

STAFF REPORT ACTION REQUIRED

386-394 Symington Avenue, 485 Perth Avenue and 17 Kingsley Avenue - Official Plan and Zoning By-law Amendment Application - Preliminary Report

Date:	April 22, 2016			
To:	Etobicoke York Community Council			
From:	Director, Community Planning, Etobicoke York District			
Wards:	Ward 17 – Davenport			
Reference Number:	15 238678 WET 17 OZ			

SUMMARY

This application proposes an Official Plan and Zoning By-law Amendment to permit a mixed-use development with a total of 372 units comprised of two 17-storey mixed use buildings and two 3-storey townhouse blocks at 386-394 Symington Avenue, 485 Perth Avenue and 17 Kingsley Avenue. The application proposes $395m^2$ of non-residential space, including a daycare facility in the ground floor of one of the apartment buildings. Vehicle access to the property is proposed from Perth Avenue and a total of 392 parking spaces are proposed, largely underground.

This report provides preliminary information on the above-noted application and seeks Community Council's direction 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 2016. A Final Report and statutory public meeting under the *Planning Act* to consider the application is targeted for the fourth quarter of 2016. This target assumes the applicant will provide all required information in a timely matter.



RECOMMENDATIONS

The City Planning Division recommends that:

- 1. Staff be directed to schedule a community consultation meeting for the lands at 386-394 Symington Avenue, 485 Perth Avenue and 17 Kingsley Avenue 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

At its meeting of December 16, 17 and 18, 2013, City Council adopted Official Plan Amendment No. 231 to amend the Official Plan of the City of Toronto with respect to the Economic Health Policies and the Policies, Designations and Mapping for *Employment Areas*. This amendment proposes to redesignate the properties known municipally as 386-394 Symington Avenue, 485 Perth Avenue and 17 Kingsley Avenue from *Employment Areas* to *Neighbourhoods*.

Official Plan Amendment (OPA) No. 231 was approved, with minor modifications, by the Minister of Municipal Affairs and Housing on July 29, 2014. The Minister's decision was appealed to the Ontario Municipal Board (OMB). On June 22, 2015 the OMB issued an order partially approving OPA 231. The partial approval brings into effect the redesignation of sites from *Employment Areas* to other land use designations, as well as a number of other Official Plan policies. The property owner of 386-394 Symington Avenue, 485 Perth Avenue and 17 Kingsley Avenue has appealed OPA 231, including Site and Area Specific Policy No. 438, which requires residential uses at the subject site to be setback 30 metres from the rail corridor. An OMB hearing has not yet been scheduled to address site specific appeals.

Planning and Growth Management Committee at its meeting of January 20, 2016 considered a Preliminary Report on the Official Plan and Zoning By-law Amendment Application for the proposed development at 386-394 Symington Avenue, 485 Perth Avenue and 17 Kingsley Avenue. Planning and Growth Management committee referred the item to the Chief Planner and Executive Director, City Planning for further discussion with the applicant, on the understanding that, in the event that a settlement is reached or the applicant withdraws its appeal of Official Plan Amendment No. 231 so that the conversion of these employment lands adopted by Council at its meeting of December 2013 come into effect, in

accordance with Chapter 27 of the Municipal Code and Council adopted guidelines, the Chief Planner and Executive Director, City Planning may submit a report on this application for consideration by the Etobicoke York Community Council.

On April 1, 2016 the owner withdrew the appeal of OPA 231 as it related to 386-394 Symington Avenue, 485 Perth Avenue and 17 Kingsley Avenue.

Pre-Application Consultation

A pre-application consultation meeting was held with the applicant on March 26, 2015 to discuss complete application submission requirements.

ISSUE BACKGROUND

Proposal

The proposal is to redevelop the site with a mixed-use development comprised of two 17-storey apartment buildings and two townhouse blocks (see Attachment 1: Site Plan). The total gross floor area of the proposed development would be approximately 29,845 m², representing a density of approximately 3.89 times the lot area. There would be approximately 395 m² of non-residential gross floor area and 29,451m² of residential gross floor area. The proposed non-residential uses would be located on the ground floor of the apartment buildings and would include: a retail store; office and service; rental or repair shop; personal grooming establishment; and restaurants. Daycare space located within the mixed use building along Perth Avenue is also proposed.

