TORONTO

STAFF REPORT
ACTION REQUIRED

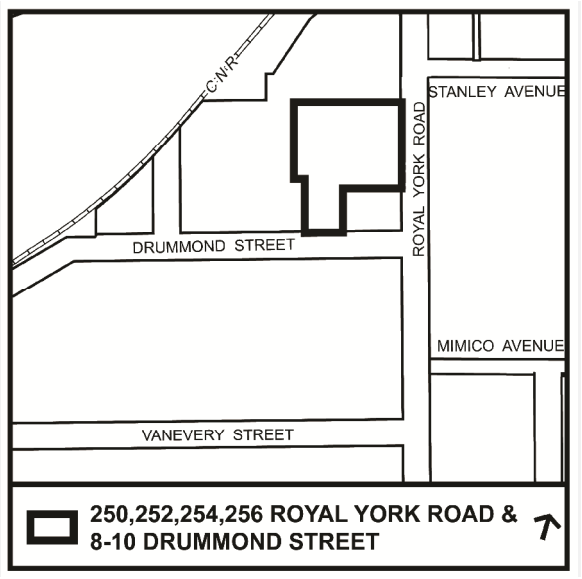
250, 252, 254 and 256 Royal York Road and 8 and 10 Drummond Street - Zoning By-law Amendment Application – Final Report

Date:	July 22, 2014
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 four storey residential stacked townhouse development consisting of 104 units with underground parking at 250, 252, 254 and 256 Royal York Road and 8 and 10 Drummond Street. A technical amendment to City-wide Zoning By-law No. 569-2013 to remove these lands from this By-law is also proposed.

The proposal represents the redevelopment of a site with residential infill. The proposal is consistent with the 2014 Provincial Policy Statement (PPS) and conforms to the Growth Plan and the policies of the City's Official Plan. This report reviews and recommends approval of the application.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the former City of Etobicoke Zoning Code for the lands at 250, 252, 254 and 256

Royal York Road and 8 and 10 Drummond Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 6.

2. City Council amend City-wide Zoning By-law No. 569-2013 for the lands at 250, 252, 254 and 256 Royal York Road and 8 and 10 Drummond Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 6.

3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

4. Before introducing the necessary Bills to City Council for enactment, require the applicant to fulfill the following conditions related to the Noise and Vibration Feasibility Study(s) to the satisfaction of the Director, Community Planning, Etobicoke York District:

   a) Submit any required addendums or revisions to the Noise and Vibration Feasibility Study(s) to address all potential noise sources;

   b) Written confirmation has been received from the applicant's noise consulting engineering that the revised development proposal, subject to the incorporation of the required noise mitigation measures, would meet the Ministry of Environment Noise Guidelines within NPC-300; and

   c) A third-party Peer Review for the City of the Noise and Vibration Feasibility Study(s) and related addendums has been completed to the satisfaction of the City.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

At its meeting of June 18, 2013, the Etobicoke York Community Council considered a Preliminary Report dated May 28, 2013 from the Director of Community Planning, Etobicoke York District (Item EY25.13), which provided preliminary information on the subject application and sought Community Council's direction on the further processing of the application and on the community consultation process. A copy of the report can be found at:
http://www.toronto.ca/legdocs/mmis/2013/ey/bgrd/backgroundfile-58654.pdf

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 original concept described in the

Preliminary Report contemplated 111, four storey residential stacked townhouse units located in six separate blocks oriented east-west and north-south on the site, with a small on-site landscaped courtyard.

The proposal was subsequently revised and now consists of 104 residential stacked townhouse units located in five separate blocks, oriented in an east-west direction on the site. The revision provides greater separation distances between the blocks, increased setbacks to all property lines and the incorporation of two on-site landscaped courtyards and a landscaped setback along the west lot line. Similar to the original concept, all of the blocks are proposed to be four storeys in height (15 m) with the 4th storey comprised of a terrace, stairwell and mechanical room.

The proposal has a combined residential gross floor area of 9,656 m^2 and an overall density of 1.34 times the area of the lot (see Attachment 5).

The proposal includes 22 one-bedroom, 77 two-bedroom and 5 three-bedroom units. All blocks are designed with a partially below-grade unit, a ground floor unit and a two-level upper unit. The blocks fronting Royal York Road and the one located in the interior of the site (Blocks 1, 2 and 3) would have below-grade and ground floor through units and back to back two-level upper units with all units having entrances located at the ground level.

The blocks located along the west side of the site (Blocks 4 and 5) are now proposed to be set back between 7.0 m and 7.5 m from the rear property line which allows for secondary windows along the west facades of these blocks, rear entrances for lower level units, and a continuous landscape buffer along the west side of the site. An acoustical barrier wall comprised of brick and transparent material is proposed to connect Blocks 3 and 4 and Blocks 4 and 5 (see Attachment 1).

Private 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 in others it would designed as a sunken terrace, approximately 1.4 m below-grade. Two landscaped courtyards would be provided in the interior of the site on either side of Block 3, with the eastern and larger courtyard being visible and accessible from the Royal York Road public sidewalk. On-site pedestrian walkways would provide access to unit entrances, blocks, landscaped areas and connections to Royal York Road and Drummond Street.

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 proposal provides for 106 resident parking spaces and 21 visitor parking spaces. All parking would be located in a one-level below grade parking garage with the exception of 5 visitor parking spaces to be located outdoors along the common driveway. The proposal also includes 81 bicycle parking spaces, of which 63 spaces would be located in the underground garage and18 spaces would be at-grade.

Site and Surrounding Area

The development site is comprised of 6 properties municipally know 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 frontage 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 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), 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 by the *Planning Act*, to conform, or not conflict, 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) and Community Services and Facilities (Section 3.2.2) that have been utilized to assess the proposed development.

Toronto Urban Design Guidelines for Infill Townhouses

The Urban Design Guidelines for Infill Townhouses articulate and clarify the City's interest in addressing the impact of townhouse development, with a focus on protecting streetscapes and seamlessly integrating new development with existing housing. They provide a framework for site design and built form to achieve good urban design and an appropriate scale and form of development for applications proposing low-rise, grade related residential units constructed in rows or blocks.

The Guidelines provide direction for development relative to streets and open spaces by encouraging existing public streets to be used for building addresses, providing clear

sight lines and easily accessible pedestrian links to public sidewalks and incorporating on-site common open spaces that are not shadowed. The Guidelines establish separation distances between buildings and the public sidewalks in order to maintain standards of light, view and privacy. As well, the Guidelines encourage garbage, service areas, utilities and parking to be located where they do not negatively affect the street and open spaces by consolidating these functions below grade, or in locations that are not visible from the street and can be screened with fencing and/or landscaping.

The Guidelines also address building form, location and organization to provide direction regarding the facing distance between buildings, the positioning of buildings to face one another, the limitation of building heights to those of the surrounding context and the use of side yard setbacks that are consistent with neighbouring properties.

Zoning

The properties are zoned C (Commercial) in the former City of Etobicoke Zoning Code (see Attachment 4), 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 commercial/ business use is 3 storeys.

On May 9, 2013, City Council enacted City-wide Zoning By-law No. 569-2013 for the City of Toronto which is now under appeal at the Ontario Municipal Board. A transition protocol identifies categories and types of properties that are not included in the new zoning by-law and includes lands subject to a complete development application. The subject lands were inadvertently included in By-law 569-2013 even though a complete application had been submitted prior to its enactment. To rectify this situation, a technical amendment removing this site from By-law 569-2013 was adopted by City Council on July 16, 17, 18 and 19, 2013 via By-law 1054-2013. This By-law has also been appealed and is now before the Ontario Municipal Board. No hearing date has been set.

