

**5500 Dundas Street West - Zoning By-law Amendment
Application - Final Report**

Date:	August 21, 2013
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 5 – Etobicoke-Lakeshore
Reference Number:	12 182167 WET 05 OZ

SUMMARY

This application proposes two, 2 storey commercial-retail buildings containing 7,565 m² of space at 5500 Dundas Street West. The proposed buildings would front Dundas Street West and have both underground parking and limited surface parking at the rear of the proposed buildings.

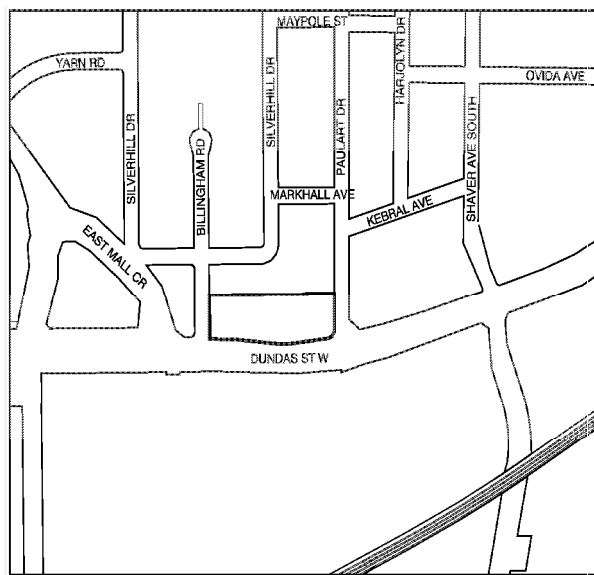
The proposal is consistent with the Provincial Policy Statement (PPS) and conforms to the Growth Plan and the policies of the Official Plan, including Site and Area Specific Policy 368 which applies to the lands.

This report reviews and recommends approval of the application to amend the Zoning By-law.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the former City of Etobicoke Zoning Code for the lands at 5500 Dundas Street West substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 5 to this report.



2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. Before introducing the necessary Bills to City Council for enactment, require the applicant to enter into a Site Plan Agreement under Section 41(16) of the *Planning Act* and Section 114 of the *City of Toronto Act*.
4. Before introducing the necessary Bills to City Council for enactment, require the applicant to make satisfactory arrangements with the Executive Director, Engineering and Construction Services to ensure the above- and below-grade buildings shall be set back as measured from the revised Dundas Street West and Paulart Drive right-of-way limits.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

Proposal

This application proposes two separate 2 storey, 17 m high, commercial-retail buildings fronting Dundas Street West. The buildings would have 7,565 m² of gross floor area consisting of ground floor retail uses with retail and office uses on the second floor. The western building would have a frontage of 71 m and the eastern building would have a frontage of 74 m. The buildings would be separated by a centrally located driveway and connected with an overhead sign. Approximately one third of the roof of each building is proposed as a green roof. The overall site density would be approximately 0.87 times the lot area.

The building setback along Dundas Street West would generally be 3.0 m, however, it would narrow to 0.2 m at the southeast corner of the site. The buildings would be setback 9 m from the rear property line and 3 m and 5.4 m from the west and east side lot lines, respectively. Landscaping and a widened public sidewalk are proposed along the Dundas Street West frontage and perimeter landscaping is proposed along the west and east sides of the site. A landscaped buffer between 3 m and 10 m is proposed adjacent to the single detached houses along the rear property line.

Vehicular access to the site is proposed from three driveways, one on Billingham Road, one on Paulart Drive and an in-bound only driveway from Dundas Street West. Parking for 312 vehicles is proposed, of which 64 would be surface parking spaces with the remainder located in a 2-level underground parking garage. The second floor of the proposed west building would cantilever over a small portion of the surface parking and loading areas including the garbage and recycling areas (see Attachment 1: Site Plan and Attachment 4: Application Data Sheet).

