

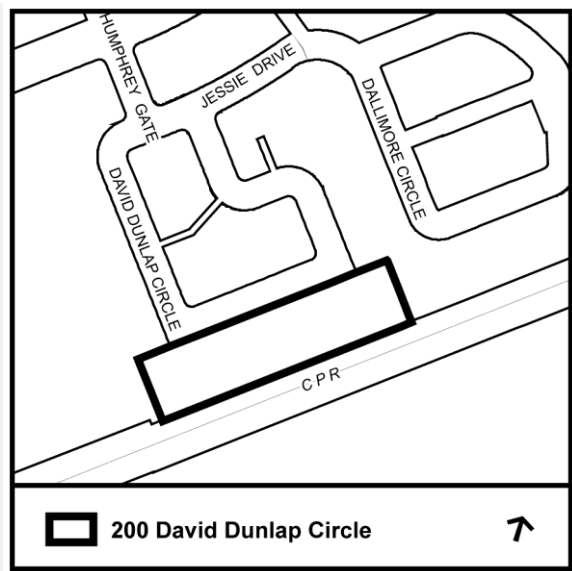
200 David Dunlap Circle – Zoning By-law Amendment, Plan of Subdivision and Site Plan Control Applications – Request for Direction Report

Date:	April 2, 2014
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 34 – Don Valley East
Reference Numbers:	13 158583 NNY 34 OZ and 13 158593 NNY 34 SB

SUMMARY

The applicant has appealed the Zoning By-law Amendment, Plan of Subdivision and Site Plan Control applications to the Ontario Municipal Board (OMB) due to Council's failure to make a decision on the applications within the time prescribed by the *Planning Act*. A hearing has been set for May 20, 2014.

This application proposes to amend the site specific Zoning By-law that applies to the site to permit seventy townhouse units. Fifty-one of the townhouse units would be four-storeys in a back-to-back configuration while the remaining nineteen would be a conventional form. The plan of subdivision application proposes the creation of four development blocks and a new public road. The new public road would provide access to forty-eight townhouse units while the remaining twenty-five townhouse units would front onto an existing public street (David Dunlap Circle). The development proposes a gross floor area of 11,192.32 square metres, a Floor Space Index or density of 1.33 and 140 parking spaces. The applications follow a previous Zoning By-law amendment application on the site that was approved by the Ontario



Municipal Board for a nine-storey, 350-unit apartment building.

The report recommends that the City Solicitor, together with City Planning staff, attend the OMB hearing in opposition to the current proposal. It also recommends that staff continue to work with the applicant in an attempt to resolve the outstanding issues and achieve a settlement.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor, together with City Planning staff and other appropriate staff, to attend the OMB hearing to oppose the Zoning By-law Amendment, Plan of Subdivision and Site Plan Control applications in the current form.
2. The City Solicitor and appropriate staff be authorized to continue discussions with the applicant in an attempt to resolve the issues outlined in this report.

Financial Impact

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

The site was part of a larger approval which included the existing townhouses north of the site along David Dunlap Circle, Jesse Drive and Humphrey Gate and the neighbouring subdivision to the east along Dallimore Circle. In 1999, these lands, previously known as 39 and 45 Green Belt Drive, were the subject of an Ontario Municipal Board decision which approved an Official Plan and Zoning By-law amendment to permit two residential subdivisions comprised of 183 townhouses and an eight-storey, 192-unit apartment building at 39 Greenbelt Drive (English Lane Residential Developments Limited) and ninety townhouse units and eight- and nine-storey apartment buildings at 45 Green Belt Drive (Camrost).

The subject site forms part of the English Lane subdivision. The subdivision has been the subject of three rezoning applications since the 1999 OMB approval.

On June 3, 2004, the OMB approved a rezoning application to permit twenty-seven additional townhouses in the subdivision thereby increasing the maximum number of townhouses to 210 units. These townhouses have been built and are currently occupied.

On July 19, 2005, an application to lift the (H) holding provision on the subject site was approved by City Council to enable construction of an eight-storey, 192-unit apartment building to proceed. Construction never commenced.

On December 16, 2011 the OMB approved a rezoning application to amend the site specific zoning on the subject site to increase the height of the apartment building from

eight to nine storeys and increase the number of dwelling units from 192 to 350. The Board's Final Order on the decision was withheld pending Site Plan approval. Site Plan approval for the apartment building was never pursued and the applicant is now seeking approval for townhouses citing a change in market conditions.

ISSUE BACKGROUND

Proposal

The applicant is proposing to amend certain provisions of the site specific Zoning By-law that applies to site to permit seventy, three- and four-storey townhouse units within a proposed plan of subdivision which includes a new public road. Fifty-one of the townhouses are proposed to be in a back-to-back configuration with the remainder being in a conventional row configuration. Back-to-back townhouses are townhouses which share a rear wall and have no rear yards.

The unit mix comprises fifty-one two-bedroom units and nineteen three-bedroom units with sizes ranging between 162 square metres and 258 square metres. The proposed development would have a total gross floor area of 11,192.32 square metres which represents a Floor Space Index or density of 1.33.

The townhouse units would be contained in six blocks (Blocks 21, 22, 23, 24, 25 and 26) configured around a new 16.5 metre public road that would connect to the existing 18.5 metre wide right-of-way network by way of extending David Dunlap Circle (see Attachment 2: Site Plan). All proposed townhouse units would front onto a public street with a proposed front yard setback of two metres. Landscaping is proposed on the adjacent public right-of-ways.

Two of the six development blocks (Blocks 21 and 24) are located on the west and east periphery of the site (see Attachment 4: Draft Plan of Subdivision). Each of these blocks would contain a conventional row of townhouse units (nine on Block 21 and ten on Block 24), three-storeys in height, with four metre rear yard outdoor amenity areas. The other four development blocks (Blocks 22, 23, 25 and 26) are centrally located on the site. In total, these blocks would contain fifty-one townhouse units, four-storeys in height designed in a back-to-back arrangement. These units would be considered four-storeys in height by virtue of providing individual stairwells to access the private rooftop amenity areas. Blocks 22 and 26 are separated from Blocks 23 and 25 by a narrow walkway that would connect David Dunlap Circle to the proposed new street.

A total of 140 parking spaces are proposed. With the exception of Unit 10 on Block 24, all of the 70 townhouse units would include two tandem parking spaces: one in the integral front garage and the other on the driveway (beneath the main level). Unit 10 on Block 24 would only provide one parking space.

Detailed site statistics are included in the Application Data Sheet in Attachment 7.

Site and Surrounding Area

The site is located in Don Mills which is recognized as the first planned and fully integrated post-war community in North America. The community was designed by urban planner Macklin Hancock who envisioned a garden city community. Garden cities were conceived as planned, self-contained communities surrounded by greenbelts, containing carefully balanced areas of housing, industry and agriculture with an emphasis on landscaped open space.

The 0.83 hectare (2 acre) site is located along the southern portion of a residential plan of subdivision situated on the south side of Green Belt Drive in the area north of Eglinton Avenue and east of Don Mills Road in Don Mills. The lands were formerly employment lands and to date, this subdivision has been developed with 210 townhouse units in 20 buildings along Green Belt Drive, Humphrey Gate, Jesse Drive and David Dunlap Circle. The subject site fronts onto the south side of David Dunlap Circle and is the only remaining vacant parcel of land within the plan of subdivision to be developed.

The following is a summary of the area context surrounding the site:

- North: 210 townhomes with low rise apartment buildings beyond (on north side of Green Belt Drive);
- South: Canadian Pacific Railway right-of-way with employment lands beyond;
- East: A residential subdivision comprising an eight-storey and nine-storey apartment building and townhomes on Dallimore Circle (Camrost); and
- West: Employment lands extending to Don Mills Road.

