

3775-4005 Dundas Street West and 2-6 Humber Hill Avenue - Zoning By-law Amendment Application - Preliminary Report

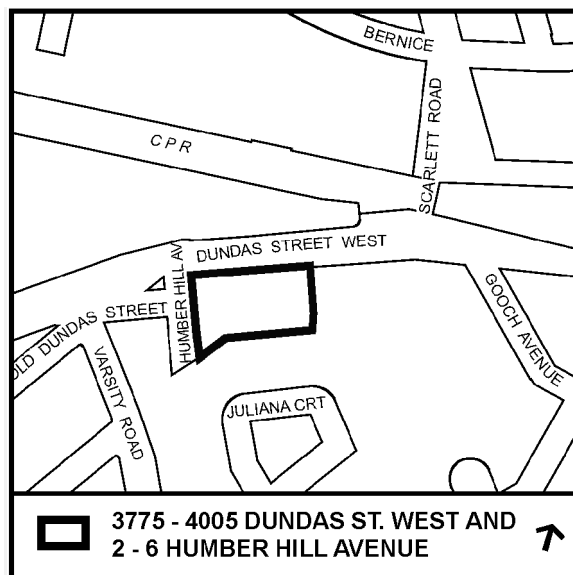
Date:	April 26, 2013
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 13 – Parkdale-High Park
Reference Number:	12 295537 WET 13 OZ

SUMMARY

This application proposes to amend the former City of York Zoning By-law 1-83 to permit a 15 storey mixed use building including 322 residential units and approximately 3,414 m² of commercial/retail space on a ground floor and mezzanine level on the lands at 3775-4005 Dundas Street West and 2-6 Humber Hill 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.

It is intended that a community consultation meeting be scheduled by staff in consultation with the Ward Councillor in the second quarter of this year. A Final Report and public meeting under the *Planning Act* to consider this application is targeted for late 2013 provided any required information is submitted by the applicant in a timely manner.



RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 3775-4005 Dundas Street West and 2-6 Humber Hill 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 of the *Planning Act*.

Financial Impact

The recommendations in this report have no financial impact.

Pre-Application Consultation

Planning staff attended an introductory meeting with the Councillor and the applicant on May 14, 2012. Planning staff held a pre-application meeting with the applicant on June 14, 2012 to discuss the development proposal and complete application submission requirements.

The initial proposal was a mixed use building having two residential towers of 14 and 18 storeys connected by a 6 storey podium that had commercial floor space at grade along Dundas Street West with 4 townhouses fronting Humber Hill Avenue. Issues of building height, vehicular access to the site, shadow impact and transition to the adjacent low density residential uses, having regard for the Mid-Rise Building Guidelines, and setback from the stable top of bank were identified from a preliminary review of the application with other City staff involved.

A pre-application consultation meeting with the local community was held on July 4, 2012 by the applicant at the request of the Ward Councillor. Issues raised by the community at this meeting are incorporated into the *Issues to be Resolved* section in this report.

As a result of the meetings, the proposal was revised to a single residential building having a height of 11 storeys along Humber Hill Avenue and along the western Dundas Street frontage, stepping up to 15 storeys along the eastern portion of the site. The four townhouses along Humber Hill Avenue were eliminated. The vehicular and service access that was originally proposed from both Dundas Street West and Humber Hill Avenue was changed to be exclusively from Humber Hill Avenue.

ISSUE BACKGROUND

Proposal

The proposal involves the demolition of five commercial buildings and three residential houses and the construction of a mixed use building fronting both Dundas Street West and Humber Hill Avenue. The building would be 11 storeys in height (35.8 m) midway along Dundas Street West and along Humber Hill Avenue, stepping up to a 15 storey height (48.8 m) plus mechanical penthouse (53.5 m) on the east side. The height of the building includes a main floor and partial second floor commercial retail area, below the residential floors.

The building would contain 322 residential units and approximately 3,414 m² of commercial/retail space on two floors. The ground floor would contain two residential lobby entrances, the main commercial/retail area (approximately 7 m high), a vehicular access driveway and associated loading areas. The primary residential entrance would be on Dundas Street West at the east end of the building and a secondary entrance would be on Humber Hill Avenue.

The proposed residential unit mix is 7 bachelor, 210 one bedroom, 78 two bedroom and 27 three bedroom units. The total gross floor area would be 29,475 m² representing a density of approximately 5.6 times the lot area.

A total of 500 m² of indoor amenity space and 2,167 m² of outdoor amenity space is proposed. An indoor amenity space area of 440 m² would be located on the second floor (third storey), with an additional 60 m² on the eleventh floor (twelfth storey). The outdoor amenity space would include 959 m² of at-grade landscaped open space at the rear of the building, 211 m² on a second floor (third storey) rear roof terrace, and 997 m² on a roof terrace on top of the tenth floor (eleventh storey).

