

25 Mabelle Avenue – Zoning By-law Amendment Application – Preliminary Report

Date: February 21, 2019

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Ward: 03 - Etobicoke-Lakeshore

Planning Application Number: 18 270817 WET 03 OZ

Notice of Complete Application Issued: January 21, 2019

Current Use(s) on Site: The site is currently occupied by a 30-storey residential rental apartment building located on the eastern portion of the subject property. The existing building has a total of 416 rental residential units. The western portion of the subject site is an open space area above the underground parking structure serving the existing building. There is a TTC easement on the southwest corner of the property.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application to amend the Zoning By-law for the property located at 25 Mabelle Avenue. Staff are currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting for the application with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 25 Mabelle Avenue together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

Application Description

This application proposes to amend the former City of Etobicoke Zoning Code and Site-Specific By-law No. 1088-2002 for the property at 25 Mabelle Avenue to develop a 55-storey mixed-use building, having retail uses at-grade and on the mezzanine level and 606 residential units, above the existing parking structure located on the western half of the subject site. The existing 30-storey rental residential building would remain on the eastern portion of the site. The site has a total area of approximately 10,685.61 m². The site area for the proposed development would be approximately 4,066 m².

The proposed building would consist of a 49-storey tower sited above a 6-storey base, including a mezzanine level as part of the first storey, and would have an overall building height of 169.5 m (exclusive of the mechanical equipment). The application proposes a total gross floor area of 39,776 m², of which 818 m² would be for non-residential uses and 38,958 m² would be residential uses. Of the proposed 606 residential units, only 30 units (5%) would be 3 bedroom units.

The proposed development would use the existing driveway from Mabelle Avenue for vehicular access and would provide 4 levels of below-grade parking containing 350 vehicular parking spaces. The proposed 350 vehicular parking spaces would be comprised of: 275 residential spaces, 60 visitor spaces, 7 car share spaces and 8 retail spaces. The driveway would be reconfigured to provide for a pick-up/drop-off area, 3 retail surface parking spaces and access to the loading space for both the proposed and existing buildings. However, the parking ramp for the existing rental building would be relocated from the west of the building to the east and would only serve the existing tenants. A total of 416 bicycle parking spaces would be provided - 290 spaces would be located on the ground floor and 126 spaces would be located within the below-grade garage.

The proposed tower floor plate ranges in size from 760 m² to 713 m². The application is proposing the following building setback and setbacks:

Rear of the Site (south property line):

- The base building would be setback 11 m;
- The 7th floor would be setback 22.6 m; and
- Above the 7th storey the remaining tower element would be setback 28 m.

West Property Line:

- The base building would be setback 7.5 m at the front and 10.7 m at the rear of the site;
- The 7th floor would be setback 10 m; and
- The remainder of the tower would be setback 12.1 m.

North Property Line:

- The base building would be setback 3 m;
- The 5th floor would be setback 13 m; and
- The tower element would be setback 18.2 m.

Inside the Site (separation between buildings):

- The separation between the proposed base building to the existing residential building would range between 20.8 m to 32 m; and
- The separation between the proposed tower to the existing residential building would be 32.2 m.

Detailed project information is found on the City's Application Information Centre at: <https://www.toronto.ca/city-government/planning-development/application-information-centre/>

Provincial Policy Statement and Provincial Plans

Land use planning in the Province of Ontario is a policy led system. Any decision of City Council related to this application is required to be consistent with the Provincial Policy Statement (2014) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: the Growth Plan for the Greater Golden Horseshoe (2017) and, where applicable, the Greenbelt Plan (2017). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

Toronto Official Plan Policies and Planning Studies

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location and built form compatibility of different land uses, and the provision of municipal services and facilities. Authority for the Official Plan derives from the *Planning Act* of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application. Toronto Official Plan policies may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The subject site is located on lands shown as a *Centre* on Map 2 of the Official Plan and *Mixed Use Areas* on Land Use Map # 15.

The site is also located within the Etobicoke Centre Secondary Plan and is designated *Mixed-Use Area "A"*.

Zoning By-laws

The site is zoned Etobicoke Centre 3 (EC3) by the former City of Etobicoke Zoning Code as amended by Site Specific Zoning By-law No. 1088-2002. The EC3 zone permits apartment houses and a limited range of commercial uses. The maximum building height permitted is 90 m and the maximum floor space index permitted is 3.5 times the area of the lot. A minimum 3 m setback from any face of the building wall at - grade is required for any portion of the building above the height of 12 m, and a further setback of 6 m is required commencing at a height of 12 m for any portion of the building above the height of 60 m.

The Zoning By-law requires a minimum of 25% of the site area to be reserved for landscaped open space and a minimum of 1.5 m² per dwelling unit of indoor amenity space is required. The Zoning By-law also provides a number of performance standards including minimum and maximum setbacks at grade and maximum tower floor plate sizes.

City-wide Zoning By-law 569-2013 does not apply to this site as a Site Specific Zoning By-law is in place.

Design Guidelines

The following design guideline(s) will be used in the evaluation of this application:

- Etobicoke Centre Urban Design Guidelines;
- City- Wide Tall Buildings Urban Design Guidelines;
- Growing Up: Planning for Children in New Vertical Communities;
- Bird Friendly Development Guidelines; and
- Percent for Public Art.

The City's Design Guidelines may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application has not been submitted.

COMMENTS

Reasons for the Application

Amendments to the former City of Etobicoke Zoning Code and Site Specific Zoning By-law No. 1088-2002 are required as the proposal does not comply with the existing performance standards with respect to: building height; total density; building setbacks; and number of vehicular parking spaces. An amendment is also required to establish appropriate development standards for the proposal.