Site and Surrounding Area

The site is located on the north side of Dundas Street West and occupies the entire block between Billingham Road to the west and Paulart Drive to the east. The site is 0.95 ha in size and rectangular in shape, with a depth between 54 m and 58 m and a frontage of 172 m along Dundas Street West. The site is presently occupied by a vacant auto dealership. Existing vehicular access is from Billingham Road, Dundas Street West and Paulart Drive.

The surrounding uses are as follows:

- North: Residential single-detached dwellings.
- South: Honeydale Shopping Mall and a few small commercial buildings fronting Dundas Street West.
- East: An auto dealership and other commercial buildings.
- West: Three and four storey office 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 by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The property is designated *Mixed Use Areas* by Official Plan Land Use Map 15 and is subject to Site and Area Specific Policy 368 (SASP 368). The proposed commercial development is provided for by the *Mixed Use Areas* designation. Development criteria set out in *Mixed Use Areas* refer to built form and site organization considerations in addition to requiring a transition to adjacent lower scale *Neighbourhoods* designations. The Built Form policies of the Plan require that new development be located, organized and massed to fit with its existing and/or planned context.

The site is within the Dundas Street West / Highway 427 Planning Framework Study Area, which applies to the lands fronting Dundas Street West between Highway 427 and Shorncliffe Road/Shaver Avenue. The policy direction resulting from this study for the north side of Dundas Street West is set out in SASP 368, which was approved by City Council in 2011 as Official Plan Amendment No 159. A key objective of SASP 368 is that development will contribute to a vibrant and attractive public realm that encourages

pedestrian activity and supports the role of Dundas Street West for commercial activity. Relevant policies include the requirement that development minimize curb cuts, the built form will be mid-rise, a generous pedestrian area is to be provided fronting Dundas Street West and a sufficient rear setback will be provided.

Zoning

The site is zoned CL-Limited Commercial Zone, as amended by site specific By-law 939 which limits permitted uses to auto sales, servicing, parking and storage. By-law 939 also includes a requirement for a 10' wide (3.05 m) wide landscape buffer along the north property line.

Site Plan Control

The project is subject to Site Plan Control. An application has been submitted and is under review. This report recommends that the Zoning By-law not be enacted until the applicant enters into a Site Plan Agreement. This will allow staff to finalize certain matters related to the development including the implementation of the Etobicoke Centre Public Space and Streetscape Plan along the Dundas Street West frontage.

Etobicoke Centre Public Space and Streetscape Plan

In September 2011, City Council endorsed the vision of the Etobicoke Centre Public Space and Streetscape Plan, and directed that the Plan be extended west along Dundas Street West to Highway 427. As such, this application is subject to the Plan. In accordance with the Plan, development along the Dundas Street West frontage will be required to provide a single row of trees, an on-boulevard bikeway, wide pedestrian clearways, a minimum 5.5 m boulevard width and a minimum 3.0 m building setback.

Reasons for Application

The existing site specific Zoning By-law only permits auto related uses and does not permit the proposed retail/office uses. An amendment to the Zoning By-law is required to permit the proposed uses and to establish appropriate development standards.

Community Consultation

A community consultation meeting was held on October 29, 2012 at the Etobicoke Civic Centre. Approximately 13 people were in attendance. The major issues discussed at the meeting included:

- interaction between the existing bus stop, proposed bike lane, traffic turning and pedestrian sidewalk;
- opposition to any private lane along the north property line;
- the type of exterior lighting adjacent to the north property line and the potential for light spill;
- potential tenant mix;
- how garbage handling is to be addressed; and
- the location of the underground parking ramp.

Agency Circulation

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

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the PPS. This development promotes efficient land uses, reduces land consumption and utilizes existing services and infrastructure.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. The proposal's compact and efficient form optimizes the utilization of existing services and infrastructure, and promotes intensification along a major transportation route.

Land Use

The site is designated *Mixed Use Areas* in the Official Plan. Staff are of the opinion the development proposal conforms to the *Mixed Use Areas* designation and its development criteria. The commercial use of this land is appropriate as it is compatible with the existing and future planned context and built form. The commercial building would also meet the objectives of providing an adequate buffer and transition between buildings fronting Dundas Street West and the residential uses to the north.

