

150 Eighth Street – Zoning By-law Amendment Application – Preliminary Report

Date: March 27, 2019

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Ward: 03 - Etobicoke-Lakeshore

Planning Application Number: 18 272227 WET 03 OZ

Notice of Complete Application Issued: January 21, 2019

Current Use(s) on Site: The site is currently occupied by a two-storey building formerly owned and occupied by the Royal Canadian Legion. In front of the existing building is a 7.5 m high granite Cenotaph that commemorates the Canadian soldiers lost during World War I, World War II and the Korean War.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application to amend the Zoning By-law for the property at 150 Eighth Street to permit a 6-storey residential building that would contain 90 units. 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 150 Eighth Street 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 for the property at 150 Eighth Street to develop a 6-storey residential building, containing 90 condominium dwelling units. The application proposes a total gross floor area of 9,922 m², yielding a floor space index of 2.97 times the area of the lot. The 6-storey building would have an overall building height of approximately 20 m (exclusive of the mechanical equipment) and would include a series of setbacks and stepbacks from the north property line. Of the proposed 90 units, 18 would be 1 bedroom plus den units, 16 would be 2 bedroom units and 56 would be 3 bedroom and larger units.

A 5 m wide strip of land that spans the length of the north property line would be conveyed to the City of Toronto as parkland dedication to expand the existing Eighth Street Skate Park which is adjacent to the site. The total parkland dedication would be approximately 378 m².

The application is proposing 94 vehicular parking spaces which will be comprised of 76 residential spaces and 18 visitor spaces, of which 14 parking spaces would be located at-grade to the rear of the building and 80 spaces would be contained within a one-level below-grade garage. Both the proposed below-grade parking garage and the at-grade parking spaces would be accessible from Eighth Street via a 6 m wide driveway at the rear of the site. A garbage pickup area and associated loading space are proposed at the terminus of the proposed driveway and adjacent to the covered at-grade parking spaces at the rear of the building. A total of 6 bicycle parking spaces are to be provided adjacent to the at-grade parking spaces.

The proposed building fits within a 45 degree angular plane from the existing north property line. The application is proposing the following building setback and stepbacks:

Rear of the Site (south property line):

- The first floor would be having a varying setback, ranging from 3 m to 8 m;
- The 2nd to 5th storeys would be setback 7.5 m; and
- The 6th storey would be setback 9 m.

West and East Property Lines:

- The first floor would be setback 1.5 m; and
- The remainder of the building would be setback 3 m from both property lines.

North Property Line:

- The first floor would be setback approximately 4.6 m;
- The 2nd storey would be setback 7.5 m;

- The 3rd storey would be setback 10.5 m;
- The 4th storey would be setback 13.5 m;
- The 5th storey would be setback 16.5 m; and
- The 6th storey would be setback 19.5 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's website.

City of Toronto Official Plan Policies and Planning Studies

The City of Toronto's Official Plan (the "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. Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship, may be applicable to any application. Official Plan policies may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The subject site is designated *Mixed Use Areas* on Land Use Map #15 of the Official Plan.

Zoning By-laws

The site is zoned Class 1 Industrial (I.C1) within the former City of Etobicoke Zoning Code (the "Zoning By-law"). The I.C1 zone permits a variety of industrial, commercial, and retail uses, and limits any residential permissions to one accessory residential unit for a caretaker or official associated with a place of worship.

The Zoning By-law permits a maximum building height of 5 storeys and a total density of 0.6 times the area of the lot. The Zoning By-law requires a front yard setback of 4.5 m and a 3 m landscaped setback from the property line between any residential and industrial uses.

City-wide Zoning By-law No. 569-2013 does not apply to this site.

Design Guidelines

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

- Mid-Rise Building Performance Standards ;
- Townhouse and Low-Rise Apartment 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 are required as the proposed residential use is not permitted and the development proposal does not comply with the existing performance standards with respect to: building height; total density; and building setbacks. 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 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 ("the Growth Plan") 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*, PPS 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 the Official Plan.

Built Form, Planned and Built Context

The suitability of the proposed height, density, massing and other built form issues will be assessed based on Section 2 (q) and (r) of the *Planning Act*, Section 2.2.1.4(e) of the Growth Plan, the City's Official Plan 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 provides sufficient setbacks to adjacent buildings, property lines and the adjacent Eighth Street Skate Park.

