

**400 The East Mall - Zoning By-law Amendment
Application - Preliminary Report**

Date:	March 13, 2017
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 3 – Etobicoke Centre
Reference Number:	16 254656 WET 03 OZ

SUMMARY

This application proposes to amend Site Specific Zoning By-law No. 152-2007 and the former City of Etobicoke Zoning Code to redevelop the lands at 400 The East Mall with three separate blocks of three-storey residential stacked townhouses. The proposed development would contain 60 residential units having a total gross floor area of 5,104 m² and 68 parking spaces, of which 65 would be located in a below-grade garage.

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 is targeted to be held in the second quarter of 2017.

A Final Report and statutory public meeting under the *Planning Act* is targeted for the fourth quarter of 2017. The target date for the Final Report assumes that the applicant will provide all required information promptly and that issues arising from the application can be resolved 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 400 The East Mall 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 subject site has a previously approved Site Specific Zoning By-law Amendment (By-law No. 152-2007) which permits a 12-storey mixed-use apartment building with retail at grade. The maximum number of units permitted is 120, the maximum gross floor area permitted is 13,400 m², the maximum permitted Floor Space Index is 2.93, and the maximum height permitted is 43 m.

The Final Report can be reviewed at the following link:

<http://www.toronto.ca/legdocs/mmis/2007/ey/bgrd/backgroundfile-648.pdf>

By-law No. 152-2007 can be found at the following link:

<http://www.toronto.ca/legdocs/bylaws/2007/law0152.pdf>

Pre-Application Consultation

A pre-application consultation meeting was held with the applicant on December 16, 2015 to discuss complete application submission requirements. Staff were presented a similar proposal consisting of three townhouse blocks, however the overall layout was different than the scheme submitted. Staff provided a number of comments including: insufficient setback from the lot lines to the buildings and insufficient separation between individual townhouse blocks; insufficient outdoor amenity space; concerns with the ramp to the underground garage and location of the loading space; and providing better landscaping.

ISSUE BACKGROUND

Proposal

The application proposes a residential development comprising three 3-storey townhouse blocks approximately 12.45 m in height with a residential gross floor area of 5,104 m²

and a floor space index (FSI) of 1.1 times the area of the lot (see Attachment 7: Application Data Sheet).

The proposed townhouse development would contain a total of 60 residential units comprised of 24 one-bedroom units (40%); 24 two-bedroom units (40%); and 12 three-bedroom units (20%) within two stacked back-to-back townhouse blocks (Blocks A and B) and one stacked townhouse block (Block C). Block A would have units fronting The East Mall and the interior of the site. The Block B units would face north onto the interior of the site and south onto the required Ministry of Transportation (MTO) permit control area (14 metre buffer block), beyond which is Burnhamthorpe Road. The Block C units would face the interior of the site only.

Vehicular access to the site is proposed from The East Mall at the northeast corner of the site. The proposed driveway would run parallel to the north lot line and lead to a below-grade parking garage containing 65 parking spaces, 60 lockers, 60 bicycle parking spaces, and a garbage storage area. One Type G loading space, a garbage staging area, and 3 surface visitor parking spaces are proposed. The interior of the site would also contain a small courtyard and internal landscaped walkway system between the townhouse blocks.

No shared indoor or outdoor amenity space has been proposed.

See Attachments 1-4 for the Site Plan and Elevation Plans.

Site and Surrounding Area

The subject site is located at the northwest corner of Burnhamthorpe Road and The East Mall, and is 0.46 ha in size. It is irregular in shape, with a frontage of 49.6 m along Burnhamthorpe Road and 68.7 m along The East Mall. The site is presently occupied by a 4-storey medical centre, which is vacant, and an associated commercial surface parking lot at grade. The existing topography is such that drainage is directed south to Burnhamthorpe Road, and east to The East Mall and westerly to an existing swale which outlets into the Four Seasons Place storm sewer.

Surrounding land uses include the following:

North: A five-storey, 250-bed long-term care facility, known as the Eatonville Care Centre (420 The East Mall). Further to the north is Burnhamthorpe Collegiate Institute (a Toronto District School Board secondary school).