Height and Massing

Site and Area Specific Policy 368 requires development in this area of Dundas Street West to provide an appropriate density, height and massing to ensure a connected and continuous mid-rise built form with maximum building heights established through a consideration of the adjacent road right-of-way and an appropriate transition to the residential neighbourhood to the north. Factors to be considered include light, shadow and privacy, among other matters. SASP 368 further requires that buildings be located parallel to public streets with main building entrances facing these streets.

The proposed buildings would front and have their main access off Dundas Street West with parking and loading located in the rear and underground. The 17 m height of the 2-storey building would be equivalent to an approximately 5 storey traditional mixed use building containing ground floor retail with residential above. As such, the building height and massing will achieve an acceptable building form as required by SASP 368.

Site Layout

Both buildings are proposed to front Dundas Street West, with primary vehicular entrances from the side streets, being Billingham Road and Paulart Drive. During the community consultation meeting, a number of residents commented that the proposed buffering along the north side of the property should be improved to reduce the impact of the proposed development on the adjacent properties to the north. As a result of these

comments, the proposed development was modified by increasing building setbacks, increasing the tree canopy within the setback and relocating the entrance to the underground parking area. These details will be secured through the Site Plan process.

Streetscape

The policy objectives regarding the public realm, as directed by SASP 368 and as further informed by the Etobicoke Centre Public Space and Streetscape Plan, would be achieved with a building mass that appropriately frames the edge of the street and should result in an attractive, comfortable and safe pedestrian environment.

The proposed development provides adequate room for pedestrians, sidewalks along Dundas Street West, a bike lane within the right-of-way as well as adequate room for landscaping and tree planting. These details will be finalized and secured through the Site Plan process.

Traffic Impact and Site Access

The applicant submitted a Traffic Impact Study in support of the application. The applicant has proposed a widening of Paulart Drive from 2 to 4 lanes between the proposed Paulart Drive driveway and Dundas Street West. Further, the Dundas Street West right-of-way would be improved with a bike lane provided across the site frontage and a land conveyance along a portion of the southern property line to provide a consistent width for the Dundas Street West right-of-way. The proposed land conveyance would be secured as a condition of Site Plan Approval.

Vehicular access to the site is currently provided from two full movement driveways on Dundas Street West and one full movement driveway on each of the side streets, Paulart Drive and Billingham Road. Vehicular site access is proposed to be reduced to one inbound driveway from Dundas Street West and from slightly modified driveways on Paulart Drive and Billingham Road. A drive aisle along the rear of the property would connect the east and west site accesses. This reduction from two full movement driveways on Dundas Street West to a singular one-way driveway conforms to the objective of SASP 368 to minimize curb cuts within new development.

Transportation Services staff advise the conclusions and recommendations of the Traffic Impact Study are acceptable and the subject proposal will not significantly impact the local road network.

Parking and Loading

The Traffic Impact Study also addresses on-site parking and loading. The proposed 312 parking and 3 loading spaces are adequate to accommodate the proposed 7,565 m² of gross floor area. These parking and loading requirements have been included in the draft Zoning By-law. Transportation Services staff have no objection to the proposed parking arrangement for the Zoning By-law; however, there are outstanding concerns to be addressed through the Site Plan process including modifications to address truck turning movements and small car parking spaces. Transportation Services staff also recommends that prior to the introduction of the Zoning By-law Amendment to City Council for

enactment, the alignment and extent of the land dedication along Paulart Drive be finalized.

Servicing

The applicant submitted a Functional Servicing and Stormwater Management Report. Engineering and Construction Services staff are satisfied that existing City servicing infrastructure has adequate capacity to support the development proposal.

Open Space/Parkland

The alternate parkland levy does not apply to commercial uses. However the development is subject to a 2% cash-in-lieu of parkland dedication as required by Section 42 of the *Planning Act*. The cash-in-lieu payment will be calculated and payable through the building permit application process.

