

4195 Dundas Street West - Zoning By-law Amendment and Removal of an "H" (Holding Symbol) Application- Preliminary Report

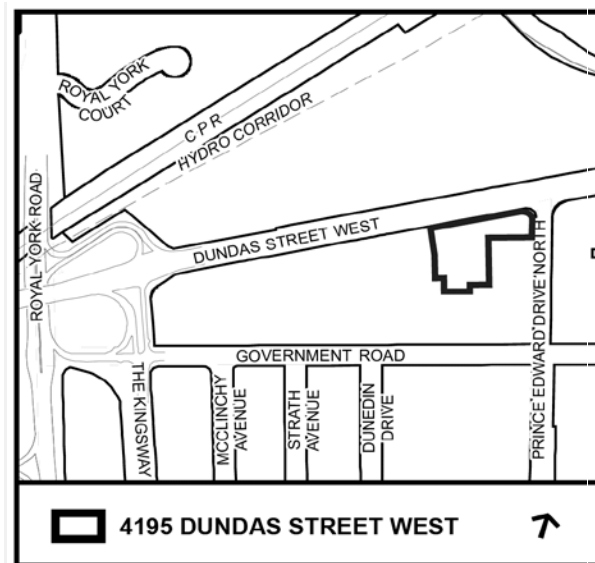
Date:	May 24, 2016
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 5 – Etobicoke-Lakeshore
Reference Number:	16 129328 WET 05 OZ

SUMMARY

The application proposes a Zoning By-law Amendment and the removal of an "H" Holding Symbol to permit the development of an 8-storey mixed use building containing commercial uses on the first two floors and 166 residential units above at 4195 Dundas Street West on the northern portion of the site, along the Dundas Street West frontage. The proposed development would have a residential gross floor area of 13,405 m², 7,215 m² of non residential gross floor area and an overall building density of 2.49 times the lot area. The existing 3-storey office/retail building on the site would be demolished.

Vehicular access to the site, and to underground parking, 75 surface commercial parking spaces and a loading area would be provided via a two-way driveway from Dundas Street West located on the western side of the site. A 2½ level underground parking garage is proposed with 224 residential parking spaces and 24 visitor parking spaces.

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.



A community consultation meeting scheduled by staff in consultation with the Ward Councillor and the Ward 4 Councillor on the north side of Dundas Street West is intended to be held in the third quarter of 2016. A Final Report and statutory public meeting under the *Planning Act* to consider this application is targeted for the second quarter of 2017. This target assumes the applicant will provide all required information in a timely manner.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 4195 Dundas Street West together with the Wards 4 and 5 Councillors.
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

An Avenue Study was conducted for the portion of Dundas Street West between Royal York Road and the Humber River that included the subject lands. The Dundas Street West Avenue Study was completed and adopted by City Council in 2006 and was implemented through Official Plan Amendment No. 277 that created Site and Area Specific Policy No. 277 (SASP 277) and Zoning By-law No. 717-2006. A link to Zoning By-law No. 717-2006 can be found at:

<http://www.toronto.ca/legdocs/bylaws/2006/law0717.pdf>

Pre-Application Consultation

A pre-application consultation meeting was held on November 13, 2015 with the applicant to discuss complete application submission requirements.

Issues identified by Planning staff included: conformity with the Official Plan and Site and Areas Specific Policy; consistency with the Dundas Street West Avenue Study; site organization; built form; density; building heights; building setbacks; maintenance of a 45 degree angular plane from the rear property lines of abutting lands designated *Neighbourhoods*; servicing connections; pedestrian and vehicular circulation; vehicle parking; shadow impacts; and the “H” Holding Symbol on the site.

As the applicant owns additional lands adjacent to and in proximity to the subject site, Planning staff requested that the applicant provide a context plan to identify pedestrian

and vehicular connections to the site and to the urban structure of the block to assist in the evaluation of the proposal.