South: On the south side of Burnhamthorpe Road at the southwest corner of The East Mall/Burnhamthorpe Road intersection is a newly built one-storey commercial shopping plaza. Further south is a Loblaws supermarket. At the southeast corner of The East Mall/Burnhamthorpe Road intersection is the Eatonville Library. Immediately south of Loblaws and the Eatonville Library are medium density residential developments.

West: Burnhamthorpe Square, a twelve-storey, six-storey and two-storey office building complex. Further to the west is Highway No. 427 and an access ramp interchange.

East: A low-density residential neighbourhood, comprised of two, two-storey single-detached dwellings at the northeast corner of The East Mall/Burnhamthorpe Road intersection (423 and 425 Burnhamthorpe Road); a one-storey single-detached dwelling fronting on The East Mall (453 The East Mall); and several single-detached dwellings that front onto Montebello Gardens. Further to the east is a place of worship.

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, by the *Planning Act*, 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, as the case may be, 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 Official Plan designates the site *Mixed Use Areas* on Land Use Map 14 (see Attachment 5: Official Plan - Land Use Designation). *Mixed Use Areas* are made up of a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities.

Policy 4.5 (2) sets out development criteria for *Mixed Use Areas* that direct the form and quality of development. The criteria direct: that the location and massing of new buildings frame the edges of streets with good proportion; that new buildings have good site access and circulation; that new buildings locate and screen service areas, ramps and garbage storage to minimize the impact on residences; and that indoor and outdoor recreation space for building residents is provided in every multi-unit residential development.

Urban Design Guidelines for Infill Townhouses

The Urban Design Guidelines for Infill Townhouses (2003) assist in the implementation of Official Plan policies with a focus on preserving and enhancing streetscapes, respecting and reinforcing the prevailing physical character of the surrounding context and mitigating the impact of new development on adjacent and nearby properties and the public realm. The Guidelines provide an evaluation framework for site design and built form matters to achieve high quality urban design outcomes for low-rise, grade related residential units constructed in rows or blocks. The Guidelines can be viewed at:

http://www1.toronto.ca/city_of_toronto/city_planning/urban_design/files/pdf/

A comprehensive update to the Infill Townhouse Guidelines is currently underway. Updated Townhouse and Low-Rise Apartment Guidelines (draft August 2016) further clarify and expand upon the 2003 Council-approved Infill Townhouse Guidelines to address current policy directions and best practices for a broader range of multi-dwelling developments up to four storeys in height. The latest draft of the Townhouse and Low Rise Apartment Guidelines can be viewed online at:

<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=f3064af89de0c410VgnVCM10000071d60f89RCRD>

Prior to presenting a finalized version of these Guidelines for City Council consideration and adoption, City staff are currently refining and consulting upon the draft Guidelines, in part through their use during the review of development applications. The Urban Design Guidelines for Infill Townhouses and the draft Townhouse and Low Rise Apartment Guidelines will be considered in the evaluation of the application.

Zoning

The site is subject to the Etobicoke Zoning Code and two different Zoning categories apply. The site is zoned Planned Commercial Preferred (CPP). The CPP zoning permits business uses such as neighbourhood stores, restaurants, professional offices and office buildings, medical, dental and drugless practitioners' clinics and commercial schools, radio, television and film studios, day nurseries and accessory uses. Residential uses are not permitted in a CPP zone (see Attachment 6: Zoning).

The site is also zoned Residential Second Density (R2). The R2 zoning permits residential uses that are detached dwellings and group homes; physician and dentist offices within the detached dwellings; private home day care; and schools, places of worship, libraries and daycares situated within these buildings. Townhouses are not a permitted use.

The site is also subject to Site Specific Zoning By-law 152-2007 which permits a 12-storey mixed-use apartment building with retail uses at grade. Townhouses are not listed as a permitted use. The maximum permitted gross floor area is 13,400 m² with a permitted height of 43 m. The maximum number of residential units permitted is 120 and the maximum permitted FSI is 2.93. By-law No. 152-2007 amended Chapters 320 and

324 of the Etobicoke Zoning Code. The Zoning Code continues to apply except where By-law No. 152-2007 provisions conflict.