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 greenhouse gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS. Based on the submitted Green Standard Checklist, the proposed development will achieve Tier 1. Some of the targets proposed to be met include:

- Minimum bicycle parking rates;
- Direct pedestrian linkage from the buildings to the adjacent bus stop;
- Stormwater retained on-site to the same level of annual volume of overland runoff allowable under pre-development conditions;
- Water efficient plant material for 50% of landscaped area; and
- Minimum soil volume for trees planted in hardscaping.

The site specific Zoning By-law will secure the provision of a minimum of 33 bicycle parking spaces as required by the Tier 1 performance measures.

The following TGS performance measures will be secured through the Site Plan process: Pedestrian Infrastructure, Urban Heat Island Reduction, Stormwater Retention, Water Quality, Water Efficiency, Glass and Other Design Features for Migratory Birds and Light Pollution.

Conclusion

Planning staff recommends approval of this application for two 2-storey commercial buildings and the required Zoning By-law Amendment. The proposal represents an appropriate use of land that is consistent with the Provincial Policy Statement, conforms to the Growth Plan and is in conformity with the Official Plan *Mixed Use Areas* designation including the planned built form along this portion of Dundas Street West as

required by SASP 368. The proposed development would also implement the Etobicoke Centre Public Space and Streetscape Plan as well as provide an appropriate transition to the single family dwellings in the *Neighbourhoods* designation to the north.

CONTACT

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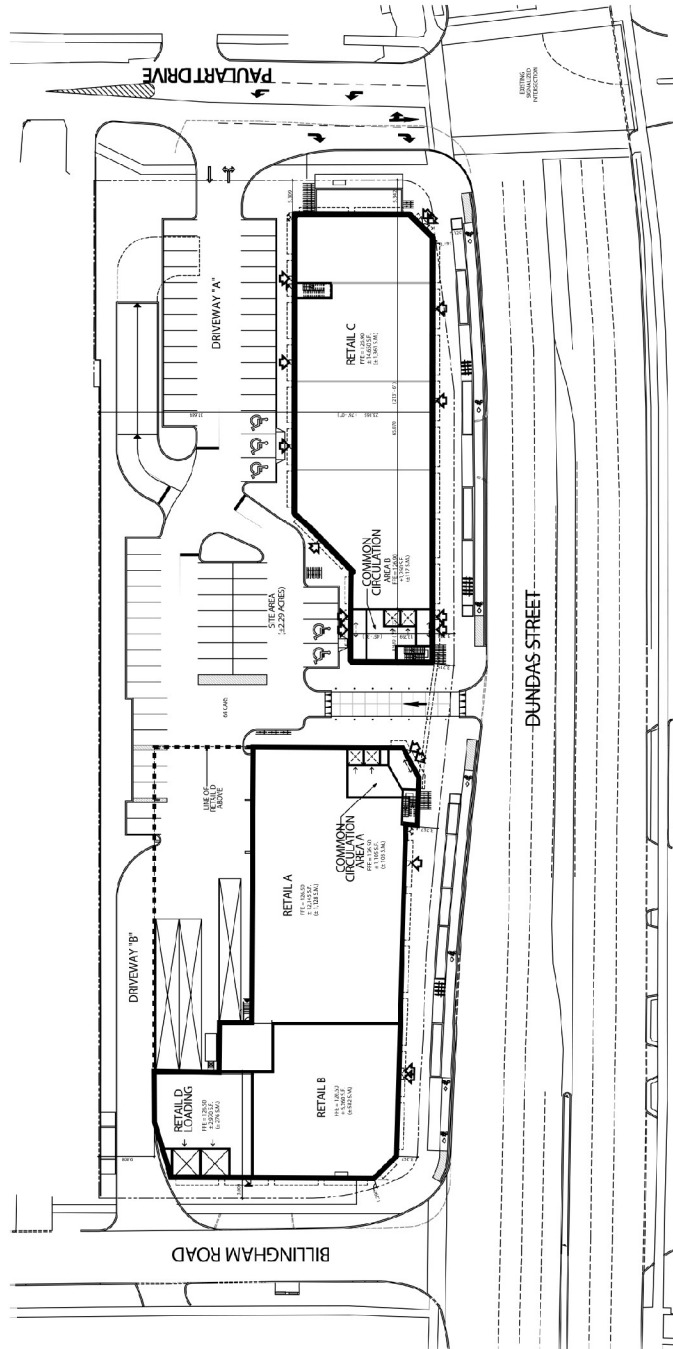
SIGNATURE

