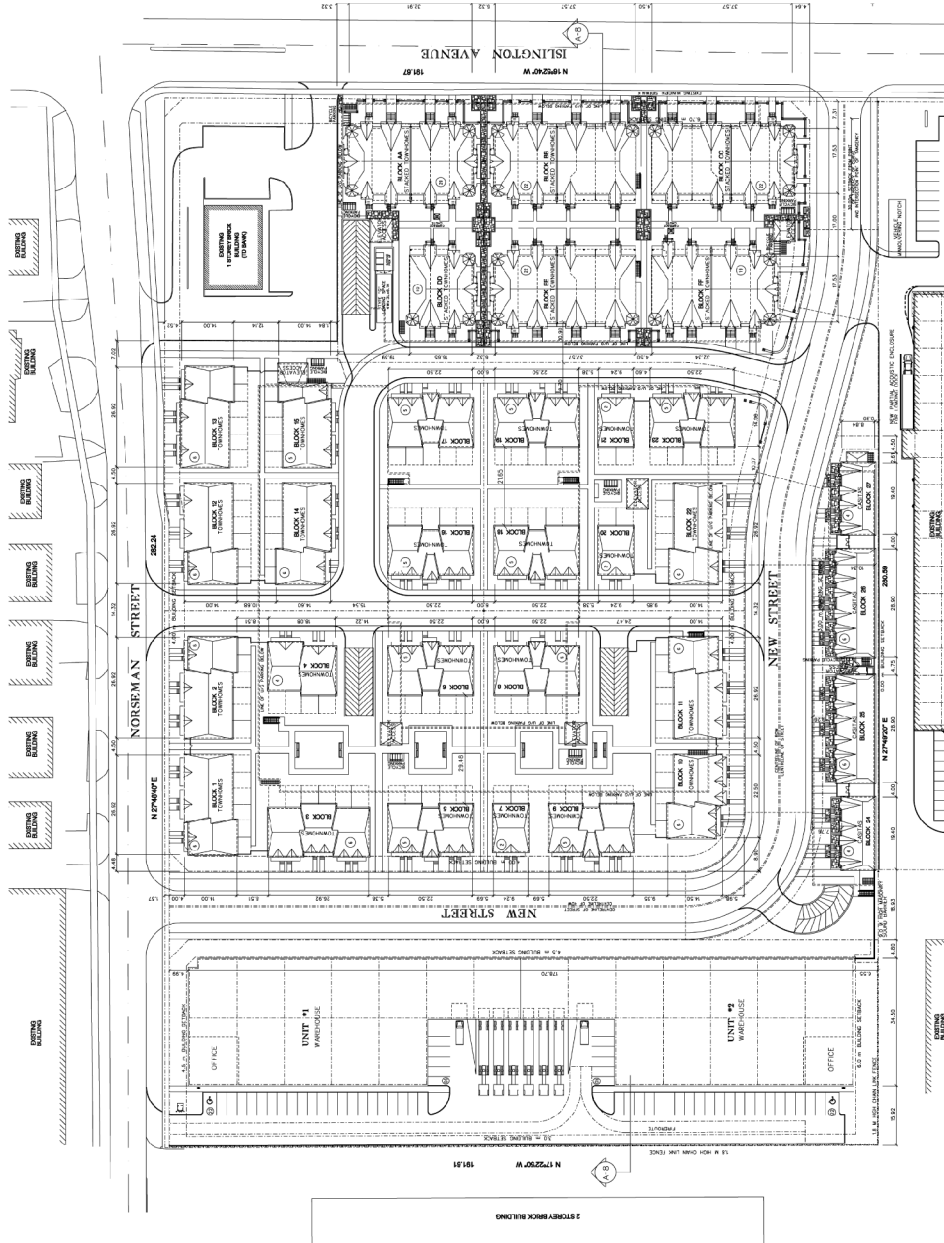
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Thomas C. Keefe  
Director, Community Planning  
Etobicoke York District

## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: Context Plan  
Attachment 3: Phasing Plan  
Attachment 4: Draft Plan of Subdivision  
Attachment 5: Elevations  
Attachment 6: Zoning  
Attachment 7: Official Plan  
Attachment 8: Application Data Sheet

# Attachment 1: Site Plan



## Site Plan

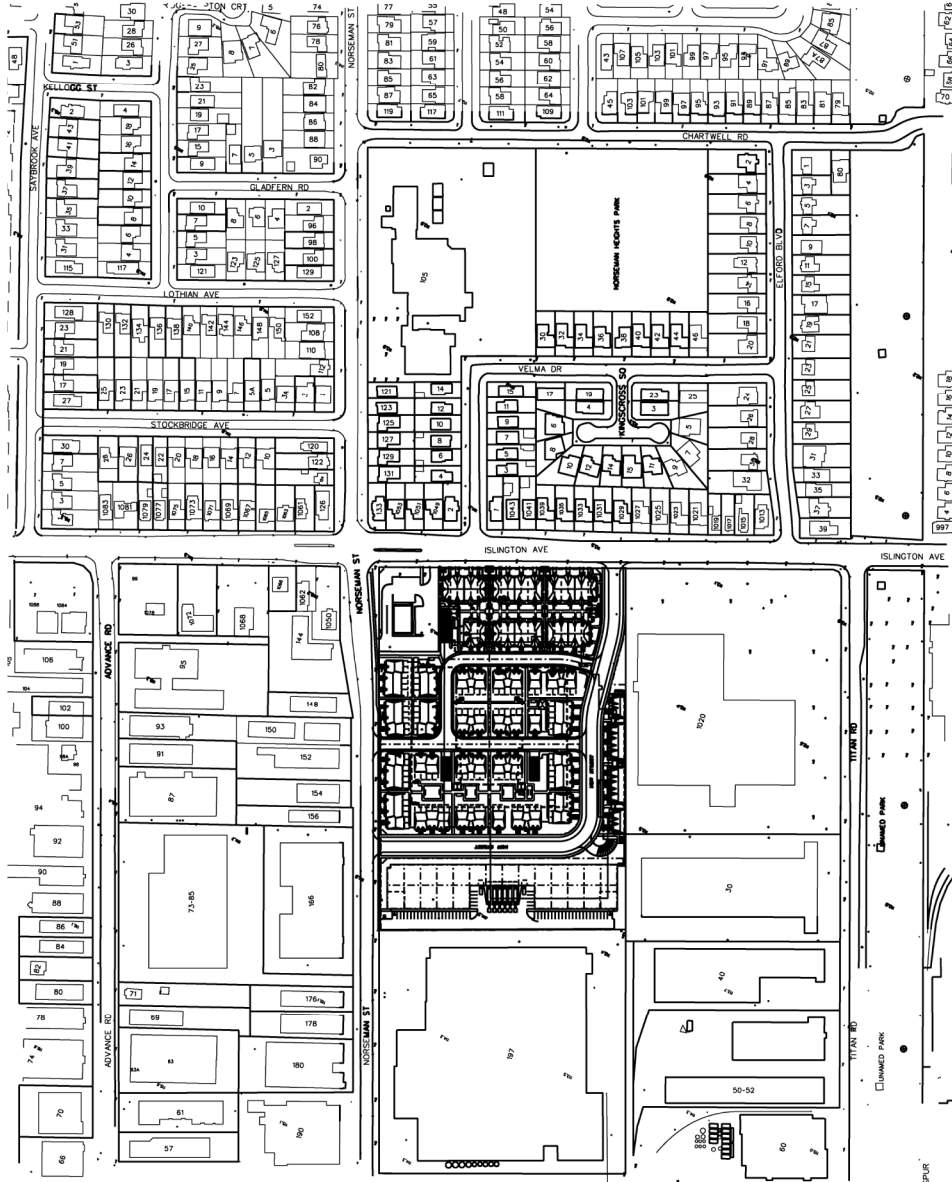