ISSUE BACKGROUND

Proposal

The applicant is proposing to demolish the existing 3-storey office/retail building on the northern portion of the site and construct a new stepped 8-storey mixed use building with a height of 32.6 m (37.1 m including the mechanical penthouse) (see Attachment 1: Site Plan). The total gross floor area of the proposal would be 20,620 m², of which 7,215 m² would be comprised of non-residential uses. The proposed overall density would be 2.49 times the area of the lot.

The proposed development would contain commercial space on the ground and second floors and 166 residential units above. The development would contain 33 one bedroom units (20%), 116 two bedroom units (70%) and 17 three bedroom units (10%). The residential entrance and the lobby area would be located at the northwest corner of the proposed building fronting on Dundas Street West.

Vehicular access to the site, and to the underground parking lot, surface parking and a loading area is proposed via a two-way driveway from Dundas Street West on the western side of the site. There would be a total of 323 vehicular parking spaces provided. The majority of the southern portion of the site would be maintained as a surface parking lot containing 75 commercial parking spaces. A 2½ level underground parking lot is proposed with 224 residential parking spaces and 24 visitor parking spaces. A total of 164 bicycle parking spaces (128 long term and 36 short term bicycle spaces) would be provided. There would be a total of 4 loading spaces located within the western portion of the building.

The development would include indoor and outdoor amenity areas on the third floor. A total of 331 m² of indoor amenity space is proposed in the southern portion of the building and a total of 331 m² of outdoor amenity space is proposed on the roof of the 2-storey podium accessed through the indoor amenity space. Private balconies are proposed for the units on floors 6, 7 and 8. The development would include 1,714 m² of green roof space.

Site and Surrounding Area

The subject site is located on the southwest corner of Dundas Street West and Prince Edward Drive North. The site is relatively flat and is L shaped. The site has a frontage of 133 m along Dundas Street West and 39 m along Prince Edward Drive North and a total area of 8,279 m².

The northeasterly portion of the subject site, fronting on Dundas Street West, currently contains a 3-storey office/commercial building. Vehicular access to the existing building is provided by a driveway from Dundas Street West and a driveway from Prince Edward Drive North. The driveways provide access to a surface parking lot located to the south

and west of the building. The parking lot includes 39 public parking spaces located close to the Dundas Street West frontage and 121 parking spaces to the rear that have access controlled by gates.

The subject site is part of a larger holding owned by Dunpar which comprises the 4 residential properties to the south and east fronting Prince Edward Drive North (556-562 Prince Edward Drive North) and a commercial property to the west (4221 Dundas Street West). Collectively, these lands in conjunction with the subject lands have an area of approximately 1.24 hectares. However, no redevelopment is presently proposed for the other portions of the Dunpar owned lands through this subject application.

The surrounding land uses are as follows:

North: A 6-storey apartment building, a 3-storey apartment building, a 3-storey commercial building with apartments above and two 2-storey office buildings. Beyond which (to the north east) is an 8-storey seniors' apartment building.

East: A vacant lot on the southeast corner of Dundas Street West and Prince Edward Drive North, which was approved for an 8-storey residential building (By-law No. 1315-2011 and Minor Variance Decision #A554/12EYK).

South: A one-storey detached dwelling located at 564 Prince Edward Drive North (not owned by Dunpar) which is within the *Mixed Use Areas* designation of the Official Plan and the General Commercial - Avenues - Holding zone category. Beyond that, are the 4 residential properties owned by Dunpar. At the western end of the lands are 6 detached residential dwellings fronting Government Road and which back on to the subject site.

West: A 2-storey Emergency Medical Services ambulance station (EMS Station 31). West of this ambulance station is a 1-storey retail building which is owned by Dunpar.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong, healthy communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems

and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The lands are designated *Mixed Use Areas* on Land Use Map 14 of the Official Plan (see Attachment 3 – Official Plan). The site is also subject to Site and Area Specific Policy No. 277 (SASP 277) which was adopted in 2006 to implement the Dundas Street West Avenue Study.

The Dundas Street West portion of the site is identified as an *Avenue* on Map 2 – Urban Structure of the Official Plan. *Avenues* are areas where growth and reurbanization are intended to occur.

The lands directly to the south are designated *Neighbourhoods* in the Official Plan, with the exception of the property at 564 Prince Edward Drive North which is located within the *Mixed Use Areas* designation in the Official Plan.