The lands are not subject to the City-wide Toronto Zoning By-law No. 569-2013.

Site Plan Control

The site is subject to Site Plan Control and a Site Plan application will be required. However, no Site Plan application has been submitted to date.

Tree Preservation

City of Toronto By-laws provide for the protection of trees situated on both private and City property. An Arborist Report was submitted with the application and is currently under review. The owner will be required to address any outstanding tree protection and injury issues identified through the review of the application.

Reasons for the Application

Amendments to Site Specific Zoning By-law No. 152-2007 and the former City of Etobicoke Zoning Code are required to permit the proposed townhouse development and to provide applicable performance standards such as height, density, setbacks and parking to facilitate the proposed development. Other areas of non-compliance may be identified through the review of the application.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Planning Rationale with Community Services and Facilities Review;
- Noise Impact Study;
- Servicing Report;
- Traffic Impact Study;
- Toronto Green Standard Checklist; and
- Arborist Report.

A Notification of Complete Application was issued on December 14, 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 Official Plan policies, including development criteria for *Mixed Use Areas*;
- Site design, organization and layout with respect to:
 - Building massing;
 - Separation distances between building blocks;

- Setbacks from streets and property lines;
- Site circulation including the location of the loading space and garbage storage and staging areas;
- Functionality and accessibility of shared site elements within the below-grade garage such as garbage storage, lockers and bicycle parking;
- Lack of shared amenity spaces;
- Overall design and layout of the units; and
- Lack of green and open spaces.
- Compliance with Ministry of Transportation (MTO) requirements including required building setbacks as the site is located within the MTO Permit Control Area.