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.

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 establish appropriate performance standards for the proposed development such as height, landscaped open space, outdoor amenity space, building setbacks and density.

A technical amendment to City-wide Zoning By-law No. 569-2013 is also required to remove these lands from this by-law.

Community Consultation

A community consultation meeting was held on October 7, 2013. The meeting was attended by the applicant, Ward Councillor, City Planning staff, and approximately 20 members of the public. The following concerns were raised:

- The existing road network may not be able to accommodate the development given the level of traffic that already exists on Royal York Road;
- Potential turning conflicts onto Drummond Street may result due to the proposed driveway location for this site and the existing No Frills driveway on the south side of the street;
- A concern that the architectural design of the buildings and proposed materials would not be in keeping with the character of the area;
- Potential noise and vibration impacts from surrounding industrial uses and the rail corridor;
- Proposed height of the noise barrier wall(s) and their effectiveness in addressing noise issues;
- On site safety due to the proposed windowless rear walls in the buildings bordering the perimeter of the site;
- Building setbacks from property lines;
- The proposed number of units and density of the development were too high;
- Method of garbage pickup and confirmation that there would be adequate on-site turning radii for trucks;
- Snow removal and the lack of on-site snow storage space proposed;
- Potential servicing impacts (i.e. sewer backups) from additional residential uses;
- Noise during the construction period; and
- A request to revise the proposal to include ground level retail uses and/or live work units in buildings fronting Royal York Road.

These issues have been considered in the review of the application.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate By-law standards.

COMMENTS

The framework for reviewing this application included the 2014 Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, Ministry of the Environment Noise Guideline NPC 300, the City's Official Plan and Infill Townhouse Guidelines and the community consultation process.

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the 2014 Provincial Policy Statement and allows for intensification and redevelopment by efficiently using land in an area where there is existing infrastructure and public service facilities.

The proposal conforms with the Growth Plan for the Greater Golden Horseshoe by directing new growth to a built-up area in an established settlement area and within proximity to the Mimico Go Station.

Land Use

The subject lands are designated *Mixed Use Areas* on Land Use Map 15 of the Official Plan. This designation allows for a broad range of commercial, residential and institutional uses, in single use or mixed use buildings. The proposed residential use and four storey building type is provided for in *Mixed Use Areas.* From a land use perspective, the proposal conforms to the Official Plan.

Density, Height and Massing

The revised proposal has a total gross floor area of approximately 9,656 m^2 and a floor space index of 1.34 times the lot area.

The physical character of the surrounding area is a mix of longstanding one and two storey dwellings and low rise commercial, institutional and industrial uses. This application proposes redevelopment consistent with the planned context for the area as provided for by the *Mixed Use Areas* designation and in conformity with the development criteria set out in the Official Plan.

The proposed location, height and orientation of the Blocks provide an appropriate scale of development to frame the edges of streets. The proposal provides both private and shared on-site outdoor amenity space as well as multiple points of access and pedestrian

walkways into and through the site from the public streets to connect and integrate the development with its surroundings.

Each Block would accommodate between 16 and 33 units. All of the Blocks would be four storeys (15 m) in height with the 4th floor comprised of a rooftop terrace, stairwell and mechanical room. The proposed height and orientation of Blocks 3, 4 and 5 would provide a buffer from the non-residential uses to the north and west of the site and would incorporate noise mitigation measures in accordance with provincial guidelines.

The proposed density, height and massing of the stacked townhouse development meets the criteria for development in *Mixed Use Areas* and is in keeping with the existing physical character of the surrounding area.

Site Layout and Organization

The proposal was revised to ensure that appropriate built form relationships were achieved to create a quality living environment that is compatible with the surrounding uses and built form context. Revisions were made to the site organization, building placement, landscaped areas, pedestrian walkways, building elevations, number of units and building setbacks.

The total number of units and Blocks were reduced to allow for increased landscape open space, greater building setbacks to adjacent properties and increased separation distances between buildings. This would provide for appropriate light, view and privacy into the development. Blocks and unit entrances front onto Royal York Road, the access driveway and landscaped courtyards to enclose, define and provide overlook into these spaces and provide appropriate access to the units. The Blocks would also be further set back from property lines to minimize shadows, blocked views and overlook onto existing properties and to provide a buffer to adjacent employment uses.

Pedestrian walkways that connect to the public sidewalk would be provided throughout the site and between the Blocks allowing for access through the development. The public boulevard along Royal York Road and Drummond Street are to be landscaped to enhance the pedestrian environment and improve the streetscape.

Block elevations and acoustic barrier walls would incorporate varied sized windows and other openings to ensure clear views for safety throughout the site. The Block walls are to be designed with a variety of materials and patterned brick work to promote architectural interest. The parking and garbage storage areas have been consolidated in the underground garage to minimize their impacts on the open spaces, streetscape and adjacent properties.

The proposed site layout and organization are acceptable and fit with the surrounding varied built form context in keeping with the intent of the City's Infill Townhouse Guidelines.

Amenity Space and Landscaping

The revised proposal provides for a variety of outdoor amenity spaces and landscaped open areas to improve the living environment and buffer the development from adjacent employment uses. Each unit will have a private outdoor amenity area in the form of a terrace (i.e. sunken or rooftop), balcony or combination of both at a minimum rate of 2.0 m^2 per unit.

The revised proposal provides building setbacks along the west property line of between 7.0 m and 7.5 m which provides for a continuous open space area. This space is proposed to be landscaped and would provide a continuous pedestrian connection around the west and north perimeter of the site connecting to Drummond Street and Royal York Road.

Two landscaped courtyards are proposed on site, on either side of Block 3. These courtyards would have units fronting onto them and be accessible to all residents in the development via pedestrian walkways along the edges of the courtyards. The eastern courtyard would visually and functionally extend to Royal York Road through a proposed 7.5 m separation between Blocks 1 and 2 to the public street.

The proposal would provide an acceptable amount of private and shared outdoor amenity area. The details related to these areas would be secured through the site plan approval process.

Noise, Vibration and Proximity to Rail Corridor

The site is located in an area characterized by a mix of low rise commercial, institutional, residential and industrial/employment uses. Immediately adjacent and in close proximity to the site are a variety of industrial uses located along Drummond Street and Harold Street, as well as a rail corridor and yard that houses the VIA Rail Toronto Maintenance Centre and the Go Transit Willowbrook Rail Maintenance Facility. In keeping with the policies of the 2014 Provincial Policy Statement, the City's Official Plan and the Ministry of Environment Guidelines for stationary and transportation noise sources (NPC-300), new residential uses in proximity to industrial uses are to 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 avoid unmanageable conflicts.

Noise and Vibration Impact Feasibility Studies, prepared by J.E. Coulter Associates Limited, were submitted in support of the original and revised proposed residential development. No vibration concerns were identified in these reports, however a number of noise mitigation measures required to be included in the design of the proposal were identified to attenuate potential noise impacts from surrounding industrial uses. These mitigation measures include:

- Locating Blocks 3, 4 and 5 along the west and north property lines to act as a sound barrier from potential noises sources;

- Designing Blocks 4 and 5 so that no primary rooms with windows are located along the west facing walls and exposed to a critical noise source (non-living spaces such as washrooms and staircases with small windows, and access doors into a non-living space are permitted along these west-facing walls);

- Connecting Blocks 3 and 4, and Blocks 4 and 5 with a solid noise barrier wall;

- Providing air conditioning units for Blocks 1 and 2;

- Providing a 1.8 m high fence on the rooftop terraces of Blocks 3 and 4 where the building face is adjacent to a noise source; and

- Incorporating-warning clauses in purchase and sale agreements to advise potential purchasers of potential noises impacts.