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 site is designated *Apartment Neighbourhoods* in the Official Plan (see Attachment 5). *Apartment Neighbourhoods* consist of apartment buildings, parks, local institutions, cultural and recreational facilities and small-scale retail, service and office uses that serve the area residents. All land uses permitted in the *Neighbourhoods* designation, including townhouses, are also permitted in *Apartment Neighbourhoods*.

Section 2.3 of the Plan sets out policies which deal with the City's residential areas and how new development can be integrated without creating adverse impacts to the existing community. The policies refer to transition, improving landscaping, tree planting and preservation.

The Public Realm policies of Section 3.1.1 state that new streets should be public, provide access and addresses for new development, create adequate space for pedestrians, bicycles and landscaping as well as vehicles, utilities and utility maintenance and provide connections with the adjacent neighbourhoods. The Plan refers to new city blocks and how new development lots within them should be designed. Development lots should provide for parking and servicing needs as well as have an appropriate size and configuration for "the proposed use, scale and development and intended form of buildings and open space".

The Built Form policies of Section 3.1.2 require new development to be located and organized to fit in with its existing and/or planned context. Several policies are applicable under this section including the following: locate buildings generally parallel to the street with a consistent front yard setback; locate main building entrances so that they are clearly visible and directly accessible from the public sidewalk; consolidate and minimize the width of driveways and curb cuts across the public sidewalk; limit surface parking between the front face of the building and the public street or sidewalk; co-ordinate landscape improvements in setbacks to create attractive transitions from the private to public realms and provide landscaped open space within the development.

Staff have reviewed the proposed development for conformity with the above noted policies in the Official Plan.

The Toronto Official Plan is available on the City's website at:
http://www.toronto.ca/planning/official_plan/introduction.htm

Central Don Mills Secondary Plan

The site is located within the southern limits of the Central Don Mills Secondary Plan. The Secondary Plan contains policies that are area-specific and more detailed than those in the general Official Plan. The general goal of the Secondary Plan is to manage change in the community in a manner that retains and enhances the existing character of the Don Mills community which is outlined in Section 1.1. The Plan, in Section 2.1, sets out a number of specific objectives to achieve this goal including the objective to preserve and enhance streetscapes and landscaped areas in keeping with the garden city concept that formed part of the original concept for Don Mills.

The Central Don Mills Secondary Plan is available on the City's website at:
http://www.toronto.ca/planning/official_plan/pdf_secondary/24_central_don_mills_june2006.pdf

Zoning

On May 9, 2013, City Council enacted the new City wide Zoning By-law No 569-2013. The site is not subject to the New Zoning By-law.

The lands are zoned RM6(85) (Multiple Family Dwellings Sixth Density Zone) in former City of North York Zoning By-law 7625 (see Attachment 6). Exception (85) sets out performance standards for a mid rise apartment building. The zoning also permits townhouses subject to the zoning provisions of RM6, RM1 and RM1(17) of the existing townhouses within the subdivision.

Infill Townhouse Guidelines

The Infill Townhouse Guidelines were approved by City Council in 2003 to address the development impacts of infill townhouses with a focus on “protecting streetscapes and seamlessly integrating new development with existing housing patterns”. The Guidelines consider matters such as open spaces, building location, built form and location of parking. They also consider the interaction between the infill development and the pedestrian environment. While the Guidelines do not specifically address back-to-back townhouses, they do provide standards for matters such as building setback, unit widths and landscaping. The site specific zoning (RM1(17)) contains development standards for townhouses which are not consistent with those of the Infill Townhouse Guidelines. These zoning standards were approved prior to the Infill Townhouse Guidelines. As the applicant is seeking to rezone these lands, staff have used the Guidelines to assist the review of the proposed development.

Development Infrastructure Policy & Standards

On December 5, 6 and 7, 2005, City Council adopted the recommendations of the “Development Infrastructure Policy and Standards – Phase 2 Report”. The report establishes criteria that govern when public streets are required and the standard cross-sections to be used for public local residential streets. The plan of subdivision application proposes a new public road comprising a 16.5 metre right-of-way. Staff have used the Council approved policy and standards to assist the review of the proposed development.

Draft Plan of Subdivision

The proposed Draft Plan of Subdivision divides the site into four blocks and establishes lands to extend David Dunlap Circle into the site creating a 16.5 metre wide U-shaped right-of way to accommodate a new public road – Street 'A' (see Attachment 4: Draft Plan of Subdivision).

Block 1, the westerly development block, would have a site area of approximately 807 square metres and would be developed with nine conventional townhouse units.

Block 2, the westerly centrally located development block, would have a site area of approximately 1,668 square metres and would contain twenty-six units with a back-to-back and back-to-side arrangement.

Block 3, the easterly centrally located development block, would have a site area of 1,667 square metres and would contain twenty-six units with a back-to-back and back-to-side arrangement.

Block 4, the easterly development block, would have a site area of approximately 808 square metres and would be developed with nine conventional townhouse units.

It is intended that all buildings would align along existing and proposed public streets.

The applicant has amended the proposal since it was originally submitted but has not submitted an updated Draft Plan of Subdivision to reflect these changes. The current draft plan submitted as part of this application is not consistent with the latest proposal.

Site Plan Control

The application for Site Plan Control submitted in conjunction with the applications for a Zoning By-law Amendment and Plan of Subdivision has also been appealed.

Community Consultation

Staff held a community consultation meeting on November 25, 2013 to present the proposal to the community and receive their feedback. At the meeting, residents raised a number of concerns. Some residents felt that overall a townhouse development was appropriate.

Residents expressed concern about traffic in the area, particularly the infiltration that occurs in the morning hours north of Green Belt Drive. A resident suggested that the intersection of Green Belt Drive/Nob Lane should be reconstructed (i.e., cul-de-sac Nob Lane) so that motorists could not enter this neighbourhood to access The Donway East.

A question was raised by the community with respect to parking. Planning staff advised the application proposed two tandem parking spaces: one for the owner(s) of the unit that would be provided within the individual garage with a visitor parking space accommodated on the driveway. In addition, staff informed residents short term street parking could be accommodated along the south side of the new public street adjacent to the railway right-of-way. On-street parking on the proposed street in other locations would not be possible due to the small distance proposed between curb cuts which is a direct result of the proposed unit width.

Some residents said based on their experience within the existing subdivision, the proposed parking arrangement was insufficient noting most residents don't park in their garage and most residents have more than one car resulting in the need for on-street parking, particularly in the evenings and on weekends. Residents noted that visitors park in front of driveways and on both sides of the street which is not permitted and creates safety concerns particularly in the winter months.

Residents also raised concerns with regards to the proposed setbacks as many residents indicated that current setbacks within the subdivision provide limited opportunities to accommodate snow storage and landscaping in the front yard.

Residents expressed a concern that the proposal will create a nuisance during the construction phase (i.e., noise, dust, fumes, mud, debris, traffic and on-street parking). One resident, whose property abuts the north side of the subject site, described issues they had with respect to debris and drainage resulting from the construction of the crash wall along the south side of the site.

While a number of concerns were expressed with respect to the overall design of the existing subdivision (i.e., the multiple driveways and resulting lack of space on private land for landscaping and public boulevard for snow storage), a number of the residents who attended the meeting preferred the proposal over the previously approved nine-storey apartment building. Form letters from fifty residents in support of the proposal was submitted citing fewer units and less visual impact than the approved apartment building.

Reasons for the Application

An application to amend the zoning by-law is required as the proposed townhouses do not meet the current performance standards for townhouses on the site. A plan of subdivision application was filed to create the new public road and separate building lots in order to allow the units to be freehold. A Site Plan application was filed to meet the requirements of Section 41 of the *Planning Act* and Section 114 of the *City of Toronto Act*.