Access to a five level, underground parking garage and loading facilities in the rear of the podium is proposed to be located on the east side of Humber Hill Avenue. A total of 397 parking spaces are proposed (280 resident spaces, including 18 tandem spaces, 48 residential visitor spaces, including 40 to be shared with the retail spaces, and 69 commercial/retail spaces). A total of 255 bicycle parking spaces are proposed, including 64 spaces at grade.

Site and Surrounding Area

The site is located on the southeast corner of Dundas Street West and Humber Hill Avenue. The site is approximately 0.52 ha in size and generally rectangular in shape with an increased depth in the western portion of the site. It has a frontage of approximately 96.3 m on Dundas Street West and 53.4 m on Humber Hill Avenue. The site is situated at the top of an existing embankment that traverses the site from approximately mid-depth at the east lot line to the southwest corner of the property. The site slopes down gradually

from Dundas Street West to the top of the embankment. The embankment extends southerly into and largely lies within the rear yards of the semi-detached dwellings along the north side of Juliana Court.

The site is a consolidation of six properties and currently contains five commercial buildings and three residential houses. 3775 Dundas Street West contains two one storey buildings that are occupied by a heating and air-conditioning company. The properties at 3779-3801 Dundas Street West contain a one storey building occupied by an auto parts company. The properties at 3803 and 4005 Dundas Street West contain two buildings; the easterly of which is a three storey vacant commercial building and the westerly of which contains an auto sales and service operation. Existing vehicular access for the corner property is from both Dundas Street West and Humber Hill Avenue. Three one-and a half storey single detached dwellings presently occupy 2, 4 and 6 Humber Hill Avenue.

Surrounding land uses are as follows:

North: A mixed use development with commercial units at grade fronting Dundas Street West and a stacked townhouse complex above is located to northwest. Directly north is a car wash. The Canadian Pacific (CP) rail line and the CP Lambton Rail Yard is to the northeast.

South: A heavily planted ravine slope with an elevation drop of approximately 19 m that leads to the Warren Park neighbourhood within the Humber River Valley. The neighbourhood is primarily developed with single and semi-detached dwellings.

East: Two 10 storey apartment buildings with sides fronting Dundas Street West. Further east is a one storey supermarket with a surface and below-grade parking lot.

West: Six single and semi-detached dwellings fronting Humber Hill Avenue. Further west is a variety of residential building forms including single detached dwellings, triplexes and three apartment buildings ranging in height from 5 to 11 storeys within the Warren Park 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 *Mixed Use Areas* on Map 14 – Land Use Plan, in the Official Plan. *Mixed Use Areas* provide for a broad range of commercial, residential and institutional buildings in single or mixed use buildings, as well as parks and open spaces and utilities. *Mixed Use Areas* are intended to accommodate some of the expected growth in Toronto's population and employment. Dundas Street West, in this location, is not identified as an *Avenue* and has a designated right of way width of 27 m.

However, not all *Mixed Use Areas* will experience the same scale or intensity of development. Surrounding context, built form considerations and the capacity of municipal infrastructure will inform the extent of development. The policies of *Mixed Uses Areas* require new development to provide a transition between areas of different intensity and scale. In particular, Official Plan Policy 4.5.2 includes development criteria for *Mixed Use Areas* which include:

- locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Official Plan, through means such as providing appropriate setbacks and/or a stepping down of heights, particularly towards lower scale *Neighbourhoods*;
- locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes;
- locate and mass new buildings to frame the edges of streets with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets;
- provide an attractive, comfortable and safe pedestrian environment;
- take advantage of nearby transit services;
- provide good site access and circulation and an adequate supply of parking for residents and visitors;
- locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

Chapter 2.3, Healthy Neighbourhoods, contain policies that provide direction for development within *Mixed Use Areas* adjacent to *Neighbourhoods* to ensure that the stability and general amenity of the adjacent residential area are not adversely affected.

Policy 2.3.1.2 states that development in *Mixed Uses Areas* that is adjacent or close to *Neighbourhoods* will:

- a) be compatible with those *Neighbourhoods*;
- b) provide a gradual transition of scale and density, as necessary to achieve the objectives of the Plan through the stepping down of buildings towards and setbacks from those *Neighbourhoods*;
- c) maintain adequate light and privacy for residents in those *Neighbourhoods*; and
- d) attenuate resulting traffic and parking impacts on adjacent neighbourhood streets so as not to significantly diminish the residential amenity of those *Neighbourhoods*.

Policy 2.3.1.3 states that intensification of land adjacent to neighbourhoods will be carefully controlled so that neighbourhoods are protected from negative impacts.