ISSUES TO BE RESOLVED

The application has been circulated to City divisions and public agencies for comment. At this stage in the review, the following preliminary issues have been identified:

Provincial Policies and Plans Consistency/Conformity

The application will be evaluated against the *Planning Act* and applicable Provincial Plans to establish the application's consistency with the PPS and conformity with the Growth Plan.

Section 2 of the *Planning Act* sets out matters of provincial interest that City Council shall have regard to in making any decision under the *Planning Act*. Relevant matters of provincial interest are: (d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest; (j) the adequate provision of a full range of housing, including affordable housing; (p) the appropriate location of growth and development; (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians; and (r) the promotion of built form that is well designed, encourages a sense of place and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

The Provincial Policy Statement (PPS) contains policies related to managing and directing development. It requires that sufficient lands be made available for intensification and redevelopment, that planning authorities identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account, among other things, the existing building stocks or areas. While the PPS encourages intensification and efficient development, it recognizes that local context is important and that well-designed built form contributes to overall long-term economic prosperity. The PPS indicates that the Official Plan is the most important vehicle for implementing the PPS and planning authorities shall identify appropriate locations for intensification and redevelopment. Policy 4.8 states that zoning and development permit by-laws are important for implementation of the PPS and that planning authorities shall keep their zoning and development permit by-laws up-to-date with their Official Plan and the PPS.

The Growth Plan for the Greater Golden Horseshoe emphasizes the importance of complete communities where a range of housing options are to be provided; and that new development should provide high quality compact built form and an attractive and vibrant public realm. The Growth Plan provides municipalities the authority to define the location and nature of growth that will occur in intensification areas in a flexible manner suitable to the local context, while still meeting the overriding objectives of the Growth Plan.

The application will be evaluated against the policies and objectives of the *Planning Act*, Provincial Policy Statement and Growth Plan, especially in regards to the promotion of well-designed built form, housing options, the conservation of features of significant archaeological interest and whether the proposal complies with the municipal direction for growth.

Official Plan Conformity

The proposal will be reviewed for its conformity with the policies of both the Official Plan and the Etobicoke Centre Secondary Plan.

Built Form, Planned and Built Context

The proposal will be assessed to determine the suitability of the proposed height and massing and other built form issues based on the City's Official Plan, the Etobicoke Centre Secondary Plan policies and Council adopted urban design guidelines. An evaluation will be made to determine whether it fits within its planned and built context

and whether the proposal provide sufficient setbacks to the adjacent buildings, property lines and rail corridor. Planning staff have concerns with the proposed shadow impacts on the Islington Junior Middle School's outdoor playground area as the proposed development would create new incremental shadows throughout the mid-morning hours when the space will be utilized by the students.

The location and amount of proposed indoor and outdoor amenity space for the residents will be assessed and the amount of and location of outdoor open landscaped space will be reviewed. The site organization, layout and access in respect to the proposed front yard setback, the proposed interface between the existing residential units and the proposed new loading space, vehicular movements, minimizing hardscaping and the consolidation of access and enclosed underground garage ramps will be evaluated.

The proposed tower floor plate, tower setbacks and other tall building matters will be evaluated against the Tall Buildings Urban Design Guidelines. The pedestrian environment and connections will be assessed to ensure compliance with the policies of the Official Plan and Etobicoke Centre Secondary Plan.

The layout and size of the proposed two and three bedroom units will be assessed to evaluate their appropriateness. The application is currently proposing 40% 2-bedroom units, 5% 2-bedroom plus den units and 5% 3-bedroom units. The number and size of the two and three bedroom units should comply with the City's Growing Up Guidelines.

Tree Preservation

The 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 is proposing to remove a total of 54 protected private trees and to preserve 11 protected private trees with risk of injuries to these trees.

Based on the standard 3:1 replacement ratio, Urban Forestry staff require a minimum of 162 new trees on private property to compensate for the loss of 54 protected private trees. The Landscape Site Plan only shows 30 new trees proposed on site and none proposed on the City road allowance.

Urban Forestry staff advise that they do not support the removal of a significant number of healthy trees protected under the City's Private Tree By-law nor do they support the development that limits and restricts tree planting opportunities on the site to compensate for the loss of the existing tree canopy. Urban Forestry staff are not in a position to support the proposed Zoning By-law Amendment application at this time.

Housing

A Housing Issues Report is required for Official Plan and/or Zoning By-law Amendment applications that seek to demolish existing rental properties, intensify existing rental sites, convert existing rental housing to condominiums or that propose residential development on lands in excess of five hectares.

A Housing Issues Report has been submitted as part of the application. A site visit is required to tour the existing building and overall site to evaluate potential impacts of the proposal on the current tenants and to determine whether the proposed improvements to the site will mitigate those impacts or if any further improvements are required.

The rental housing matters which will require additional information and consideration through the application review process are:

- The applicant is required to provide additional information that addresses securing the rental tenure of the existing affordable and mid-range rental dwelling units to be retained by legal agreement;
- Ensuring that the costs of any improvements are not passed onto the tenants;
- Consulting with tenants to identify potential construction mitigation measures and developing a tenant construction effects mitigation and communication plan; and
- Identifying and securing required improvements and repairs to the existing rental housing building.

The application is proposing less than 10% 3-bedroom units of which the average unit size is approximately 86 m² and approximately 65 m² to 75 m² for 2-bedroom units. This does not adequately support the objectives of the Growing Up Guidelines, the City's Official Plan housing policies, or the Growth Plan's growth management and housing policies to accommodate a broad range of households within new development, including families with children.

