

**5239, 5245 and 5249 Dundas Street West and 3 Auckland Road - Zoning By-law Amendment Application - Preliminary Report**

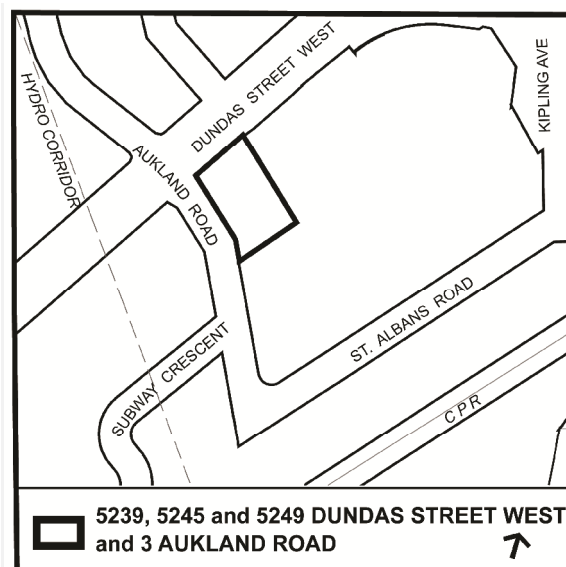
<b>Date:</b>	February 3, 2014
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Director, Community Planning, Etobicoke York District
<b>Wards:</b>	Ward 5 – Etobicoke-Lakeshore
<b>Reference Number:</b>	13 280673 WET 05 OZ

**SUMMARY**

This application proposes to amend the former City of Etobicoke Zoning Code to permit the construction of a 40 storey mixed use building at 5239, 5245 and 5249 Dundas Street West and 3 Auckland Road. The application proposes 5,433 m<sup>2</sup> of retail space in a base building fronting the corner of Dundas Street West and Auckland Road and 378 apartment units in a 38 storey tower above.

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 in consultation with the Ward Councillor to allow the applicant to present the project and to receive comment from the public. A Final Report and Public Meeting under the *Planning Act* to consider the application is targeted for the first quarter of 2015 provided all required information is submitted by the applicant in a timely manner.



## RECOMMENDATIONS

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### The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 5239, 5245 and 5249 Dundas Street West and 3 Auckland Road 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.

### DECISION HISTORY

The property at 3 Auckland Road was the subject of a previous application for Zoning By-law amendment submitted in 2001 to permit the construction of a 14 storey, 56 unit apartment building. City Council approved the application at its meeting of March 4-8, 2002. City Council enacted Zoning By-law 434-2007 on April 23 and 24, 2007, but the proposed development was not constructed and the associated Site Plan Control application was closed due to inactivity.

### Pre-Application Consultation

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

A pre-application community consultation meeting organized by the Ward Councillor was held on November 19, 2013 and attended by the applicant, City staff and approximately 100 members of the community. The proposal was presented by the applicant and issues raised by those in attendance were related to height and density, separation distance to the adjacent residential apartment building, pedestrian access through the site and to Kipling Subway Station, and vehicular access to an existing private road servicing five adjacent residential buildings.

### ISSUE BACKGROUND

#### Proposal

This application proposes to amend the former City of Etobicoke Zoning Code to permit the construction of a 40 storey (131 m) mixed use development at 5239, 5245 and 5249 Dundas Street West and 3 Auckland Road containing 378 residential units within a 38

storey tower above 5,433 m<sup>2</sup> of retail uses within the base building. The gross floor area of the proposal is 33,661 m<sup>2</sup> which would result in a density of 11.3 times the area of the lot.

The proposal consists of a base building containing retail uses that would be 2 storeys in height along the Dundas Street West frontage. The proposal would utilize the significant slope of the site to incorporate a third commercial storey at grade along Auckland Road below the established grade of Dundas Street West. The top level of the proposed base building would cantilever over a driveway proposed at the south end of the site providing a significant floor plate for retail uses and enclosing loading and underground parking access within the envelope of the base building. The retail uses within the base building are proposed to be accessed directly from the public sidewalk on both streets. A 3 m setback to the base building would be provided along Dundas Street West and a 1.5 m setback would be provided along Auckland Road along with 6 m floor to ceiling heights for the retail floors. The residential entrance is proposed to be taken from an existing private road (Viking Lane) to the east of the subject lands.

The tower portion of the proposal would be 38 storeys in height and contain all the proposed residential units and amenity space. The proposed glass tower has a 750 m<sup>2</sup> floor plate with indoor and outdoor amenity space to be provided in the base building above the retail uses. All balconies are proposed to be inset resulting in no projections beyond the proposed floor plate. A 3 m step back is proposed from the western edge of the base building along the Auckland Road frontage and a 4.7 m step back is proposed from the eastern edge of the base building. Significant step backs are proposed from the north and south edges of the base building. The tower is proposed to be separated by 20 m from the existing 24 storey apartment building at 5233 Dundas Street West (Essex 2).

