

250, 252, 254 and 256 Royal York Road and 8 and 10 Drummond Street - Zoning By-law Amendment Application - Preliminary Report

| | |
|--------------------------|---|
| Date: | May 28, 2013 |
| To: | Etobicoke York Community Council |
| From: | Director, Community Planning, Etobicoke York District |
| Wards: | Ward 6 – Etobicoke-Lakeshore |
| Reference Number: | 13 141966 WET 06 OZ |

SUMMARY

This application proposes to amend the former City of Etobicoke Zoning Code to permit a stacked townhouse development consisting of 111 units with underground parking at 250, 252, 254 and 256 Royal York Road and 8 and 10 Drummond Street.

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 intended to be held in the third quarter of 2013.

A Final Report and Public Meeting under the *Planning Act* to consider this application is targeted for the first or second quarter of 2014 provided any required information is submitted by the applicant 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 250, 252, 254 and 256 Royal York Road and 8 and 10 Drummond Street 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 under the *Planning Act*.

Financial Impact

The recommendations in this report have no financial impact.

Pre-Application Consultation

A number of pre-application consultation meetings and discussions were held with the applicant to discuss complete application submission requirements as well as various issues related to the proposal. Identified issues included: compatibility with adjacent employment uses; number of units; built form; setbacks; site layout; provision of open space; pedestrian and vehicular access; protection of private trees; and required road widenings.

ISSUE BACKGROUND

Proposal

The applicant is proposing to rezone the subject properties from a C (Commercial) zone to an R4 (Fourth Density Residential) zone. The proposed development would consist of 111 residential stacked townhouses units located in six separate building blocks. The buildings are proposed to be 4 storeys in height (13.5 m to 15.5 m) with the 4th storey comprised of a rooftop terrace, stairwell and mechanical room. The proposal would have a combined residential gross floor area of 10,250 m² and an overall density of 1.42 times the area of the lot (see Attachment 5).

The proposal includes 26 one-bedroom units, 79 two-bedroom units and 6 three-bedroom units. All blocks would be designed with a partially below-grade unit, a ground floor unit and a two-level upper unit. The buildings fronting Royal York Road and those located in the interior of the site (Blocks 1, 2 and 3) would have additional back to back two-level upper units with entrances located on the ground level.

The buildings located along the perimeter of the site (Blocks 4, 5 and 6) have been designed to act as a sound barrier to mitigate noise impacts from surrounding employment uses. These buildings would have windowless rear walls approximately 9 m (30 ft) high and be setback 1.8 m to 2.6 m from the property line. An acoustical barrier wall comprised of brick and transparent material is proposed to connect Blocks 4, 5 and 6 (see Attachments 1 and 2).

Outdoor amenity space for each unit would be provided by way of a terrace or balcony or a combination of both. In some units, the terrace would be located on the 4th level, while on others it would be partially below grade and designed as a sunken terrace. A landscaped central courtyard (244 m²) would be located on the western portion of the site adjacent to Block 3. Pedestrian walkways would provide access to unit entrances and connect each of the blocks throughout the site.

Vehicle access to the site would be provided by a private driveway accessed via Drummond Street which would lead to an underground parking garage. The driveway would terminate at a hammerhead in front of Block 3 and the landscaped central courtyard. Of the 133 proposed parking spaces, 111 spaces would be located underground in a one-level below grade parking garage and the remaining 22 spaces would be located outdoors along the common driveway and serve as visitor parking. The proposal also includes 84 bicycle parking spaces.

Site and Surrounding Area

The development site is comprised of 6 properties municipally known as 250, 252, 254 and 256 Royal York Road and 8 and 10 Drummond Street. The site is approximately 0.72 ha in size and irregular in shape. It has partial frontages on the west side of Royal York Road and the north side of Drummond Street. The 250, 252 and 254 Royal York Road properties are occupied by detached dwellings. The 256 Royal York Road property is occupied by a vacant commercial building while the Drummond Street properties are vacant.

The site is located in the Mimico neighbourhood and the immediate area is characterized by a mix of low rise commercial, institutional, residential and light industrial uses. Surrounding uses include:

North: a mix of low rise commercial and residential uses, the Mimico Go Train Station and a rail corridor.

South: immediately adjacent to the site are detached dwellings (230, 234 and 238 Royal York Road). Further south is an auto repair shop, a No Frills grocery store and a low rise residential neighbourhood south of Mimico Avenue.

East: on the east side of Royal York Road, across from the site is a Catholic church and rectory, an elementary school, an Adult Learning Centre and a Presbyterian church. Further east is a low rise residential neighbourhood.

West: Mimico Arena, a range of industrial uses along Drummond Street and Harold Street and a rail corridor and yard that houses the VIA Rail Toronto Maintenance Centre and the Go Transit Willowbrook Rail Maintenance Facility. A listed heritage building is located adjacent to the site at 12 Drummond Street.

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 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 Official Plan designates the subject lands *Mixed Use Areas* on Land Use Map 15. *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. Not all *Mixed Use Areas* are expected to experience the same scale or intensity of development. Surrounding context, built form considerations and the capacity of municipal infrastructure will inform the extent of development.

Policy 4.5.2 of the Plan contains a number of criteria for development in *Mixed Use Areas* that refer to built form and site organization considerations in addition to providing a transition to adjacent lower scale *Neighbourhoods* designations. The development criteria contained in the *Mixed Use Areas* policies are also supplemented by development criteria outlined in the Built Form policies in Section 3.1.2 of the Official Plan. The Built Form policies emphasize the importance of ensuring that new development is located, organized and massed to fit with its existing and/or planned context to improve safety while limiting impacts on neighbouring streets, parks, open spaces and properties.