According to Section 4.5 of the Official Plan, *Mixed Use Areas* are made up of a broad range of residential, commercial and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities. *Mixed Use Areas* policies establish a number of site related development criteria that must be met. The Built Form policies emphasize the importance of ensuring that new development fits within its existing and/or planned context, while limiting impacts on neighbouring streets, parks and open spaces. New buildings should be located and massed to provide a transition between areas of different development intensity and scale. The development criteria within the *Mixed Use Areas* policies are also supplemented by additional development criteria outlined in the Built Form policies in Section 3.1.2 of the Official Plan.

SASP 277 retains the *Mixed Use Areas* designation and policies of the Official Plan, with the exception that it prohibits townhouse development within the first 60 m of depth on the south side of Dundas Street West. SASP 277 also incorporates Urban Design Guidelines in an Appendix which provides a framework to guide growth and development. New development should be consistent with these Guidelines that address built form and massing, site organization, parking and servicing, pedestrian linkages, landscaping, streetscape improvements, public open spaces and public art.

The Official Plan also contains several policies related to Healthy Neighbourhoods (Section 2.3.1), the Public Realm (Section 3.1.3), Public Art (Section 3.1.4), Housing (Section 3.2.1) and Community Services and Facilities (Section 3.2.2) that will be considered in the review of this application. The Official Plan is available at http://www.toronto.ca/planning/official_plan/introduction/htm

Mid-Rise Buildings Design Guidelines

Toronto City Council on July 6, 7 and 8, 2010, adopted the recommendations of the Avenues and Mid-Rise Buildings Study and Action Plan, with modifications. The main objective of this City-wide Study is to encourage future intensification along Toronto's *Avenues* that is compatible with the adjacent neighbourhoods through appropriately scaled and designed mid-rise buildings. The Avenues and Mid-Rise Buildings Study identifies a list of best practices, categorizes the Avenues based on historic, cultural and built form characteristics, establishes a set of performance standards for new mid-rise buildings and identifies areas where the performance standards should be applied.

The Performance Standards are intended to be used as tools to implement both the Official Plan's *Avenues* and *Neighbourhoods* policies, maintaining a balance between reurbanization and stability and ensuring quality and comfortable streetscapes along the Avenues framed and defined by buildings that allow for a minimum of 5 hours of sunlight on the sidewalks from March 21 to September 21, pedestrian perception stepbacks which mitigate the pedestrian perception of building height along the Avenue and an acceptable relationship between mid-rise buildings and the adjacent *Neighbourhoods* and *Parks and Open Space Areas* which the Official Plan policies are explicit in their intent to protect with appropriate transitions. The Performance Standards give guidance about the size, shape and quality of mid-rise buildings and are intended to respect Section 2.3.1 of the Official Plan.

The Dundas Street West Avenue Study is the prevailing policy document. The applicability of the Avenue and Mid-Rise Buildings Study will be evaluated through the review of this application.

Zoning

The site is subject to the former City of Etobicoke Zoning Code, as amended by By-law No. 717-2006 which is the implementing Zoning By-law for SASP 277. The property is zoned General Commercial – Avenues – Holding (CG-AV-H) (see Attachment 4: Zoning). Abutting properties to the south, fronting on Government Road and backing on to the site are zoned Second Density Residential (R2), as are the residential lots on the west side of Prince Edward Drive North (556-562 Prince Edward Drive North owned by Dunpar). The adjacent residential property at 564 Prince Edward Drive North is zoned CG-AV-H.

The CG-AV-H zone permits a limited range of residential uses, including apartment houses, dwelling units above business or retail uses and live-work units. Townhouses are not permitted on the north side of Dundas Street West and in the first 60 m of depth on the south side of Dundas Street West. Permitted uses include stores, banks, restaurants, hotels, business and professional offices, service stations and public garages, health centres and athletic clubs.

By-law No. 717-2006 contains 5 development areas, each with varying development standards related to building setbacks and yard requirements. The subject site is located in Area 1 ("A 1").