Archaeological Assessment

An archaeological resource assessment identifies and evaluates the presence of archaeological resources also known as archaeological sites. Whether a property has archaeological resource potential can be confirmed at the searchable database TO maps. An archaeological assessment may also be required if a property is identified on the City of Toronto's Inventory of Heritage Properties as part of the Heritage Impact Assessment process. A Stage 1 Archaeological Assessment was submitted by the applicant that determined that there are no future archaeological concerns regarding the subject property. Heritage Preservation Services Staff concur with the conclusions of the report.

Community Services and Facilities

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures used for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions. They include recreation, libraries, childcare, schools, public health, human services, cultural services and employment services, etc. The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports a City that is healthy, safe, liveable and accessible. Providing for a full range of community services and facilities in areas

experiencing major or incremental growth is a responsibility shared by the City, public agencies and the development community.

The Etobicoke Centre Secondary Plan policies speak to meeting the needs of a growing and dynamic population. A highly functioning and liveable community must provide a wide array of services and facilities to meet the needs of existing and future residents. Integration in the planning for social services, parks, recreation, schools, housing and transportation is key to the creation of a liveable community. The impact of the proposed development and local development activity on the community services and facilities, including an assessment of the existing capacity to support the proposed future population, will be evaluated through the application review process.

Section 37 Community Benefits

The Official Plan provides for the use of Section 37 of the *Planning Act* to pass by-laws for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision by the applicant of community benefits in the form of capital facilities. It is standard to secure community benefits in a Section 37 Agreement which is then registered on title where a project meets the minimum size threshold of 10,000 m². This proposal meets this threshold. Should the application be recommended for approval, Section 37 contributions could be secured towards specific community benefits within the vicinity of the area.

Rail Corridor

The subject site is adjacent to the Canadian Pacific Railway Corridor and the Bloor-Danforth subway line immediately to the south of the site. The proposed setback from the corridor, as well as other safety mitigation features is a concern and will be reviewed against the City's Guidelines for Development Close to Rail Corridors and Yards, Metrolinx Adjacent Development Guidelines and the provincial standards. The application is proposing an 11 m separation between the rail corridor and the proposed building, whereas the mandatory safety measure for residential land use is the combination of a 2.5 m berm and 30 m building setback. The appropriateness of the proposed separation distance will be assessed through the application review process.

Infrastructure/Servicing Capacity

The application will be reviewed to determine if there is sufficient infrastructure capacity (road, transit, water, sewage, hydro, etc.) to accommodate the proposed development.

The applicant has submitted a Functional Servicing and Stormwater Management Report and Hydrogeological Report, the purpose of which is intended to evaluate the effects of the proposed development on the City's municipal servicing infrastructure and watercourses and identify and provide the rationale for any new infrastructure and upgrades to existing infrastructure, necessary to provide for adequate servicing to the proposed development. The studies are currently under review by Engineering and Construction Services staff.

Traffic Impact, Access and Parking

The applicant has also submitted a Traffic Operations Assessment, the purpose of which is to evaluate the effects of the development on the transportation system, and also to identify any transportation improvements that are necessary to accommodate the travel demands and impacts generated by the development. This assessment is currently under review by Transportation Services staff.

Staff are also reviewing the appropriateness of the proposed vehicular and bicycle parking ratios and the suitability, adequacy and location of the proposed loading space. The design and location of the proposed driveways and vehicle access locations and design, are also being reviewed.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement.

The application and submitted TGS Checklist is being reviewed for compliance with the Tier 1 performance measures.