The properties are adjacent to lands designated *Employment Areas* and located within an *Employment District*. To promote and protect *Employment Districts*, Policy 2.2.4.6 of the Plan states that "Development adjacent to or nearby *Employment Districts* will be appropriately designed, buffered and/or separated from industries as necessary to mitigate

adverse effects from noise, vibration, traffic, odour and other contaminants, and to promote safety and security".

The properties are also adjacent to properties containing residential dwellings and in close proximity to a low rise residential neighbourhood on the east side of Royal York Road. The Healthy Neighbourhoods policies of the Official Plan (Policy 2.3.1.2) identify that development in *Mixed Use Areas* that are adjacent or close to *Neighbourhoods* are to be compatible with those *Neighbourhoods* to minimize impacts.

The Official Plan also contains a number of policies related to the Public Realm (Section 3.1.1), Heritage Resources (Section 3.1.5), Housing (Section 3.2.1), Community Services and Facilities (3.2.2) and the Natural Environment (Section 3.4) that will be utilized to assess the proposed development.

Zoning

The properties are zoned C (Commercial) in the former City of Etobicoke Zoning Code (see Attachment 3), Mimico District. This zoning permits a range of uses including but not limited to car sales lot, bank, office, place of worship, club, funeral parlour, hotel, library, parking lot, school, restaurant, retail store, supermarket and a dwelling unit over a commercial use. The maximum height of a building in which dwelling units are permitted above a business use is 3 storeys.

On May 9, 2013, City Council enacted a new City-wide Zoning By-law 569-2013 for the City of Toronto. The last day to appeal By-law 569-2013 is June 4, 2013. The majority of the properties are excluded from the provisions of the new Zoning By-law with the exception of the properties at 252 and 254 Royal York Road. To ensure the new City-wide Zoning By-law is equitable, a Transition Protocol has been developed for development applications that were submitted before the new Zoning By-law was enacted. The Transition Protocol allows rezoning applications that are deemed to be complete prior to passage of the new zoning by-law to be excluded from By-law 569-2013. As this application was deemed complete prior to the enactment of By-law 569-2013, it is only subject to the Etobicoke Zoning Code.

Site Plan Control

The properties are subject to Site Plan Control. An application has been submitted (File 13 141977 WET 06 SA) and is being reviewed concurrently with this application.

Tree Preservation

City of Toronto By-laws provide for the protection of trees situated on both private and City property. An Arborist Report and Tree Preservation Plan were submitted with the application and are currently under review by City staff.

Rental Housing Demolition and Conversion By-law

The Rental Housing Demolition and Conversion By-law (885-2007), established Chapter 667 of the City's Municipal Code. It is one of the tools which implement the City's

Official Plan policies protecting rental housing. The By-law prohibits demolition or conversion of rental housing units without obtaining a permit from the City issued under Section 111 of the *City of Toronto Act, 2006*.

Proposals where six or more rental housing units will be affected require a decision by City Council. Council may refuse an application, or approve the demolition with conditions that must be satisfied before a demolition permit is issued. Council approval of demolition under Section 33 of the *Planning Act* may also be required where six or more residential units are proposed for demolition before the Chief Building Official can issue a permit for demolition under the *Building Code Act*.

The applicant has submitted a Rental Housing Demolition and Conversion Declaration and accompanying letter that indicates that less than six rental housing units exist on the development lands. Staff are reviewing the submitted information.

Reasons for the Application

An amendment to the former City of Etobicoke Zoning Code is required as the proposed stacked townhouse use is not permitted in a C zone. An amendment is also required to amend applicable performance standards to facilitate the proposed development such as height, landscaped open space, outdoor amenity space, building setbacks and density. Other areas of non-compliance may be identified through the zoning review currently being undertaken by Toronto Building staff.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Planning and Urban Design Rationale (including Community Services and Facilities Inventory);
- Stormwater Management and Functional Servicing Report;
- Transportation (Traffic/Parking/Loading) Statement;
- Arborist Report;
- Toronto Green Standard Checklist;
- Noise and Vibration Feasibility Study;
- Rental Housing Demolition and Conversion Declaration and Letter; and
- Draft Zoning By-law Amendment.

A Notification of Complete Application was issued on May 1, 2013.

Issues to be Resolved

The application has been circulated to City divisions and public agencies for comments. Planning staff have substantial concern with the proposal's compatibility with adjacent

uses as well as its built form, block design, site layout, number of units, setbacks to neighbouring properties, and proposed noise mitigation measures. Staff will meet with the applicant to attempt to resolve these and other identified issues. The following issues/concerns have been identified through a preliminary review of the application:

- conformity with Official Plan policies and applicable provincial legislation;
- compatibility with adjacent employment uses to ensure a safe, healthy and appropriate living environment;
- compatibility and fit with the physical character of the area;
- review of the Noise and Vibration Feasibility Study and the appropriateness of any associated mitigation measures required to be incorporated into the development proposal arising from the proximity of the rail maintenance facilities and industrial uses. A peer review of this study may be required at the applicant's expense;
- building/block design including the height and scale of the proposed development and associated impacts;
- site layout and organization;
- number of units;
- provision of appropriate setbacks to adjacent properties and separation distances between proposed buildings to ensure sunlight, skyview and privacy;
- shadowing of adjacent properties;
- adequacy, appropriateness and location of the proposed indoor and outdoor amenity spaces;
- minimizing impacts on the adjacent heritage building at 12 Drummond Street;
- ensuring sufficient servicing infrastructure to support the proposed development;
- adequacy of existing community services and facilities that may be required to serve the development;
- consistency with the City's Design Guidelines for Infill Townhouses;
- review of the Transportation Statement to determine any impacts including appropriate parking standards;
- identification and securing of community benefits under Section 37 of the *Planning Act*, as a result of the proposed increased in height and density of the proposal; and
- review of the TGS Checklist for compliance with the Tier 1 performance standards.