The Built Form policies in Section 3.1.2 establish key urban design criteria for new development to follow to fit harmoniously within its existing context. The policies require that new development:

- be located and organized to fit with its existing or planned context;
- frame and support adjacent streets, parks and open spaces;
- locate main building entrances to be clearly visible;
- locate and organize vehicular, vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets;
- consolidate and minimize the width of driveways and curb cuts across the public sidewalk;
- limit surface parking between the front face of a building and the public street or sidewalk;
- be massed and its exterior façade designed to fit harmoniously into its existing and planned context and limit its impact on neighbouring streets;
- mass new buildings to frame adjacent streets and open spaces in a manner that respects the existing street proportion;
- create appropriate transitions in scale to neighbouring existing and/or planned buildings for the purpose of achieving the objectives of the Plan;
- provide adequate light and privacy;
- adequately limit any resulting shadowing of, and uncomfortable wind conditions on, neighbouring streets, properties and open spaces, having regard for the varied nature of such areas;
- provide amenity space adjacent streets and open spaces for pedestrians;

- co-ordinate landscape improvements in setbacks to create attractive transitions from the private to the public realms; and
- provide indoor and outdoor amenity space for residents.

Natural Environment Policy 3.4.8 relates to protecting natural heritage features and potential natural hazards by requiring that development be setback from the top-of-bank of valleys by at least 10 m.

Zoning

The site is zoned CE (Commercial Employment) along Dundas Street West and R2 (Residential) Districts partly along Humber Hill Avenue in the former City of York Zoning By-law 1-83. The CE zone permits a range of employment uses including industrial, office, business service, restaurants, retail stores, motor vehicle sales and rental, and public garage uses, as well as day nurseries and recreational uses. The maximum building height for permitted uses is 6 storeys and/or 20 m except that within 10 m of a residential zone the maximum permitted height is 14 m. There is no maximum gross floor area regulation in this zone.

The R2 zone permits a variety of residential buildings including single detached, semi-detached and duplex dwellings and group homes. Non-residential uses including parks, public library, schools, place of worship and home occupations are also permitted. The maximum permitted building height ranges between 11 to 14 m with not more than 3 storeys. The maximum floor space index is 0.6 times the lot area.

Midrise Building Guidelines

City Council on July 6, 7 and 8, 2010, adopted the recommendations of the Avenues and Mid-Rise Buildings Study and Action Plan. This can be found at:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.PG39.9>.

The study developed guiding performance standards for mid-rise buildings in *Mixed Use Areas* on Avenues to encourage the development of more well designed mid-rise buildings. Although Dundas Street West in this location is not identified as an *Avenue* in the Official Plan, the performance standards can be applied to *Mixed Use Areas* and will inform the evaluation of the application in its context. The guidelines will assist in minimizing potential adverse impacts related to light, views and privacy associated with the development of the lands, and to develop an appropriate design transition to the *Neighbourhoods* lands to the north, south and west.

Site Plan Control

The proposal is subject to Site Plan Control. A Site Plan application has been submitted and is being reviewed concurrently with this application.

Ravine Control

A rear portion of the property is protected under the City of Toronto Municipal Code Chapter 658-Ravine & Natural Feature Protection By-law. The application has been circulated to Parks, Forestry and Recreation staff for commentary in this regard.

Tree Preservation

City of Toronto By-laws provide for the protection of trees situated on both private and City property. An arborist report and Tree Preservation Plan were submitted with the application and is currently under review by City staff.

Toronto and Regional Conservation Authority (TRCA)

The proposal is located within a TRCA regulated area of the Humber River Valley. In accordance with Ontario Regulation 166/06, a permit is required from the TRCA prior to any development or site alteration within the regulated area. The application has been circulated to TRCA for commentary in this regard.

Reasons for the Application

An application to amend the former City of York Zoning By-law 1-83 is required to permit the proposed mixed use building, as the lands are located within a CE zone that does not permit residential uses and are also within an R2 zone that does not permit commercial uses and apartment buildings. The application is also required to amend other applicable performance standards such as height, parking requirements, building setbacks and density. Other areas of non-compliance may be identified through the zoning review currently being undertaken by Toronto Building staff.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Planning and Urban Design Rationale
- Arborist Report
- Archaeological Assessment (Stage 1)
- Community Service and Facilities Study
- Functional Servicing Report and Stormwater Management Report
- Geotechnical Report
- Pedestrian Wind Assessment
- Sun/Shadow Studies
- Toronto Green Standard (TGS) Checklist
- Transportation Study

- Draft Zoning-Bylaw and Schedule

A Notification of Complete Application was issued on January 11, 2013.

Issues to be Resolved

Planning staff have substantial concern with the proposal's height, massing, transition and setback to the neighbouring properties. Staff will meet with the applicant to attempt to resolve these and other indentified issues. The following issues/concerns have been identified following a preliminary review of the application. Additional issues may be identified through the review of the application, agency comments and the community consultation process.