Other Matters

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

CONTACT

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SIGNATURE

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

ATTACHMENTS

City of Toronto Drawings

Attachment 1: 3D Model of Proposal in Context

Attachment 2: Location Map

Attachment 3: Site Plan

Attachment 4: Official Plan Map

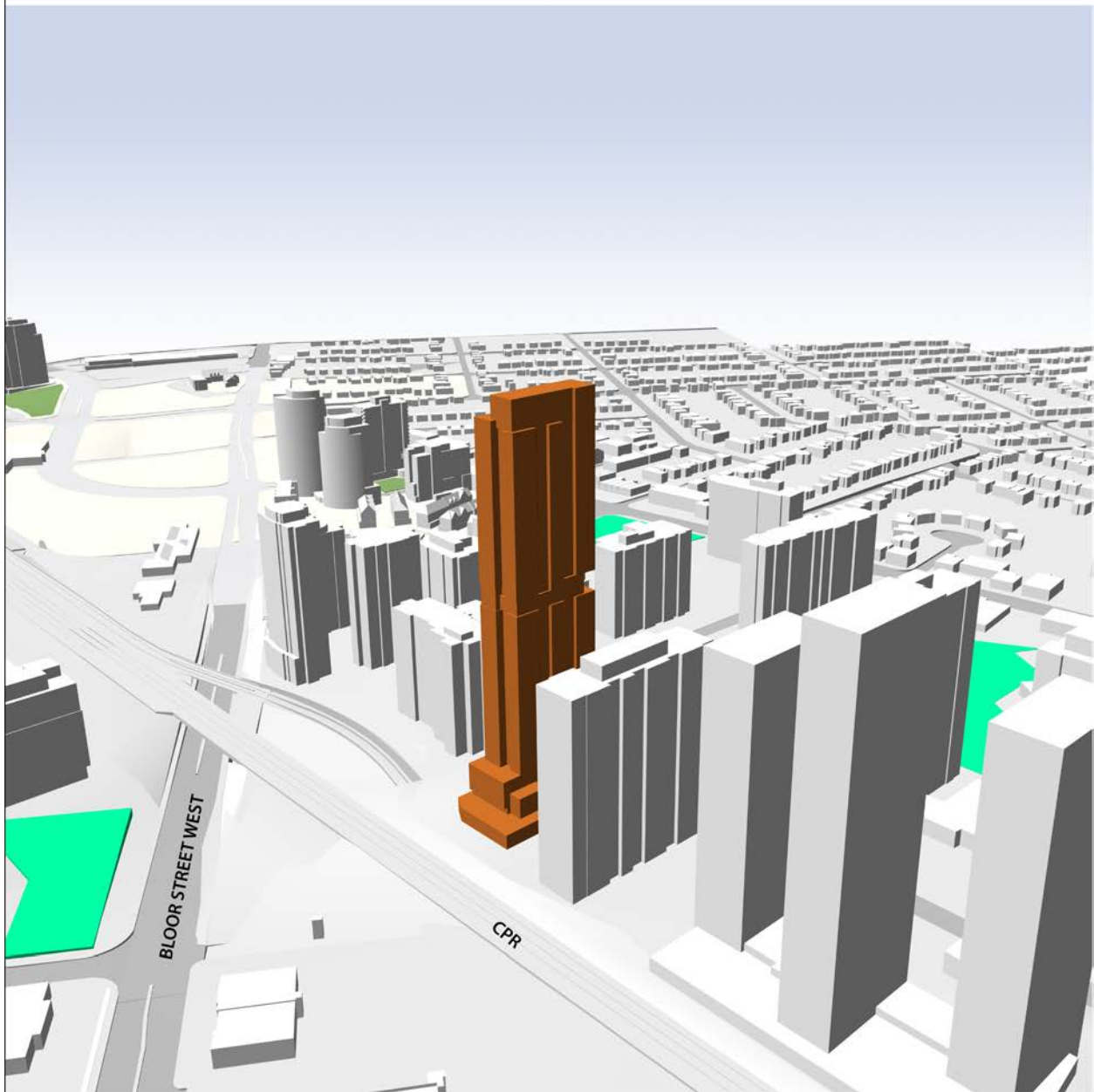
Attachment 5: Northeast Elevation