The maximum permitted floor space index in a CG-AV-H zone is 2.5 and the maximum building height is 14 m and 5 storeys. However, the Zoning By-law permits a development to exceed these provisions to a maximum height of 18.5 m and 6 storeys and a maximum floor space index of 3.0 provided that the owner enters into a satisfactory Section 37 Agreement with the City to secure the provision of parkland and streetscape improvements abutting and beyond the development site, including trees, planters, benches, pedestrian level street lighting, walkways, landscaped medians and public art.

All buildings and structures must maintain a 45-degree angular plane from any lot line of abutting properties that are zoned Second Density Residential (R2), beyond which no building or structure is permitted.

Within Area "A1", the south side of Dundas Street West has a minimum front yard building setback of 0 m (except for residential buildings only), and in all cases the maximum front yard setback is 3 m. Further, any building with a 13 m and 4 storeys or greater in height must be set back 1.5 m at that height. The required rear yard setback is determined by the 45 degree angular plane requirements, but in no case is less than 7.5 m where properties abut an R2 zone. No side yard building setback is required, except where the side yard abuts a street, in which case the side yard building setback is equal to the average setback from the street line for the block.

The CG-AV-H zone includes an "H" Holding Symbol that applies to the subject site. The "H" symbol may be removed by City Council subject to the satisfactory availability of any road, infrastructure, servicing and school capacity improvements necessary to accommodate the proposed development. Upon fulfillment of these criteria, the "H" symbol can be removed, in whole or in part.

On May 9, 2013 Toronto City Council enacted City-wide Zoning By-law No. 569-2013, currently under appeal to the Ontario Municipal Board. Zoning By-law No. 569-2013 does not apply to this site as site-specific zoning was established through the Avenues Study.

Site Plan Control

A Site Plan Control Application is required for the proposed development but has not been submitted by the applicant.

Tree Preservation

A Tree Protection and Removal Plan was submitted with the application. City of Toronto By-laws provide for the protection of trees situated on both private and City property. The submitted Plan indicates that one protected private tree would require removal to accommodate the proposal, while six protected private trees would be preserved. An "Application for Permit to Destroy Privately Owned Trees" has not yet been submitted.

Reasons for the Application

An amendment to the former City of Etobicoke Zoning Code, as amended by Zoning By-law No. 717-2006, is required as the proposal does not comply with various zoning performance standards, particularly for building height. Other areas of non-compliance may be identified through the zoning review currently being undertaken by Toronto Building staff. An amendment is required to establish appropriate development standards for the proposal as well as to remove the “H” Holding Symbol on the site.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Planning Rationale;
- Functional Servicing and Stormwater Management Report;
- Geotechnical Study;
- Hydrogeological Report;
- Transportation Impact Study;
- Arborist Report;
- Sun/Shadow Study;
- Wind Study;
- Archaeological Report;
- Context Plan;
- Community Services and Facilities Study; and
- Draft Zoning By-law.

The Toronto Green Standard Checklist was also submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

A Notification of Complete Application was issued on April 13, 2016.

Issues to be Resolved

The application has been circulated to City divisions and public agencies for comment. Issues identified on a preliminary basis include, but are not necessarily limited to:

- Conformity with the Provincial Policy Statement and the Growth Plan;
- Conformity with SASP 277 and consistency with the associated Urban Design Guidelines;
- Conformity with Official Plan policies, including development criteria for *Mixed Use Areas*, and the Built Form policies in Chapter 3 with respect to building height, massing, fit within the surrounding area or planned context and articulation of the proposed building;