The City retained the services of Valcoustics Canada Limited, an environmental consulting firm, to conduct a peer review of the applicant's submitted Noise and Vibration Impact Feasibility Studies. The peer review was conducted on behalf of the City at the cost of the applicant. The purpose of the peer review was to ensure the sufficiency and accuracy of the submitted reports and to advise on the concurrence with the opinions of the reports as it relates to the suitability of the proposed residential development and recommended mitigation measures. Valcoustics reviewed the reports for the original and the revised development concepts and provided clarification to City staff on specific technical matters related to the proposed noise mitigation measures including the design of the west-facing walls of Blocks 4 and 5 and the noise barriers proposed to connect Blocks 3 and 4 and Blocks 4 and 5.

Prior to conducting the peer review, the City requested a number of refinements to the development proposal to address concerns with potential conflicts and minimize the impacts of the required mitigation measures. These changes included:

- Upgrading the architectural treatment of the acoustical barriers walls and block elevations of Blocks 3, 4 and 5;

- Introducing a minimum 7 m landscaped buffer along the west property line;

- Providing windows in non-habitable rooms (i.e. washrooms) along the west elevations of Blocks 4 and 5 including access doors onto the rear landscaped area; and

- Providing an unobstructed pedestrian opening into the noise barrier wall connecting Blocks 3 and 4.

Valcoustics concurred with the findings of the studies and supporting documentation prepared by Coulter Associates and had no concerns with the proposed refinements to the pedestrian opening, access doors, windows and architectural treatments of the noise barrier walls requested by City staff. They noted that the analysis undertaken by the applicant's consultant was conservative in nature and demonstrated that the applicable Ministry of the Environment noise guidelines within NPC-300 would be met. They also recommended that the final noise control requirements be secured by the City through the site plan approval and building permit processes.

The application and supporting materials including the applicant's Noise and Vibration Impact Feasibility Studies were circulated to CN Rail, Go Transit/Metrolinx and Via Rail for comments. Both CN Rail and Go Transit, owners of the rail corridor, advised they had no objections to the proposed residential development or the proposed mitigation measures recommended by the applicant's noise consultant. However, Via Rail, which has a long term lease on a potion of the corridor for the Toronto Maintenance Centre yard operations, advised they are opposed to the introduction of any new residential development within 300 m of their railway operations. They note that the proposed residential density is incompatible with existing employment uses in the area and potential complaints and claims from residents could compromise their ability to increase their operations. Despite this claim, Via Rail acknowledges that they did not verify the test results contained in the applicant's Noise and Vibration Impact Studies to ensure their operations were properly assessed. Therefore, City staff have relied on the opinion of the applicant's noise consultant (Coulter Associates) and the Peer Reviewer (Valcoustics) to advise on this matter and confirm whether all appropriate noise sources have been assessed and addressed through the proposed noise mitigation measures.

In addition to the subject lands, a variety of residential uses currently exist within 300 m of the rail corridor and rail maintenance yards. The subject lands are not adjacent to the rail corridor as there are intervening properties between the development site and the rail corridor. In response to Via Rail's concerns, Coulter Associates notes that "the development's building arrangement is equivalent to the residences being three times further from the various sources than their physical location by providing the mitigated equivalent to a 300 m setback, using single-loaded buildings oriented as barriers". Based on the conclusions of the applicant's consultant and the peer review completed for the City by Valcoustics, staff are satisfied that the applicant's revised development proposal, subject to the incorporation of the required noise mitigation measures outlined in the Coulter Associates reports, would meet the Ministry of Environment noise guidelines within NPC-300 and would not be adversely impacted by potential noise from nearby employment uses.

The proposed draft Zoning By-law Amendment (Attachment 6) incorporates the required noise mitigation measures. These measures would also be secured through a site plan agreement requiring the owner and their noise consulting engineer to confirm that the

development has been designed and constructed as per the recommendations of the approved Noise Report prior to the registration of the condominium.

Roadways

To achieve the 23 m and 27 m right-of-way widths specified in the Official Plan for Drummond Street and this section of Royal York Road, property conveyances measuring 1.44 m and 3.44 m in width are required along the Drummond Street and Royal York Road frontages, respectively. These required conveyances would be secured through the site plan approval process.

Streetscape

A 1.5 m wide curbside sidewalk exists on the west side of the Royal York Road municipal boulevard, adjacent to the site. The proposed development would result in the reconstruction of the Royal York Road public boulevard with sod and street trees.

No sidewalk exists along the Drummond Street frontage of the site. The applicant is proposing to provide a 2.0 m wide new concrete curbside sidewalk along the Drummond Street frontage of both the subject site and the Drummond Street frontage of the adjoining property fronting 230 Royal York Road. The requirement to construct the public boulevard or to provide funding sufficient to cover the City's future cost of constructing the public boulevard would be secured through the site plan approval process.

Traffic Impact, Access and Parking

A Transportation Statement dated March 2013 and prepared by Tedesco Engineering, was submitted in support of the application. The transportation report indicates that the amount of vehicle traffic generated by the proposed residential development can be accommodated on the surrounding road network without any negative level-of-service or operational impacts. In addition, the City's Traffic Operations Section has advised that no level-of-service and/or operational complaints have been received regarding the existing operation of the Royal York Road/Drummond Street unsignalized intersection. Based on the foregoing, no road and/or operational improvements are required to accommodate traffic generated from this proposal. Transportation Services staff have reviewed and concur with the report findings.

The site currently provides four full-movement driveways onto Royal York Road and one full-movement driveway to Drummond Street. The existing driveways to Royal York Road would be eliminated and replaced with a reconstructed municipal boulevard that includes sod and a raised curb. The existing Drummond Street driveway would be relocated to the east and constructed as a new full-movement driveway and is to align with the existing driveway from the No Frills supermarket on the south side of Drummond Street.

The proposed development includes a one level underground parking garage. Parking for residents and visitors would be located in the underground garage, with the exception of five surface parking spaces for visitors along the driveway accessing Drummond Street.

The parking garage would also house 63 bicycle parking spaces for residents. The 18 visitor bicycle parking spaces would be located at grade.

Servicing

A Functional Servicing Report was submitted in support of the application. The report indicated there is sufficient servicing capacity to service the proposed development. The servicing report was reviewed and accepted by Engineering and Construction Services staff.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0-0.42 ha of parkland per 1,000 people. The site is in the lowest quintile of current provision of parkland. The site is in a parkland priority area.

The application proposes 104 residential units on a site area of approximately 0.77 ha. At the alternative rate of 0.4 ha per 300 units, parkland levies would equal 0.15 ha or 19% of the residential site area. By-law 1020-2010 states that sites with an area of less than 1 ha are subject to a cap of 10%. Therefore the total parkland dedication required is 0.077 ha (770 m²).