Vehicular access is proposed to be provided from a driveway connecting Auckland Road with Viking Lane along the south property line. The driveway would provide access to underground parking ramps and consolidated loading bays servicing both residential and non-residential components of the proposal. Five levels of underground parking are proposed containing 318 vehicular parking spaces. A total of 264 parking spaces are proposed for residential and residential visitor uses, which would include 7 spaces reserved for a car share service. The remaining 54 spaces are proposed for non-residential uses. A small lay by for passenger pick up and drop off for the residential tower is proposed off Viking Lane in front of the residential pedestrian entrance. A total of 405 bicycle parking spaces are proposed to be located at grade and on the P1 and P2 levels to service all the proposed uses.

## **Site and Surrounding Area**

The site is located on the southeast corner of the intersection of Dundas Street West and Auckland Road. The development site is rectangular in shape and has a frontage of approximately 43 m on Dundas Street West and 68 m on Auckland Road with a site area

of 2,973 m<sup>2</sup> (0.29 ha). The site slopes significantly from north to south with a decline of approximately 4 m across the entire site.

The property is currently occupied by three two-storey buildings fronting Dundas Street West and one single storey building fronting Auckland Road. The buildings fronting Dundas Street West contain retail and commercial uses at grade and the applicant indicates there four residential units located on the 2<sup>nd</sup> floor of the buildings. A limited number of surface parking spaces exist in front of the buildings. The single storey building located at 3 Auckland Road was formerly used as a karate studio and is currently vacant.

The surrounding land uses are as follows:

- North: Across Dundas Street West, commercial, restaurant and retail uses including Six Points Plaza.
- East: Across Viking Lane, a 24 storey residential condominium building (5233 Dundas Street West) along with other residential condominium towers ranging in height from 21 to 36 storeys and Six Points Park (see Attachment 1 – Context Plan).
- South: A single storey City of Toronto water pumping station.
- West: Across Auckland Road, a single storey restaurant and commuter parking lots within a hydro corridor along with access points to Kipling Subway Station south of Subway Crescent.

## **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.

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 subject lands are located within the Etobicoke Centre as identified by the Urban Structure Map of the Official Plan (Map 2). The City's four *Centres*, along with *Avenues*,

*Employment Districts* and the *Downtown and Central Waterfront*, are key components in the Official Plan's growth management strategy. The Official Plan provides for growth to be directed to *Centres* in order to use municipal land, infrastructure and services more efficiently and concentrate jobs and people in areas well served by surface transit and rapid transit stations.

### **Etobicoke Centre Secondary Plan**

The Etobicoke Centre Secondary Plan designates the subject lands *Mixed Use Areas "A"* which provides for a broad range of commercial, residential and institutional uses in single or mixed use buildings. The Secondary Plan directs that to maximize the number of housing opportunities and to promote urban character, new housing will take the form of mid-rise and high-rise apartment buildings with the greatest heights and densities provided for around the Kipling and Islington Subway Stations.

The Secondary Plan identifies seven areas within the Secondary Plan to be enhanced based on their respective location, physical form and function. The subject lands are located on the western boundary of the Six Points Area, which is focused on the reconfiguration of the Six Points Interchange to the east. The reconfiguration of the Kipling Avenue, Bloor Street and Dundas Street West interchange into a number of urban, at grade intersections would allow for the City-owned Westwood Theatre Lands to become a hub of community activity and would reorient the area currently dominated by automobile infrastructure to one that is more pedestrian-oriented in scale. The lands immediately around Kipling Subway Station are intended to form a high density, mixed use neighbourhood to capitalize on the adjacent transit facilities.

The built form and urban design policies of the Secondary Plan promote a compact transit-oriented development pattern. Tall building proposals are required to minimize the negative impact of shadows, sky view and wind on adjacent public areas and take into account the relationship of the site to other tall buildings. Parking areas, access and automobile drop offs are to be designed in a manner that does not interfere with the continuity of the interface between the building and the street to improve the visual amenity of pedestrian routes.

A number of policies within the Secondary Plan address the need for parkland and community facilities required to support the growth the Plan provides for. The Secondary Plan provides for an appropriate geographic distribution of parkland to be dedicated through the development approval process. The specific combination of parkland dedication or cash-in-lieu of parkland to satisfy the required dedication will be determined by the City through the consideration of each site specific proposal. In addition to parkland provision, the Secondary Plan provides for the development of a Community Services strategy (completed in 2006) which establishes priorities for the delivery of new and expanded community services within Etobicoke Centre. The

Secondary Plan provides for the use of Section 37 Agreements to secure the contribution of community benefits in return for increased height or density.