A total of 372 residential units are proposed with a unit mix of: 299 one-bedroom units (80%); 57 two-bedroom units (15%); and 16 three-bedroom units (4%).

A private driveway is proposed off Perth Avenue that would provide vehicular access to the site and underground parking. Pedestrian access would be provided by way of sidewalks along the driveway and an east west mid-block pathway connecting directly to Symington Avenue and Perth Avenue.

A total of 392 parking spaces are proposed to service the development with 338 parking spaces for owner/occupants and 54 parking spaces for visitors. Parking for the proposed development would be located in a below grade garage with the exception of the townhouses fronting Kingsley Avenue, which would be provided in integral garages. Six surface visitor parking spaces would be provided on the private driveway.

A total of 323 bicycle parking spaces would be provided, consisting of 289 resident spaces and 34 visitor spaces, at grade and on parking level P1.

The two townhouse blocks are proposed on the northern portion of the site, with one townhouse block fronting Kingsley Avenue and the other block fronting the north leg of the private driveway. These blocks would be three storeys in height (approximately 9.25m), have

an approximate residential gross floor area of 677m² and would each contain 8 units. Parking for the townhouse units fronting Kingsley Avenue would be in integral garages for each unit whereas the parking for the townhouse units fronting the private driveway would be located in the below grade garage. The two 17 storey mixed use buildings would be located on the southern portion of the site and would be set back 30 metres from the rail corridor to the south.

The 17-storey building proposed to front Symington Avenue would have an approximate gross floor area of 14,015m² (13,832 m²of residential gross floor area and 183 m²of non-residential gross floor area) and a total of 174 residential units. The building would have a 3-storey base and a 14-storey tower element, with an overall height of 56.7 metres, including the mechanical penthouse. The tower element of the proposed building would be stepped back on the north side of the building which is adjacent to the low rise housing, at the fourth storey by 3 metres and at the fifteenth storey by an additional 3 metres. The tower element would also be stepped back along the Symington Avenue frontage (east side) at the fourth storey by 1.5 metres and at 15 storeys by an additional 1.5 metres. The floor plate for this proposed building would be: 817m² for storeys 4 through 15; and 763m² for the sixteenth and seventeenth storeys.

The second 17-storey building would front Perth Avenue and have an approximate total gross floor area of 13,776 m² (13,563 m²of residential gross floor area and 213 m²of non-residential gross floor area) and a total of 182 residential units. The proposed building is L-shaped with a 3-storey base and a 14-storey tower and would have an overall height of 56.7 metres, including the mechanical penthouse. The 3-storey base is proposed to have distinct design elements in order to distinguish the base from the tower element of the building. Above the base building, floors 4 through 15 would have a floor plate size of approximately 831 m². The 16th and 17th floors are stepped back approximately 9.5 metres on the north side, resulting in a floor plate of approximately 658 m².

A total of approximately 709m² of indoor amenity space (1.9 m² per unit) would be provided for the development. The indoor amenity space would be provided on the ground floor of the two apartment buildings. There is 1,440 m² (3.9 m² per unit) of at grade outdoor amenity space proposed for the development. The building fronting Symington Avenue would have approximately 337 m² of indoor space with direct access to approximately 432 m² of outdoor amenity space, and the building fronting Perth Avenue would have approximately 372 m² of indoor amenity space and approximately 1,008 m² of outdoor amenity space

Site and Surrounding Area

The site is located on the west side of Symington Avenue, just north of the Canadian Pacific Railway corridor, between Davenport Road and Dupont Street. The site is irregularly shaped, with frontages on Symington Avenue (approximately 78 metres), Kingsley Avenue (approximately 45 metres) and Perth Avenue (approximately 96 metres). The site area is approximately 7,679m².