COMMENTS

The applicant is seeking to amend the current zoning permissions for a townhouse development on the site. While townhouses are a permitted use and are part of the neighbourhood context to the north, the proposed zoning changes and performance standards are not appropriate. The existing zoning permissions on this site and in the adjacent neighbourhood were approved in 1999. Since that time the City has adopted a new Official Plan and Infill Townhouse Guidelines. The new policies of the Official Plan and the Infill Townhouse Guidelines provide new direction on the need to balance the demand for parking while also preserving and improving the character of streetscapes and the pedestrian environment. The proposed performance standards do not provide an appropriate streetscape nor an improved pedestrian environment. As the applicant is seeking to amend the existing zoning standards, the proposed development needs to meet

the current policies of the Official Plan and Secondary Plan and meet the objectives of the Infill Townhouse Guidelines.

Provincial Policy Statement and Provincial Plans

The PPS provides policy direction on matters of provincial interest related to land use planning and development. Key objectives include: building strong communities; wide use and management of resources; and protecting public health and safety. The Province of Ontario has recently issued an updated PPS which is effective April 30, 2014 and applies to any planning decisions made on or after that date. As the OMB hearing is set for May 20, 2014 the application needs to be reviewed for consistency with the new 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. The policies contained in the Growth Plan are to be read in conjunction with all applicable provisions of the PPS.

Both of these documents are high-level and broad reaching. The City is a development area and infill is encouraged under these policies. The PPS states that the most important method of implementing the policies is a municipality's Official Plan which guides the method of intensification and where it should be focused.

Official Plan

The Official Plan sets a framework for development in the City and deals with things such as the public realm, built form, streetscape and the environment. The site is within the Central Don Mills Secondary Plan which recognizes the area as the first planned and fully integrated post-war community in North America with a careful balance of housing, industry and agriculture with an emphasis on landscaped open space. The proposal has been reviewed against these policies and the existing context. A review of the Official Plan and Secondary Plan policies as they relate to the proposal follow below.

Section 2.3 of the Official Plan discusses the City's neighbourhoods and green space. The site is designated as *Apartment Neighbourhoods* on Map 20 of the Official Plan. Policy 2.3.1 states that *Neighbourhoods and Apartment Neighbourhoods* are "considered to be physically stable areas". Development in these areas needs to "respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas". In the introduction to Chapter 4, the Plan states that *Neighbourhoods and Apartment Neighbourhoods* share the objectives for "contextual stability, better amenities and environmental sustainability. The *Apartment Neighbourhoods* policies are primarily intended to guide the development of the apartment building form of development but they also set out the intent to appropriately frame streets and provide safe, enjoyable

pedestrian spaces such as what has been provided as part of the apartment building developments.

The site is within the larger area known as Don Mills is part of a stable neighbourhood and the character of that area needs to be considered. In the sidebar sidebar portion of Section 2.3 the Plan does recognize that neighbourhoods will not stay frozen in time, but that new development should preserve the shape and feel of our neighbourhoods; improvements to a neighbourhood area are expected and Policy 2.3.1.5 encourages environmental improvements in *Apartment Neighbourhoods* by investing in "naturalization and landscaping improvements, tree planting and preservation". Further, Policy 2.3.1.5 states that environmental sustainability will be promoted in *Apartment Neighbourhoods* by investing in things such as improving landscaping and tree planting and preservation. The proposed development standards do not provide for these environmental attributes which make a community feel vibrant and livable. While the townhouse development adjacent to this site may have small setbacks, this application proposes to further reduce or eliminate setbacks and does not provide rear yards for most of the units. The plan directs new development to improve existing situations to better the overall community, in part by providing appropriate landscaping. The application further reduces setbacks compared to the adjacent townhouse development and continues a streetscape which is dominated by curb cuts and hardscape.

The Official Plan provides direction on the built environment in Chapter 3. The policies which deal with the public realm discuss things such as pedestrian safety, security and how new streets will be designed. Policies in 3.1.1 relate to the importance of city streets and the public boulevard and how new streets should be designed as safe places which have room for landscaping in addition to sidewalks and space for utilities. These policies are discussed in more detail later in this report.

Built form policies can be found in 3.1.2 which comments that "our enjoyment of our streets and open spaces depends largely on the visual quality, activity, comfortable environment, and perception of safety in those spaces. Most of the qualities are influenced directly by the built form of adjacent buildings". To reinforce this comment, built form policies in section 3.1.2.5 relate to new development providing amenity for adjacent streets to make these areas "attractive, interesting, comfortable and functional for pedestrians". This can be achieved by improving the adjacent boulevard using sustainable elements such as landscaping with trees and/or shrubs and parking waste and recycling containers and bicycle parking facilities. It also suggests landscaped open space should be provided within the development site. The policies in 3.1.2.1 and 3.1.2.2 discuss how the organization of buildings and parking facilities should occur and how they can be situated appropriately.

The site is subject to the Central Don Mills Secondary Plan which has policies which recognize the garden city character of Don Mills and contains policies to ensure that this character remains. The plan recognizes that the area has changed since it was originally laid out and designed, but also points out that the basic elements remain. Some of these basic elements, outlined in Section 1.1, include: a sense of scale and consistency in

design; the arrangement of built form and open spaces in a sympathetic, mutually supportive manner; and design and landscaping reflecting the garden city concept. It states that these elements will "continue to provide the framework of the Secondary Plan Area as it evolves".

The general intent of the Secondary Plan is outlined in Section 2.1 and states that the goal of the Plan is to manage change in the community in a manner which retains and enhances the existing character of the area. The Plan does acknowledge that change will occur but outlines the manner in which it should occur, partially by identifying specific objectives. These objectives include the goal to "preserve and enhance streetscapes and landscaped areas in keeping with the garden city concept that formed part of the original concept for Don Mills." The existing townhouses to the north of the site have three metre setbacks into which projections are permitted; combined with a driveway, there is no room for landscaping in the front yard which is inconsistent with the character of the wider Don Mills area. The neighbourhood also contains two apartment buildings which do reflect the garden city concept by providing landscaped open space especially in the front yards. These front yards allow for the planting of trees and shrubs to reflect the garden city character. The proposed development, with two metre front yards and permitted projections do not provide opportunities for landscaping and unlike the existing conventional townhouse development, the back-to-back townhouses do not provide rear yards which would allow for soft landscaping.

Within the wider Don Mills area, the residential character for the most part is consistent with the garden city character which the Secondary Plan refers to and should be respected in developing appropriate development standards for townhouses on this site. Looking at the adjacent development, which does not accurately reflect the character of the larger Don Mills area, should not be used to determine appropriate development standards and needs to be balanced with creating an appropriate public realm and built form which responds to the character of the larger area. The Plan contemplates the need to improve on existing conditions and talks about areas more broadly. Combined with the Secondary Plan, the Plan envisions improvements on existing conditions and puts emphasis on creating a safe, enjoyable, walkable public realm with quality landscaping and planting.

The applicant is proposing standards for the townhouse units which are not appropriate. The proposed zoning standards, which vary from the current permissions, include insufficient front and rear yard setbacks for the conventional townhouse units. The proposed back-to-back units will also have insufficient front yard setbacks and due to their configuration will have no rear yard setback. The applicant is proposing a driveway and stairs/porches within the proposed two metres front yard setback. This will eliminate any possible soft landscaping opportunities in the front yard. This is out of keeping with the garden city context of the Don Mills area and is not in keeping with the Official Plan policies which require the development to respond to the character of Don Mills. In addition to this concern with all of the units, the back-to-back units are also unable to provide any vegetation in the rear of the site, unlike the townhouses proposed in the conventional form. The applicant needs to re-evaluate the proposal and redesign it to

improve the development, the streetscape, the public realm and to meet the policies of the Plan.

Public Realm and Built Form

The Policies in Chapter 3 of the Official Plan provide direction on how new development should fit in, respect and improve the character of the surrounding area. Within this section, the Public Realm Policies provide direction on the creation and design of new streets and boulevards, including that sidewalks and boulevards should be safe, attractive and comfortable spaces for pedestrians. The Built Form Policies further state that vehicle access and parking for new developments should be located and organized in a way that minimizes their impacts on adjacent streets and the public realm.