- Conformity with the recommendations of The Dundas Street West Avenue Study;
- Determining the appropriateness of additional density, building height and massing, and impacts on the surrounding area;
- Appropriateness of the proposed mid-rise building within the context of the Avenue Study and the existing mid-rise buildings in the surrounding area;
- Consideration of the Avenues and Mid-Rise Buildings Study Performance Standards as supplementary to The Dundas Street West Avenue Study;
- Site design, organization and layout with respect to building massing, height, setbacks from streets and property lines, separation distances between the proposed building and the adjacent 1-storey residential dwelling at 564 Prince Edward Drive North, maintenance of a 45 degree angular plane under which the building is to be located, height of the first 2 floors, vehicle access to the site, location of the parking ramp/access to the underground parking garage, parking spaces and loading spaces, open space, pedestrian circulation and connections to the public realm;
- Length, massing and articulation of the building facades, punctuation of main residential building entrances, rhythm of bays and recesses and projections of the building facades;
- Servicing connections, adequacy of existing municipal infrastructure and identification of required improvements to support the proposed residential density;
- Transportation impacts arising from the proposed residential density;
- Provisions for larger residential dwelling units suitable for a broader range of households, including families with children, to support a full range of housing and affordability;
- Adequacy of existing community services and facilities that may be required to serve the development;
- Wind comfort levels pertaining to the terrace in the winter;
- Public art for the development and the applicant's participation in the Percent for Public Art Program and its Guidelines;
- Tree removal and preservation measures;

- Parkland/cash in lieu dedication requirements;
- Determination of the satisfactory availability of any road, infrastructure, servicing and school capacity improvements necessary to accommodate the proposed development in order to remove the “H” Symbol from the site; and
- Should the application be recommended for approval, identification of appropriate community benefits under Section 37 of the *Planning Act* as provided for by By-law No. 717-2016 as a result of the proposed increase in height and density of the proposal.

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

CONTACT

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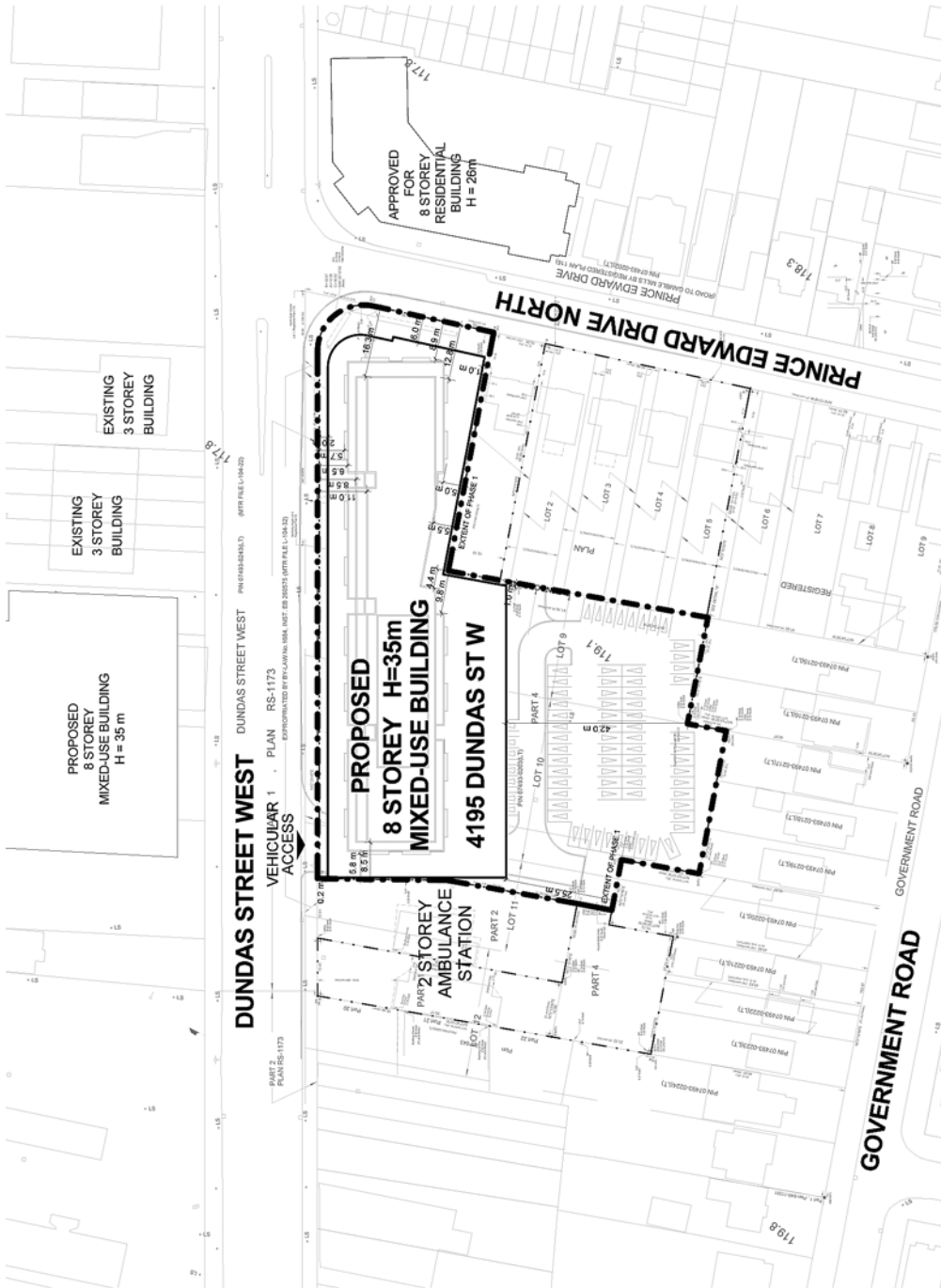
SIGNATURE