The *Ontario Building Code Act* requires a fire separation limiting distance of 5 m from any portion of the building to the newly established public park property line. The proposal will need to be revised to achieve this requirement. The site organization, layout and access with respect to the proposed location of the loading space, driveway and at-grade parking will be evaluated.

The interface between the proposed residential units and the existing adjacent industrial uses will be evaluated to determine whether any mitigation measures would be required.

The relationship between the at-grade residential units to the adjacent public realm will also be assessed to ensure the proposed entrances are well-designed and landscaped in order to provide clear, visible entries and views from building interiors to both the street and adjacent public park to enhance security for building occupants and pedestrians.

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 3 protected private trees.

Based on the standard 3:1 replacement ratio, Urban Forestry staff require a minimum of 9 new trees on private property to compensate for the loss of 3 protected private trees. The Landscape Plan shows 9 new trees on the City road allowance and none proposed on the subject site. Urban Forestry staff advise that the proposed Landscape Plan is not acceptable as it does not provide sufficient replacement trees to compensate for the loss of 3 protected private trees and does not meet the Toronto Green Standard requirements. Urban Forestry staff are not in a position to support the proposed Zoning By-law Amendment application at this time.

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 there are no future archaeological concerns regarding the subject property, Heritage Preservation Services staff concur that no future action is required.

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 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 CS&F Study that was submitted with the application will be reviewed to determine whether any capital improvements or expansion of facilities need to be addressed.

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 does not meet the threshold, and therefore should this application be recommended for approval, Section 37 contributions will not be secured.

Cenotaph

Since the early 1980's, a 7.5 m high granite Cenotaph has been located in front of the former Royal Canadian Legion Branch 3. The Cenotaph commemorates the Canadian soldiers lost during World Wars I and II, and the Korean War.

At its meeting on February 29, 2019, City Council directed Heritage Preservation Services staff to evaluate the property at 150 Eighth Street for any potential heritage significance. Heritage Preservation Services staff are currently evaluating the property.

Economic Development and Culture staff have assessed the Cenotaph and are considering incorporating it into the City's public art collection. Staff intend to work with the applicant to develop a preservation and relocation strategy to allow the structure to be relocated.

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 a 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 the adequate servicing of 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 supply and the suitability, adequacy and location of the proposed loading space. The design and location of the proposed driveways and vehicle access locations are also being reviewed.