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

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

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: Block A Elevations

Attachment 3: Block B Elevations

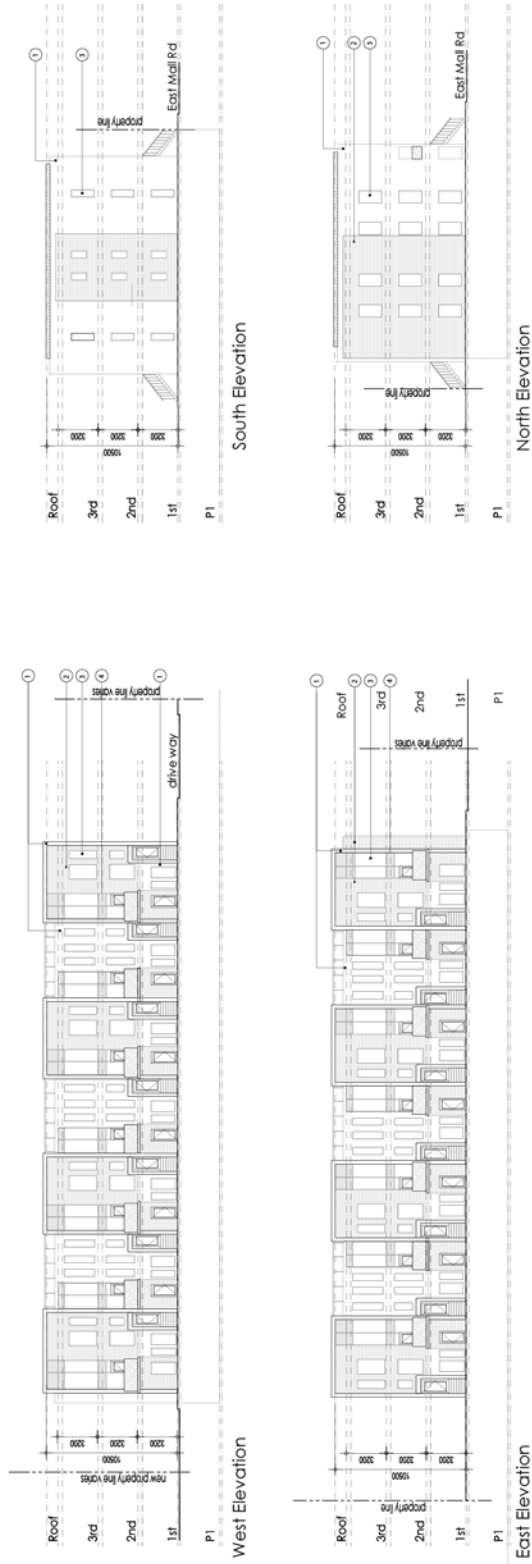
Attachment 4: Block C Elevations

Attachment 5: Official Plan – Land Use Designation

Attachment 6: Zoning

Attachment 7: Application Data Sheet

Attachment 2: Block A Elevations



Block A Elevations

Elevations