Attachment 6: Northwest Elevation

Attachment 7: Southeast Elevation

Attachment 8: Southwest Elevation

Attachment 1: 3D Model of Proposal in Context



View of Applicant's Proposal Looking Northwest



02/14/2019

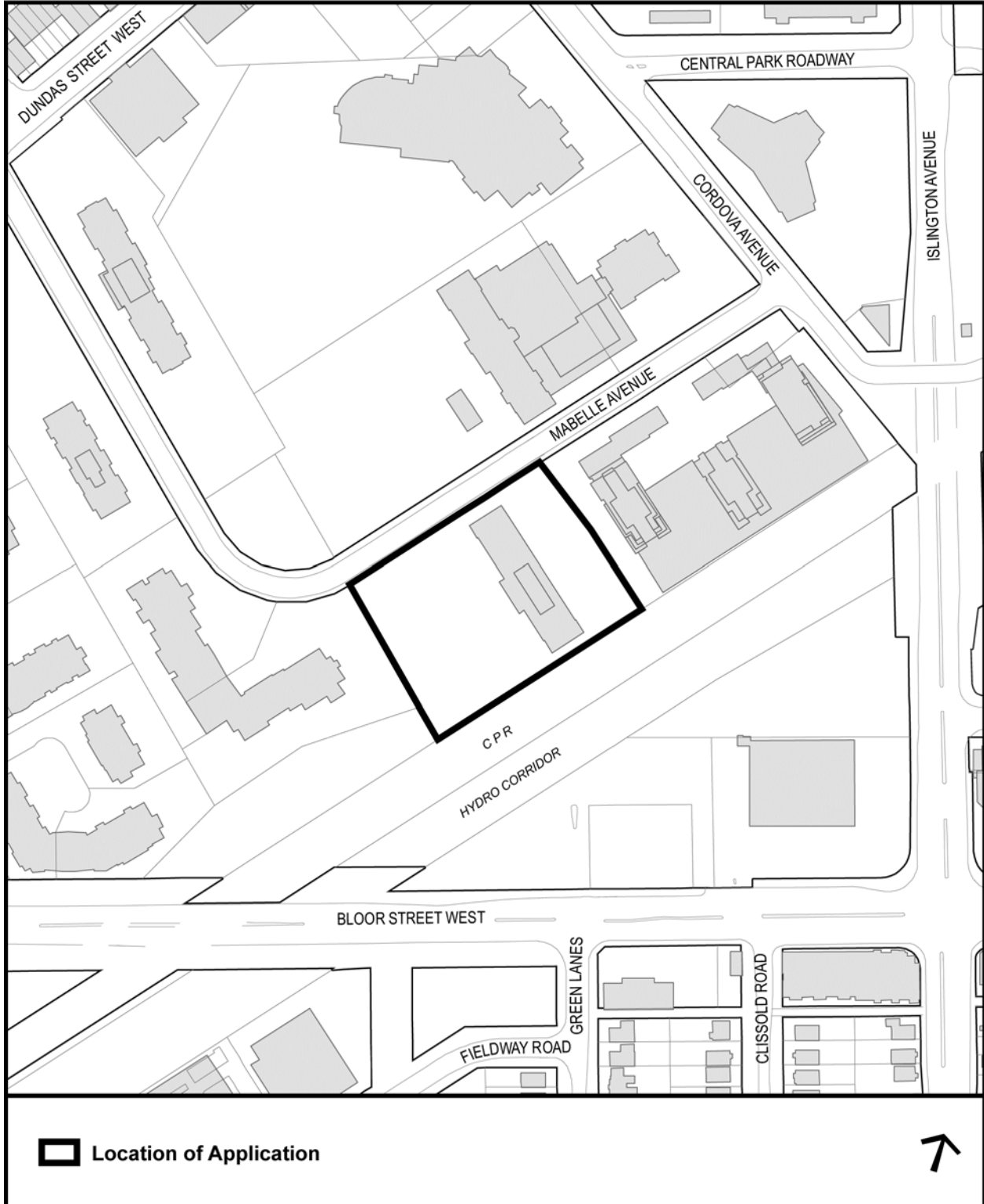


View of Applicant's Proposal Looking Southeast

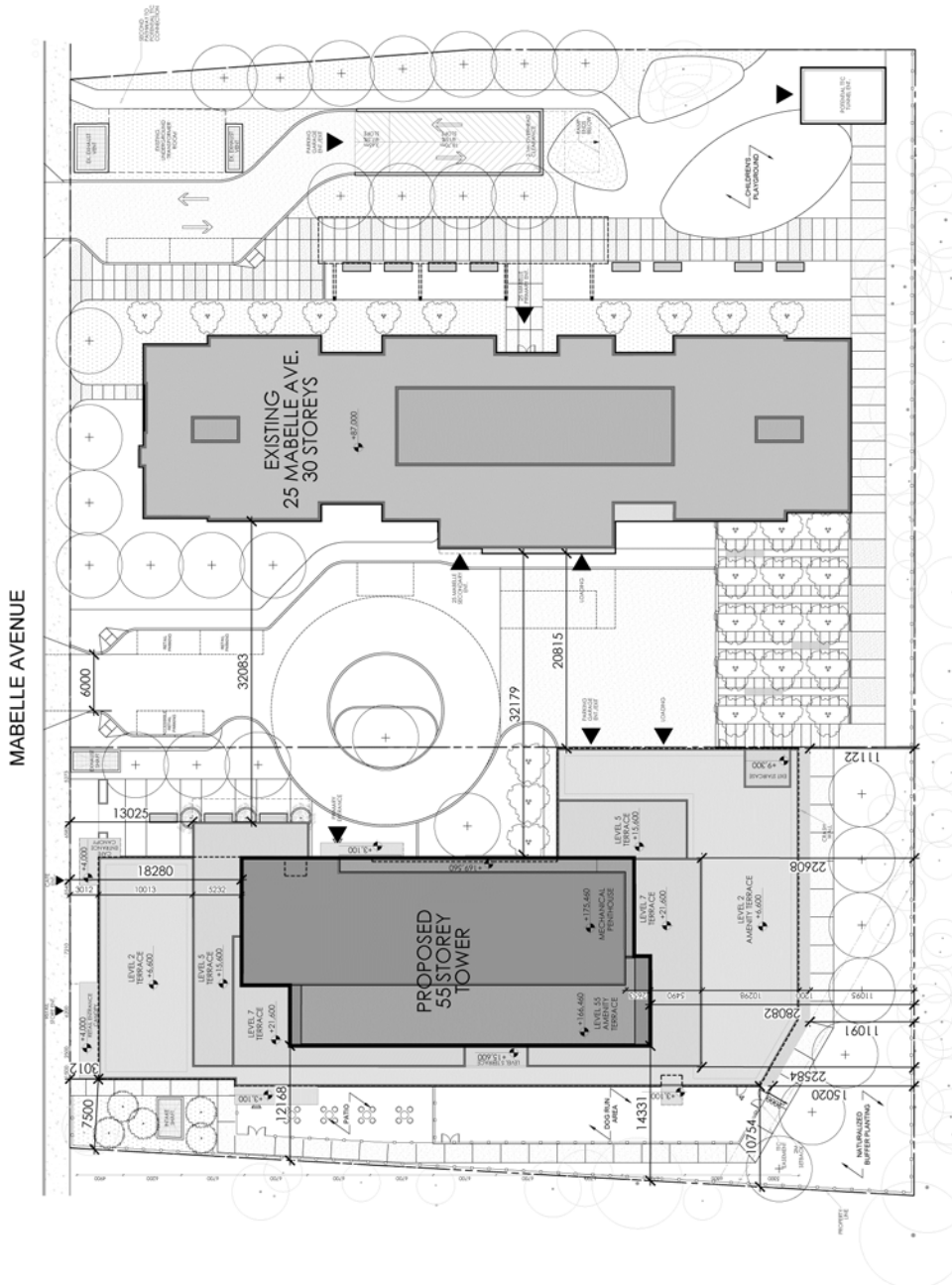


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Attachment 2: Location Map