The surrounding neighbourhood context consists of 18.5 metre wide streets with townhouses and apartment buildings that have front and side building relationships to those streets. It was noted by residents in the adjacent townhouse development at the community consultation meeting that due to the frequent number of curb cuts with driveways for front yard parking and front integral garages, along with narrow unit widths and shallow front yard setbacks that there is a lack of space within the boulevard and front yard to store snow or provide adequate space for landscaping, including street trees, within the existing neighbourhood streets.

The proposed development would further reduce the setbacks and boulevard widths to create a public realm that would be dominated by vehicles as well as built form and open space relationships that are inappropriate for this site, are not in conformity with the Built Form and Public Realm Policies of the Official Plan and that do not fit with the garden city character of Don Mills, as required by the Secondary Plan.

Width and Alignment of the New Public Street

Official Plan Policy 3.1.1.14 (a) states that "new streets will be designed to provide connections with adjacent neighbourhoods, and promote a connected grid of streets that offers travel options and extends sight lines." Policy 3.1.1.6 states that "sidewalks and boulevards will be designed to provide safe, attractive, interesting, and comfortable spaces for pedestrians". Policy 3.1.1.14 (e) further states that new streets shall have "adequate space for pedestrians, bicycles and landscaping" as well as space for vehicles and utilities. The Infill Townhouse Guidelines clarify the intent of this policy in relation to the creation of new streets associated with townhouse development. The Guidelines state that "the pattern of existing local streets within a neighbourhood should be extended into the new sites" and that they should be laid out to "enhance and extend the local street network into the new development to create strong visual and physical links with adjacent neighbourhoods." Furthermore they state that new public street right-of-way widths should accommodate space needs for essential municipal services and utilities, sidewalks, streetlighting, landscaping and trees, as well as space for snow clearing, storage and garbage collection.

The plan of subdivision application proposes a new crescent U-shaped public street comprising of a 16.5 metre right-of-way, unlike the rest of the development which has a right-of-way of 18.5 metres. The proposal has front and side building relationships to the new street. This new street does extend the street pattern of the neighbourhood to offer travel options into the new development, as directed by Official Plan Policy. However, the reduced width of the proposed street is not consistent with the adjacent right-of-way. The proposed street does not provide adequate space for pedestrians, landscaping, including street trees, as well as vehicles. The proposed alignment of the street results in shallower lots which have similar sized townhouse units to those of adjacent townhouse development. Another outcome of this configuration is a road that does not extend direct sight lines into the new development from the existing neighbourhood.

The proposed parking arrangement in the new development is similar to the adjacent townhouse development, with multiple curb cuts for front yard parking and front integral garages. However, the proposed 16.5 metre wide right-of-way, as opposed the 18.5 metre right-of-way abutting the site, further reduces the space available for sidewalks, landscaping, street trees and snow storage within the boulevard. The compounding impacts of the proposed multiple curb cuts and driveways, reduced front yard setbacks, narrower unit width and narrower boulevard width would result in streetscape conditions within the new development that do not solve the problems found in the existing adjacent neighbourhood. To ensure that adequate space is provided to accommodate the elements of a public street as described in Public Realm Policy 3.1.1.14 (e) of the Official Plan, the north-south sections of the U-shaped right-of way, where the proposed townhouse units have front and side building relationships to the street, should be widened to a width of 18.5 metres. An 18.5 metre right-of-way for these portions of the street would extend the pattern of the existing local streets into the new development, and be more consistent with the Official Plan and Infill Townhouse Guidelines, as well as the overall garden city character of Don Mills by providing more space for landscaping and street trees. Adjacent to the rail corridor, where a second sidewalk is not needed, a narrower right-of-way width of 16.5 metre may be appropriate.

The proposed north-south portions of the U-shaped right-of-way in their current form do not extend the existing street alignment of David Dunlap Circle. A slight curve is proposed in the north-south segments of the street, resulting in lots that are smaller than the adjacent townhouse development. However, on these smaller lots, similar sized townhouses to the adjacent townhouse development are proposed. The outcome is that the proposed townhouse units that have reduced front and rear yard setbacks. The townhouses on Blocks 21 and 24 are pushed further east and west resulting in rear yards for these townhouse units that do not provide appropriate outdoor rear amenity space. Furthermore, the proposed road configuration results in a loss of sightlines and clarity of street connection into the new development from the existing neighbourhood. Townhouses with front integral garages would protrude into the view terminus of the existing neighbourhood street and hide the extended streets for pedestrians and vehicles. To meet the intent of the Policies of Official Plan and the Infill Townhouse Guidelines, the new public street should be realigned to remove the curve in order to create

appropriately sized lots and to improve direct views into the new development from the existing neighbourhood.

Front Yard Setbacks

Public streets and boulevards should work with landscaped setbacks and ground floor uses to provide amenity for adjacent streets "to make these areas attractive, interesting, comfortable and functional for pedestrians, as required by Built Form Policy 3.1.2.5 of the Official Plan. New development should be located and organized to frame and support adjacent streets to improve safety and pedestrian interest, as required by Policy 3.1.2.1 of the Official Plan. Policy 3.1.2.5 (a) and (b) further state that this should be done by providing improvements to adjacent boulevards and sidewalks as well as providing co-ordinated landscape improvements in setbacks to create appropriate transitions between private and public realms.

The application proposes front yard setbacks of two metres, and is also proposing exemptions for projections be permitted into this setback. These amendments substantially reduce the opportunities for front yard landscaping, including street trees for these units. To help achieve the Official Plan Policies the Infill Townhouse Guidelines ask that units with front integral garages should provide a minimum six metre setback from the front property line to provide adequate space for street trees and front yard landscaping in addition to the driveway. As mentioned above, residents of the adjacent townhouse development have noted that there is a lack of space within the boulevard and their front yards for snow storage and landscaping due to the number of driveways, narrow unit widths, and shallow front yard setbacks within their development. This condition identified by the adjacent residents confirms the need for larger front yard building setbacks, as opposed to shallower setbacks as proposed in this development.

To be consistent with the Official Plan Policies, the garden city character of Don Mills and the principles of the Infill Townhouse Guidelines, the proposed townhouse development front yard setbacks should be increased to six metres. Encroachments within that six metre front yard setback should be minimized to provide space for landscaping, street trees and snow storage. A setback of two metres is the minimum size that may be appropriate, if parking for the townhouse units is provided in a different manner, either at the rear of the townhouse units or in an underground shared garage.

Unit Width, Garages and Streetscape

Since the approval of the adjacent townhouse development, the City's Infill Townhouse Guidelines were developed. The Guidelines provide further clarification on the need to balance the demand for parking while also preserving and improving the character of streetscapes and the pedestrian environment. They note that each curb-cut and driveway creates a potential conflict with pedestrians and that multiple curb-cuts and driveways reduce the safety and comfort for pedestrians and preclude curbside parking and street tree planting. They also note that townhouses with front integral garages move the habitable living space above the ground floor and away from the public realm. Official Plan Policy 3.1.2.2 states that new development should locate and organize vehicle parking and access in a way that minimizes their impacts on the site as well as ensuring

the safety and attractiveness of adjacent streets. Policy 3.1.2.1 (c) further states that ground floor uses should be provided that have views into and access to adjacent streets. When the pattern of multiple curb cuts is repeated on a street the result is a streetscape that is dominated by pavement and vehicles. It is also a streetscape that does not confirm to the Policies of the Official Plan by not promoting pedestrian safety and diminishing the quality of the street, due to a lack of space for soft landscaping, street trees, and habitable living space at grade. The Infill Townhouse Guidelines therefore state that townhouses with front integral garages less than six metres wide should be avoided.