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

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Zoning
Attachment 4: Application Data Sheet
Attachment 5: Draft Zoning By-law Amendment

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

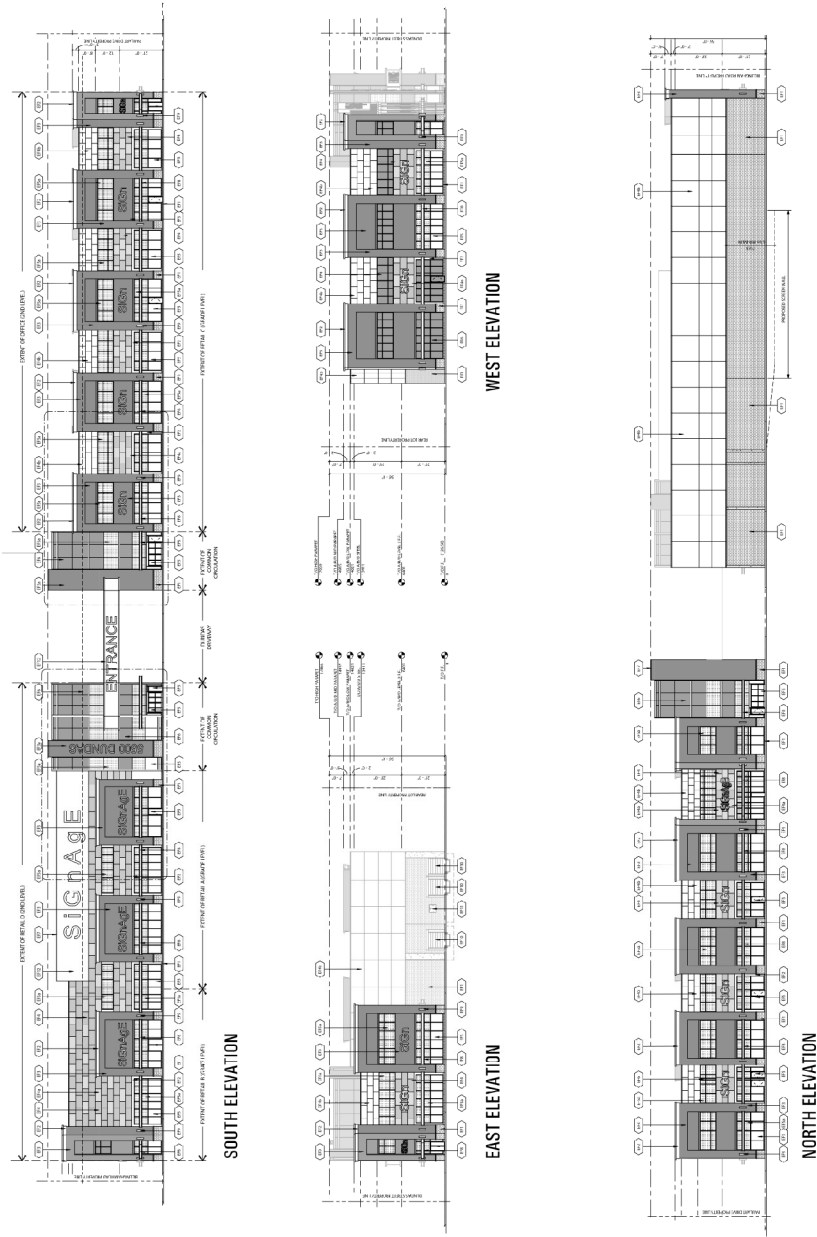
Not to Scale
08/15/13



5500 Dundas Street

File # 12 182167 WET 05 02

Attachment 2: Elevations



5500 Dundas Street

File # 12 182167 WET 05 02

Elevations
Applicant's Submitted Drawing

Not to Scale
08/15/13

Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	12 182167 WET 05 OZ
Details	Rezoning, Standard	Application Date:	May 29, 2012