Toronto Green Standard

City Council has adopted the four-tier Toronto Green Standard (the "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 TGS. 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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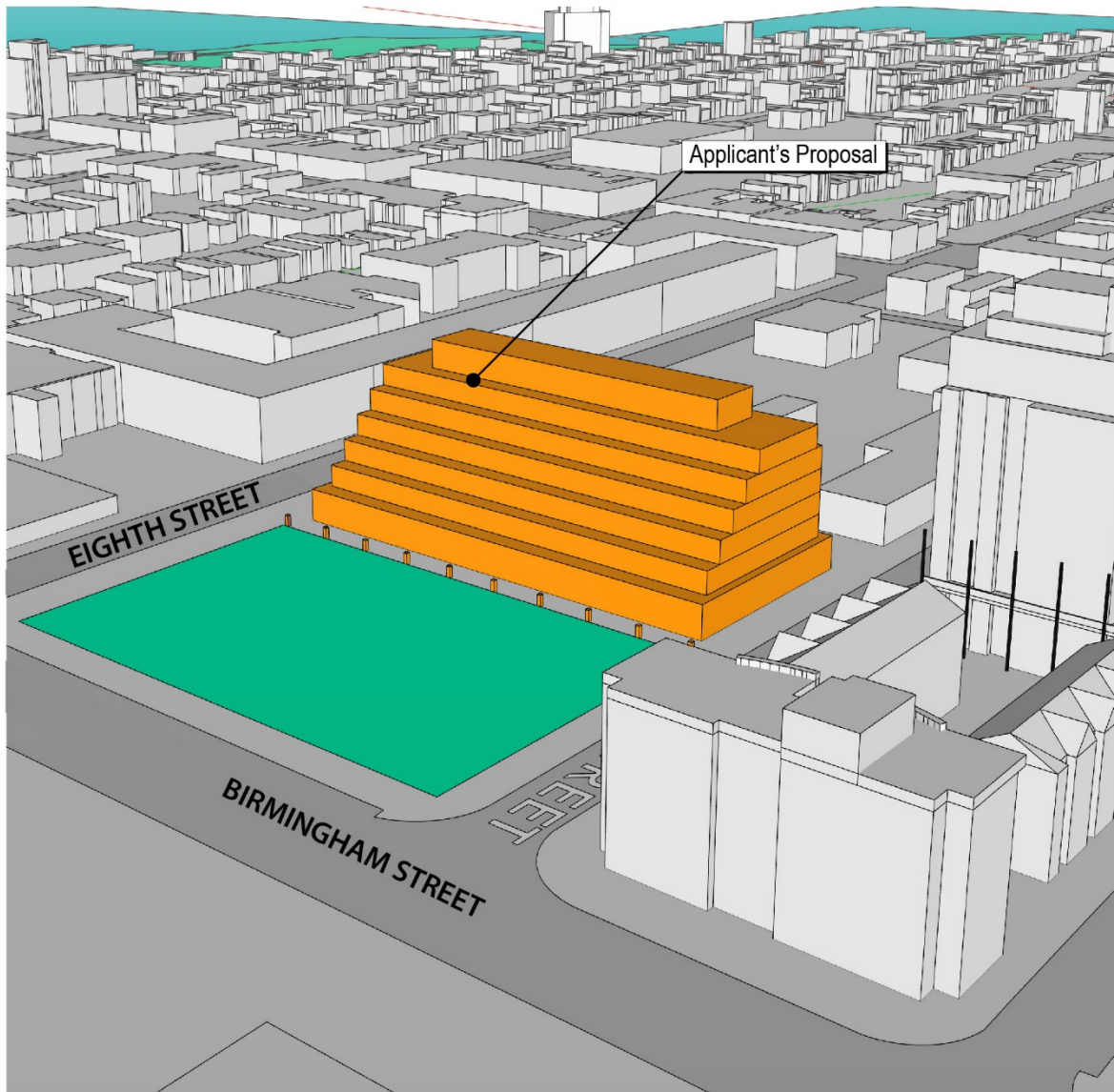
Neil Cresswell, MCIP, RPP
Director of Community Planning
Etobicoke York District