Applicant's Submitted Drawing

Not to Scale  
07/21/2011

1030 - 1040 Islington Avenue

File # 08 220984 WET 05 02

## Attachment 2: Context Plan



1030 - 1040 Islington Avenue

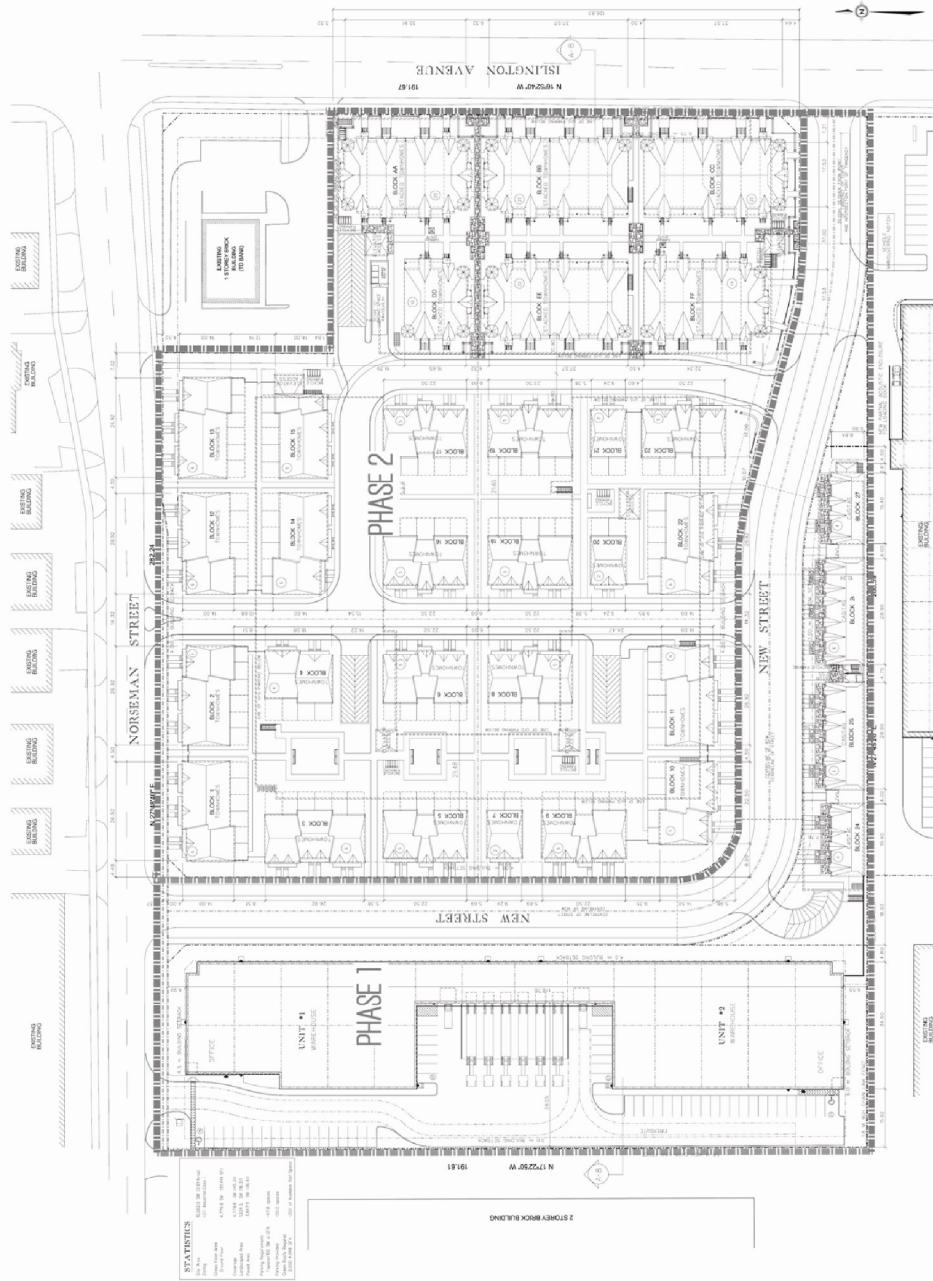
Context Plan

Applicant's Submitted Drawing

Not to Scale  
07/21/2011