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

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2a: South and North Elevations
Attachment 2b: East and West Elevations
Attachment 3: Official Plan
Attachment 4: Zoning (Former City of Etobicoke Zoning Code)
Attachment 5: Application Data Sheet

Attachment 1: Site Plan



4195 Dundas Street West

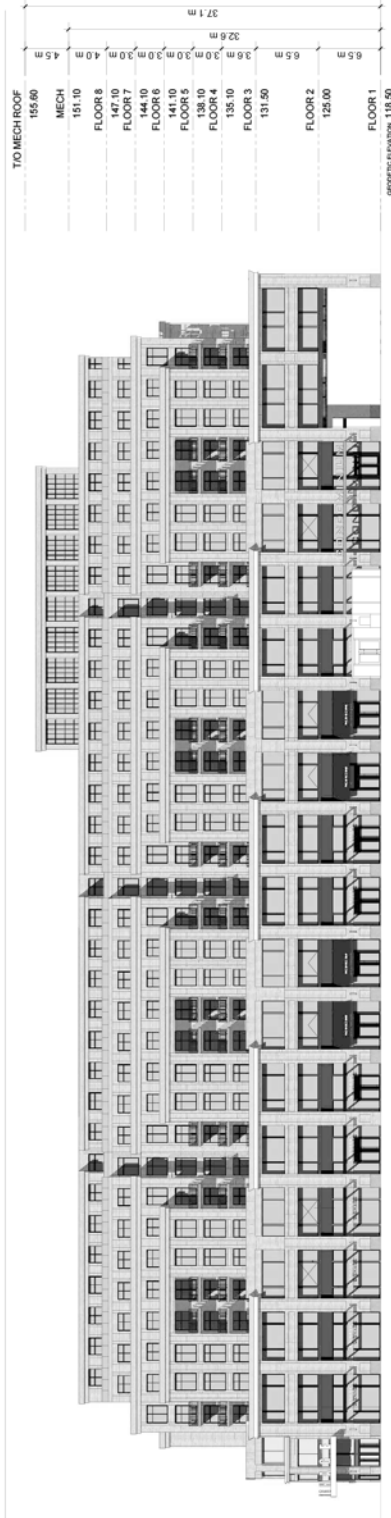
Site Plan
 Applicant's Submitted Drawing
 Not to Scale
 05/18/16