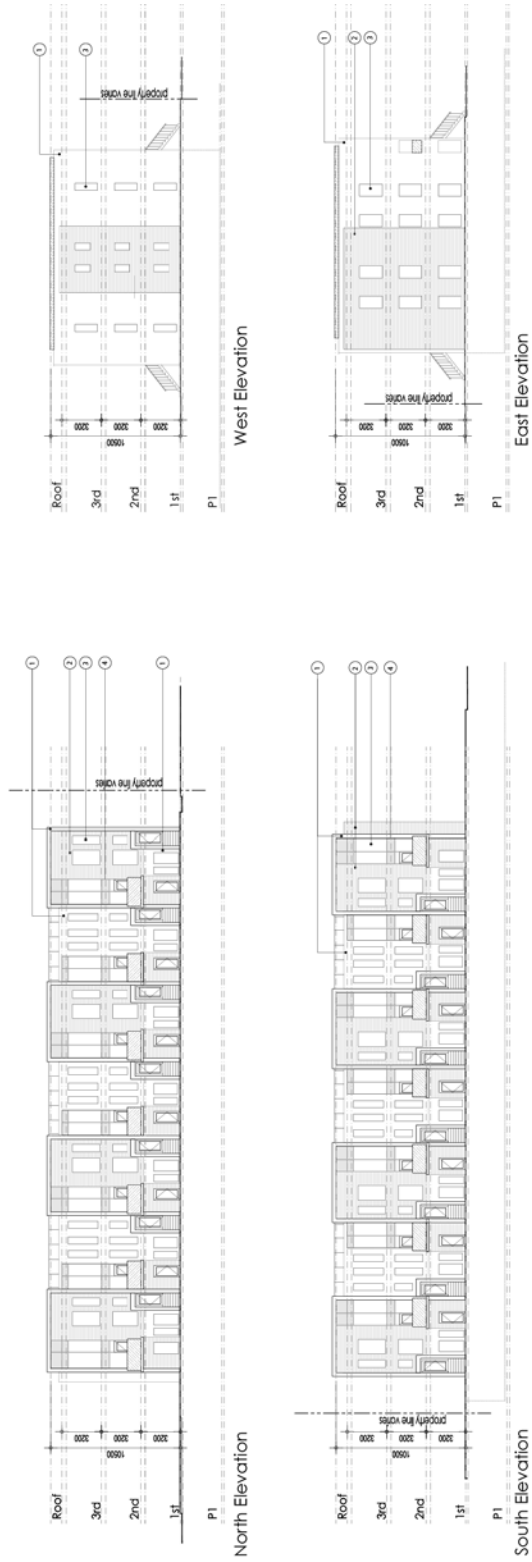
Applicant's Submitted Drawing

Not to Scale
01/30/17

400 The East Mall

File # 16 254656 WET 03 0Z

Attachment 3: Block B Elevations



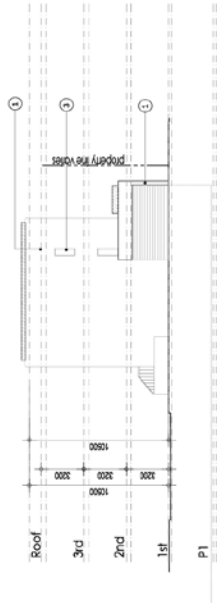
Block B Elevations

Elevations
 Applicant's Submitted Drawing
 Not to Scale
 01/30/17

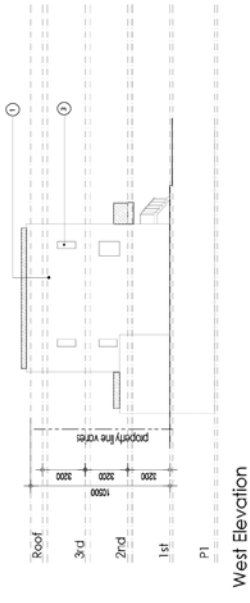
400 The East Mall

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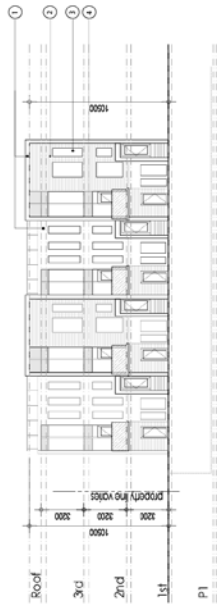
Attachment 4: Block C Elevations