The site was previously used for industrial purposes and in 2009, the industrial buildings on the site were demolished. For the most part the site is vacant, with the exception of an area

along the Perth Avenue frontage which is being used for outside storage of construction materials.

The site is flat, however the Symington Avenue frontage contains a retaining wall approximately 1.8 to 2.4 metres in height, as Symington Avenue slopes down toward the CP Rail overpass.

Surrounding land uses include:

North: To the north is a low rise neighbourhood that includes single detached and semidetached buildings.

South: To the immediate south is the CP Rail corridor. To the south of the rail corridor is Symington Avenue Playground and a low rise residential neighbourhood.

East: To the immediate east and fronting Symington Avenue, north of Adrian Avenue, are two storey semi-detached homes. South of Adrian Avenue is a one to two storey commercial industrial building.

West: On the west side of Perth Avenue, is St. John the Evangelist Catholic Elementary School and the Ecole Elementaire Charles-Sauriol. Further northwest is Pelham Avenue Playground and a low rise residential neighbourhood that includes single detached and semi-detached buildings.

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 objectives include: building strong, healthy communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The site is designated by the Toronto Official Plan (Map 17) as *Neighbourhoods* (see Attachment 3).

Official Plan Amendment No. 231 (OPA 231) was adopted by City Council on December 18, 2013 and contains new economic policies and new policies and designations for *Employment Areas* as part of the Official Plan and Municipal Comprehensive Reviews. OPA 231 was forwarded to the Minister of Municipal Affairs and Housing for approval on January 2, 2014 and on July 9, 2014, the Ministry issued a Notice of Decision approving OPA 231 with modifications, none of which directly affect the subject site. OPA 231 was appealed to the Ontario Municipal Board on behalf of numerous parties including the applicant and, accordingly, is not in force as it applies to the subject site. Portions of OPA 231 which were not in dispute were approved by the Ontario Municipal Board on June 22, 2015.

OPA 231 redesignated the block bounded by Symington Avenue, the CP Rail line, Perth Avenue and Kingsley Avenue (which includes the subject site) from *Employment Areas* to *Neighbourhoods*. The *Neighbourhoods* land use designation, among other matters, would limit the maximum building heights to four storeys on the subject site. As well, OPA 231 introduced Site and Area Specific Policy No. 438 (SASP 438) applying to the subject site, which states that "residential uses are permitted provided a 30 metre setback from the rail corridor property line is provided".

Symington Avenue is identified as a Major Street on Map 3 of the Official Plan and is identified as having a right-of-way of 20 metres.

This application will be reviewed against all the policies of the Official Plan including those in the "Public Realm", "Built Form" and "Public Art" sections of the Plan. The Official Plan is available at: http://www.toronto.ca/planning/official_plan/introduction/htm.

Compliance with other relevant policies of the Official Plan including community services, parks and transportation will also be addressed.

Zoning

The site is zoned I2 D2 by the former City of Toronto By-law 438-86, as amended, with a maximum height of 14.0 metres. The I2 D2 zoning permits a wide range of non-residential uses, including industrial, warehousing and manufacturing uses, as well as a limited range of service commercial uses, with a maximum non-residential density of 2.0 times the area of the lot.

The site is subject to permissive exceptions in Sections 12(1)277 and 12(1)307. Section 12(1)277 permits the use of the site as a rubber products factory, while Section 12(1)307 permits the use of a building or structure on the site provided that the same purpose or purposes were permitted on the site on July 20, 1993 and the building or structure was lawfully on the site and lawfully used in whole or in part for the same purpose or purposes on July 20, 1993.

The site is also subject to restrictive exceptions in Sections 12(2)236 and 12(2)270. Section 12(2)236 prohibits any automobile related uses on the site, while Section 12(2)270 limits retail and service commercial uses on a lot to 1,800 m² in addition to the retail and service

commercial floor area existing as of July 20, 1993, and limits the size of any individual retail or service commercial use to 8,000 m².