## **Zoning**

The majority of the site (5239-5249 Dundas Street West) is zoned Etobicoke Centre 2 (EC2) Zone by the former City of Etobicoke Zoning Code as amended by site specific Zoning By-law 1088-2002. The EC2 zone permits apartment houses, senior citizens apartment buildings, a hotel and a broad range of non-residential and institutional uses. The maximum building height permitted is 90 m and the maximum density permitted is 5.0 FSI. A number of performance standards including minimum and maximum building setbacks, limits on tower floor plates and minimum building separation distances control the permitted higher density development. In addition to built form requirements, a minimum of 25% of the lot is required to be reserved for landscaped open space and a minimum of 1.5 m<sup>2</sup> per unit of indoor amenity space must be provided.

The 3 Auckland Road property is zoned Residential Sixth Density Zone (R6) by site specific Zoning By-law 434-2007 to permit the construction of a 14 storey (41 m) residential apartment building containing 56 dwelling units.

The subject lands do not form part of the City's new harmonized Zoning By-law 569-2013. Lands which are subject to the Etobicoke Centre Zoning By-law (By-law No. 1088-2002) do not form part of the new Zoning By-law.

## **Etobicoke Centre Urban Design Guidelines**

The urban design policies of the Secondary Plan are supported by the Etobicoke Centre Urban Design Guidelines which provide direction for the redevelopment of lands within the Centre. The Urban Design Guidelines establish the relationships of built form to adjacent streets and public spaces which define the urban character of the Centre and are intended to provide direction for the creation of a vibrant public realm.

This document provides guidelines on built form, building typology and environmental impact (sun and wind), as well advising on the location and treatment of pedestrian entrances. To ensure an urban, pedestrian friendly condition, the Guidelines seek a Build-To Zone within 3 m of the property line, and encourage the screening of servicing and vehicular access by incorporating those functions within building envelopes.

## **City-Wide Tall Building Design Guidelines**

In May 2013, Toronto City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The city-wide Guidelines are available at <http://www.toronto.ca/planning/tallbuildingdesign.htm>.

## **Etobicoke Centre Public Space and Streetscape Plan**

In 2011, City Council endorsed the Etobicoke Centre Public Space and Streetscape Plan to incrementally improve the quality and character of public space in the Etobicoke Centre. City Council directed the Chief Planner and other City officials to pursue the implementation of the incremental improvements identified in the Plan through the development approval process and the City's capital works program.

The Public Space and Streetscape Plan is intended to unify the diverse parts of the Etobicoke Centre and encourages a pedestrian friendly environment while identifying new park space and public space improvements. In addition to general recommendations on the public realm, individual character areas were identified, including the Westwood Theatre/Civic District within which the subject lands are located. In these character areas, specific public realm improvements could be undertaken to further achieve the goals of the Public Space and Streetscape Plan. The key projects for Westwood Theater/Civic District are, among others, gateway features, public art and greening strategies within a reconfigured Six Points Interchange and the provision of new pedestrian connections through private blocks, including along the southern edge of the subject lands.

### **Site Plan Control**

A Site Plan Control application is required but has not yet been submitted.

### **Reasons for the Application**

An application to amend the Zoning By-law is required to permit the proposed height and density, as well as establish appropriate zoning standards to facilitate the proposal.

## **COMMENTS**

### **Application Submission**

The following reports/studies were submitted with the application:

- Planning and Urban Design Rationale;
- Architectural Plans, Elevations and Sections;
- Landscape Plans;
- Sun/Shadow Analysis;
- Arborist Report and Tree Preservation Plan;
- Traffic Impact Study and Parking Analysis;
- Functional Servicing and Stormwater Management Report;
- Pedestrian Level Wind Assessment;
- Community Services and Facilities Study;
- Rental Housing Demolition and Conversion Screening Form;
- Boundary and Topographic Survey;
- Toronto Green Standard Checklist; and

- Draft Zoning By-law Amendment.

A Notification of Complete Application was issued on January 20, 2014.