File # 08 220984 WET 05 02

## Attachment 3: Phasing Plan



### Phasing Plan

Applicant's Submitted Drawing

Not to Scale  
10/17/2011



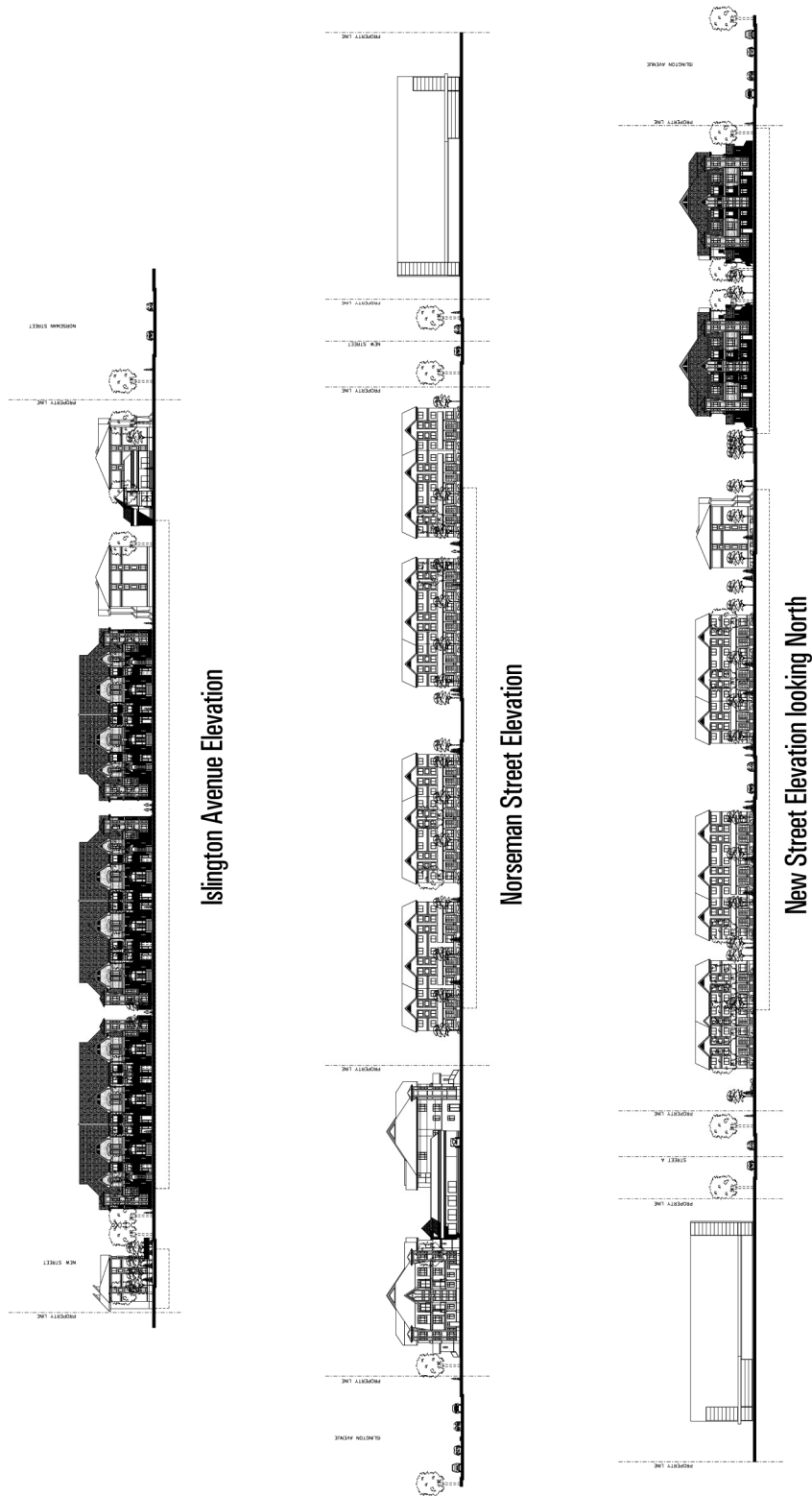
1030 - 1040 Islington Avenue

File # 08 220984 WET 05 02

Staff report for action – Final Report – 1030 and 1040 Islington Avenue  
V.01/11