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: Zoning By-law Map

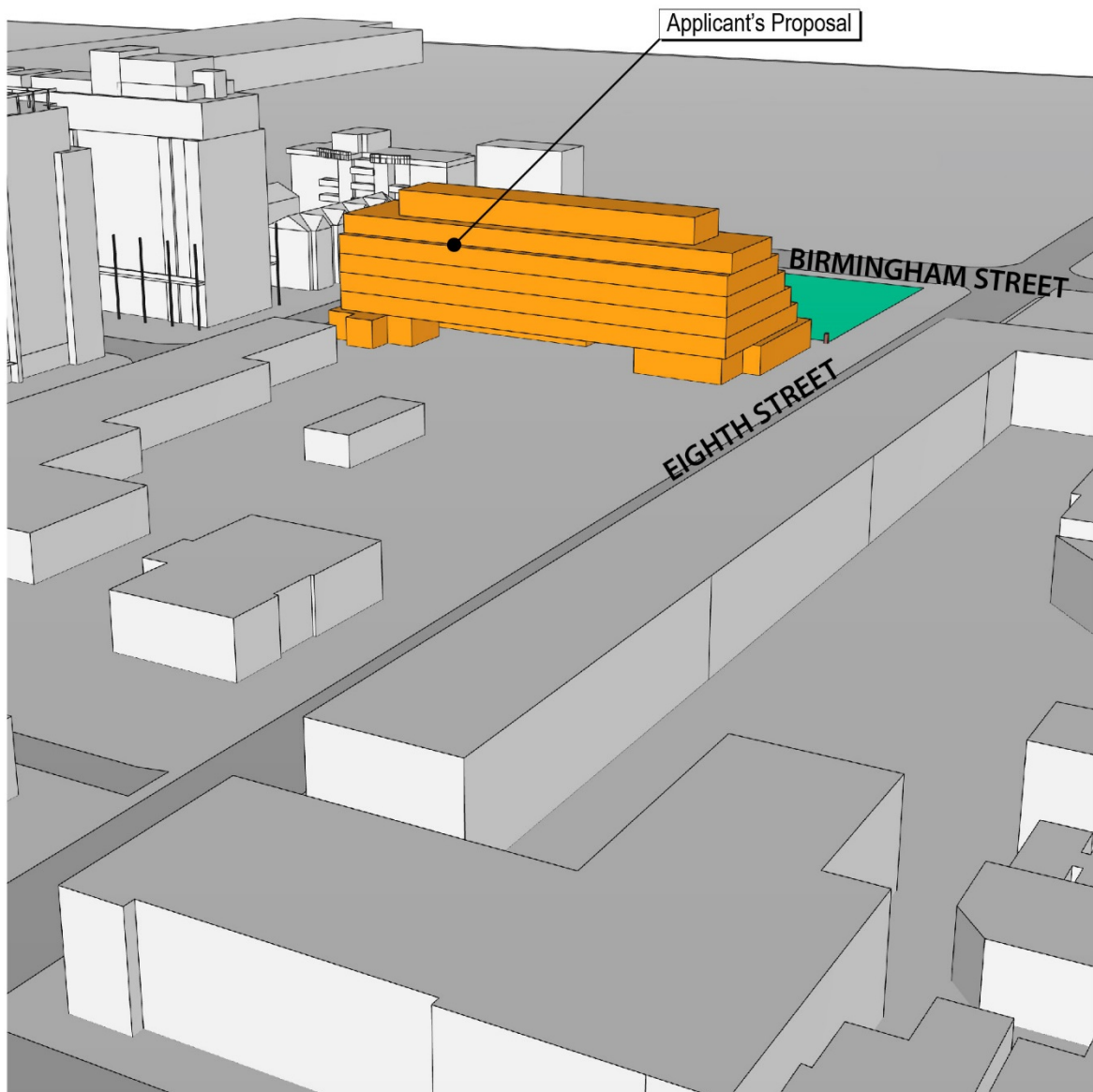
Attachment 1: 3D Model of Proposal in Context