The City-wide Zoning By-law No. 569- 2013, zones the site as E 2.0 (x301), with a maximum height of 14.0 metres (see Attachment 4). The E (Employment) zoning would permit a range of non-residential uses, including manufacturing uses, offices, warehouses, service shops, artist studios, as well as resin, natural or synthetic rubber manufacturing. The E 2.0 zoning would allow a maximum density of 2.0 FSI.

Exception E 301 indicates that a drive through facility, vehicle fuel station, vehicle service shop, vehicle washing establishment, vehicle depot, vehicle repair shop and public parking are not permitted. The exception also indicates that Section 12(2)236 of Zoning By-law 438-86 prevails, as does Section 12(1)277 of Zoning By-law 438-86 as it applies to lands municipally known as 386 Symington Avenue. Zoning By-law 569-2013 is currently under appeal to the Ontario Municipal Board.

Site Plan Control

The proposed development is subject to Site Plan Control. An application for Site Plan approval has been submitted (Application No. 15 238680 WET 17 SA) and is being reviewed concurrently with the Official Plan and Zoning By-law Amendment application.

City-Wide Tall Building Design Guidelines

In May 2013, Toronto City Council adopted the updated City-wide Tall Building Design Guidelines and directed Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The City-wide Guidelines are available at http://www.toronto.ca/planning/tallbuildingdesign.htm

Urban Design Guidelines - Infill Townhouses

Council adopted Urban Design Guidelines for Infill Townhouses in January of 2003. The Guidelines are intended to assist private sector architects, planners and developers in designing infill townhouse developments. The Guidelines are also intended to assist City staff in their review of these types of development proposals. The Guidelines are used to review infill townhouse applications throughout the City, with the main objectives of maintaining appropriate location, building mass and organization of townhouses, minimizing impacts such as shadows and overlook, and enhancing the relationships between new housing and adjacent streets and open spaces. The Guidelines are intended to serve as a framework for reviewing development applications for intensification. The Urban Design Guidelines for Infill Townhouses will be applied in the evaluation of the proposal where appropriate.

Tree Preservation

This application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees by-law) and III (Private Tree by-law). The applicant has submitted an Arborist Report/Tree Preservation Plan, which is currently being reviewed by staff.

Tenure

The applicant has advised that the proposed 372 residential units would be condominium. A Draft Plan of Condominium application will be required in the future, should this development be approved.

Reasons for the Application

As the lands are currently designated *Employment Areas*, the proposal requires an amendment to the Official Plan to permit the proposed residential uses.

The proposed development will require an amendment to the former City of Toronto Zoning By-law No. 438-86, as well as to City-wide Zoning By-law No. 569-2013 to: permit the proposed residential uses; to increase the permitted height and density; and introduce appropriate standards regarding parking, bicycle parking, loading and residential amenity space. 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;
- Community Services and Facilities Review;
- Transportation Study;
- Functional Servicing Report;
- Noise Impact Study;
- Vibration Study;
- Toronto Green Standard Checklist and Template;
- Arborist Report;
- Shadow Study;
- Pedestrian Wind Condition; and
- Rail Safety Letter.

The outstanding material was submitted on November 16, 2015 and a Notification of Complete Application was subsequently issued on November 18, 2015.

Issues to be Resolved

Based on a preliminary review of the proposal, the below issues/concerns have been identified.

- consistency with the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe;
- conformity with all Official Plan policies;
- the appropriateness of an *Apartment Neighbourhoods* designation and the appropriateness of introducing two 17 storey apartment buildings in this lower scale area:
- conformity to the Design Guidelines for Infill Townhouses and the City-wide Tall Building Guidelines;
- parkland requirements;
- site layout, organization, form, scale, massing and density of the proposal;
- other built form and massing issues including, but not limited to: light penetration, shadowing, tower floor plate, setbacks, transition and wind mitigation;
- the provision of a mix unit types and community services strategies;
- provision and location of both indoor and outdoor amenity space;
- provision of appropriate mitigation measures to protect the proposed residential uses from any potential noise and vibration sources in compliance with the MOECC Guidelines;
- provision of appropriate mitigation measures to address the adjacent rail corridor, including building setbacks, berms and fencing;
- assessment of traffic and transportation impacts;
- opportunities to improve the Symington Avenue frontage by introducing active uses along the frontage and the elimination of portions of the retaining wall;
- resolution of any potential environmental issues, given the historic employment activities on this site;
- appropriate servicing infrastructure to support the proposed development;
- review of the Toronto Green Standard Checklist and Template for compliance with the Tier 1 performance measures; and
- identification and securing of public benefits pursuant to Section 37 of the *Planning Act* should the proposal be recommended for approval.