Several of the issues noted above were raised by staff during pre-application meetings and the applicant was requested to review and address these concerns. These issues remain unresolved and additional issues may be identified through the review of the application, agency comments received and the community consultation process.

CONTACT

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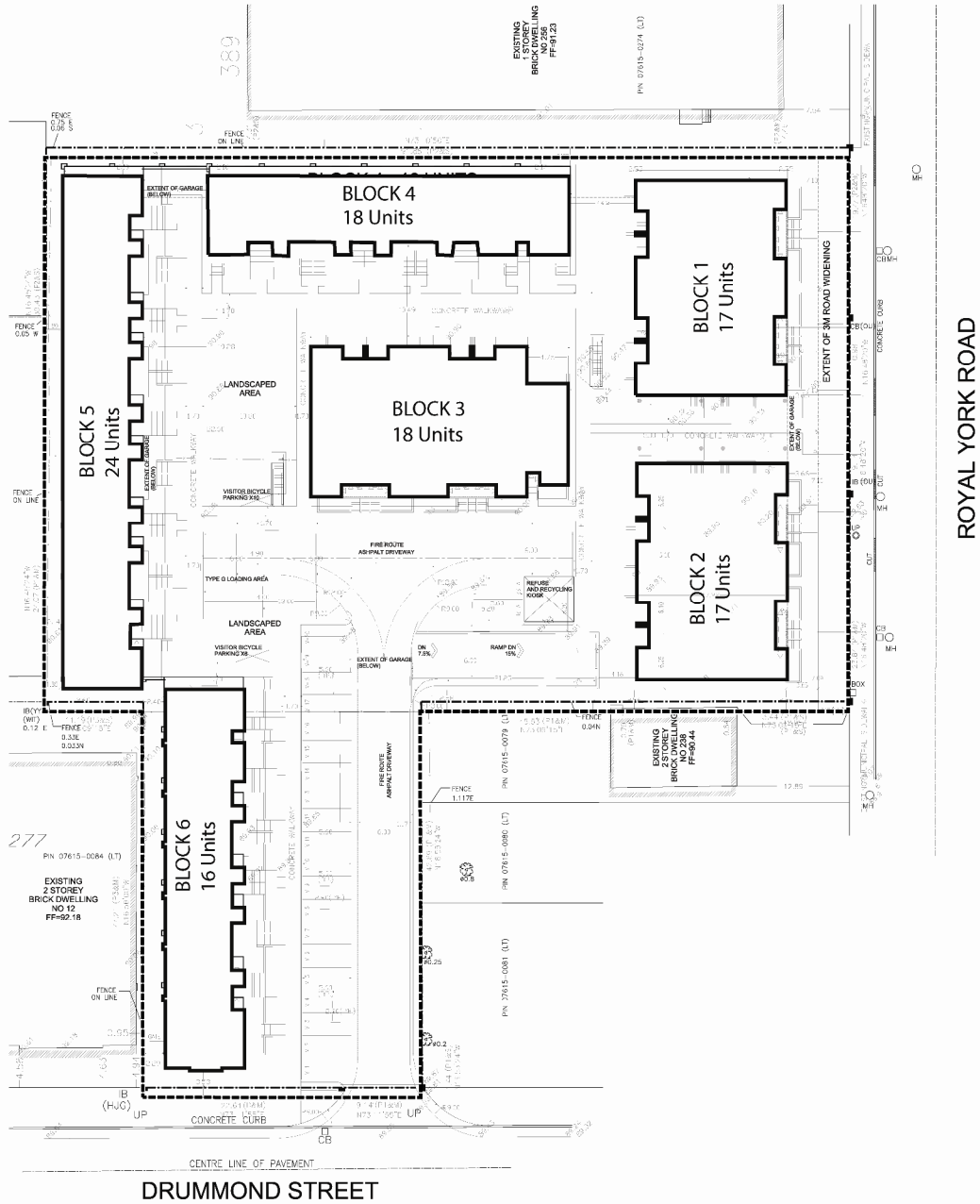
SIGNATURE

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

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Zoning
Attachment 4: Official Plan
Attachment 5: Application Data Sheet