View of Applicant's Proposal Looking Northwest



03/25/2019

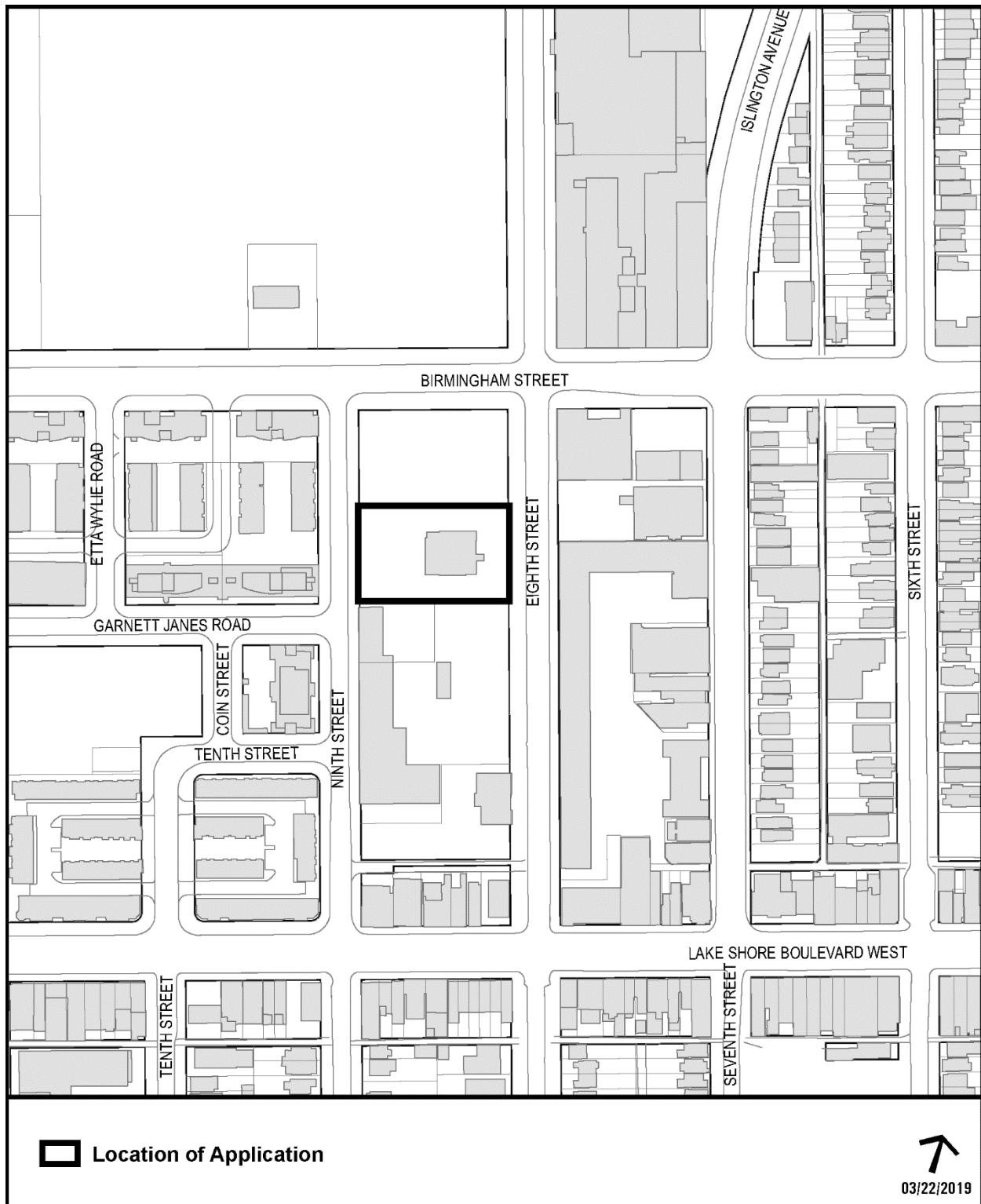


View of Applicant's Proposal Looking Southeast

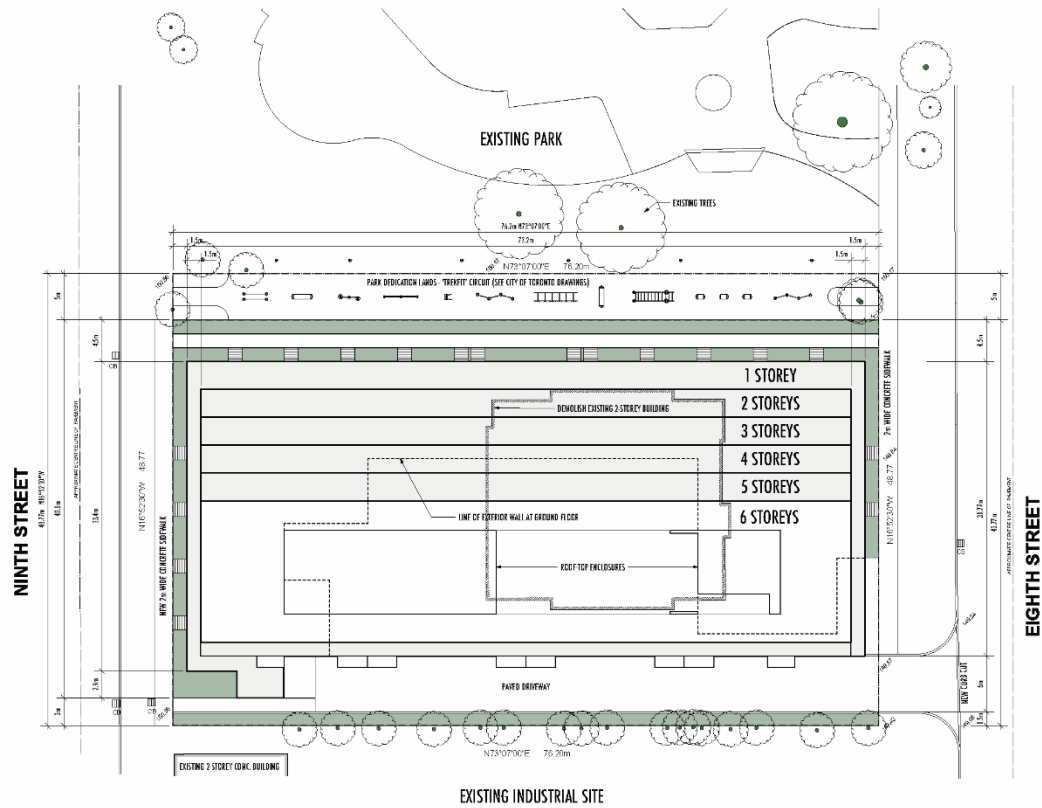