## Attachment 5: Elevations



### Elevations

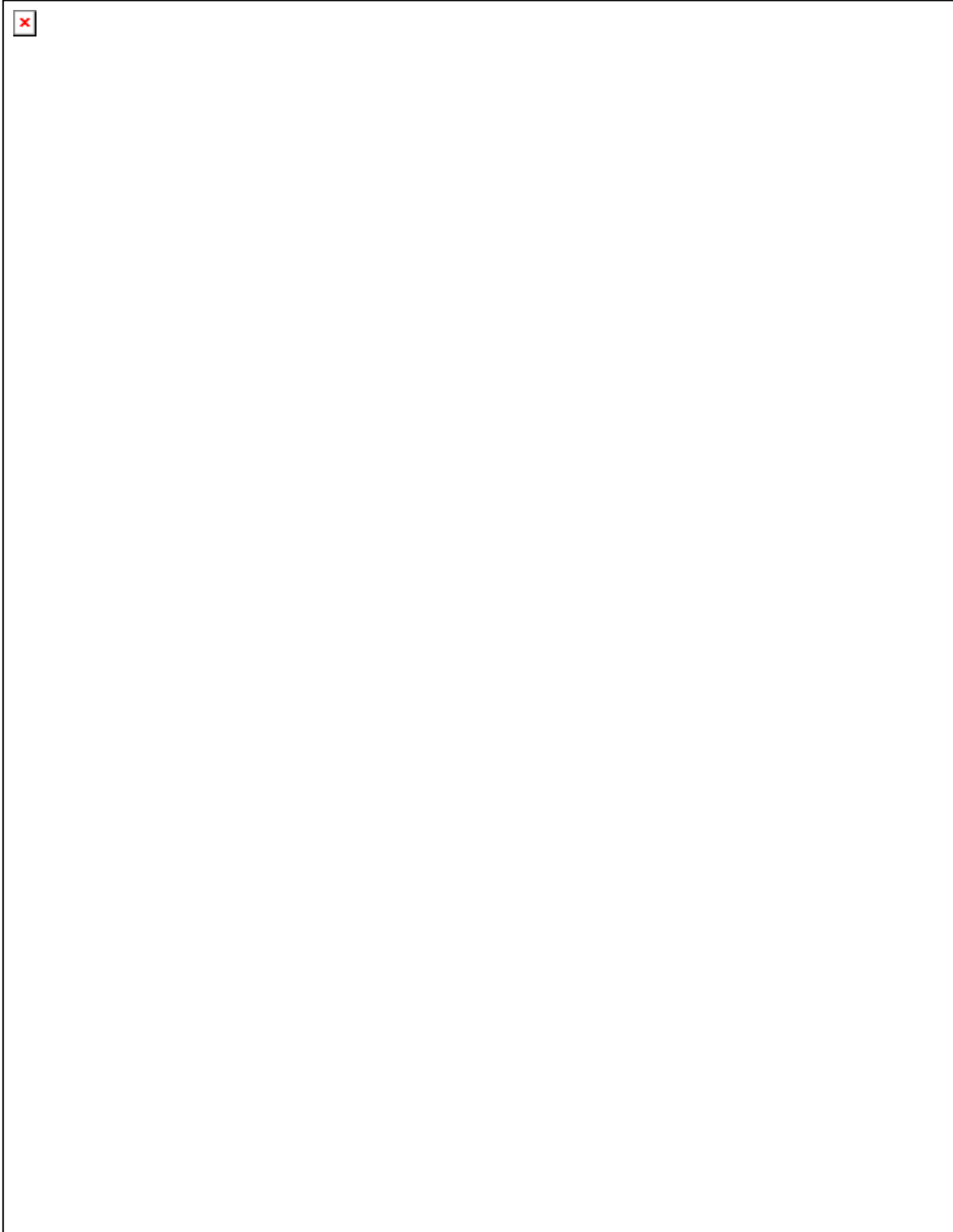
1030 - 1040 Islington Avenue

Applicant's Submitted Drawing

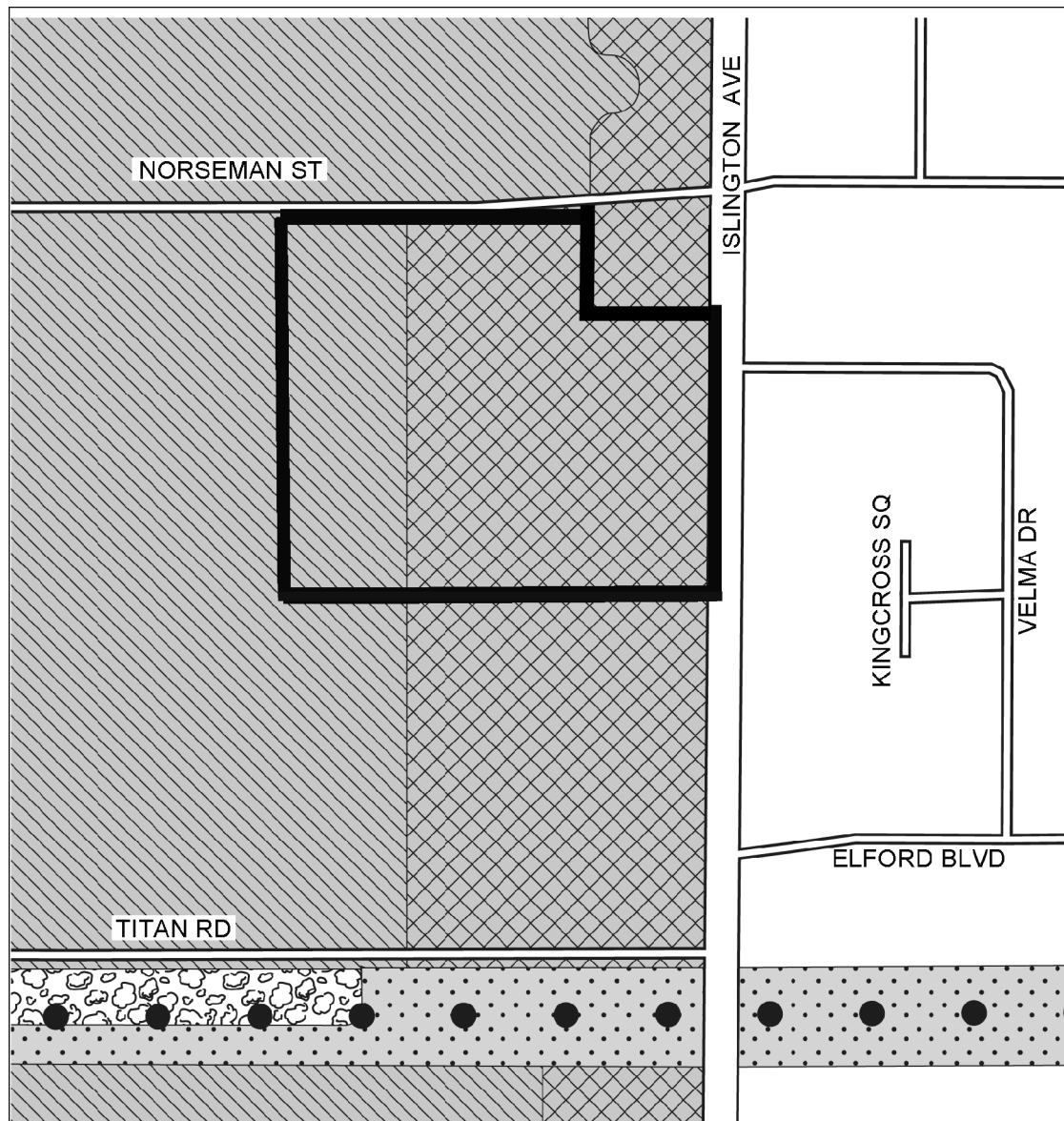
Not to Scale  
07/21/2011

File # 08 220984 WET 05 02

## Attachment 6: Zoning



## Attachment 7: Official Plan



**Toronto** City Planning  
Official Plan

1030-1040 Islington Avenue

File # 08\_220984

	Site Location		EMPLOYMENT AREAS
	Neighbourhoods		Parks
	Mixed Use Areas		Utility Corridors

↑  
Not to Scale  
12/10/2008



## Attachment 8: Application Data Sheet

### APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	08 220984 WET 05 OZ
Details	Rezoning, Standard	Application Date:	November 12, 2008

Municipal Address:	1030 and 1040 ISLINGTON AVENUE