Attachment 3: Site Plan



25 Mabelle Avenue

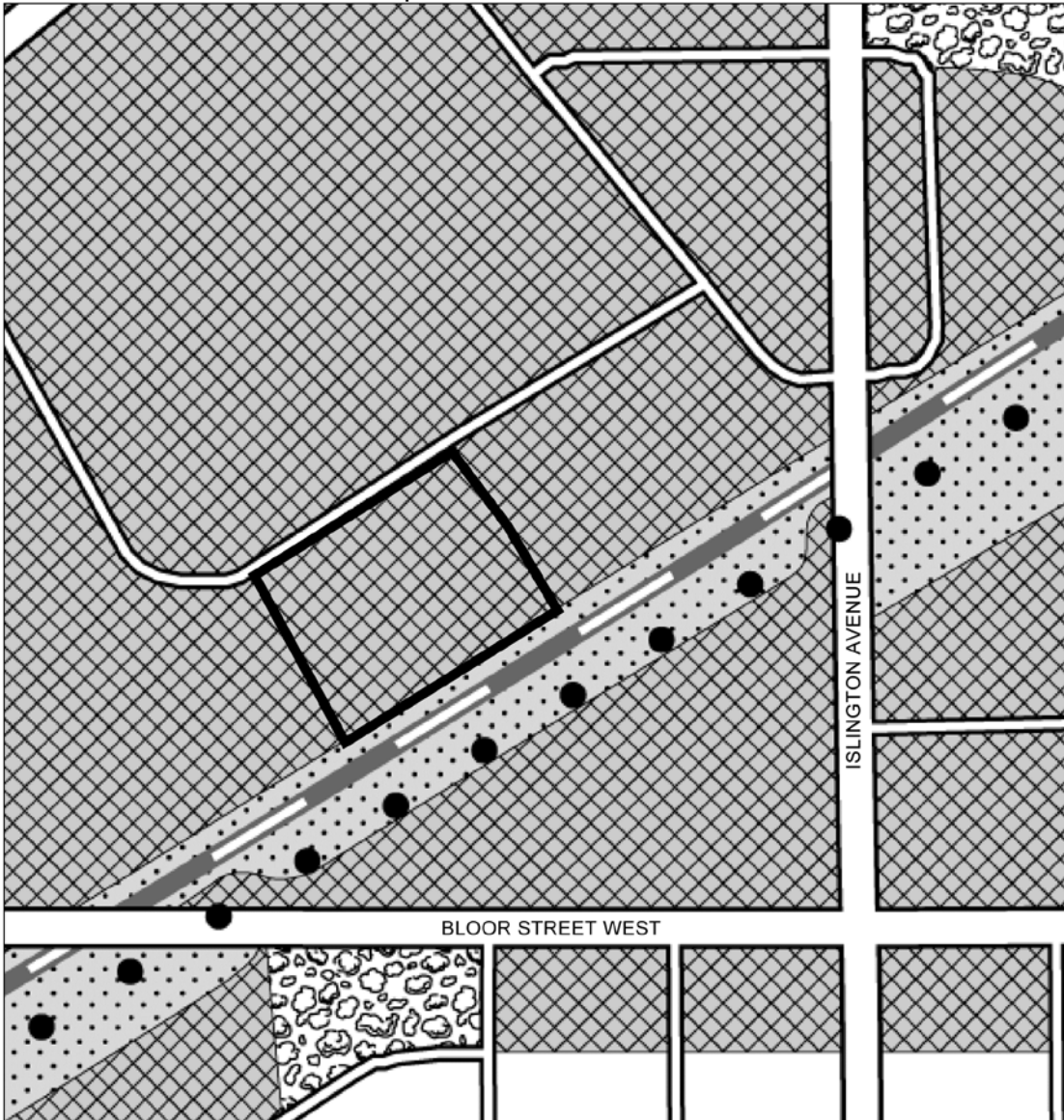
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Site Plan

Applicant's Submitted Drawing

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Attachment 4: Official Plan Map



Toronto
Official Plan Land Use Map #15

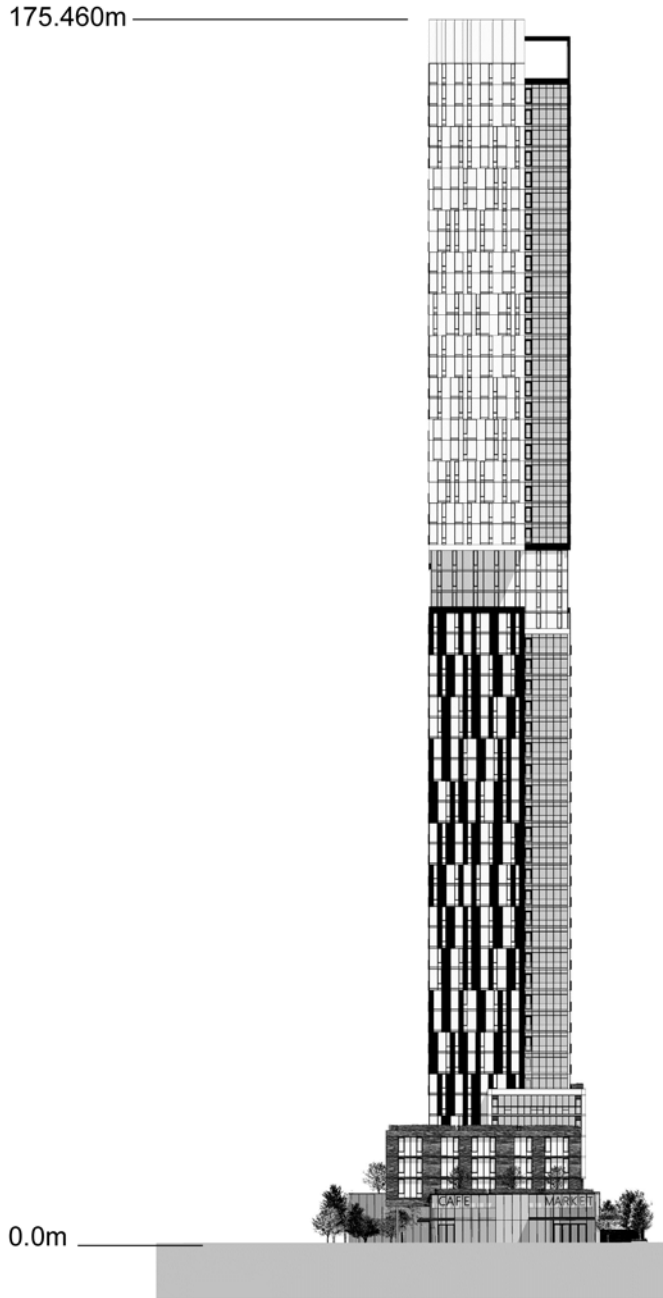
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Attachment 5: Northeast Elevation