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

Not to Scale

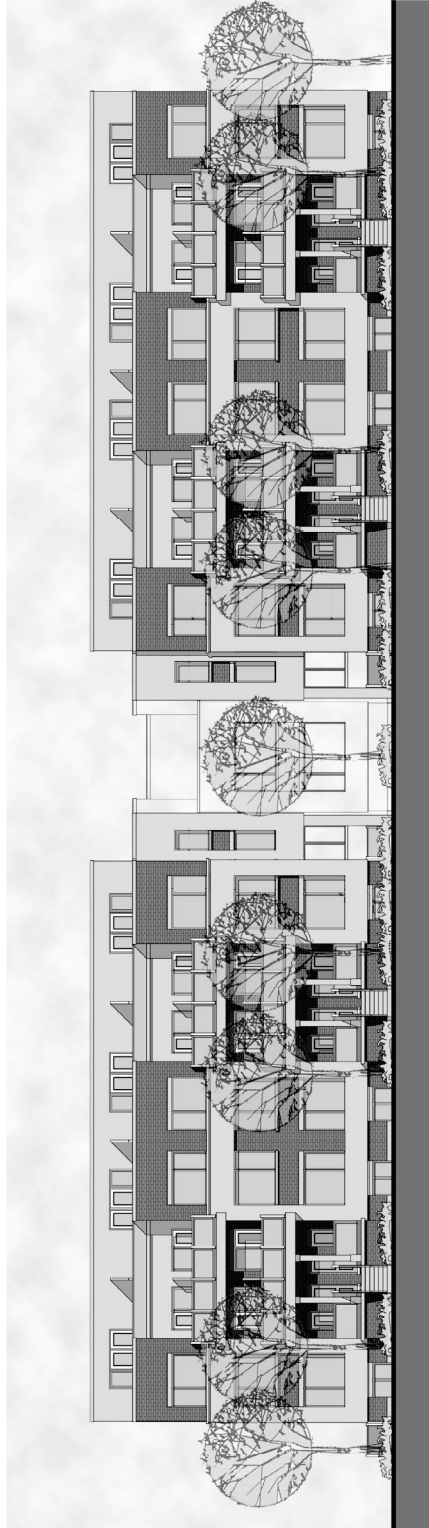
05/14/2013



250,252,254,256 Royal York Road and
8 - 10 Drummond Street

File # 13 141966 WET 06 02

Attachment 2: Elevations



Block 1 and 2 Front (Royal York Rd.) Elevation

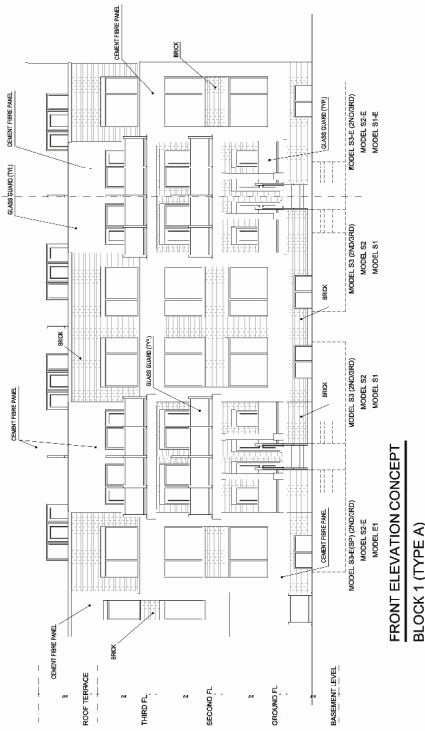
Elevations

Applicant's Submitted Drawing

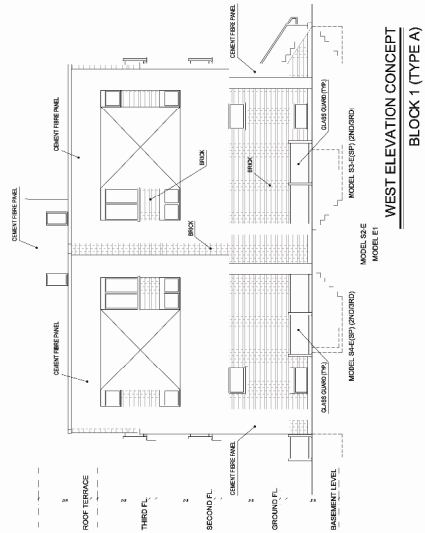
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**250,252,254,256 Royal York Road and
8 - 10 Drummond Street**

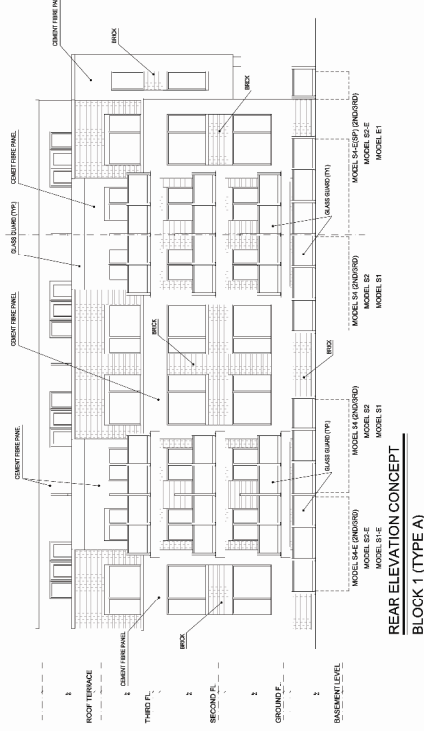
File # 13 141966 WET 06 02



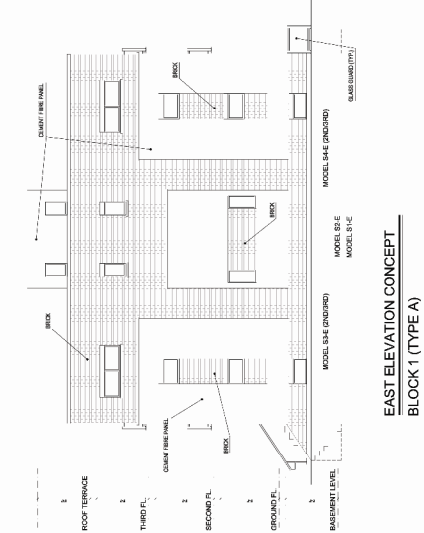
FRONT ELEVATION CONCEPT
BLOCK 1 (TYPE A)