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Attachment 2: Location Map



Attachment 3: Site Plan



Site Plan

Applicant's Submitted Drawing

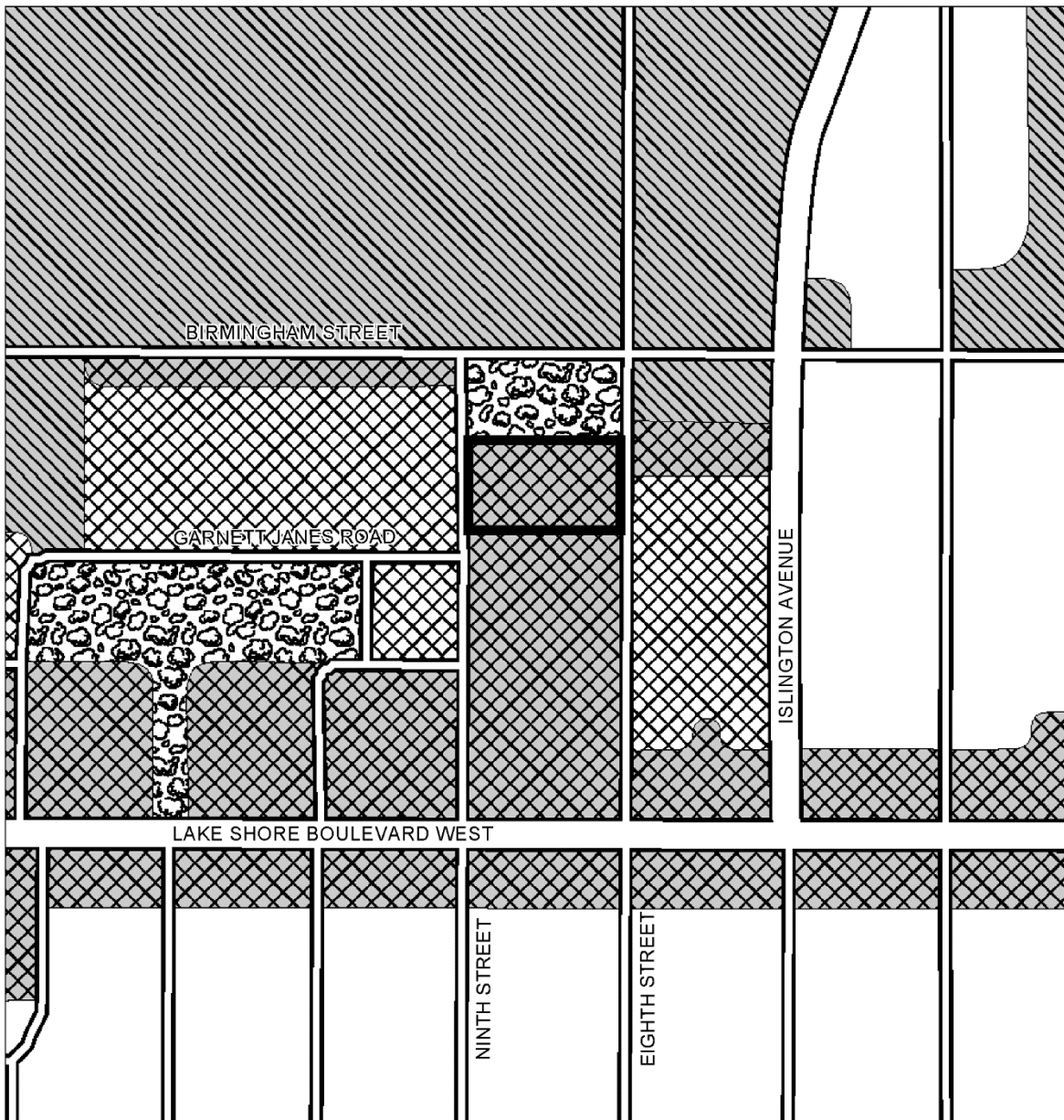
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150 Eighth Street