The applicant proposes to satisfy the parkland dedication requirement by cash-in-lieu. Parks, Forestry and Recreation staff advise that this is appropriate as the site is in proximity to Stanley Avenue Park and Mimico Memorial Park. In addition, the amount of underground infrastructure involved in the project would make it difficult to provide an unencumbered park. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit by Facilities and Real Estate staff.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS. The proposed draft Zoning By-law Amendment would secure performance measures for the following Tier 1 development features: Automobile Infrastructure and Cycling Infrastructure. Other applicable TGS performance measures would be secured through the site plan approval process.

Section 37

The revised application proposes a total gross floor area of 9,656 m^2 which is below the minimum threshold of 10,000 m^2 noted in the Official Plan for consideration of a community benefit contribution under Section 37 of the *Planning Act*.

Tenure

The development is proposed to be a standard condominium. The applicant will be required to submit an application for condominium approval.

Rental Housing

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 submitted a Rental Housing Demolition and Conversion Declaration and accompanying letter indicating that only 3 rental housing dwellings/units exist on the development lands. Staff reviewed and accepted the submitted material and concluded that no further action was required.

Heritage Preservation

The development site is adjacent to a listed heritage building at 12 Drummond Street. Due to the proximity of Blocks 4 and 5 to the heritage building, a Heritage Impact Assessment was submitted with the application. The objective of the report was to provide commentary on whether the proposed development would negatively impact the continued use and/or reuse of the heritage building. Heritage Preservation Services staff have reviewed the report and have no concerns with the findings which conclude that the proposed development would not impact the heritage building.

The site is also located in the Mimico Historic Settlement Centre as determined by the Archaeological Master Plan. Stage 1 and 2 Archaeological Assessments are required to be submitted and will be reviewed as part of the site plan application.

Conclusion

The application as revised proposes to amend the Zoning By-law to permit a residential development consisting of 104 stacked townhouse units. The site is designated *Mixed Use Areas* which provides for the proposed residential use. The density, height and massing of the development and proposed layout of the site conform to the policies of the Official Plan and, subject to specific noise mitigation measures set out in the draft Zoning By-law Amendment, would meet the Ministry of Environment NPC-300 guidelines with

respect to noise impacts from surrounding land uses. It is recommended that the application to amend the Zoning By-law be approved.

CONTACT

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SIGNATURE

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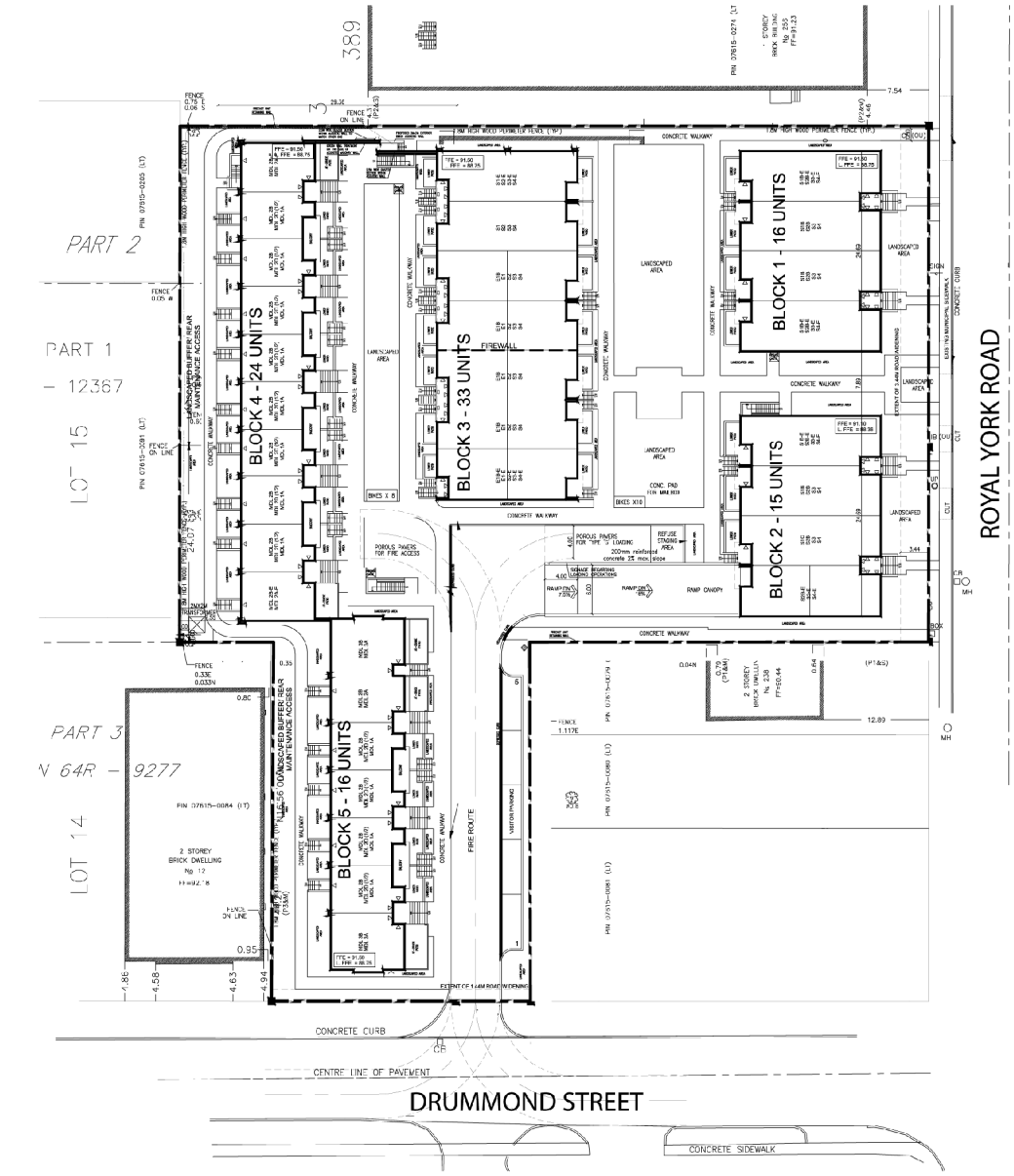
Neil Cresswell, MCIP, RPP
Director, Community Planning
Etobicoke York District

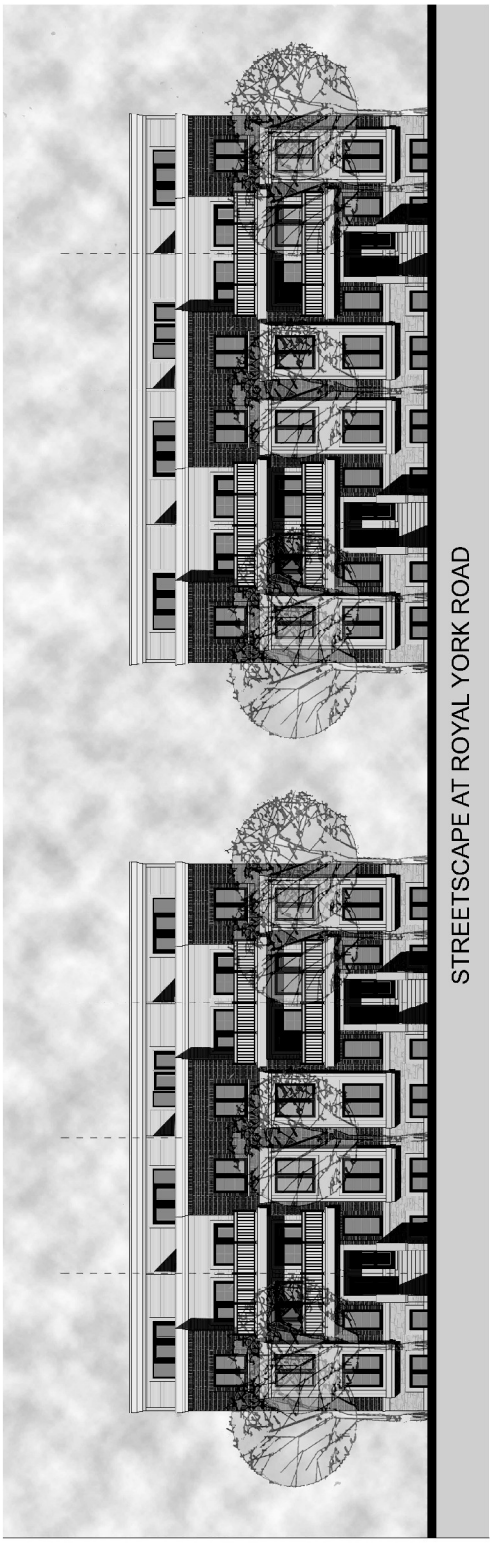
ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Official Plan
Attachment 4: Zoning
Attachment 5: Application Data Sheet
Attachment 6: Draft Zoning By-law Amendment