File # 16 129328 WET 05 02

Attachment 2a: South and North Elevations



3 SOUTH ELEVATION



4 NORTH ELEVATION

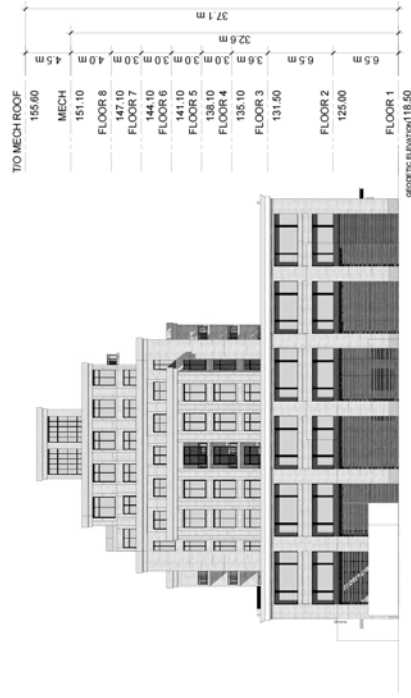
South and North Elevation

4195 Dundas Street West

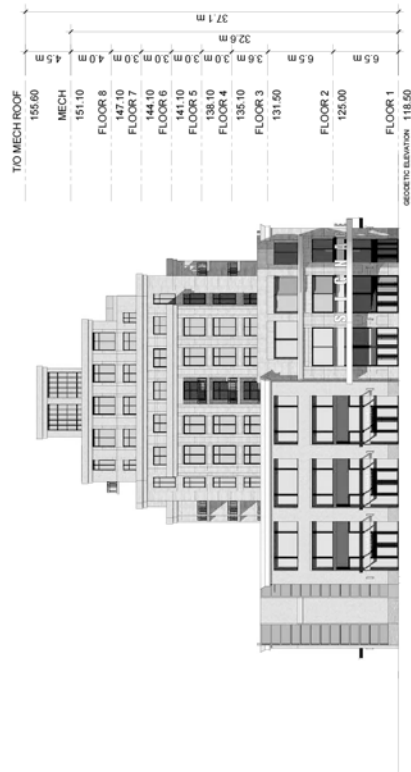
Elevations
 Applicant's Submitted Drawing
 Not to Scale
 04/19/16