Municipal Address: 5500 DUNDAS Street West
 Location Description: PLAN 4315 PT BLK F **GRID W0504
 Project Description: Proposed amendments to the Etobicoke Zoning Code to permit the development of an urban-format, mixed commercial-retail development with underground parking facilities. The existing building (former auto dealership) is to be demolished.

Applicant:	Agent:	Architect:	Owner:
URBAN STRATEGIES INC			FCHT HOLDINGS (ONTARIO) CORPORATION

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	SASP (368)
Zoning:	CL and By-law 939	Historical Status:	n/a
Height Limit (m):		Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	9510.45	Height:	Storeys:	2
Frontage (m):	171.95		Metres:	17.07
Depth (m):	54			
Total Ground Floor Area (sq. m):	3347 m ²			Total
Total Residential GFA (sq. m):	0		Parking Spaces:	312
Total Non-Residential GFA (sq. m):	7565 m ²		Loading Docks	3
Total GFA (sq. m):	7565 m ²			
Lot Coverage Ratio (%):	47%			
Floor Space Index:	0.87			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:				
Rooms:	0	Residential GFA (sq. m):	0	0
Bachelor:	0	Retail GFA (sq. m):	6343	0
1 Bedroom:	0	Office GFA (sq. m):	1222	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	0			

CONTACT:	PLANNER NAME:	Derek Waltho, Planner
	TELEPHONE:	416-394-8206

Attachment 5: Draft Zoning By-law Amendment

Authority: Etobicoke York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~
Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

To amend Chapters 320 and 324 of the Etobicoke Zoning By-law, as amended, with respect to the lands municipally known as 5500 Dundas St W

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. THAT By-law No. 939 of the former City of Etobicoke is hereby repealed.
2. THAT the Zoning Map referred to in Section 320-5, Article II of the Etobicoke Zoning Code, and originally attached to Township of Etobicoke By-law be amended by changing the classification of the *lands* located in the former City of Etobicoke as described in Schedule 'A' attached hereto to Limited Commercial (CL) provided that the following provisions apply to the *lands* identified in Schedule 'A' and 'B' attached to this zoning by-law.
3. Notwithstanding the provisions of Sections 320-91 (Permitted Uses) of the Etobicoke Zoning Code, the only uses permitted within the *lands* identified on Schedule 'A' attached to and forming part of this zoning by-law shall be:
 - (a) Those uses listed in Section 320-91B (1) with the exception of service stations and public garages, public parking areas, dry cleaning plants using non-combustible cleaning solvents, new and used car sales rooms and lots, amusement devices, game establishments, and undertaking establishments.
 - (b) Fitness clubs, personal service shops, *pet services*, veterinary clinics, *retail stores*, *retail service*, outdoor garden centre as an accessory use, and commercial/recreational uses.
 - (c) The provisions of Chapter 320 Section 78 A of the Etobicoke Zoning Code shall apply to the operation of an outdoor garden

centre as an accessory use on the lands shown on Schedule 'A' to this By-law; and