Attachment 1: Site Plan



Attachment 2: Elevations (Royal York Road)



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

Elevations

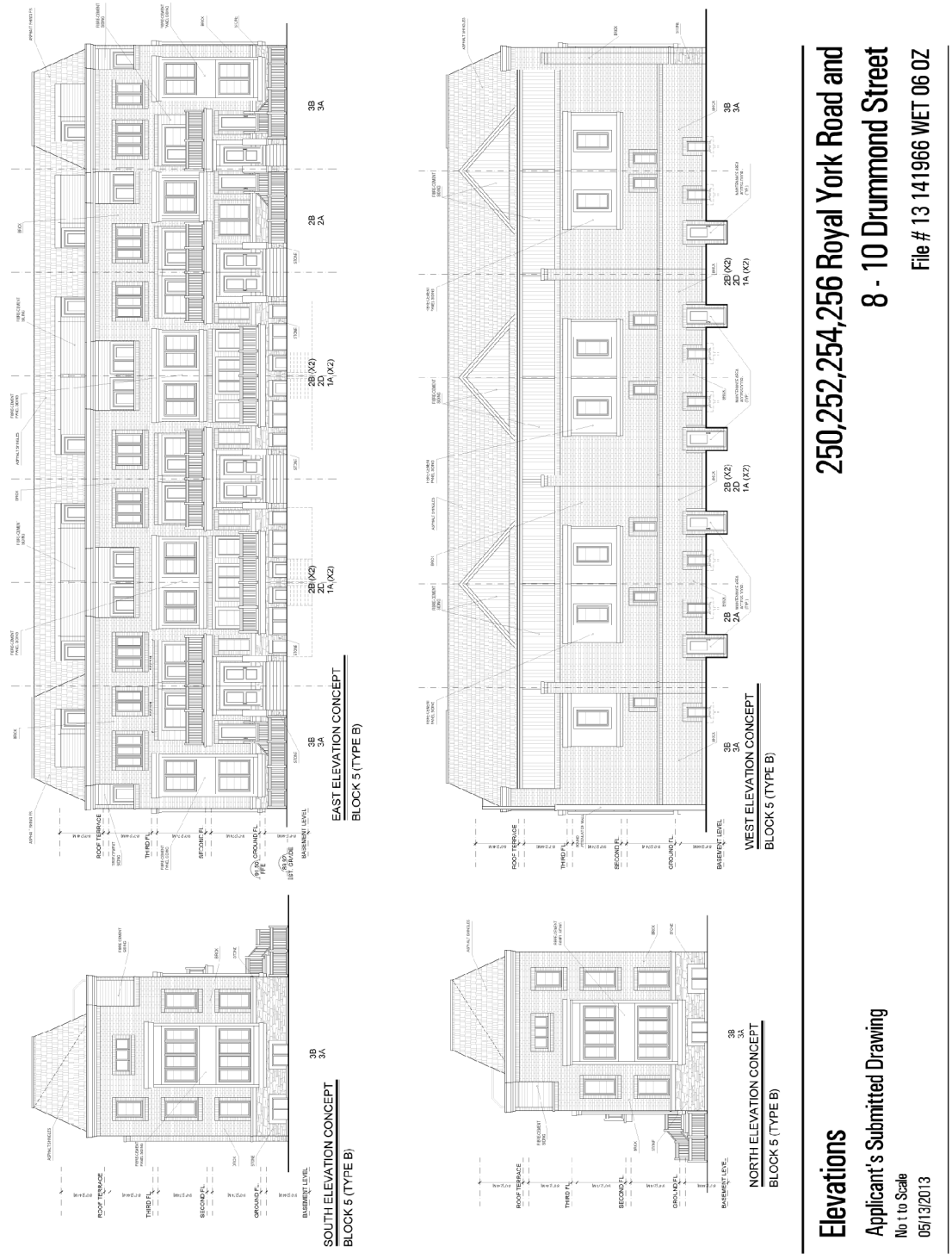
Applicant's Submitted Drawing

No t to Scale
05/13/2013

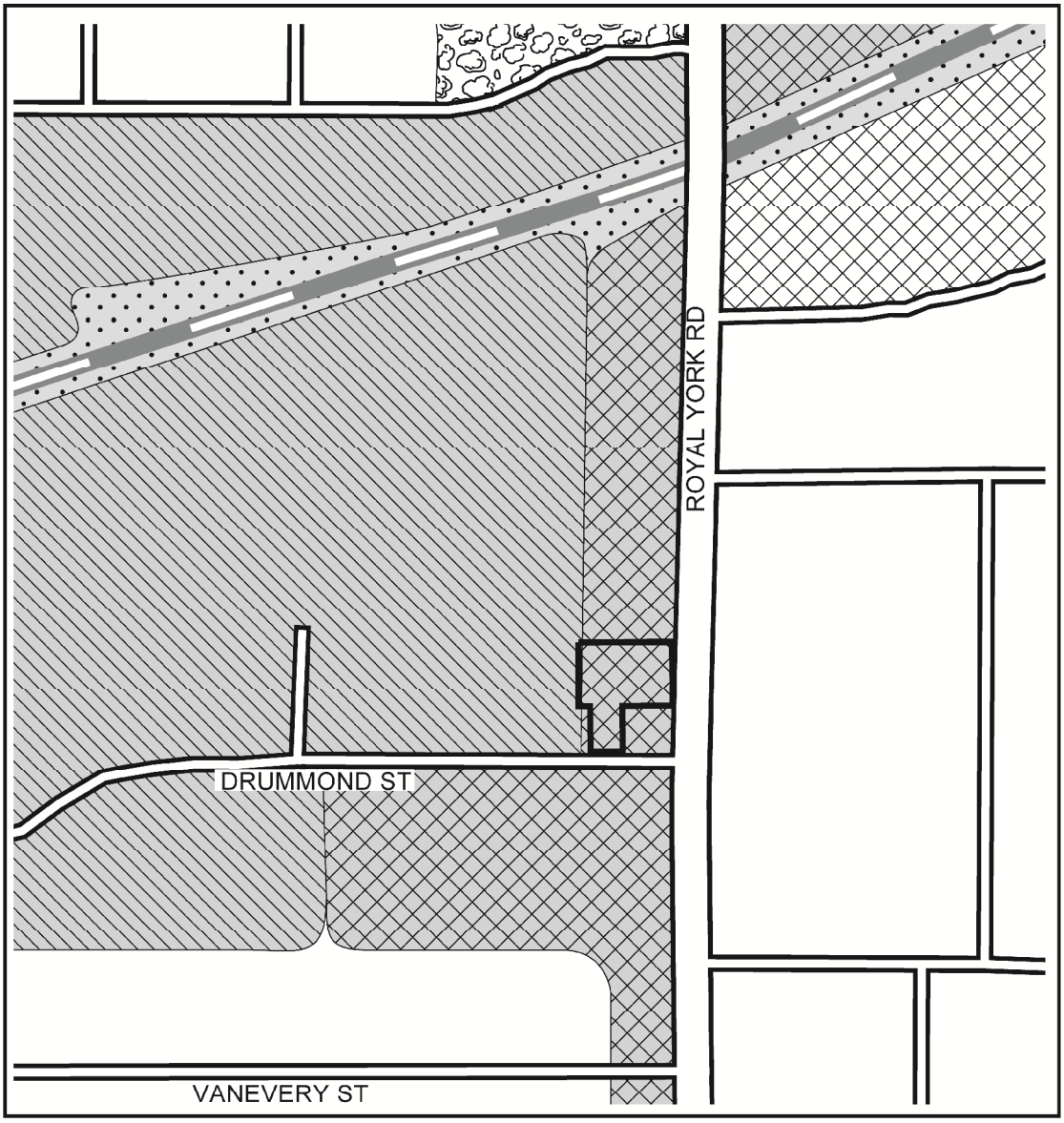
Attachment 2: Elevations (Block 3 - Typical)