- Height, scale, mass and density of the proposed development and associated impacts;
- Compatibility and fit with the physical character of the area including appropriate transition and setbacks/stepbacks to neighbouring properties;
- Appropriateness of building design, façade treatment and other exterior elements:
- Shadowing of adjacent streets and neighbouring properties;
- Potential traffic impacts, specifically conflicting traffic movements and operations at the intersection of Dundas Street West/Humber Hill Avenue/Old Dundas Street;
- Appropriateness of the proposed vehicular access to the site;
- Adequacy of the proposed parking supply and location of the bicycle parking;
- Ensuring sufficient servicing infrastructure to support the proposed development;
- Adequacy and appropriateness of the proposed indoor and outdoor amenity space and access to these amenities;
- Wind impacts on the proposed outdoor amenity space and pedestrian environment;
- Need for additional archaeological information;
- Regard for the City's Avenues and Mid-rise Building Study Performance Standards Guidelines;
- Noise and vibration impacts arising from the proximity of the Lambton Rail Yard;
- Proximity of the proposed development to the stable top of bank and the wooded ravine slope;
- Restoration and enhancement of the natural area adjacent to the development;
- Encroachment into the 10 m setback to top of bank line and potential need for an Official Plan Amendment;
- Identification and securing of community benefits under Section 37 of the *Planning Act*, as a result of the proposed increased in density and height of the proposal;
- review of the TGS Checklist for compliance with the Tier 1 performance measures;
- soil stability and geotechnical concerns; and
- local school capacity.