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

CONTACTS

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SIGNATURE

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

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2a: Elevations Townhouse-Front and Rear Elevations (Kingsley Avenue) Attachment 2b: Elevations Townhouse-Front and Rear Elevations (Private Street)

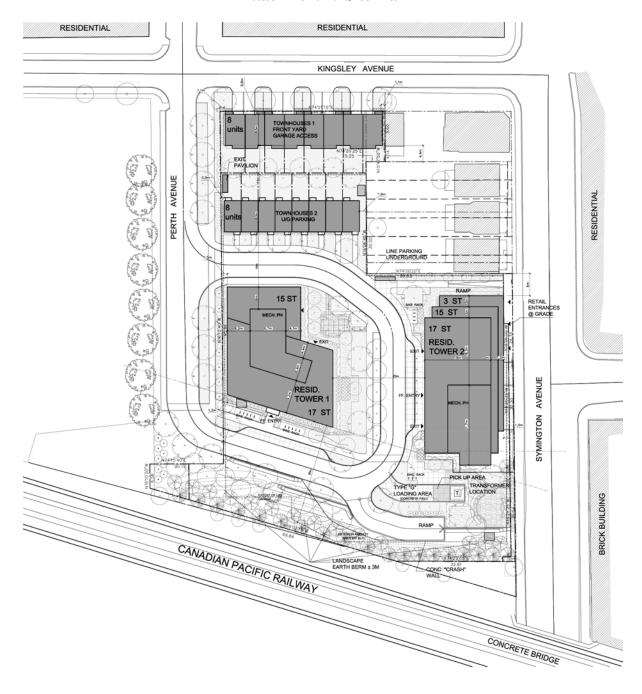
Attachment 2c: Elevations Apartment Buildings- North and East Elevations Attachment 2d: Elevations Apartment Buildings- South and West Elevations

Attachment 3: Official Plan

Attachment 4: Zoning

Attachment 5: Application Data Sheet

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

Not to Scale 11/24/15

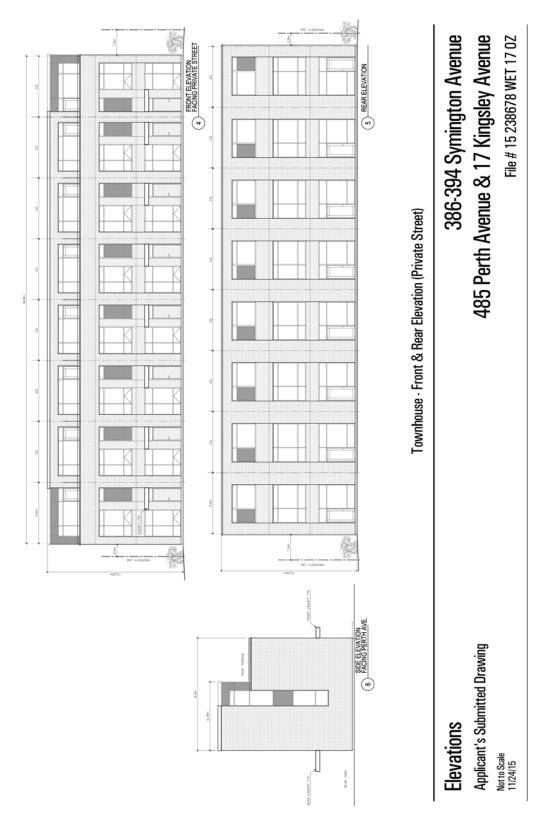
386-394 Symington Avenue 485 Perth Avenue & 17 Kingsley Avenue