Attachment 2: Elevations (Block 5)



Attachment 3: Official Plan



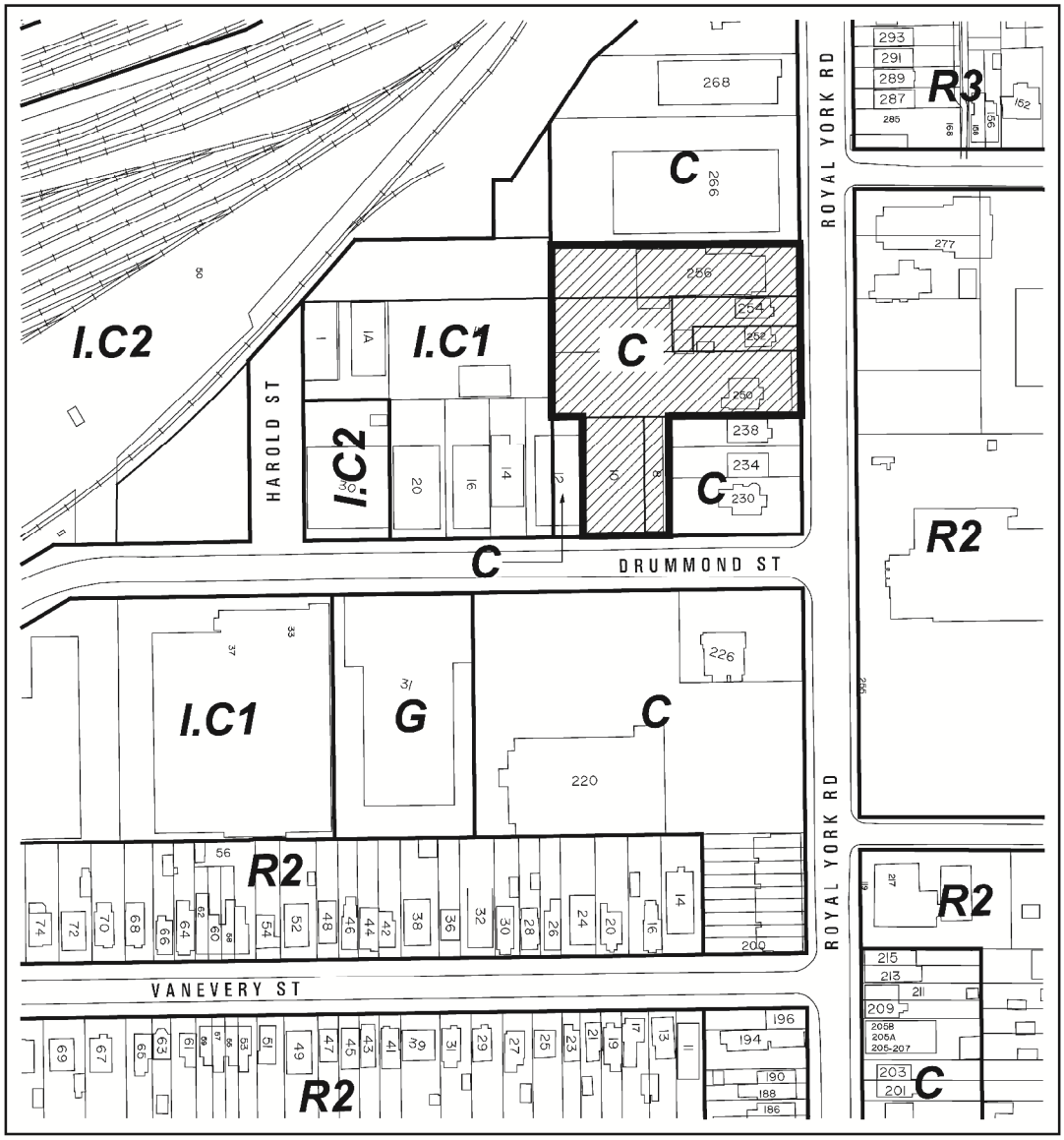
TORONTO City Planning
Official Plan

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

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

Not to Scale
05/14/2013

Attachment 4: Zoning



TORONTO City Planning
Zoning

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

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 5: Application Data Sheet

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

Municipal Address:	250, 252, 254 AND 256 ROYAL YORK RD AND 8 & 10 DRUMMOND STREET
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 104 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:	n/a
Zoning:	C	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
Depth (m):	63.43			
Total Ground Floor Area (sq. m):	2615			**Total**
Total Residential GFA (sq. m):	9656		Parking Spaces:	127
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	9656			
Lot Coverage Ratio (%):	36			
Floor Space Index:	1.34			

DWELLING UNITS

Tenure Type:	Freehold
Rooms:	0
Bachelor:	0
1 Bedroom:	22
2 Bedroom:	77
3 + Bedroom:	5
Total Units:	104

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	**Below Grade**
Residential GFA (sq. m):	9656	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, Senior Planner**
	TELEPHONE:	**(416) 394-6007**

Attachment 6: Draft Zoning By-law Amendment

Authority: Etobicoke York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~
Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

To technically amend Zoning By-law No. 569-2013, as amended, with respect to the removal of lands from the By-law 569-2013 that meet Transition Clause 2.1.3
and
To amend Chapters 340 and 342 of the Etobicoke Zoning Code with respect to lands, municipally known as 250, 252, 254 and 256 Royal York Road and 8 and 10 Drummond Street

WHEREAS, Council of the City of Toronto has the authority to Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

WHEREAS, Council of the City Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*; and

The Council of the City of Toronto HEREBY ENACTS as follows:

1. In accordance with the City of Toronto Transition Protocol, By-law 569-2013 is amended to remove the lands, as outlined by a thick black line on Schedule "A".