### **Issues to be Resolved**

On a preliminary basis, the following issues have been identified:

1. The appropriateness of the proposed height, density and massing of the proposal.
2. Built form and site design as it relates to:
  - a. Secondary Plan Policies and Urban Design Guidelines for the Etobicoke Centre and the City-wide Tall Building Design Guidelines;
  - b. The size, placement and architectural expression of the proposed tower within the context of the other tall buildings within the block, including the appropriate separation distance to the residential apartment building at 5233 Dundas Street West;
  - c. Minimizing the negative impact of shadows, sky view and wind on neighbouring properties;
  - d. The design and program of the base building, including the provision and location of appropriate pedestrian entrances for residential and non-residential uses;
  - e. Screening of servicing areas and underground access from the public realm;
  - f. The appropriateness of the proposed indoor and outdoor amenity area; and
  - g. Pedestrian level comfort on adjacent public areas.
3. The provision of public realm improvements as identified in the Etobicoke Centre Public Space and Streetscape Plan.
4. Transportation considerations including:
  - a. The capacity of the local road network to absorb the additional traffic generated by the proposed development;
  - b. The appropriateness of the proposed reduction of the parking requirement for proposed residential and non-residential uses; and
  - c. The appropriateness of the proposed access to the adjacent private road (Viking Lane) and provisions necessary to maintain any obligations or restrictions required to secure access to Viking Lane.
5. The capacity of the local water and sewer infrastructure to service the proposed development.



6. The adequacy of existing community services and facilities to serve the proposed increase in population.
7. Evaluation of parkland dedication requirements.
8. The determination of appropriate development standards.
9. Securing an appropriate pedestrian connection between Viking Lane and Aukland Road along the southern edge of the subject lands.
10. The applicability of Section 37 of the *Planning Act* to secure appropriate community benefits should the application be recommended for approval.

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

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

## **CONTACT**

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## **SIGNATURE**

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

## **ATTACHMENTS**

Attachment 1: Context Plan  
Attachment 2: Site Plan  
Attachment 3: North and East Elevations  
Attachment 4: West and South Elevations  
Attachment 5: Official Plan  
Attachment 6: Zoning  
Attachment 7: Application Data Sheet