WEST ELEVATION CONCEPT
BLOCK 1 (TYPE A)



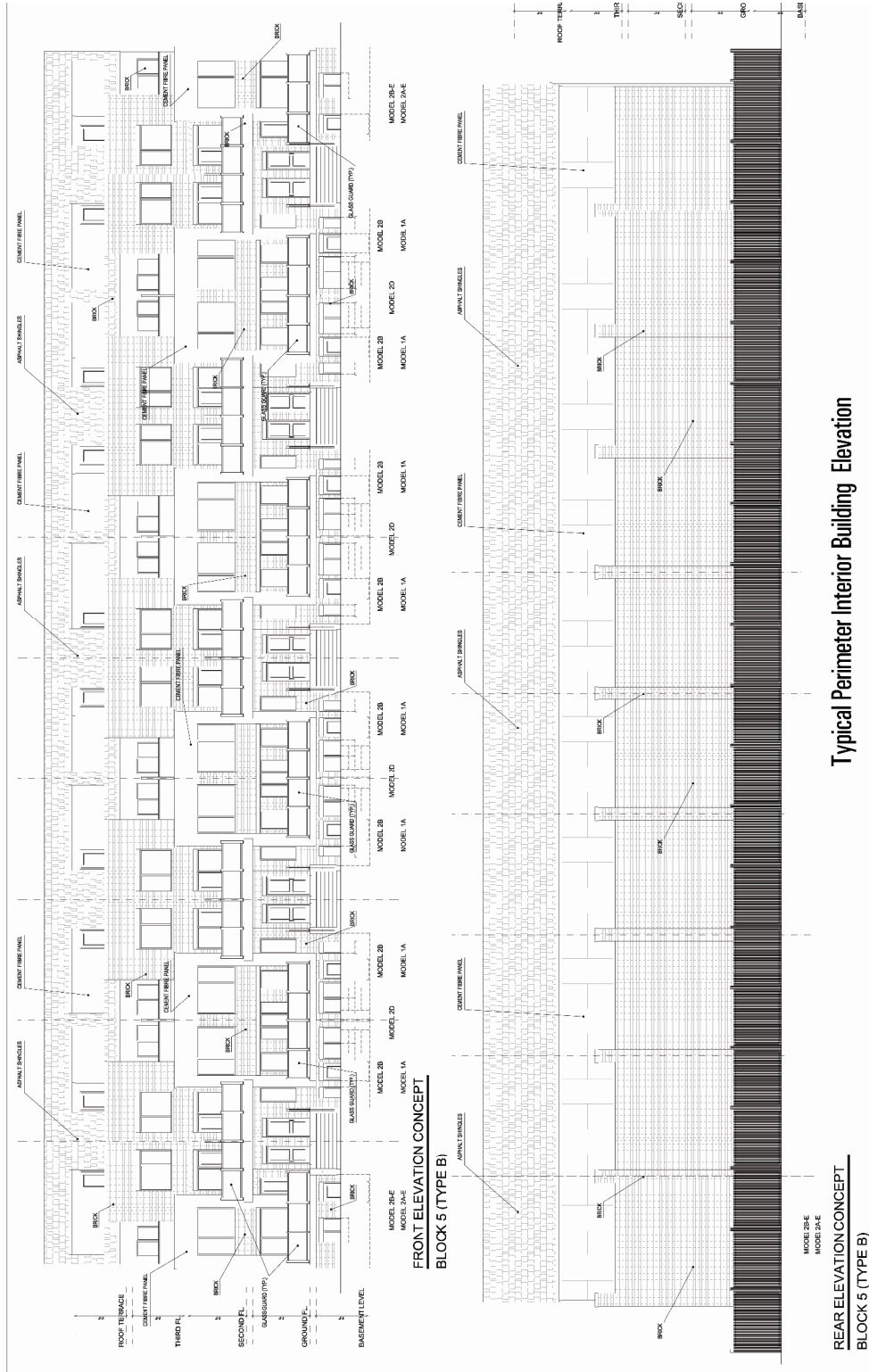
REAR ELEVATION CONCEPT
BLOCK 1 (TYPE A)



EAST ELEVATION CONCEPT
BLOCK 1 (TYPE A)

**250,252,254,256 Royal York Road and
8 - 10 Drummond Street**
File # 13 141966 WET 06 0Z

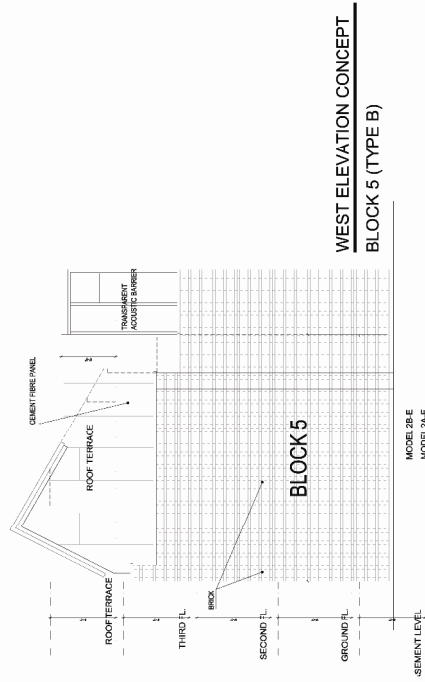
Elevations
Applicant's Submitted Drawing
No 1 to Scale
05/13/2013