- (d) Notwithstanding the provisions of Chapter 320-23 M of the Etobicoke Zoning Code, outdoor patios may be permitted in the front yard adjacent to Dundas Street West.
4. Notwithstanding the provisions in Section 320-78, 320-79 and 320-92 of the Etobicoke Zoning Code, the following requirements shall apply to the *lands* shown on Schedule 'A' to this zoning by-law:
- (a) the maximum permitted *lot coverage* shall be 53%;
 - (b) the maximum permitted *Gross Floor Area* shall be 7,700 m²;
 - (c) the minimum landscape strip along the rear *lot* line of the site shall be 3 metres;
 - (d) the minimum building setbacks to be permitted on the *lands* shall be as shown on Schedule 'B', attached hereto;
 - (e) notwithstanding the building setbacks specified in Section 4 (d) above, the below grade parking structure shall be permitted to have a setback of 0.0 metres from the *lot* line;
 - (f) A light fixture, ornamental element, canopy, awning or similar structure, with or without structural support, may encroach into a required setback to a maximum of 1.5 metres;
5. Notwithstanding the provisions of Section 320-93 and Article XIX, all buildings and structures shall be a maximum building *height* of 18.0 metres.
6. Notwithstanding the provisions of Section 320-18(C), 320-19, 320-23, the following requirements shall apply to the *lands* shown on Schedule 'A' to this zoning by-law:
- (a) parking shall be provided at a minimum rate of 4.0 spaces per 100 m² of *gross floor area*;
 - (b) a minimum of 33 bicycle parking spaces shall be provided;
 - (c) a minimum of 4 accessible parking spaces; and
 - (d) Section 320-18(C)(3) shall not apply.
7. A maximum of three loading spaces shall be provided on the *lands* shown on Schedule 'A' to this zoning by-law:

- (a) Two loading spaces with the following minimum dimensions: a length of 25 metres, a width of 3.75 metres, and a vertical clearance of 5.5 metre; and
 - (b) One loading space with the following minimum dimensions: a length of 23.5 metres, a width of 3.5 metres, and a vertical clearance of 6.3 metres.
8. For the purposes of this By-law and for these *lands*, Section 304-3 shall be amended to include the following changes:

“*Grade*” means the measurement for the geodetic *height* identified for each of two Buildings on Schedule “B” attached hereto;

“*Gross Floor Area*” means the total areas of all floors in a building between the outside faces of the exterior walls, except for storage rooms where the floor level is at least 0.6 metres below *grade*, or parking areas for motor vehicles and mechanical rooms. In the case of commercial buildings, common pedestrian circulation areas and below-*grade* public washrooms and staff facilities shall be excluded;

“*Height*” shall mean the vertical distance between *grade* and the highest point of the roof or structure, inclusive of roof top mounted structures and mechanical equipment, antenna, chimneys, steeples or towers;

“*Lands*” mean the *lands* described in Schedule ‘A’ attached hereto; and for the purposes of this By-law shall be based on the *lands* prior to land dedications and conveyances for municipal purposes;

“*Lot*” means those *lands* outlined by heavy lines on Schedule ‘B’ attached hereto; and

“*Lot Coverage*” means the portion of the *lot* that is covered by any part of any building or structure on or above the surface of the *lot*.

“*Outdoor Patio*” shall mean an outdoor patron area that is ancillary to a non-residential use.

“*Pet Services*” shall mean *premises* used to provide for the grooming of domestic animals.

“*Premises*” means the whole or part of lands, buildings or structures, or any combination of these.

“*Retail Service*” means premises in which photocopying, printing, postal or courier services are sold or provided

“Retail Store” means premises in which goods or commodities are sold, rented or leased.

9. For clarity, all Schedules attached to this By-law are incorporated into this By-law and are deemed to be a part of this By-law.
10. Notwithstanding any severance, partition, or division of the lands shown on Schedule ‘A’, the provisions of this By-law shall apply to the whole of the said lands as if no severance, partition, conveyances, or division had occurred.
11. Within the lands shown on Schedule "A" attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
 - (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway; and
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.
12. Chapter 332, Site Specifics, of the Etobicoke Zoning Code, is hereby amended to include reference to this By-law by addition the following to Section _____, Table of Site Specific By-laws:

By-law Number	Description of Property	Purpose of By-law
_____ - 2013	Lands known legally as Block F, Registered Plan No. 4315 Borough of Etobicoke, County of York, located on the north side of Dundas Street West, west of Paulart Road, known as 5500 Dundas Street West.	To modify the development standards for the Limited Commercial Zone to permit a commercial and office development

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,
Mayor City Clerk

ULLI S. WATKISS,

(Corporate Seal)