**Attachment 1: Context Plan**



**Context Plan**

Applicant's Submitted Drawing

Not to Scale

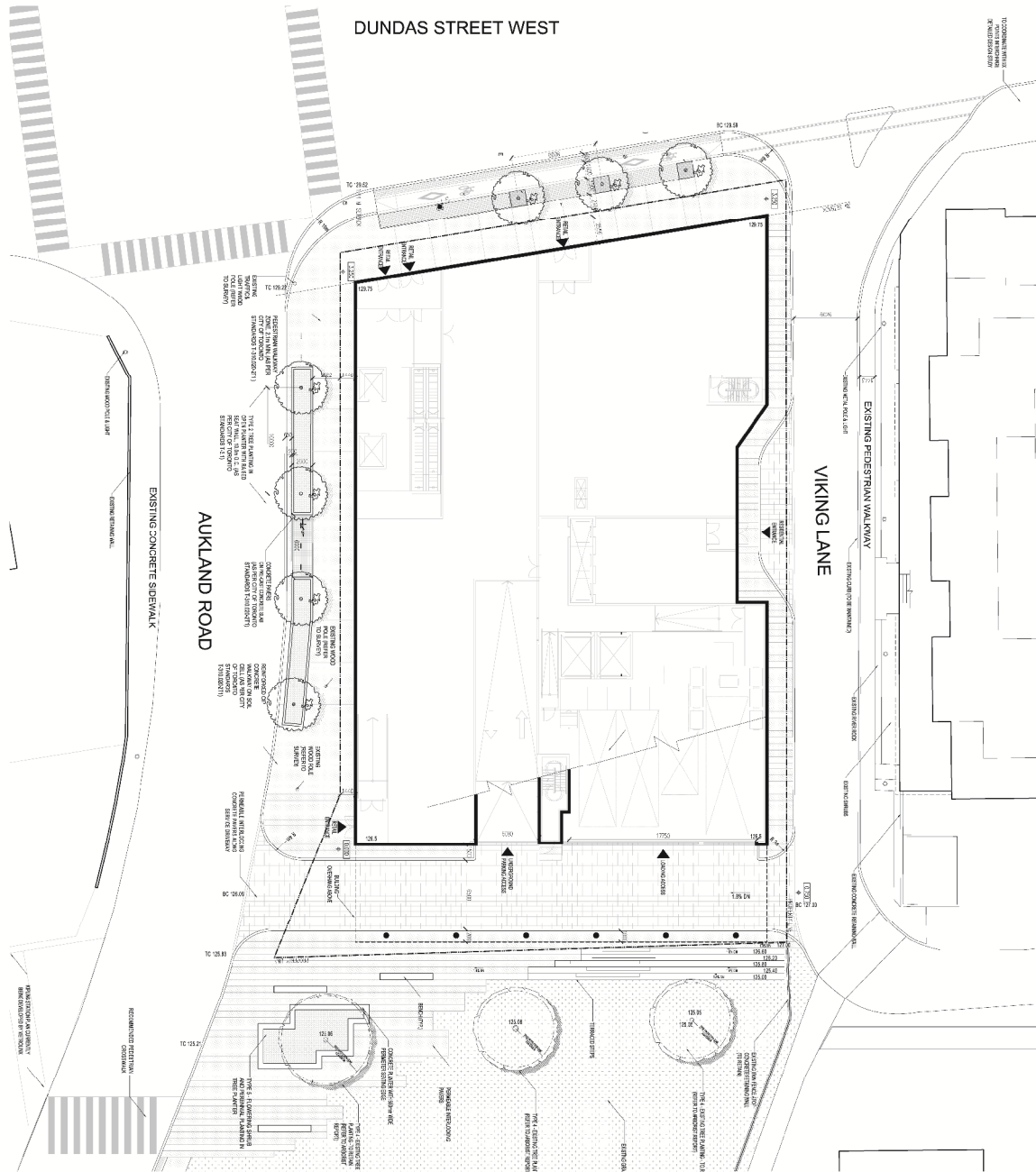
01/30/2014



**5239, 5245 and 5249 Dundas Street West  
and 3 Aukland Road**

File # 13 280673 WET 05 0Z

## Attachment 2: Site Plan



### Site Plan

Applicant's Submitted Drawing

Not to Scale

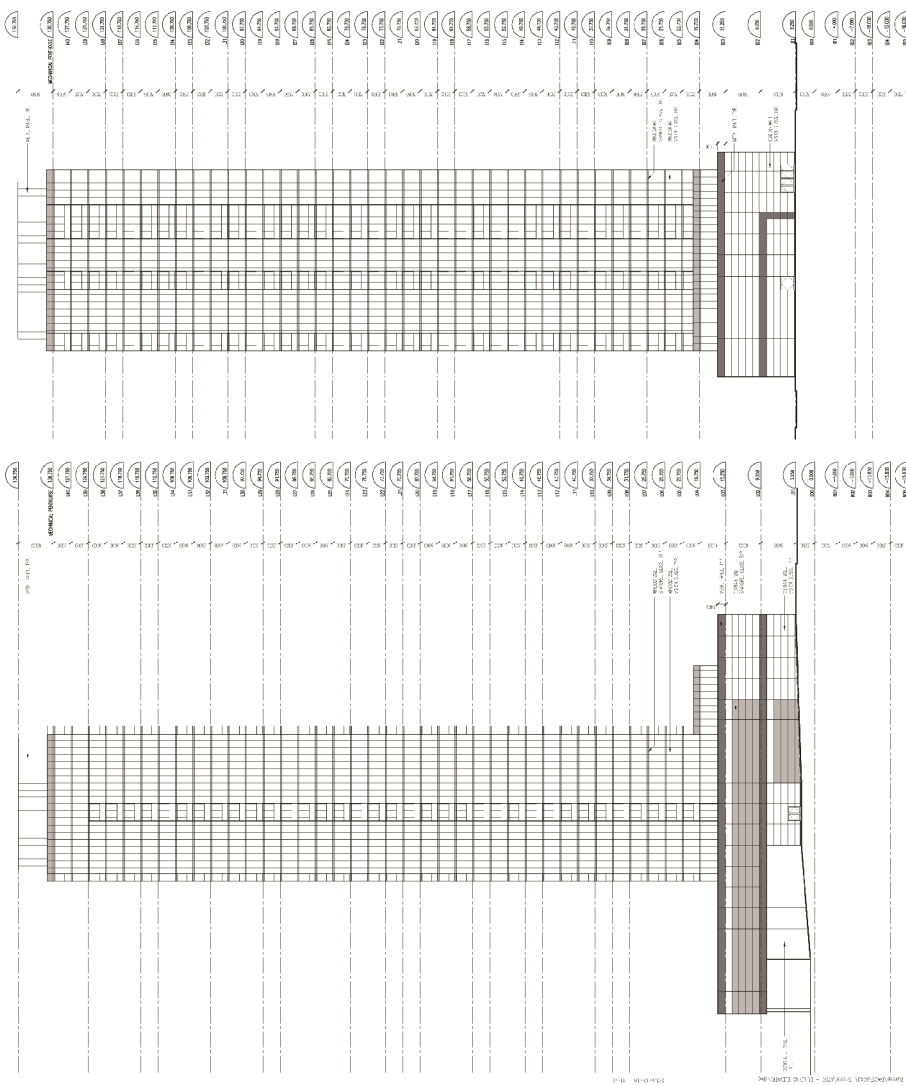
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5239, 5245 and 5249 Dundas Street West  
and 3 Aukland Road