Location Description:	REG COMP PL 9875 PT LT133 RP 64R11626 PTS 1 & 2 **GRID W0507
Project Description:	Proposed development of approximately 248 townhouses and an industrial building.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
BARRY J. MORRISON AND ASSOCIATES LTD.			A MANTELLA & SONS LIMITED

#### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas and Employment Area	Site Specific Provision:	No
Zoning:	I.C1	Historical Status:	No
Height Limit (m):		Site Plan Control Area:	Yes

#### PROJECT INFORMATION

Site Area (sq. m):	53913	Height:	Storeys:	3	
Frontage (m):	370		Metres:	16	
Depth (m):	192				
Total Ground Floor Area (sq. m):	16297				<b>Total</b>
Total Residential GFA (sq. m):	35000		Parking Spaces:	519	
Total Non-Residential GFA (sq. m):	4780		Loading Docks	1	
Total GFA (sq. m):	39780				
Lot Coverage Ratio (%):	30.22				
Floor Space Index:	0.71				

#### DWELLING UNITS

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

Tenure Type:	Condo		<b>Above Grade</b>	<b>Below Grade</b>
Rooms:	0	Residential GFA (sq. m):	35000	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	23	Office GFA (sq. m):	0	0
2 Bedroom:	92	Industrial GFA (sq. m):	4780	0
3 + Bedroom:	133	Institutional/Other GFA (sq. m):	0	0
Total Units:	248			

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Brian Gallagher, Senior Planner</b>
	<b>TELEPHONE:</b>	<b>(416) 394-8230</b>

## **Attachment 9: Conditions of Draft Plan of Subdivision Approval**

The Owner shall:

1. Enter into the City's standard Subdivision agreement and satisfy all of the pre-registration conditions contained therein
2. Provide to the Director of Community Planning, Etobicoke York District, confirmation that the taxes have been paid in full.
3. Construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of PG32.3 of the Planning and Growth Committee.
4. Dedicate all roads, corner roundings, and road widenings shown on the plan for this development to the satisfaction of the Executive Director of Technical Services.
5. Convey all necessary easements to the City shown on the plan for this development to the satisfaction of the Executive Director of Technical Services.
6. Prepare all documents to convey a 1.44 metre wide strip of land across the westerly  $\pm 180$  metres of the Norseman Street frontage of the subject of the property and five metre right-of-way roundings on either side of the proposed public road intersection with Norseman Street, and at the northwest corner of the proposed public street with Islington Avenue, measured from the revised road allowance limits, lands in fee simple and easement interests to the City for nominal consideration, such lands to be free and clear of all physical and title encumbrances to the satisfaction of the Executive Director of Technical Services in consultation with the City Solicitor.
7. Submit a draft Reference Plan of Survey, in metric units and integrated with to the 1983 North American Datum (Canadian Spatial Reference System and the 3 degree Modified Transverse Mercator Projection), showing as separate PARTS thereof the lands to be conveyed to the City to the Executive Director of Technical Services, for review and approval, prior to depositing it in the Land Registry Office.
8. Pay all costs for preparation and registration of reference plan(s).
9. Provide a detailed Stormwater Management Report, and apply stormwater management techniques in the development of this subdivision to the satisfaction of the Executive Director of Technical Services.
10. Conduct an environmental site assessment for lands to be conveyed to the City in accordance with the terms and conditions of the standard subdivision agreement, including providing payment for a peer reviewer and submission of an RSC.

- 11.** The applicant must provide the following transportation improvements and submit satisfactory engineering drawings, pavement marking plans, signage plans, cost estimates and draft reference plan of survey required to facilitate the subject development, satisfactory to the City's Executive Director of Technical Services regarding the following:
  - a.** The owner shall pay for the City to install the pavement markings and signage to extend the existing eastbound left turn storage lane at the west approach to Islington Avenue and Norseman Street to provide a minimum storage lane length of 45m with a 15m transition taper;
  - b.** To secure the minimum 23-metre road allowance width specified by the Toronto Official Plan for this section of Norseman Street, the applicant shall convey to the municipality a 1.44-metre wide strip of land across the westerly  $\pm 180$  metres of the Norseman Street frontage of the subject property; and
  - c.** The applicant shall provide a five metre right-of-way roundings on either side of the proposed public road intersection with Norseman Street, and at the northwest corner of the proposed public street with Islington Avenue, measured from the revised road allowance limits.
- 12.** Pay engineering and inspection fees in accordance with the terms and conditions of the standard subdivision agreement.
- 13.** Submit financial securities in accordance with the terms of the standard subdivision agreement.
- 14.** Provide certification to the Executive Director of Technical Services by the Professional Engineer who designed and supervised the construction, that the site servicing facilities have been constructed in accordance with the accepted drawings.
- 15.** Provide a Composite Utility Plan (CUP) illustrating the locations and dimensions of all existing and proposed development related underground and above ground utility services and structures, and street trees within the City rights-of- way. The CUP must be signed off by all the utility companies and City Urban Forestry prior to acceptance of the Engineering plans by the Executive Director of Technical Services.
- 16.** In conjunction with the Subdivision Agreement, make satisfactory arrangements to pay all costs and construct the municipal infrastructure and facilities that are external to the Plan of Subdivision to service the Plan of Subdivision, as recommended in the Functional Servicing and Stormwater Management Report, prepared by Schaeffers Consulting Engineers, and any additional addendums, analyses and plans to be submitted by the Owner as required by the Executive Director of Technical Services, to the satisfaction of the Executive Director of Technical Services.

- 17.** Submit a digital copy of the final plan of subdivision in DGN or DWG formats, prepared in metric units with all lot/block corners integrated to the 1983 North American Datum (Canadian Spatial Reference System and the 3 degree Modified Transverse Mercator Projection).
- 18.** Construct a noise attenuation wall on the property to the south of the subdivision site as shown on the plans and to the satisfaction of the Director of Community Planning, Etobicoke York District.
- 19.** Acknowledge that if the subdivision is not registered within 5 years of the date of draft plan approval, then this approval shall be null and void and the plans and drawings must be resubmitted to the City of Toronto for approval.