File # 15 238678 WET 17 0Z

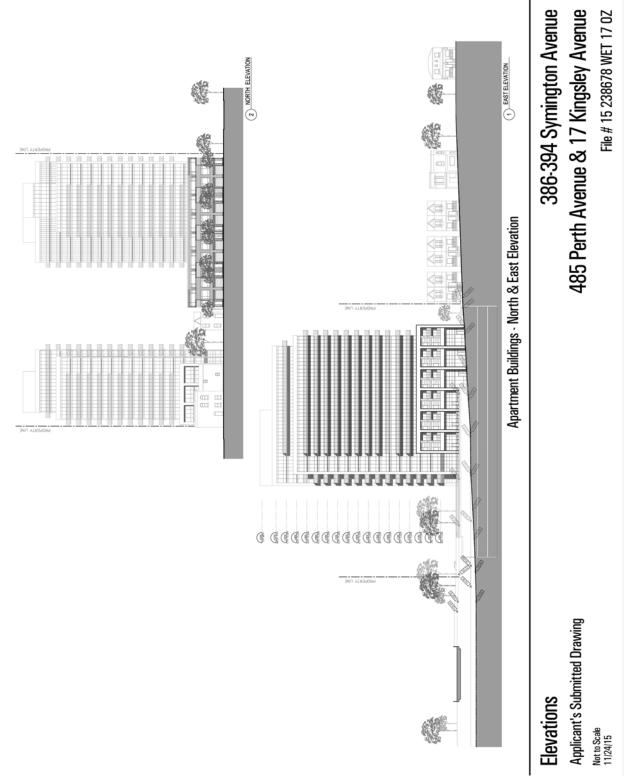
Attachment 2a: Elevations Townhouse-Front and Rear Elevations (Kingsley Avenue)



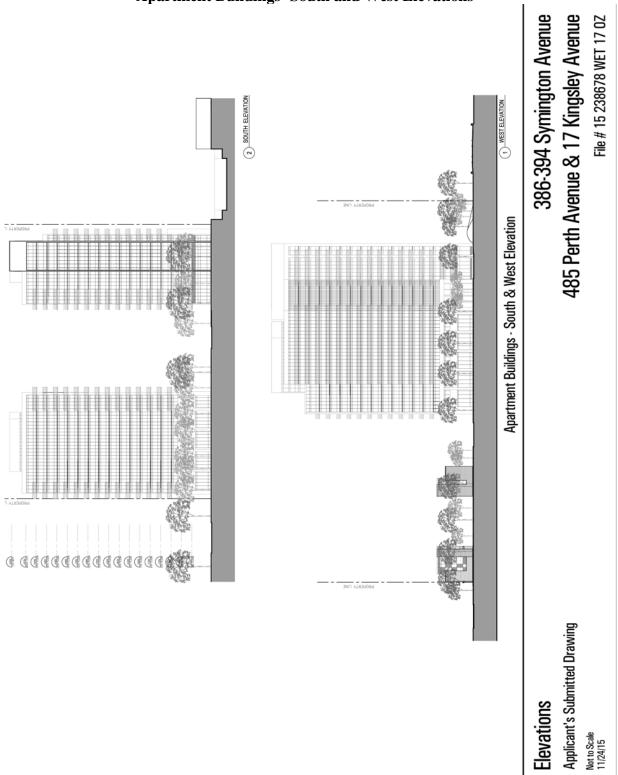
Attachment 2b: Elevations Townhouse-Front and Rear Elevations (Private Street)