The proposed townhouse units with front integral garages have narrow unit widths of 4.0 to 4.24 metres wide and the high percentage of frontage devoted to curb cuts and driveways, resulting in a streetscape that would be dominated by vehicles. These conditions along with the proposed two metre front yard setbacks and the exemption for building projections to be permitted within the required setback will not provide enough space for soft landscaping or street trees. Whether these townhouses are conventional or back-to-back units if their frontages are proposed to be less than six metre wide, parking for these units should be removed from the street frontage. If the applicant continues to pursue units with widths below six metres, parking should either be provided in an underground shared garage or at the rear of conventional townhouses. Alternative organizations of the townhouses to solve parking access and streetscape issues could also be designed to include opportunities to help to reduce the number of units facing the rail corridor. The potential noise, dirt and visual problems associated with the rail corridor make these poor facing conditions for the townhouse units. Opportunities to reorganize some units to not face onto the rail corridor could therefore improve this relationship.

Mid-block Walkway

Due to its length and width, a mid-block pedestrian walkway should be provided through the back-to-back townhouse block to provide a pedestrian connection between the public sidewalks on David Dunlap Circle and the new public street. The proposed three metre building separation between townhouse Blocks 22 and 23 and Blocks 25 and 26 is the appropriate location and width for a mid-block pedestrian walkway. However, this building separation is misaligned and is also residual space that is simply an outcome to the layout of the townhouse blocks. This offset walkway configuration produces a number of sightline and safety concerns, if this space is to be used for pedestrian circulation between the buildings. Official Plan Policy 3.1.1.12 states that private open spaces shall be designed to promote pedestrian safety and security. A mid-block pedestrian walkway should be provided through the townhouse blocks and this should be a straight and direct route with clear sight lines between the townhouses blocks from the public sidewalks on David Dunlap Circle and the new public street.

Landscaped Amenity Space and Rear Yard Setbacks

The abutting townhouse development consists of conventional townhouses with individual private outdoor amenity areas in the rear yard of 5.5 metres. The proposed development recommends rear yard setbacks of four metres for townhouse Blocks 21 and 24 and zero metres for the proposed back-to-back townhouses within Blocks 22, 23, 25 and 26. The Infill Townhouse Guidelines ask for rear yard setbacks for grade related

townhouses to be 7.5 metres in order to maintain light, view and privacy standards. A 7.5 metre setback can accommodate landscape screening, a driveway for a rear garage, and a rear deck, or a rear landscape amenity space.

The proposed rear yard setbacks, in combination with the proposed inappropriate front yard setbacks, will result in a further reduction of landscaped open space area for these new units. These reduced rear yard setbacks are not in keeping with the garden city character of Don Mills as intended by the Secondary Plan. They are also not in keeping with Official Plan Policy 3.1.2.5 (d) which states that new development will provide landscape open space within the development site. The proposed rear yards for townhouse Blocks 21 and 24 should be amended to 7.5 metres and additional at-grade landscape amenity should be provided for the back-to-back townhouses in order to meet the objectives of the Secondary Plan and the Official Plan. This could be accomplished by providing larger front yard setbacks for the back-to-back units and relocating the vehicles from the street frontage and into an underground shared garage. Alternatively, as mentioned above, more conventional townhouses with parking either located in the rear of the units with decks or in an underground shared garage and traditional backyards should be provided for these units.

Site Plan

Discussions with the applicant have thus far dealt with high level issues relating to the rezoning and plan of subdivision applications. Many drawings and supporting materials have not been submitted to reflect the revised application, nor do some of the drawings provide sufficient context information on the adjacent apartment building and employment land sites to allow for the appropriate review of site plan issues. A number of Site Plan related matters remain unresolved, including matters of the pattern of exterior design elements, the building façade design and materiality, grade relationships on site and to neighbouring properties, landscaping, and pedestrian amenities, in accordance with Policies 3.2.1.3 and 3.1.2.5 of the Official Plan.

Summary

The current proposal creates a number of concerns with regards to compliance with Official Plan Policies as well as responding to the Infill Townhouse Guidelines. What could seem as small changes to the existing zoning provisions on this site of reduced front yard setbacks, narrow unit widths with front integral garages, and reduced rear yard setbacks, result in cumulative built form and public realm relationships that are not appropriate for this site. These zoning amendments in conjunction with the proposed reduced right-of-way width of the new public street and its alignment will result in a development that has a poor quality of public realm and does not fit with the context of Don Mills. The proposal is not in keeping with the Secondary Plan goals of maintaining the garden city character of Don Mills nor does it allow for an appropriately landscaped public realm. While some form of townhouses may be appropriate on the site, the proposal in its current form is not supportable.

Should be applicant be prepared to modify the proposal to address the concerns discussed in this report, staff are willing to work with the applicant to develop appropriate zoning by-law standards and an appropriate site plan for this site.

CONTACT

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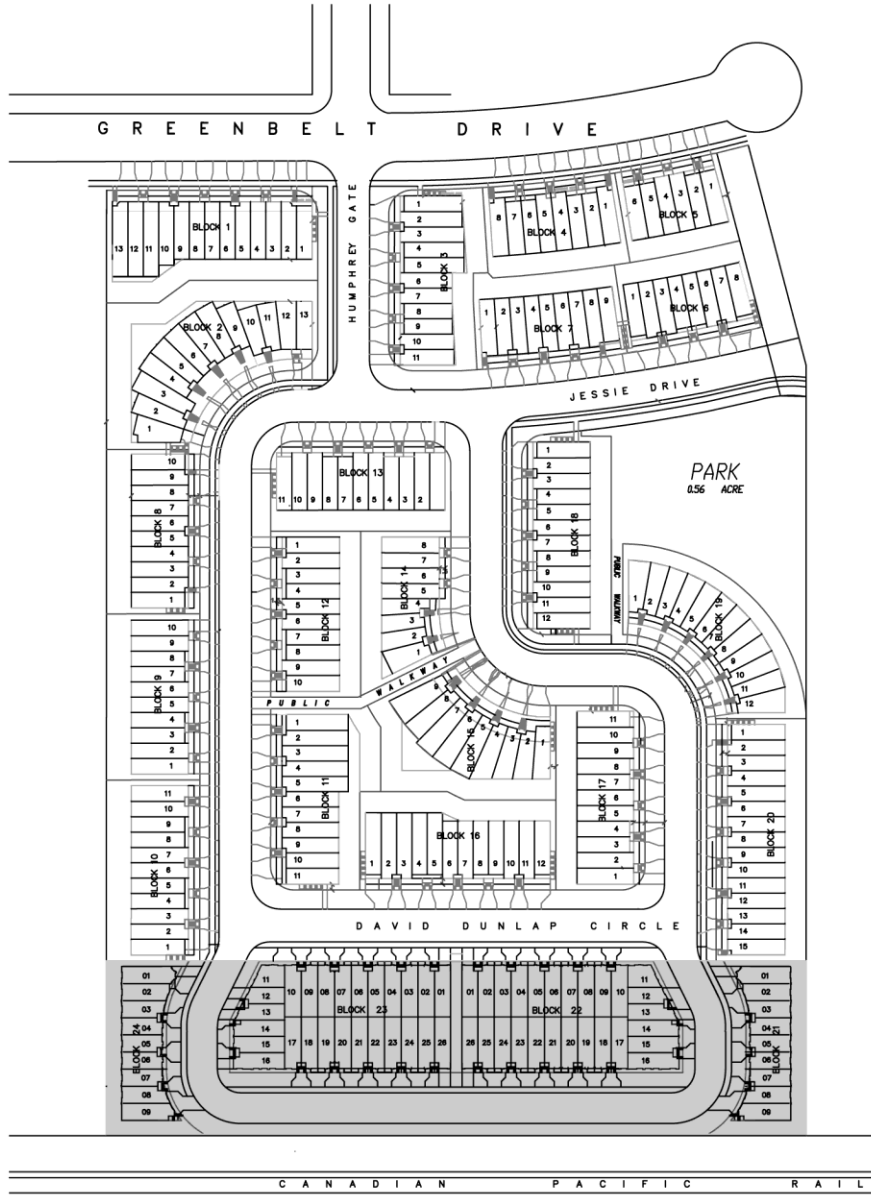
SIGNATURE

Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS

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

Attachment 1: Context Plan



NOTE: Original proposal. This drawing is not consistent with current proposal (see attachment 2 for current proposal)

Context Plan

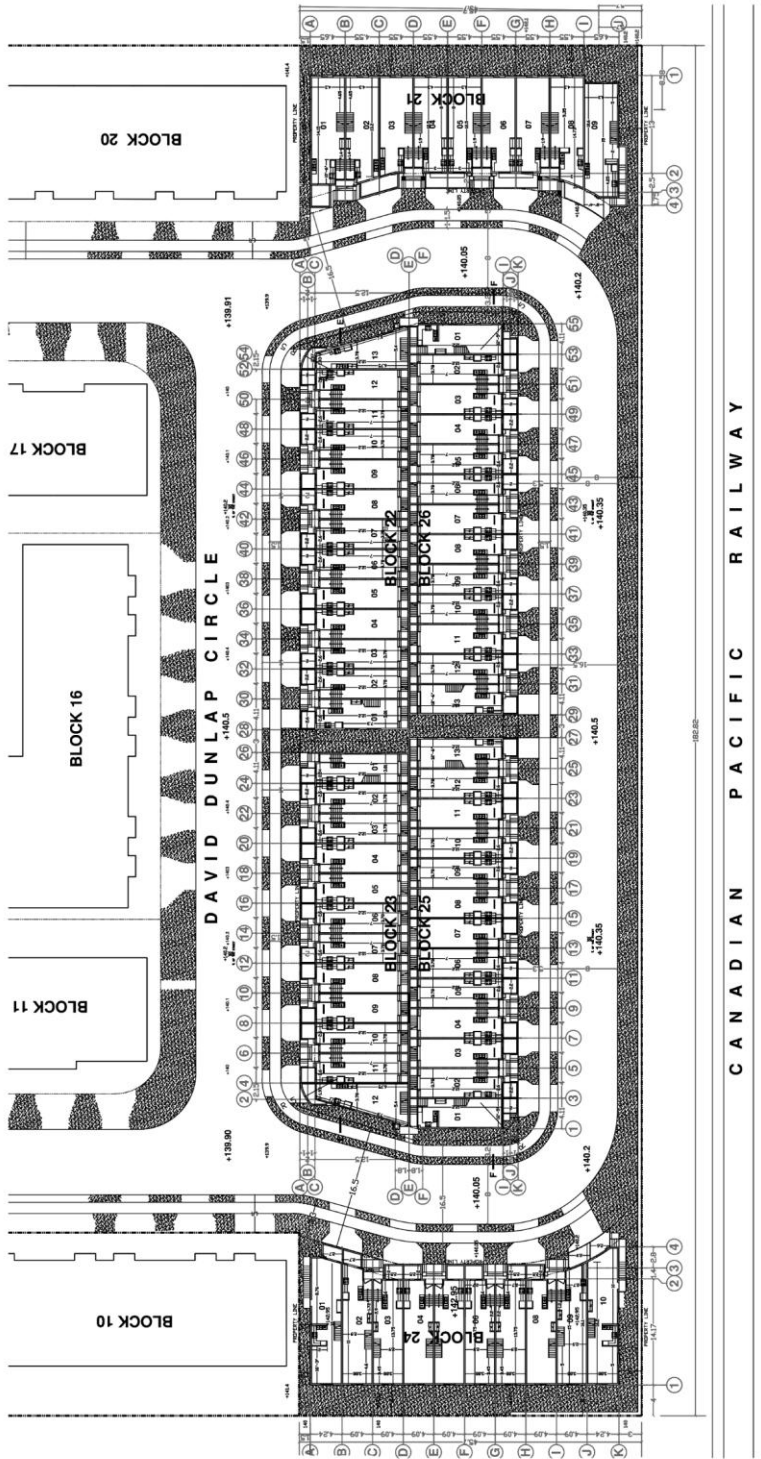
200 David Dunlap Circle

Applicant's Submitted Drawing

Not to Scale 
06/10/2013

File # 13 158583 NNY OZ

Attachment 2: Site Plan

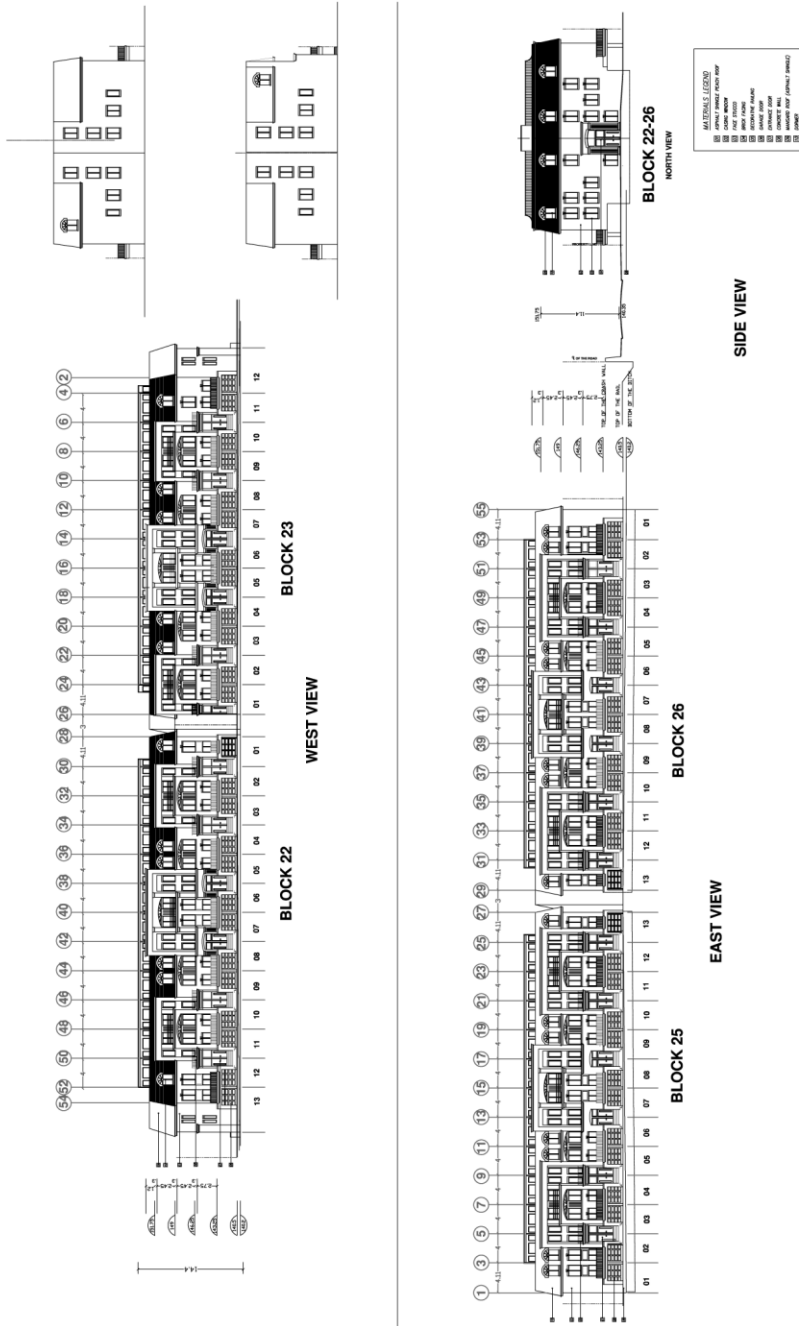


MAIN LEVEL PLAN

Site Plan
 Applicant's Submitted Drawing
 Not to Scale
 06/04/2013

200 David Dunlap Circle