CONTACT

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SIGNATURE

Neil Cresswell, MCIP, RPP
Director, Community Planning
Etobicoke York District

ATTACHMENTS

Attachment 1: Site Plan

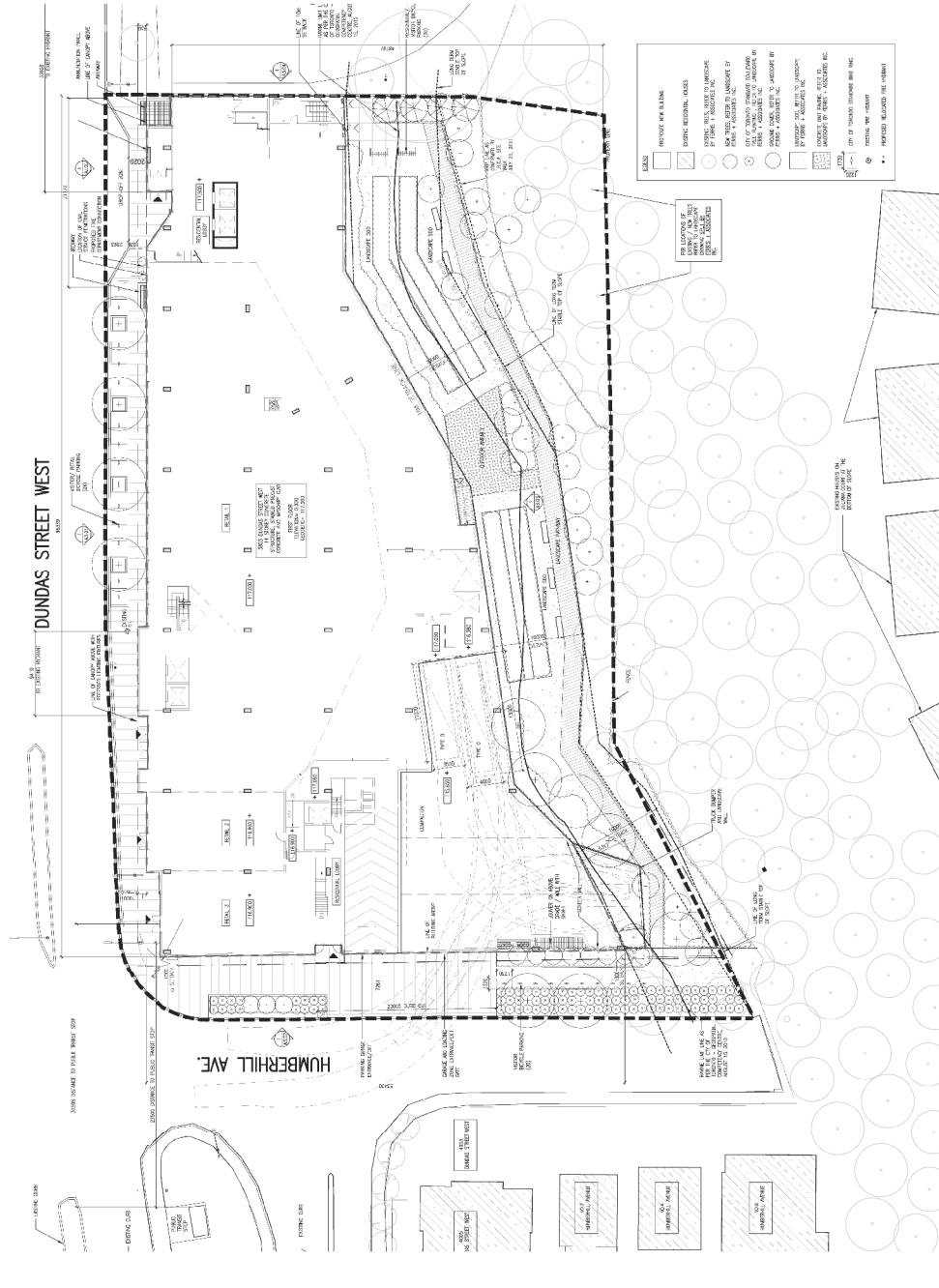
Attachment 2: Elevations

Attachment 3: Official Plan

Attachment 4: Zoning