Attachment 2c: Elevations Apartment Buildings- North and East Elevations



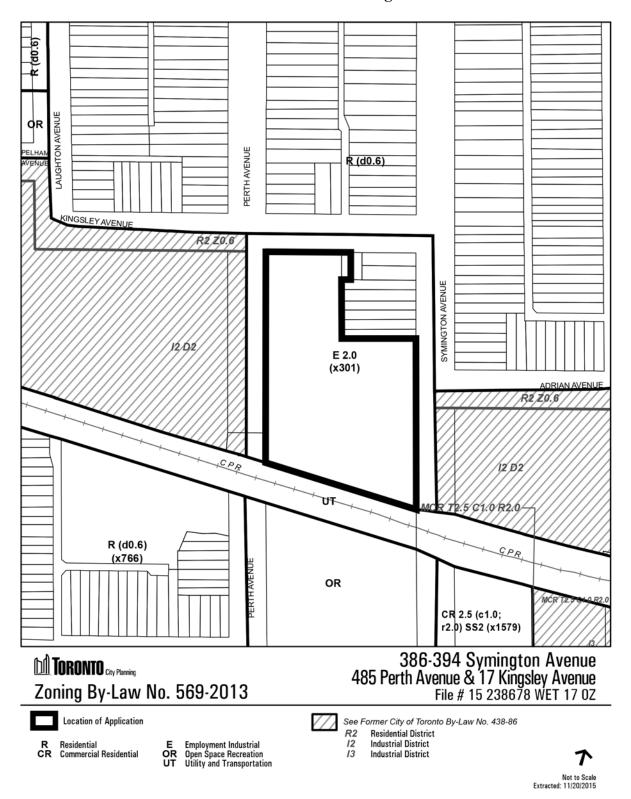
Attachment 2d: Elevations
Apartment Buildings- South and West Elevations



Attachment 3: Official Plan



Attachment 4: Zoning



Attachment 5: Application Data Sheet

Application Type Official Plan Amendment & Application Number: 15 238678 WET 17 OZ

Rezoning

Details OPA & Rezoning, Standard Application Date: October 16, 2015

Municipal Address: 386-394 SYMINGTON AVENUE, 485 PERTH AVENUE and 17 KINGSLEY AVENUE
Location Description: YORK CON 2 FTB PT LOT 33 AND PLAN 771 LOTS 1 TO 3 AND 14 TO 20 PT LOTS 4

AND 7 **GRID W1706

Project Description: A mixed-use residential development with a total of 372 units comprised of two 17-storey

mixed use buildings and two 3-storey townhouse blocks. A total of 395 m² of non-residential uses are proposed Below grade parking is proposed for all except the 8

Loading Docks

townhouse units fronting Kingsley Avenue.

Applicant: Agent: Architect: Owner:

YYZED PROJECT
MANAGEMENT
HOLDINGS LTD.
8888 Keele Street, Unit 1
Toronto, Ontario
L4K 2N2
THE SYMINGTON
HOLDINGS LTD.
72 Ashwarren Road
Toronto, Ontario
M3J 1Z6

PLANNING CONTROLS

Official Plan Designation: Neighbourhood Site Specific Provision: Section 12(1)277 and 307

Section 12 (2) 236 and 270

1

Zoning: I2 D2 Historical Status: N/A Height Limit (m): 14.0 Site Plan Control Area: YES

PROJECT INFORMATION

Site Area (sq. m): 7,678.6 Height: Storeys: 17
Frontage (m): Varies Metres: 56.7

Depth (m): Varies

Total Ground Floor Area (sq. m): 2,352 **Total**Total Residential GFA (sq. m): 29,450 Parking Spaces: 392

Total Non-Residential GFA (sq. m): 395
Total GFA (sq. m): 29,845
Lot Coverage Ratio (%): 31
Floor Space Index: 3.9

DWELLING UNITS FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		Above Grade	Below 6
Rooms:		Residential GFA (sq. m):	29,450	0
Bachelor:	0 (0%)	Retail GFA (sq. m):	182	0
1 Bedroom:	299 (80%)	Office GFA (sq. m):	0	0
2 Bedroom:	57 (15%)	Industrial GFA (sq. m):	0	0
3 + Bedroom:	16 (4%)	Institutional/Other GFA (sq. m):	212	0
Total Units:	372			

CONTACT: PLANNER NAME: Gregory Byrne, Senior Planner

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Grade