File # 13 280673 WET 05 02

### Attachment 3: North and East Elevations



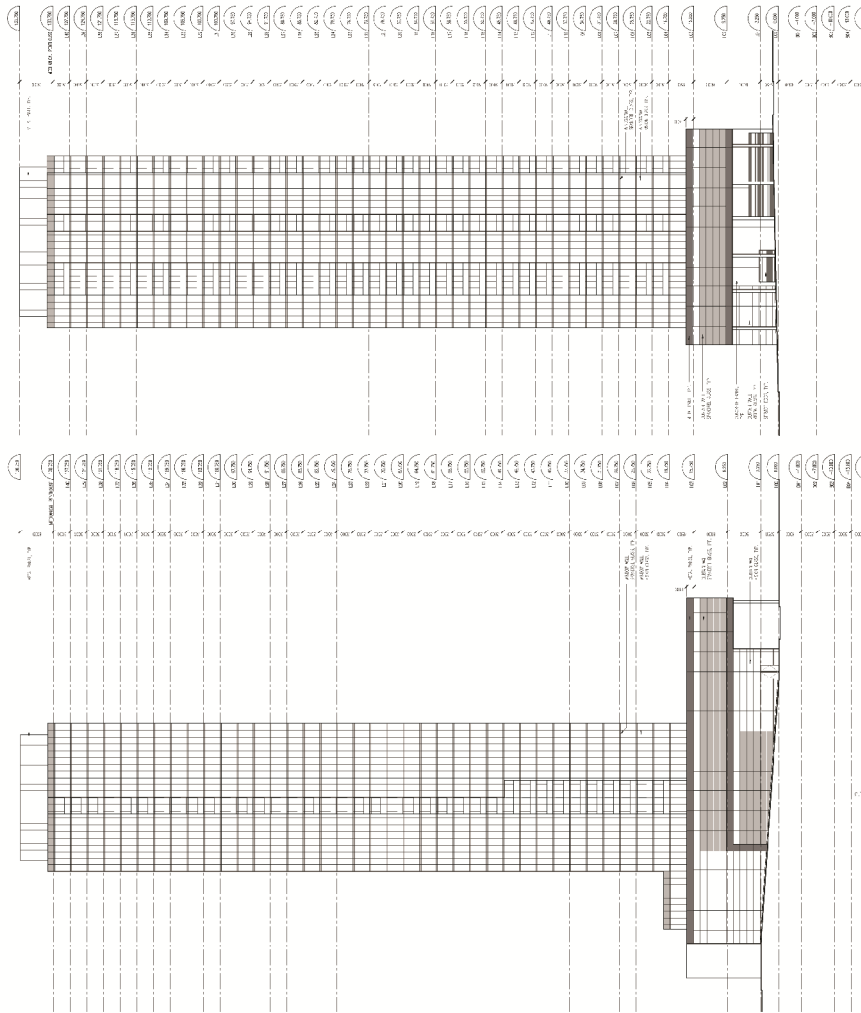
North Elevation

East Elevation

**5239, 5245 and 5249 Dundas Street West  
and 3 Auckland Road**  
File # 13 280673 WET 05 0Z

**Elevations**  
Applicant's Submitted Drawing  
Not to Scale  
01/30/2014

**Attachment 4: West and South Elevations**



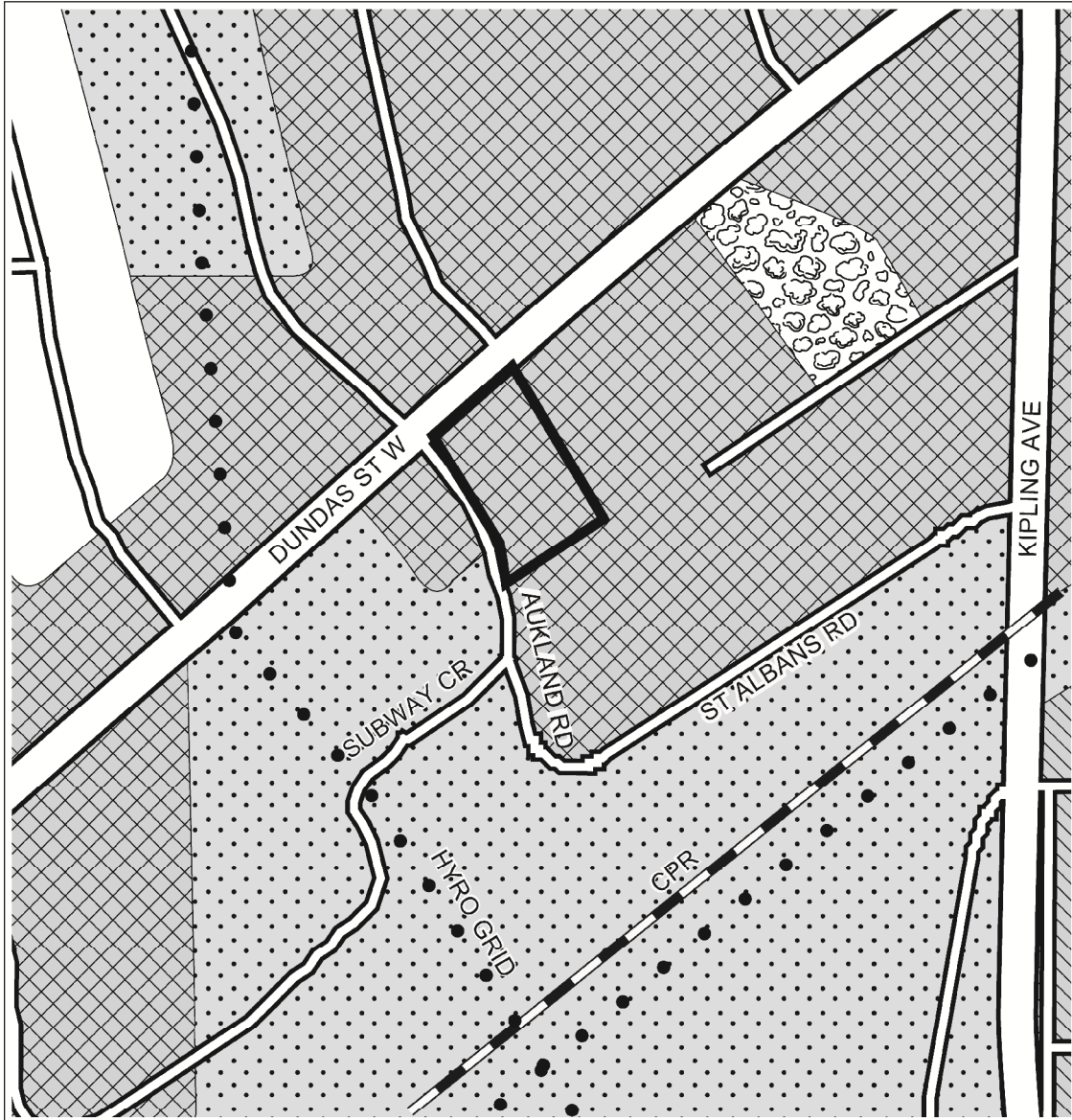
South Elevation

West Elevation

**5239, 5245 and 5249 Dundas Street West  
and 3 Auckland Road**  
File # 13 280673 WET 05 02

**Elevations**  
Applicant's Submitted Drawing  
Not to Scale  
01/30/2014

Attachment 5: Official Plan



**TORONTO** City Planning  
**Official Plan**

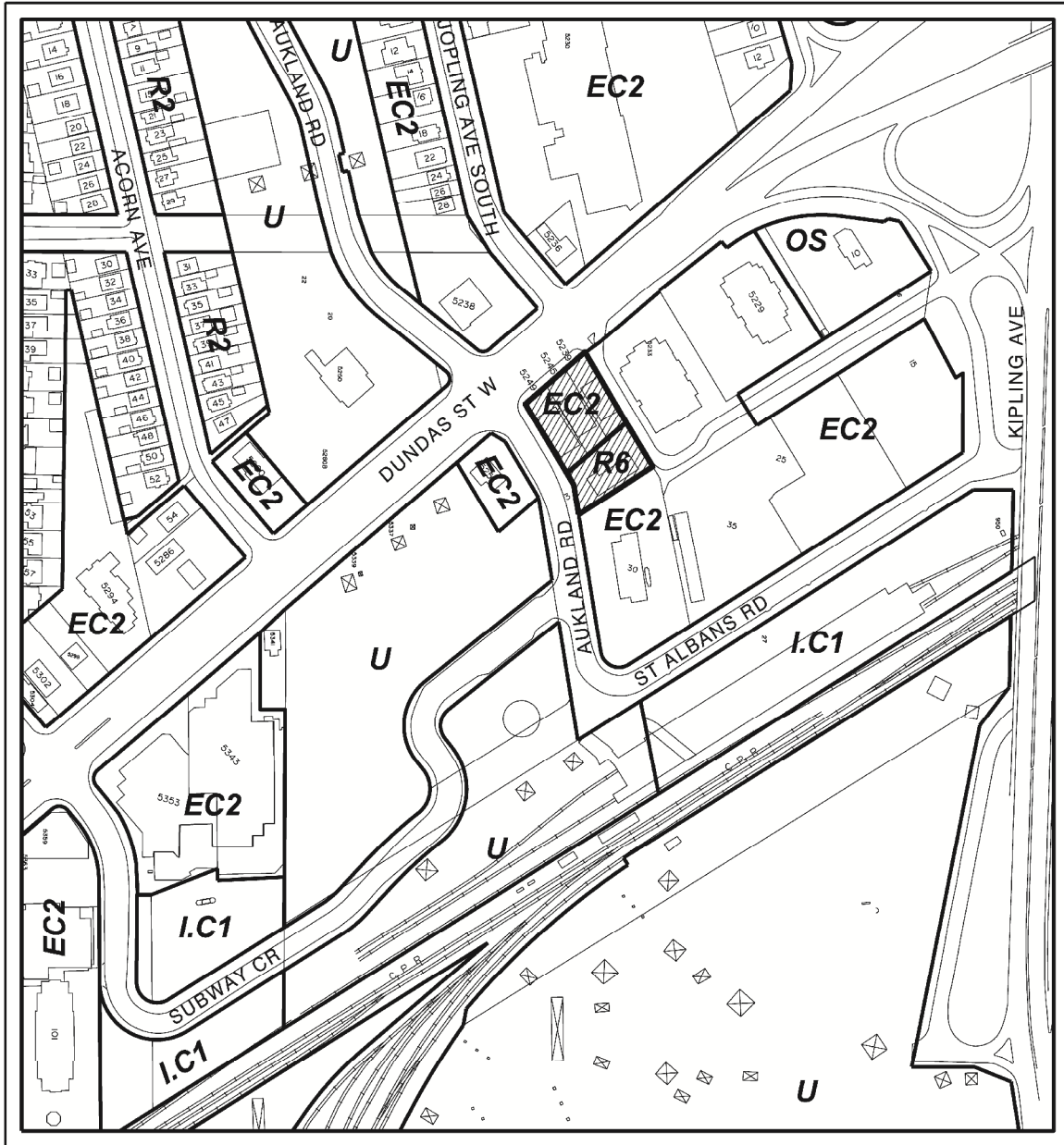
5239, 5245 and 5249 Dundas Street West  
 and 3 Auckland Road  
 File # 13 280673 WET 05 02

- |                   |                          |
|-------------------|--------------------------|
| Site Location     | Parks & Open Space Areas |
| Neighbourhoods    | Parks                    |