Attachment 5: Application Data Sheet

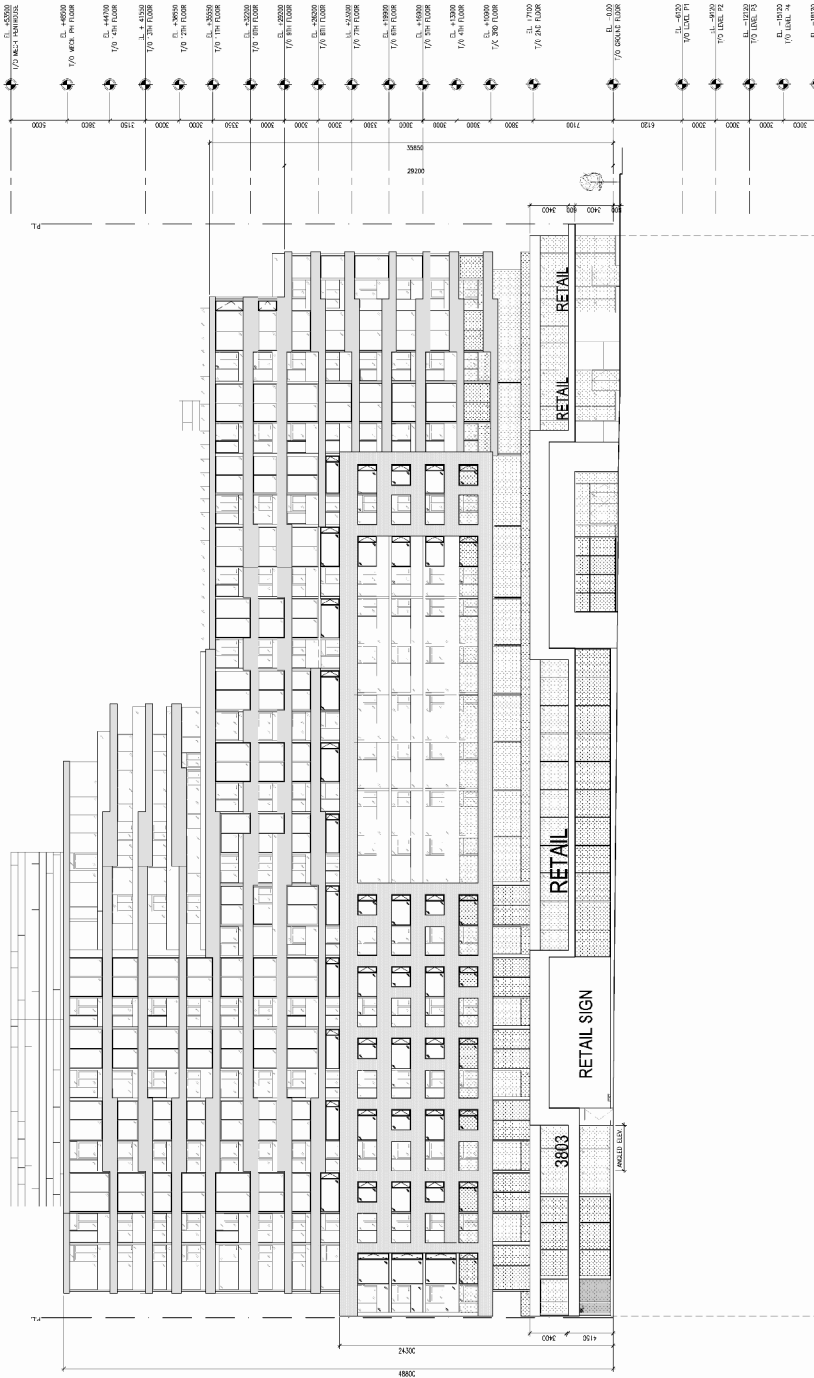
Attachment 1: Site Plan



**3775 - 4005 Dundas Street West and
2 - 6 Humber Avenue**
File # 12 295537 WET 13 0Z

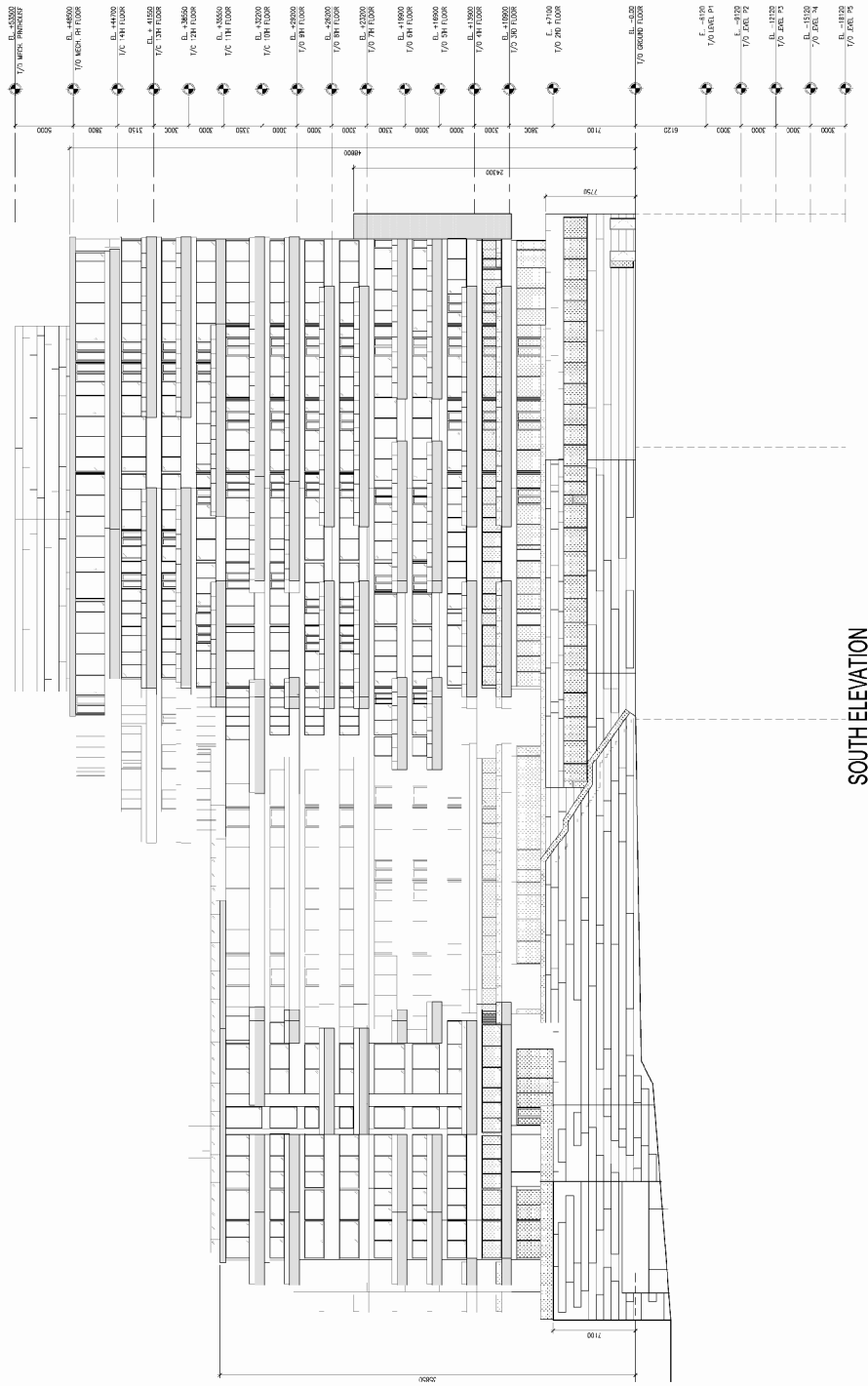
Site Plan
Applicant's Submitted Drawing
No t to Scale
04/05/2013