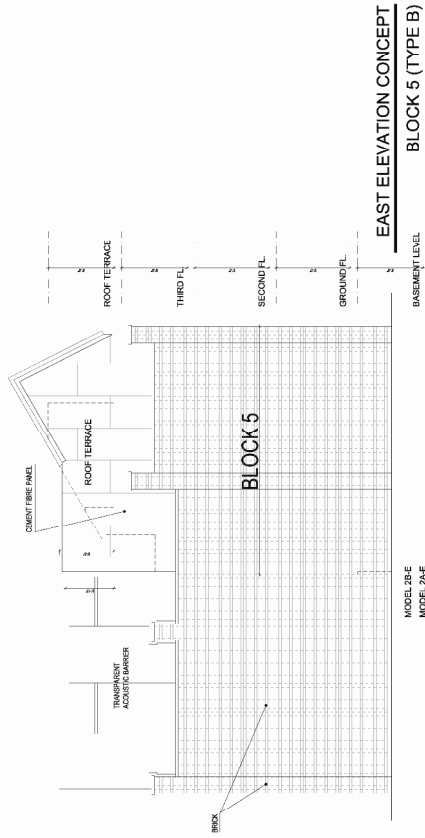
Typical Perimeter Interior Building Elevation

Elevations
 Applicant's Submitted Drawing
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**250,252,254,256 Royal York Road and
 8 - 10 Drummond Street**
 File # 13 141966 WET 06 02



WEST ELEVATION CONCEPT
BLOCK 5 (TYPE B)



EAST ELEVATION CONCEPT
BLOCK 5 (TYPE B)

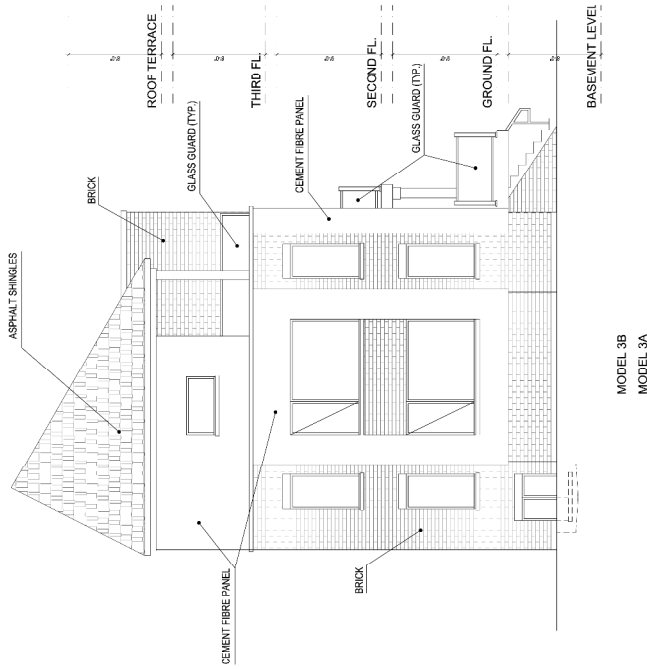
Elevations

Applicant's Submitted Drawing

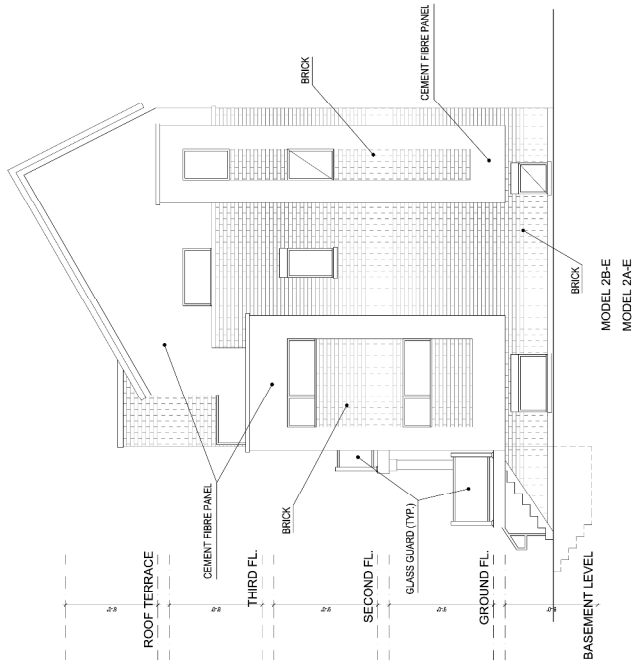
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250,252,254,256 Royal York Road and
8 - 10 Drummond Street

File # 13 141966 WET 06 02



WEST ELEVATION CONCEPT
BLOCK 6 (TYPE B)
 (Elevation from Drummond Street)