| Mixed Use Areas   |                          |
| Utility Corridors |                          |



Not to Scale  
 01/30/2014

## Attachment 6: Zoning



**TORONTO** City Planning  
**Zoning**

5239, 5245 and 5249 Dundas Street West  
 and 3 Aukland Road

File # 13 280673 WET 05 0Z

R2 Residential Second Density  
 I.C1 Industrial Class 1  
 EC2 Etobicoke Centre Two

OS Public Open Space  
 U Utilities



Not to Scale  
 Former Etobicoke By-law 11,737  
 Extracted 01/30/2014

## Attachment 7: Application Data Sheet

Application Type	Rezoning	Application Number:	13 280673 WET 05 OZ
Details	Rezoning, Standard	Application Date:	December 20, 2013

Municipal Address: 5239, 5245 and 5249 DUNDAS STREET WEST and 3 AUKLAND ROAD  
 Location Description: PLAN 2561 PT LOT 11 \*\*GRID W0504  
 Project Description: To redevelop the site with 2-storey retail podium base and 38 storey residential tower above.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
ANA MARIA LLANOS			AUKLAND AND MAIN URBAN PROP. INC.

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	Etobicoke Centre Secondary Plan
Zoning:	EC2 (1088-2002) R6 (434-2007)	Historical Status:	
Height Limit (m):	90m (1088-2002) 41m (434-2007)	Site Plan Control Area:	Yes

### PROJECT INFORMATION

Site Area (sq. m):	2973.54	Height:	Storeys:	40
Frontage (m):	43.72		Metres:	131m
Depth (m):	68.15			
Total Ground Floor Area (sq. m):	1558			<b>Total</b>
Total Residential GFA (sq. m):	28228		Parking Spaces:	318
Total Non-Residential GFA (sq. m):	5433		Loading Docks	4
Total GFA (sq. m):	33661			
Lot Coverage Ratio (%):	0			
Floor Space Index:	11.3			

### DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	70
1 Bedroom:	230
2 Bedroom:	70
3 + Bedroom:	8
Total Units:	378

### FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	28228	0
Retail GFA (sq. m):	5433	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

**CONTACT: PLANNER NAME: Christian Ventresca, Senior Planner**  
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