2. That the Zoning Map referred to in Section 340-5, Article II of the Etobicoke Zoning Code, originally attached to the Township of Etobicoke Zoning Code, be and the same is hereby amended by changing the classification of the lands located in the former Town of Mimico as described in Schedule "A" annexed hereto from Commercial (C) to Fourth Density Residential (R4), provided that the provisions in this By-Law shall apply to the lands identified in Schedule "A" attached hereto.

3. Definitions

   The provisions of Section 304-3 Definitions of the Zoning Code shall apply unless inconsistent with the provisions of this By-law. For the purposes of this By-law:

   (a) *townhouse dwelling units* shall mean multiple dwellings consisting of a series of attached dwelling units, which may be attached horizontally and or vertically, each having a direct access from the outside;

(b) *grade* shall mean 89.92 metres Canadian Geodetic Datum;

(c) *height* shall mean the perpendicular distance measured from the *grade* to the highest point of the main roof of a block;

(d) *building envelope* shall mean the building area permitted within the setbacks established on attached Schedule "B";

(e) *lot* shall mean the lands described in Schedule "A" attached hereto;

(f) *outdoor amenity space* shall mean an area within a *lot* which is provided for the exclusive use of residents of a building for recreational or social purposes and may include private balconies, roof terraces and patios;

(g) *acoustic barrier* shall mean a noise control measure such as a wall;

(h) *frontage* shall be considered Royal York Road;

(i) *flankage* shall be considered and Drummond Street;

(j) Each word or expression that is *italicized* in the By-law herein shall have the same meaning as each word or expression as defined.

4. Notwithstanding Sections 340-16, 340-17, 340-21, 340-28, 340-29, 340-30, 340-32B(2)(a) and 340-35 of the Etobicoke Zoning Code, the following development standards and uses shall be applicable to the Fourth Density Residential (R4) lands described in Schedule ‘A’ attached hereto.

5. Permitted Uses

No buildings or structures shall be erected or used on the *lot*, except for the following uses:

(a) *Townhouse dwelling units*;

(b) Temporary Sales Office such as a building, structure, facility or trailer on the *lot* used for the purpose of marketing and sales of the *townhouse dwelling units* to be erected on the *lot*; and

(c) Accessory uses and structures including access driveways, underground parking garages, bicycle storage facilities, television antennae; canopies and associated supporting walls, landscape features, exterior stairs, stair enclosures, community mailboxes, waste collection chutes, transformers,

ventilation shafts, central air conditioning units and *acoustic barriers*.

Development Standards

6. A maximum of 104 *townhouse dwelling units* shall be permitted.

7. No portion of any above-grade building or structure erected or used on the *lot* shall extend beyond the building envelope delineated by the heavy lines on Schedule "B" attached to and forming part of this by-law, except for the following:

   (a) terraces, access stairs to terraces, uncovered steps to grade and patios, balconies, covered and uncovered porches having a maximum projection of 4.0 metres from any exterior wall of a building provided they are located a minimum of 1.0 metres from any *lot* line;

   (b) underground garage ramps and structures, access stairs and railings to underground parking, underground vents, retaining walls, transformers, community mailboxes, garbage staging areas, and waste collection chutes;

   (c) eaves, bay windows, pilasters, window boxes or other projections extending a maximum of 0.8 metres from any exterior main wall of a building provided they are located a minimum of 1.0 metre from any *lot* line;

   (d) fences to a maximum *height* of 1.8 metres; and

   (e) *acoustic barriers* to a maximum *height* of 13.5 metres from *grade* shall be provided as shown on Schedule "B", attached hereto.

8. The total maximum permitted gross floor area on the *lot* excluding accessory uses shall be 9,760 square metres.

9. A minimum of 35% of the *lot* shown on Schedule "A" must be landscaped open space.

10. A minimum of 2.0 square metres of *outdoor amenity space* per dwelling unit must be provided in a location adjoining to or directly accessible from each dwelling unit.

11. No building shall exceed a maximum *height* of 15.0 metres.

12. Notwithstanding Section 340-31B(2)(a) of the Zoning Code, parking spaces must be provided in accordance with the following minimum ratios:

    (a) 0.80 stalls per dwelling unit for bachelor dwelling units;
    (b) 0.90 stalls per dwelling unit for one-bedroom dwelling units;
    (c) 1.00 stalls per dwelling unit for two-bedroom dwelling units;
    (d) 1.20 stalls per dwelling unit for three-bedroom dwelling units; and
    (e) 0.20 stalls per dwelling unit for visitor parking.

13. All resident parking spaces must be located underground.

14. A maximum of 5 visitor parking spaces must be provided above-grade and exclusively designated for use by visitors.

15. A minimum of 63 bicycle parking spaces must be provided within the underground parking garage.

16. A minimum of 18 bicycle parking spaces must be provided above-grade.

17. A minimum of one loading space must be provided with a minimum dimension of 13.0 metres in length by 4.0 metres in width.

18. Central air conditioning units shall be permitted, not less than 2.0 metres from all *lot* lines.

19. A Temporary Sales Office shall be exempt from the provisions of the Etobicoke Zoning Code and the provisions of this By-law.

20. In addition to the uses permitted under this By-law, a trailer and/or construction trailer is permitted without restriction during the development of the *lot*.

21. Where the provisions of this By-law conflict with the provisions of the Etobicoke Zoning Code, the provisions of this By-law shall apply.

22. Notwithstanding any existing or future severance, partition or division of the lands, the provisions of this by-law shall apply to the whole of the lands as if no severance, partition or division occurred.

23. Within the lands shown on Schedule "A" attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the *lot* line and the following provisions are complied with:

(a) All water mains and sanitary sewers and appropriate appurtenances have been installed and are operational.

24. Chapter 342, Site Specifics, of the Etobicoke Zoning Code, is hereby amended to include reference to this By-law by adding the following to Section 342-1, Table of Site Specific By-laws:

BY-LAW NUMBER AND ADOPTION DATE	**DESCRIPTION OF PROPERTY**	**PURPOSE OF BY-LAW**
XXXX-2014 _____, 2014	Lands located on the west side of Royal York Road and the north side of Drummond Street, municipally known as 250, 252, 254 and 256 Royal York Road and 8 and 10 Drummond Street.	To rezone the lands from Commercial (C) to Residential Fourth Density Residential (R4) to permit townhouse dwelling units, subject to site specific development standards.