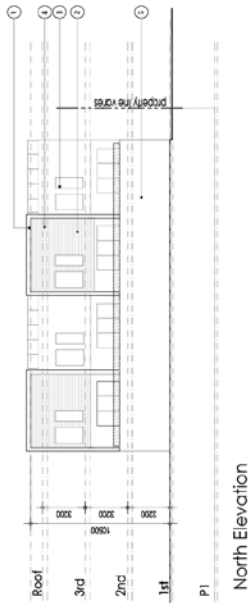
East Elevation



West Elevation



South Elevation



North Elevation

Block C Elevations

Elevations

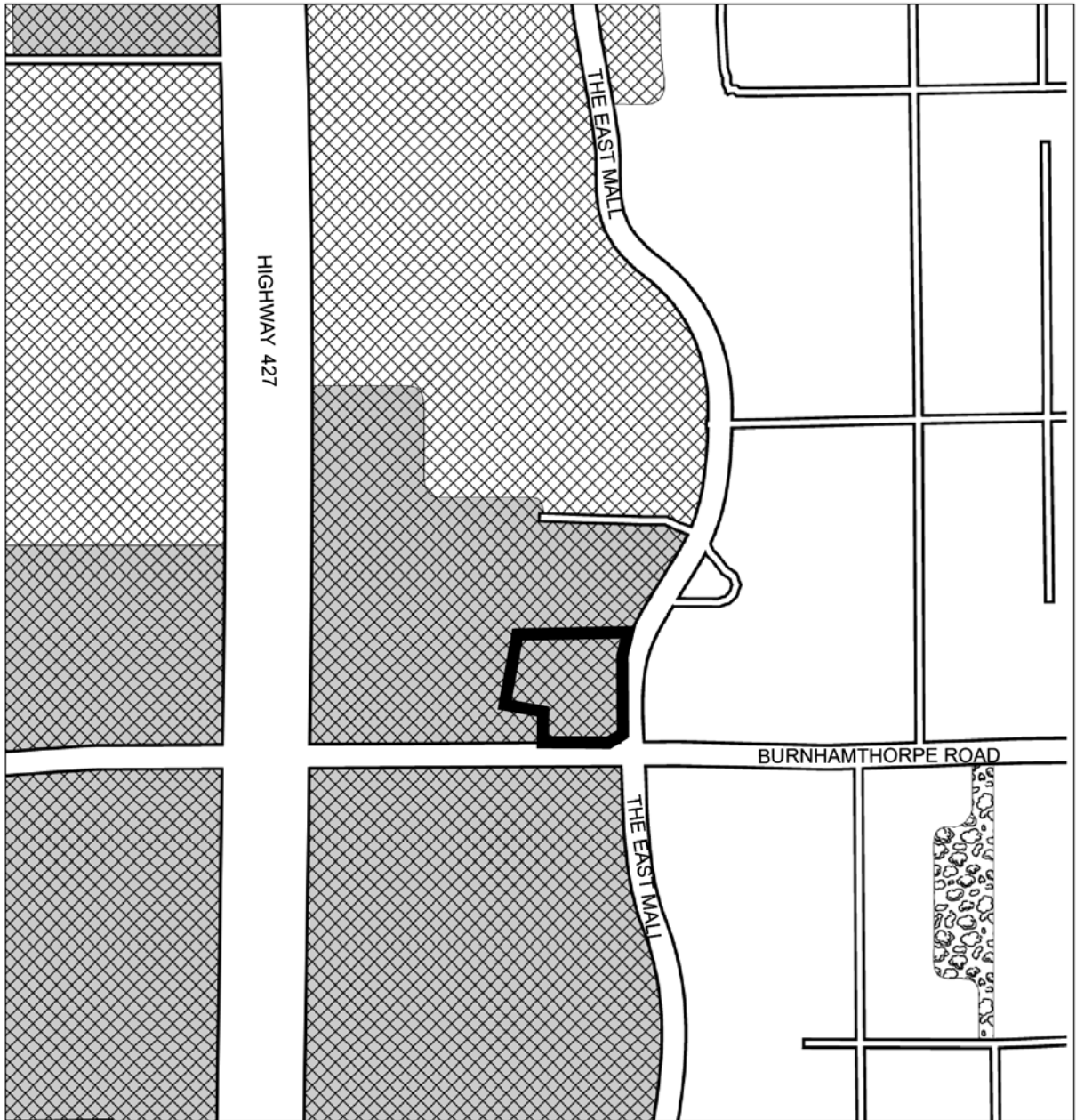
400 The East Mall

Applicant's Submitted Drawing

Not to Scale
01/30/17

File # 16 254656 WET 03 0Z







Attachment 5: Official Plan – Land Use Designation



TORONTO City Planning
 Extract from Official Plan

400 The East Mall

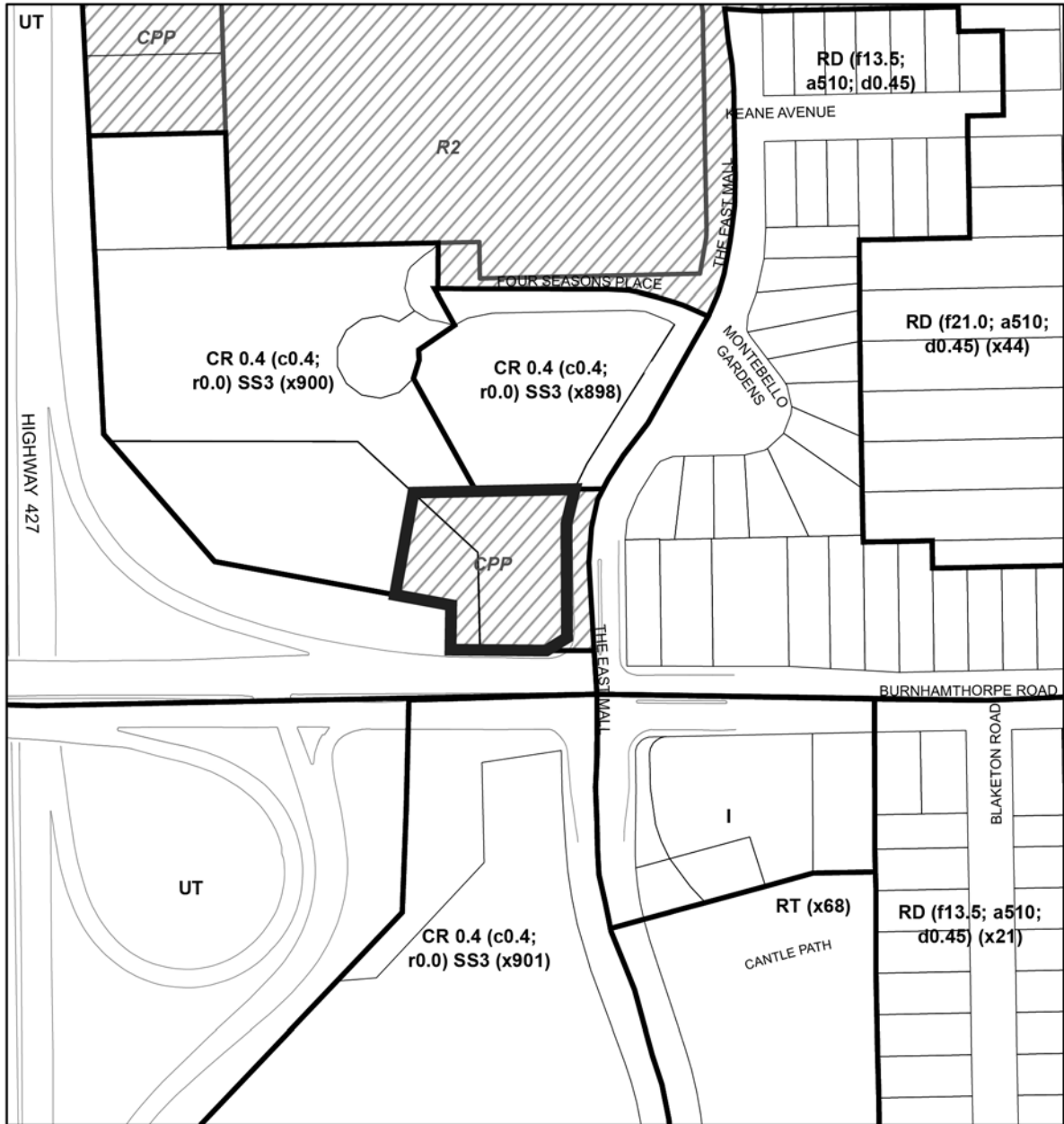
File # 16 254656 WET 03 0Z

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



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Attachment 6: Zoning



Zoning By-Law No. 569-2013

400 The East Mall

File # 16 254656 WET 03 0Z

Location of Application

See Former City of Etobicoke By-Law No. 11,737

- | | |
|--|---|
| <p>RD Residential Detached</p> <p>RT Residential Townhouse</p> | <p>CR Commercial Residential</p> <p>I Institutional</p> <p>UT Utility and Transportation</p> |
|--|---|

- | |
|---|
| R2 Second Density Residential |
| CPP Planned Commercial Preferred |



Not to Scale
Extracted: 01/30/2017

Attachment 7: Application Data Sheet

Application Type:	Rezoning	Application Number:	16 254656 WET 03 OZ
Details:	Rezoning, Standard	Application Date:	November 22, 2016

Municipal Address: 400 THE EAST MALL

Location Description: PLAN M986 PT BLK G RP R1482 PART 1PT RP R64R3255 PART 5 TO 7 RP R66R7663 PART 3 **GRID W0305