 File # 13 158583 NMY OZ

Attachment 3: Elevations



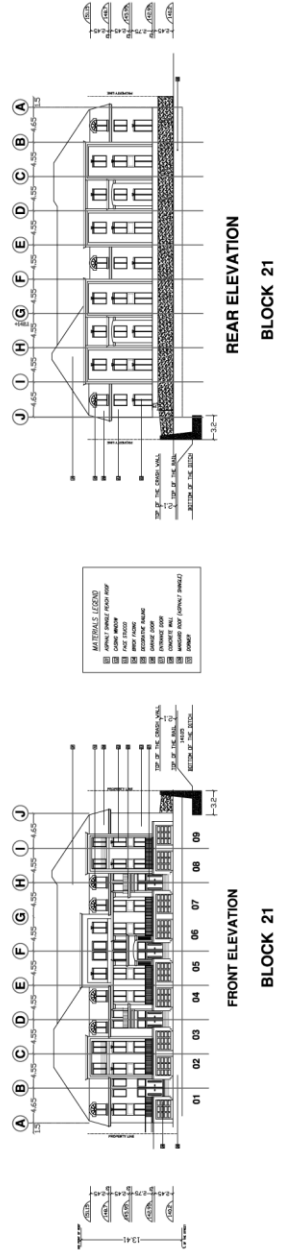
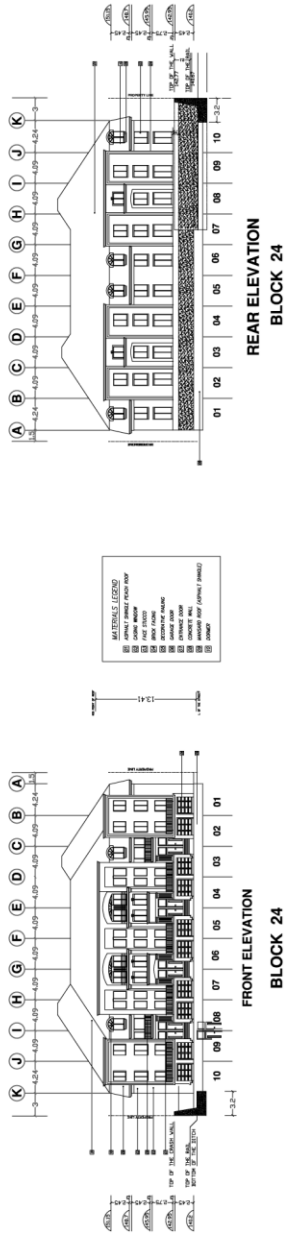
200 David Dunlap Circle

Elevations

Applicant's Submitted Drawing

Not to Scale
06/04/2013

File # 13 158583 NNY OZ



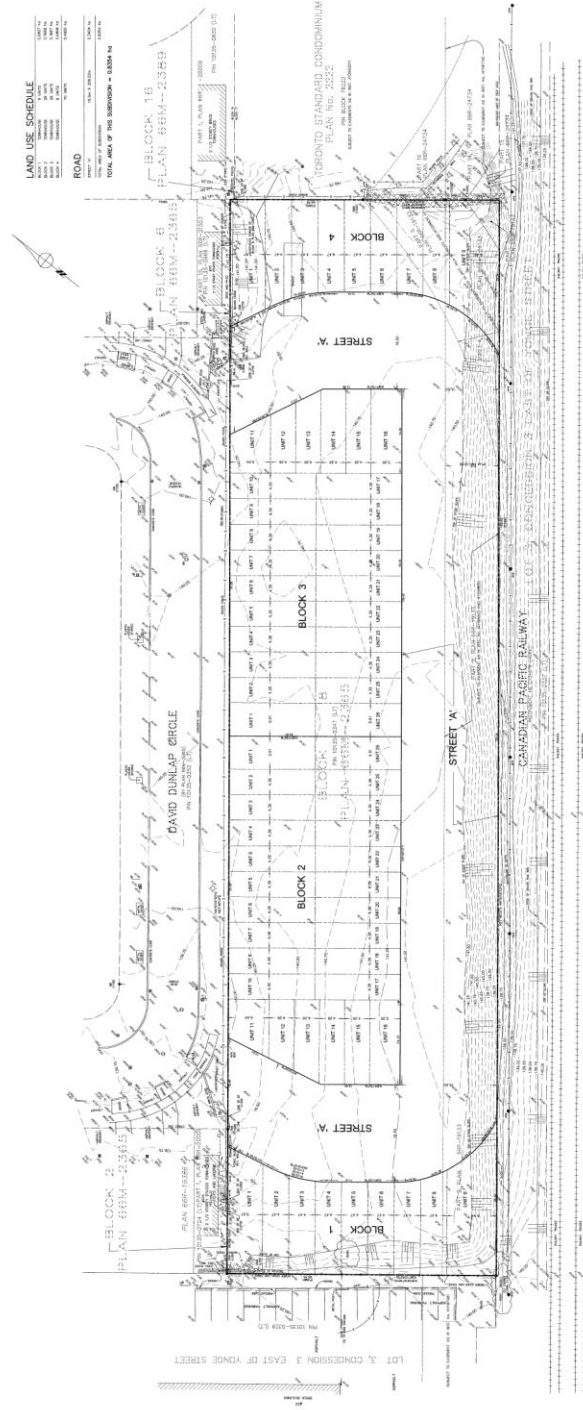
200 David Dunlap Circle

Elevations
Applicant's Submitted Drawing

Not to Scale
06/04/2013

File # 13 158583 NNY OZ

Attachment 4: Draft Plan of Subdivision



NOTE: Original proposal. This drawing is not consistent with current proposal (see attachment 2 for current proposal)