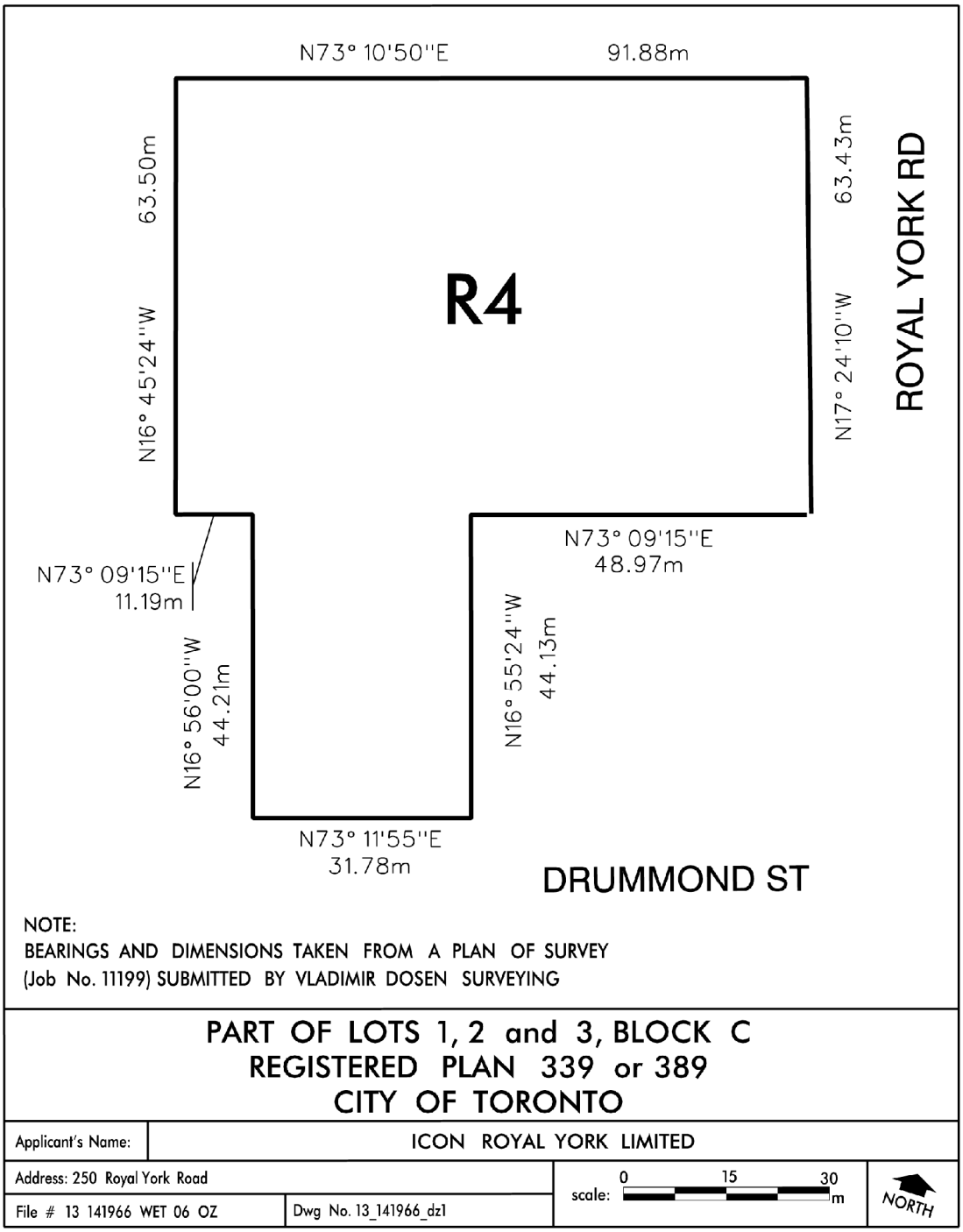
ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal);

TORONTO Schedule 'A' BY–LAW



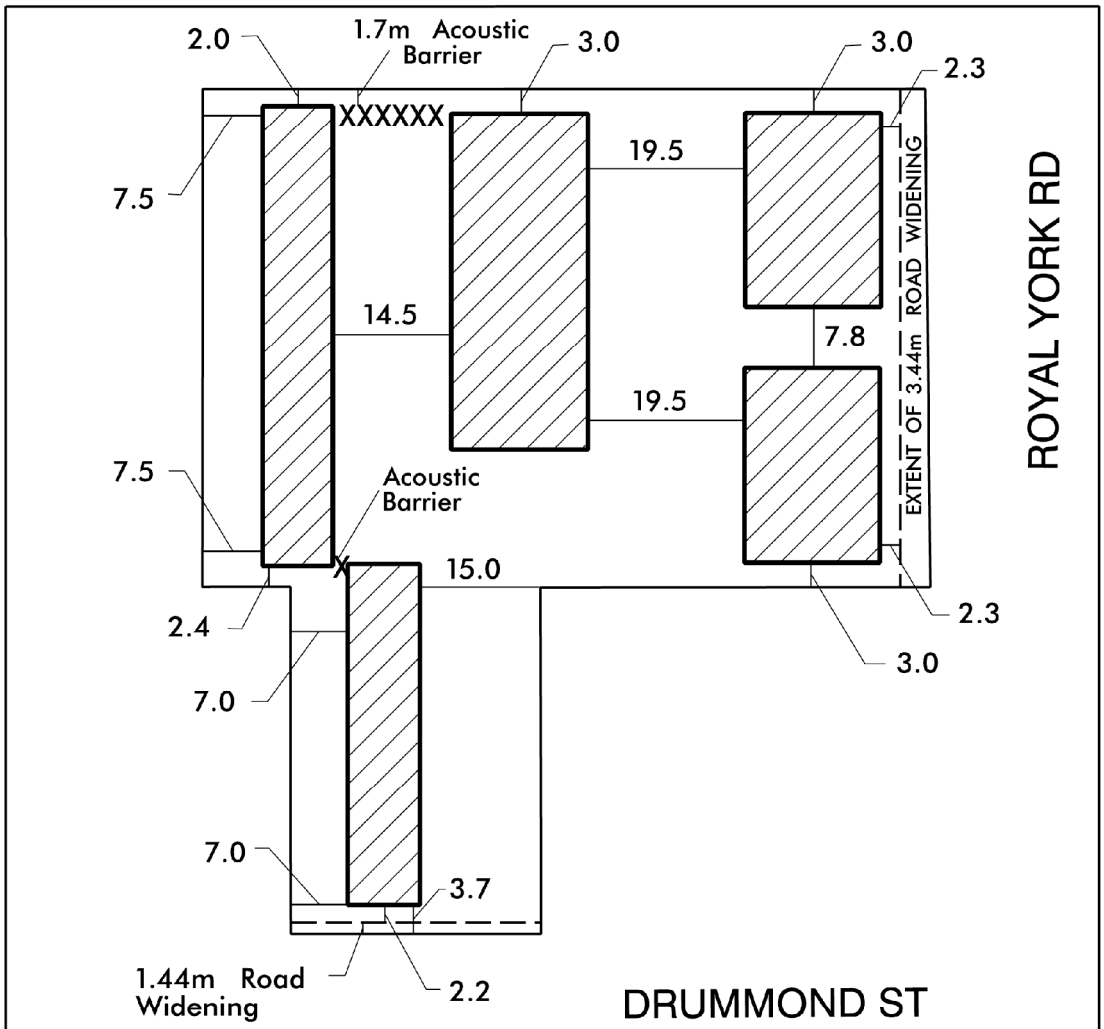
NOTE:
BEARINGS AND DIMENSIONS TAKEN FROM A PLAN OF SURVEY
(Job No. 11199) SUBMITTED BY VLADIMIR DOSEN SURVEYING

PART OF LOTS 1, 2 and 3, BLOCK C
REGISTERED PLAN 339 or 389
CITY OF TORONTO

Applicant's Name:	ICON ROYAL YORK LIMITED
Address: 250 Royal York Road	scale: 0 15 30 m
File # 13 141966 WET 06 OZ	Dwg No. 13_141966_dz1

NORTH

TORONTO Schedule 'B' BY–LAW



PART OF LOTS 1, 2 and 3, BLOCK C
REGISTERED PLAN 339 or 389
CITY OF TORONTO

Applicant's Name:	ICON ROYAL YORK LIMITED
Address: 250–256 Royal York Road & 8–10 Drummond Street	scale: 0 15 30 m
File # 13 141966 WET 06 OZ	Dwg No. 13_141966_dz2

NORTH