Northeast Elevation

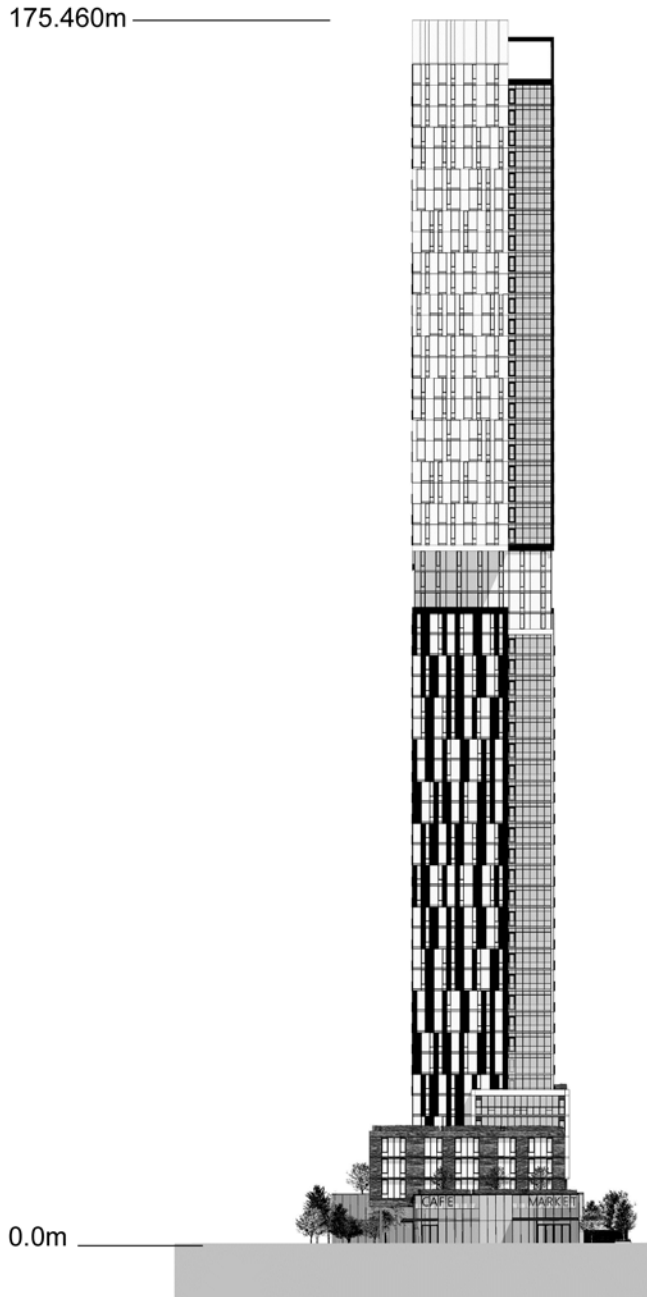
Applicant's Submitted Drawing

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25 Mabelle Avenue

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Attachment 6: Northwest Elevation