Project Description: Zoning By-Law Amendment application to permit three stacked townhouse blocks that include 60 residential units with a total residential gross floor area of 5,104 m². A total of 68 parking spaces are proposed; 65 parking spaces would be located below grade in a parking garage and 3 parking spaces would be located adjacent to the internal proposed landscaped courtyard.

Applicant:	Agent:	Architect:	Owner:
HUNTER & ASSOCIATES LTD			400 THE EAST MALL DEVELOPMENT INC.

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	By-law 152-2007
Zoning: CPP & R2		Historical Status:	N
Height Limit (m): 12-storeys	(43 m)	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	4599	Height:	Storeys:	3	
Frontage (m):	49.6		Metres:	12.45	
Depth (m):	68.7				
Total Ground Floor Area (sq. m):	0				Total
Total Residential GFA (sq. m):	5104		Parking Spaces:	68	
Total Non-Residential GFA (sq. m):	0		Loading Space:	1	
Total GFA (sq. m):	5104				
Lot Coverage Ratio (%):	0				
Floor Space Index:	1.1				

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

	Freehold		Above Grade	Below Grade
Tenure Type:	Freehold			
Rooms:	0	Residential GFA (sq. m):	5104	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	24	Office GFA (sq. m):	0	0
2 Bedroom:	24	Industrial GFA (sq. m):	0	0
3 + Bedroom:	12	Institutional/Other GFA (sq. m):	0	0
Total Units:	60			

CONTACT: PLANNER NAME: Sipo Maphangoh, Senior Planner, 416-338-2478