Attachment 2: Elevations



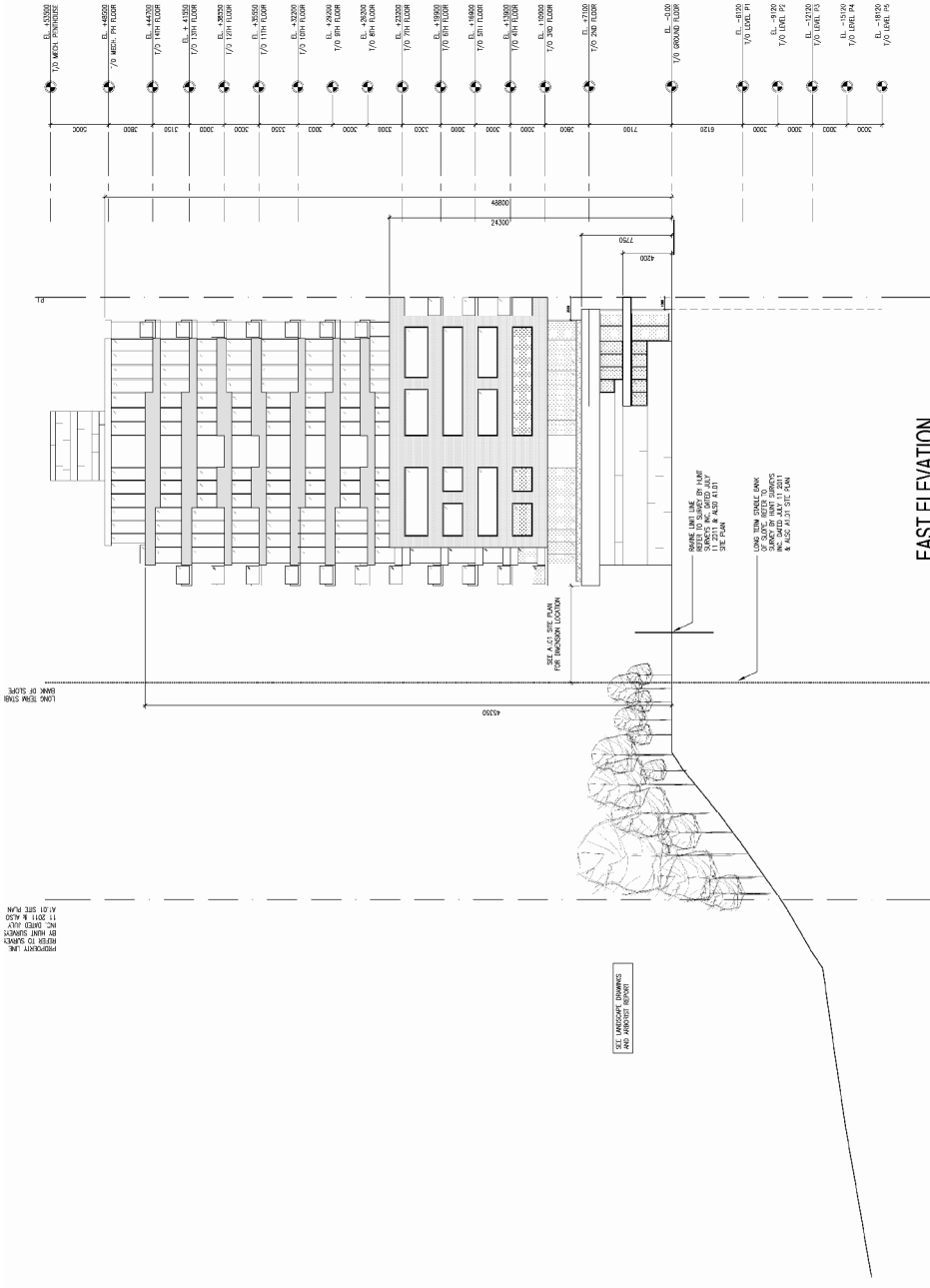
**3775 - 4005 Dundas Street West and
2 - 6 Humber Avenue**
File # 12 295537 WET 13 0Z