Northwest Elevation

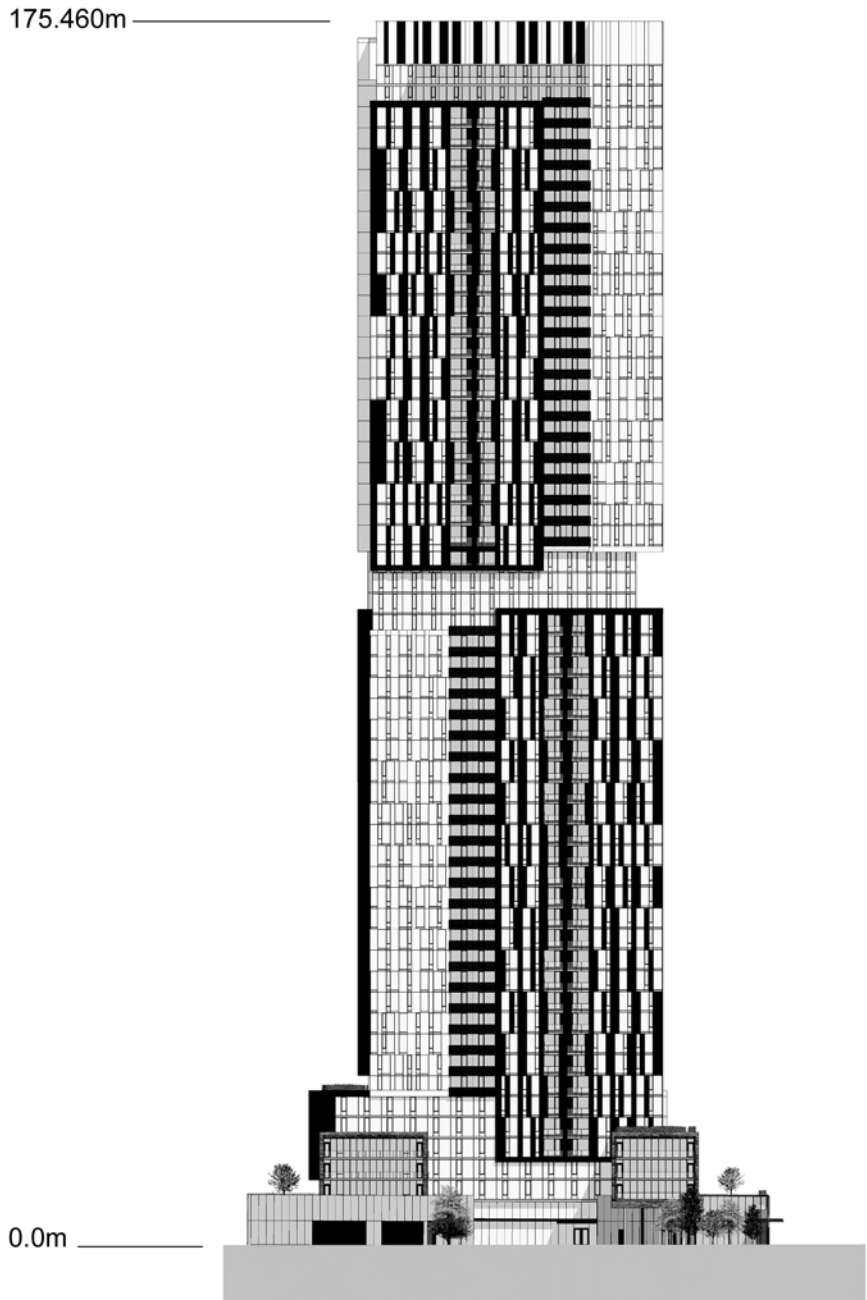
Applicant's Submitted Drawing

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25 Mabelle Avenue

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Attachment 7: Southeast Elevation



Southeast Elevation

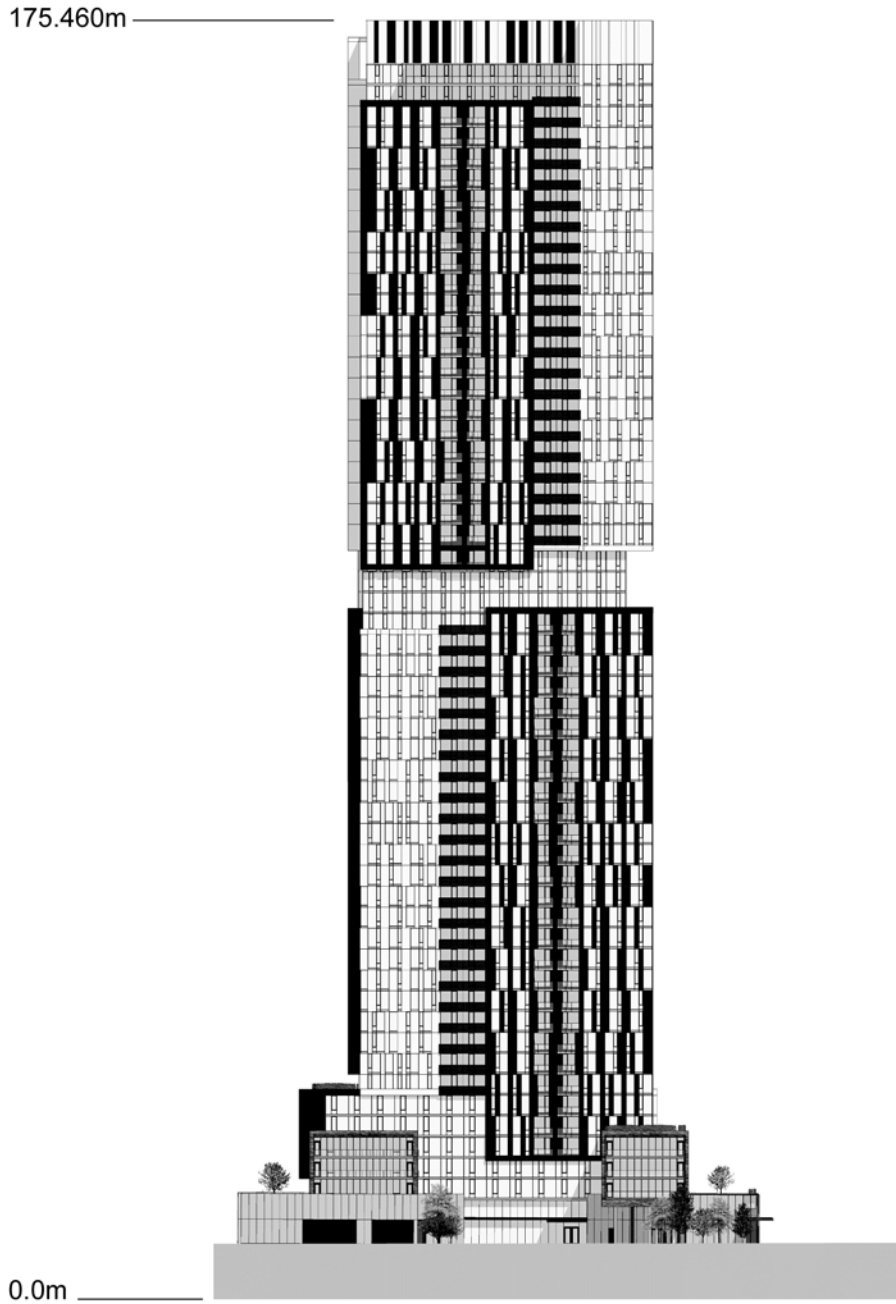
Applicant's Submitted Drawing

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25 Mabelle Avenue

File # 18 270817 WET 03 0Z

Attachment 8: Southwest Elevation



Southwest Elevation

Applicant's Submitted Drawing

Not to Scale
01/10/2019

25 Mabelle Avenue

File # 18 270817 WET 03 0Z