Plan of Subdivision

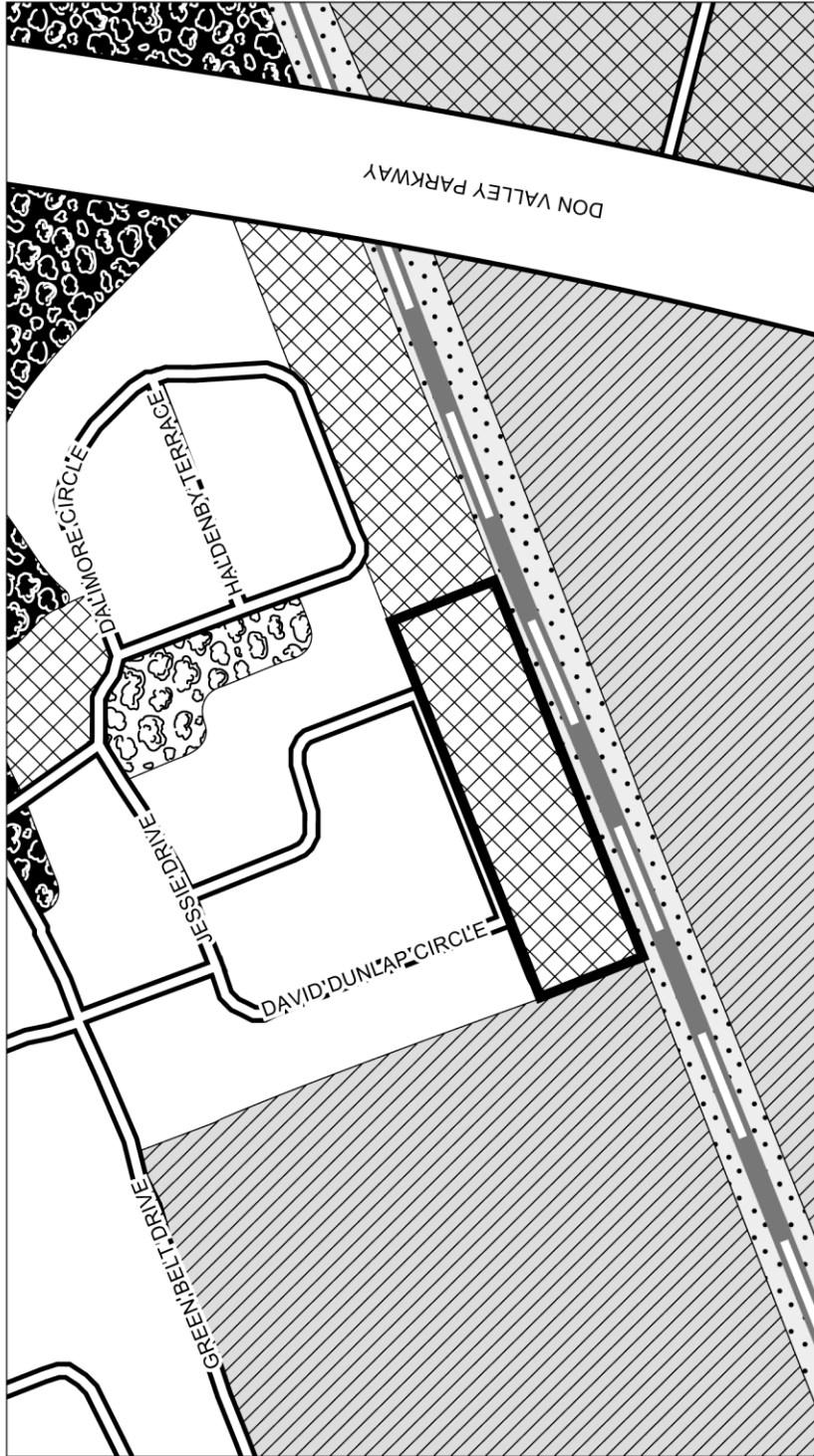
Applicant's Submitted Drawing

Not to Scale
06/04/2013

200 David Dunlap Circle

File # 13 158593 NNY SB

Attachment 5: Official Plan



200 David Dunlap Circle

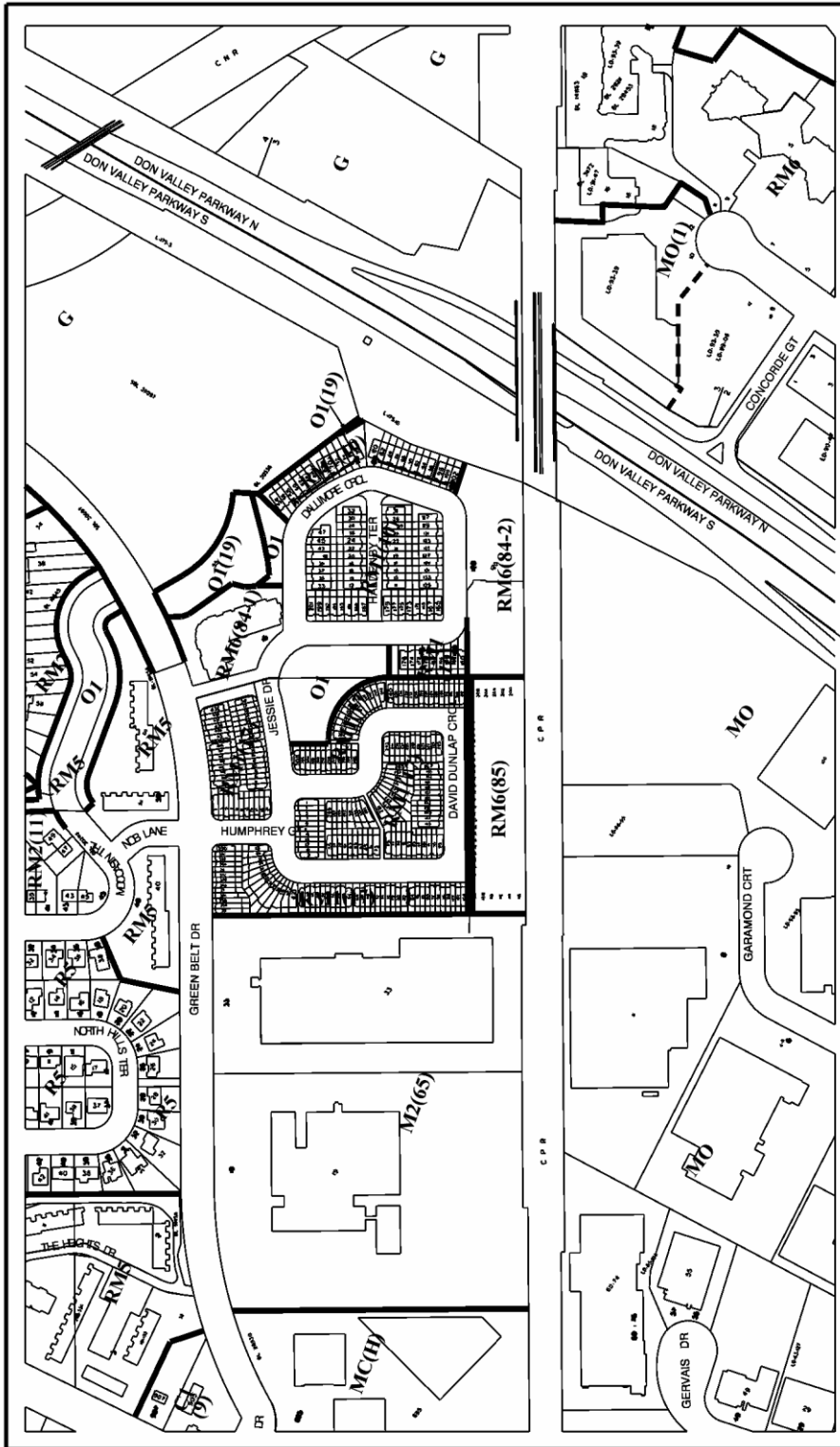
Toronto City Planning
Official Plan

File # 13 158583 NMY 34 0Z

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

↑
Not to Scale
08/20/2013

Attachment 6: Zoning



Toronto City Planning
Zoning
 200 David Dunlap Circle
 File # 13 158583 NNY 34 0Z

↑
 Not to Scale
 Zoning Bylaw 7625
 Extracted 06/10/2013

G Greenbelt Zone
 RM6 Multiple-Family Dwellings Sixth Density Zone
 MO Industrial-Office Business Park Zone
 M2 Industrial Zone Two
 MC Industrial-Commercial Zone
 O1 Open Space Zone

R5 One-Family Detached Dwelling Fifth Density Zone
 RM1 Multiple-Family Dwellings First Density Zone
 RM2 Multiple-Family Dwellings Second Density Zone
 RM5 Multiple-Family Dwellings Fifth Density Zone
 NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

Attachment 7: Application Data Sheet

Application Type	Rezoning	Application Number:	13 158583 NNY 34 OZ
Details	Rezoning, Standard	Application Date:	April 29, 2013

Municipal Address: 200 DAVID DUNLAP CIRCLE
 Location Description: PLAN 66M2365 BLK 8 **GRID N3405
 Project Description: Rezoning application to permit 70, 3-storey and 4-storey townhouse units fronting David Dunlap Circle and proposed public road. The proposal has a gross floor area of 11,192.3 square metres resulting in a density of 1.33 FSI. A total of 140 spaces are proposed.

Applicant:	Agent:	Architect:	Owner:
ENGLISH LANE HOMES INC	BOUSFIELDS INC		ENGLISH LANE HOMES INC

PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhood	Site Specific Provision:
Zoning:	RM6(85)	Historical Status:
Height Limit (m):		Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	8355.33	Height:	Storeys:	3 or 4
Frontage (m):	182.84		Metres:	15
Depth (m):	45.7			
Total Ground Floor Area (sq. m):	3698.56			Total
Total Residential GFA (sq. m):	11192.30		Parking Spaces:	140
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	11192.30			
Lot Coverage Ratio (%):	44.3			
Floor Space Index:	1.33			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

	Freehold		Above Grade	Below Grade
Tenure Type:	Freehold			
Rooms:	0	Residential GFA (sq. m):	11192.30	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	51	Industrial GFA (sq. m):	0	0
3 + Bedroom:	19	Institutional/Other GFA (sq. m):	0	0
Total Units:	70			

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	TELEPHONE:	(416) 395-7102