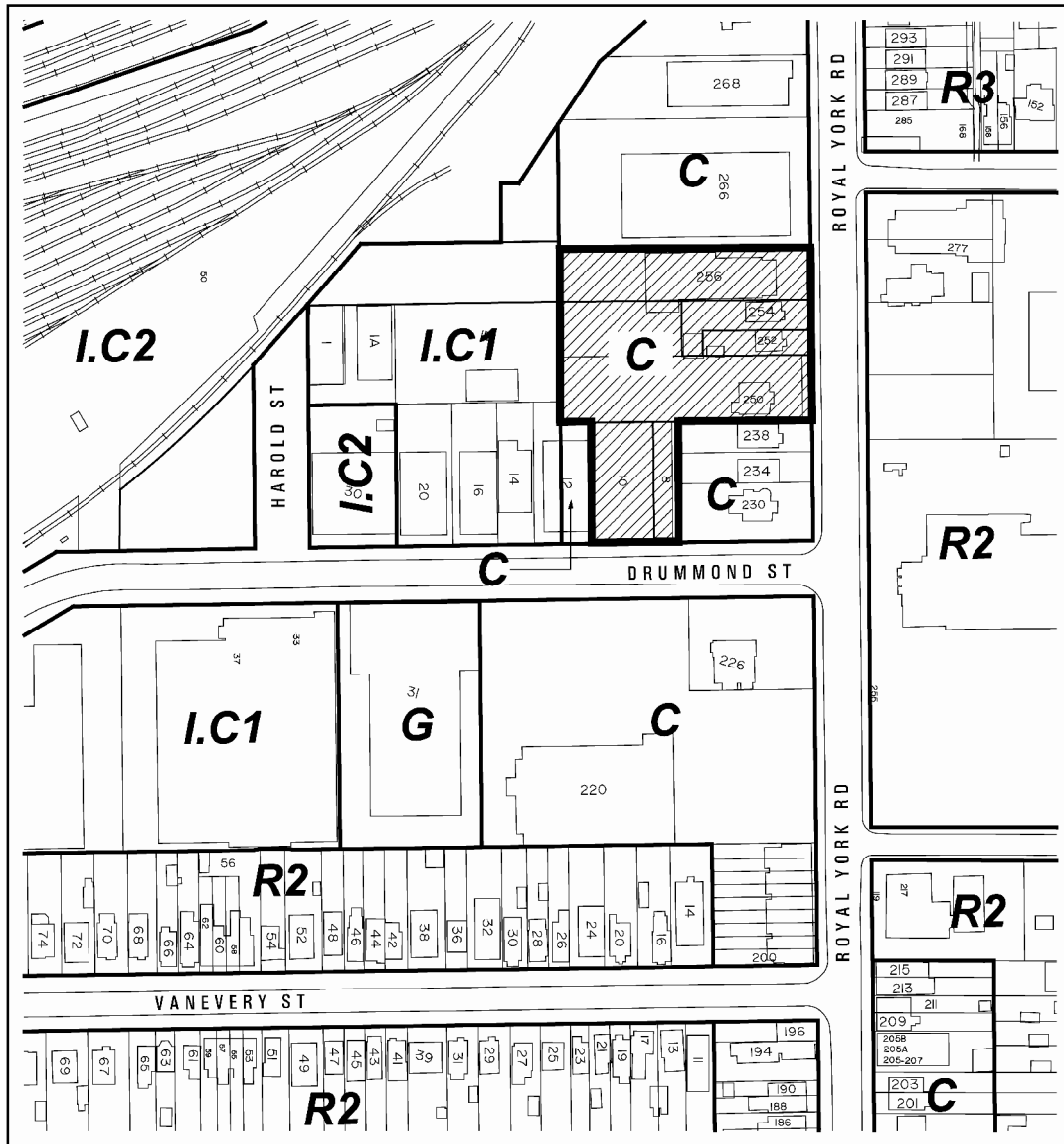


EAST ELEVATION CONCEPT
BLOCK 6 (TYPE B)