File # 16 129328 WET 05 0Z

Attachment 2b: East and West Elevations



1 EAST ELEVATION



2 WEST ELEVATION

East and West Elevation

Elevations
 Applicant's Submitted Drawing
 Not to Scale
 04/19/16

4195 Dundas Street West
 File # 16 129328 WET 05 02

Attachment 3: Official Plan



TORONTO City Planning
Official Plan

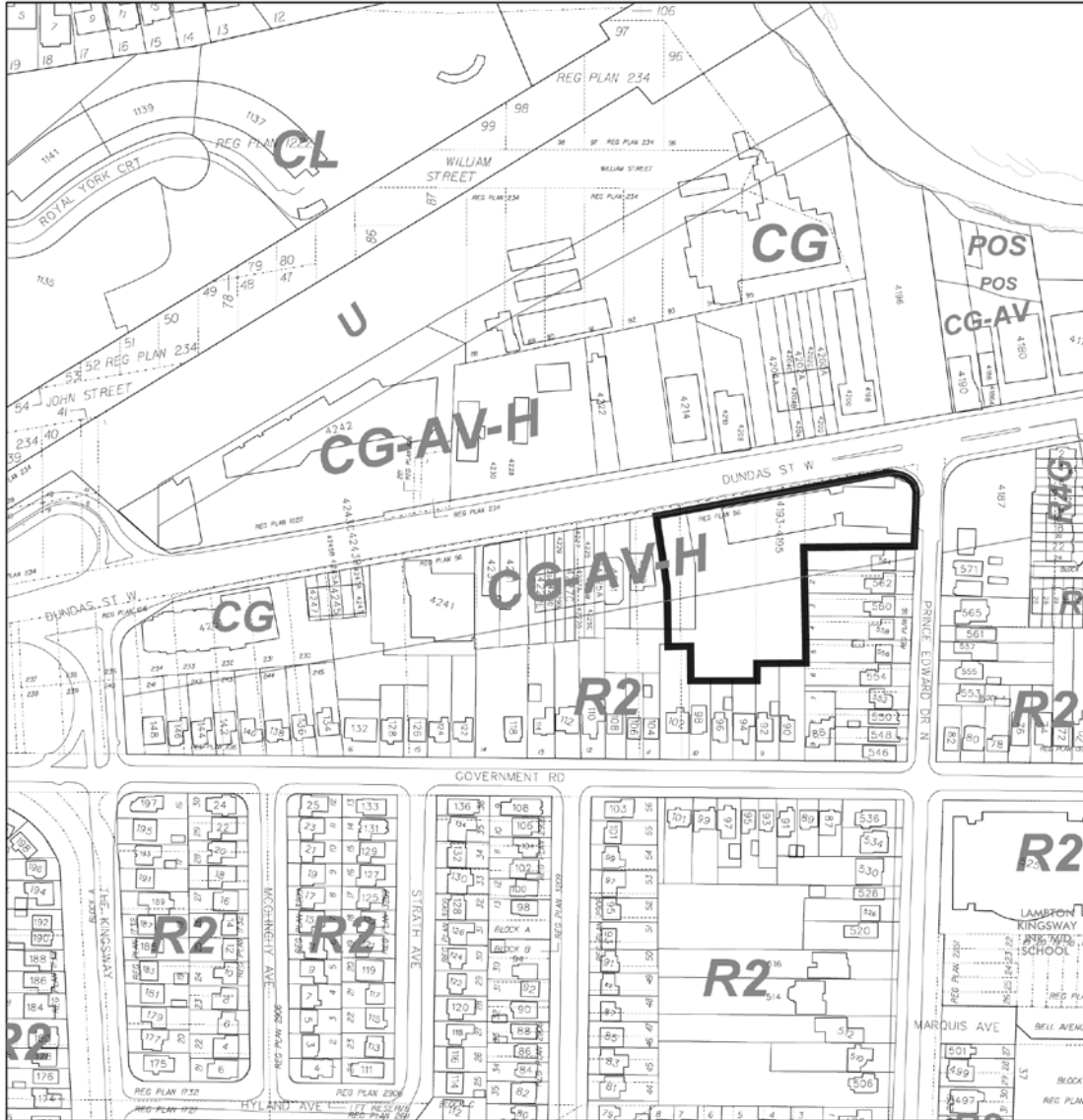
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Attachment 4: Zoning (Former City of Etobicoke Zoning Code)



4195 Dundas Street West

File # 16 129328 WET 05 02

- R2** Second Density Residential
- R4G** Fourth Density Group Residential
- POS** Private Open Space
- CL** Limited Commercial
- CG** General Commercial
- CG-AV-H** General Commercial - Avenues



Not to Scale
Zoning By-law 11,737 as amended
Extracted 05/11/16

Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	16 129328 WET 05 OZ
Details	Rezoning, Complex	Application Date:	March 17, 2016

Municipal Address: 4195 DUNDAS STREET WEST

Location Description: PLAN 56 PT LOTS 9 10 11 & 12 PLAN 116 PT LOT 1 RP 64R10852 PART 4 **GRID W0503

Project Description: Proposed development of an 8-storey, mixed use building containing 166 residential units and 7,215 m² of commercial gross floor area on the first two levels. An underground parking garage (2-1/2 levels) is also proposed.

Applicant:	Agent:	Architect:	Owner:
DUNPAR DEVELOPMENTS			1136974 ONTARIO INC

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	SASP No. 277
Zoning: CG-AV-H	Zoning By-law: No.717-2006	Historical Status:	
Height Limit (m):	6 storeys (18.5 m)	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	8279	Height:	Storeys:	8	
Frontage (m):	133		Metres:	32.6	
Depth (m):	39				
Total Ground Floor Area (sq. m):	3230				Total
Total Residential GFA (sq. m):	13405		Parking Spaces:	323	
Total Non-Residential GFA (sq. m):	7215		Loading Docks	4	
Total GFA (sq. m):	20620				
Lot Coverage Ratio (%):	0.39				
Floor Space Index:	2.49				

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:		Residential GFA (sq. m):	13405	0
Bachelor:		Retail GFA (sq. m):	7215	0
1 Bedroom:	33 (20%)	Office GFA (sq. m):	0	0
2 Bedroom:	116 (70%)	Industrial GFA (sq. m):	0	0
3 + Bedroom:	17 (10%)	Institutional/Other GFA (sq. m):	0	0
Total Units:	166			

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