Elevations
Applicant's Submitted Drawing
Not to Scale
04/05/2013



Elevations
 Applicant's Submitted Drawing
 Not to Scale
 04/05/2013

**3775 - 4005 Dundas Street West and
 2 - 6 Humber Avenue**
 File # 12 295537 WET 13 0Z



Elevations
 Applicant's Submitted Drawing
 No 1 to Scale
 04/05/2013

**3775 - 4005 Dundas Street West and
 2 - 6 Humber Avenue**
 File # 12 295537 WET 13 0Z

Attachment 3: Official Plan



TORONTO City Planning
Official Plan

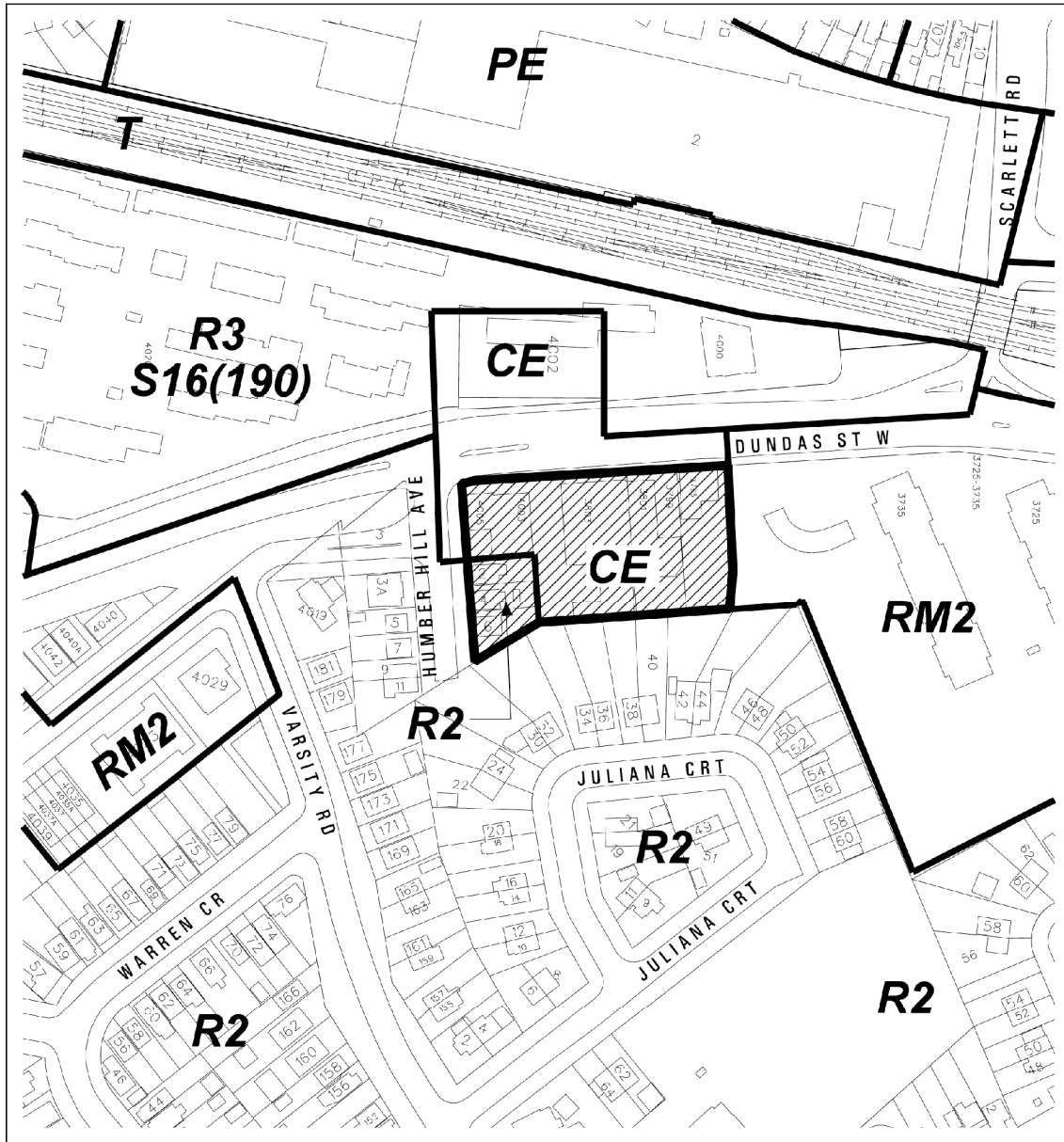
3775 - 4005 Dundas Street West and
2 - 6 Humber Avenue

File # 12 295537 WET 13 0Z

Site Location	Utility Corridors
Neighbourhoods	Employment Areas
Apartment Neighbourhoods	Parks & Open Space Areas
Mixed Use Areas	Parks
	Natural Areas

↑
Not to Scale
04/25/13

Attachment 4: Zoning



TORONTO City Planning
Zoning

3775 - 4005 Dundas Street West and
2 - 6 Humber Avenue
File # 12 295537 WET 13 0Z

- R2 Residential Zone
- RM2 Residential Multiple Zone
- PE Prestige Employment Zone
- CE Commercial Employment Zone
- T Transportation & Utilities



Not to Scale
Former York Zoning By-law 1-83
Extracted 04/04/2013

Attachment No. 5 - Application Data Sheet

Application Type	Rezoning	Application Number:	12 295537 WET 13 OZ
Details	Rezoning, Standard	Application Date:	December 18, 2012

Municipal Address: 3775 DUNDAS ST W

Location Description: CON 2 FTB HR PT LOT 5 **GRID W1301

Project Description: Proposed amendments to the zoning by-law to permit the development of a 14-storey mid-rise building fronting Dundas Street West, including 322 residential units and approximately 3 414 m2 of commercial/retail space on the ground floor.

Applicant:	Agent:	Architect:	Owner:
TAS DESIGN BUILD			CARIBOU URBAN PROPERTIES INC

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	1-83 York R2, CE	Historical Status:
Height Limit (m):		Site Plan Control Area:

PROJECT INFORMATION

Site Area (sq. m):	5255	Height:	Storeys:	15	
Frontage (m):	96.34		Metres:	53.5	
Depth (m):	53.43				
Total Ground Floor Area (sq. m):	3369.9				Total
Total Residential GFA (sq. m):	26061.5		Parking Spaces:	397	
Total Non-Residential GFA (sq. m):	3413.7		Loading Docks	3	
Total GFA (sq. m):	29475.2				
Lot Coverage Ratio (%):	64.1				
Floor Space Index:	5.6				

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Condo		
Rooms:	0	Residential GFA (sq. m):	26061.5
Bachelor:	7	Retail GFA (sq. m):	3413.7
1 Bedroom:	210	Office GFA (sq. m):	0
2 Bedroom:	78	Industrial GFA (sq. m):	0
3 + Bedroom:	27	Institutional/Other GFA (sq. m):	0
Total Units:	322		

CONTACT: PLANNER NAME: Aviva Pelt, Assistant Planner