Elevations
 Applicant's Submitted Drawing
 Not to Scale
 05/13/2013

**250,252,254,256 Royal York Road and
 8 - 10 Drummond Street**
 File # 13 141966 WET 06 02

Attachment 3: Zoning



250,252,254,256 Royal York Road and
8- 10 Drummond Street

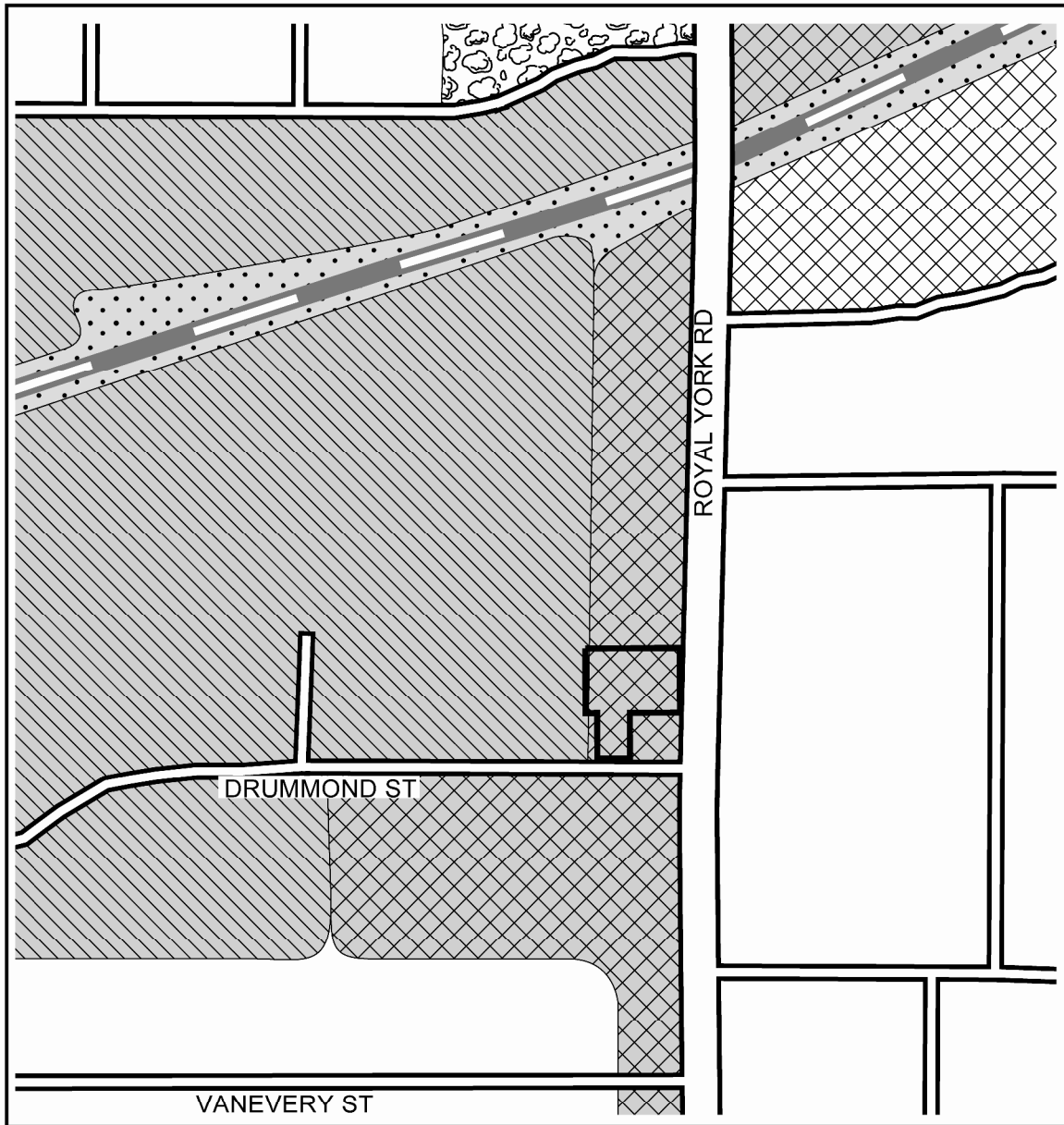
File # 13 141966 WET 06 QZ

- R2 Residential 1, 2, & 3 Family
- R3 Residential Multiple
- G Park
- C Commercial
- I.C1 Industrial Class 1
- I.C2 Industrial Class 2



Former Etobicoke By-law 11,737
Not to Scale Extracted 05/07/2013

Attachment 4: Official Plan



Toronto City Planning
Official Plan

250,252,254,256 Royal York Road and
8 - 10 Drummond Street

File # 13 141966 WET 06 02

- | | |
|--------------------------|-------------------|
| Site Location | Parks |
| Neighbourhoods | Employment Areas |
| Apartment Neighbourhoods | Utility Corridors |
| Mixed Use Areas | |

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05/14/2013

Attachment 5: Application Data Sheet

APPLICATION DATA SHEET

| | | | |
|------------------|--------------------|---------------------|---------------------|
| Application Type | Rezoning | Application Number: | 13 141966 WET 06 OZ |
| Details | Rezoning, Standard | Application Date: | March 28, 2013 |

Municipal Address: 250 ROYAL YORK RD
 Location Description: PLAN 389 BLK C PT LOT 2 RP 66R21089 PARTS 4 AND 5 **GRID W0606
 Project Description: Proposed amendment to the Etobicoke Zoning Code to permit a stacked townhouse development consisting of 111 units with underground parking.

| | | | |
|-------------------------|---------------|-------------------|-------------------------|
| Applicant: | Agent: | Architect: | Owner: |
| ICON ROYAL YORK LIMITED | | | ICON ROYAL YORK LIMITED |

PLANNING CONTROLS

| | | | |
|----------------------------|---------------------|--------------------------|-----|
| Official Plan Designation: | Mixed Use Areas | Site Specific Provision: | |
| Zoning: | C (Commercial) zone | Historical Status: | |
| Height Limit (m): | 3 storeys | Site Plan Control Area: | Yes |

PROJECT INFORMATION

| | | | | |
|------------------------------------|-------|---------|-----------------|--------------|
| Site Area (sq. m): | 7238 | Height: | Storeys: | 4 |
| Frontage (m): | 91.88 | | Metres: | 15.5 |
| Depth (m): | 63.43 | | | |
| Total Ground Floor Area (sq. m): | 2717 | | | Total |
| Total Residential GFA (sq. m): | 10249 | | Parking Spaces: | 133 |
| Total Non-Residential GFA (sq. m): | 0 | | Loading Docks | 0 |
| Total GFA (sq. m): | 10249 | | | |
| Lot Coverage Ratio (%): | 37.5 | | | |
| Floor Space Index: | 1.42 | | | |

DWELLING UNITS

| | |
|--------------|----------|
| Tenure Type: | Freehold |
| Rooms: | 0 |
| Bachelor: | 0 |
| 1 Bedroom: | 26 |
| 2 Bedroom: | 79 |
| 3 + Bedroom: | 6 |
| Total Units: | 111 |

FLOOR AREA BREAKDOWN (upon project completion)

| | Above Grade | Below Grade |
|----------------------------------|-------------|-------------|
| Residential GFA (sq. m): | 10249 | 0 |
| Retail GFA (sq. m): | 0 | 0 |
| Office GFA (sq. m): | 0 | 0 |
| Industrial GFA (sq. m): | 0 | 0 |
| Institutional/Other GFA (sq. m): | 0 | 0 |

CONTACT: PLANNER NAME: Luisa Galli, Planner
TELEPHONE: (416) 394-6007