File # 18 272221 WET 03 02

Attachment 4: Official Plan Map



Official Plan Land Use Map #XX

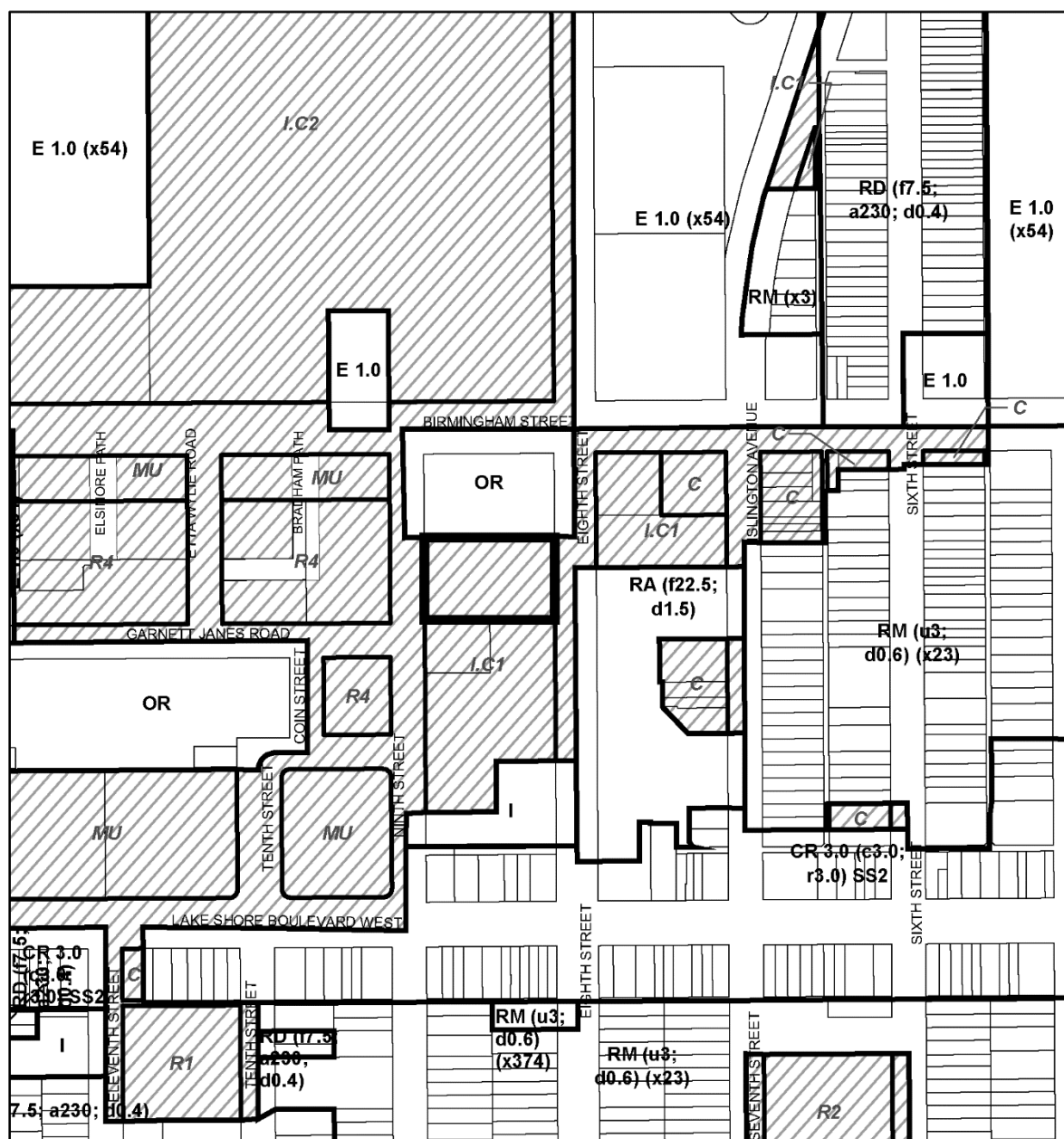
150 Eighth Street

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	Location of Application		Natural Areas		Institutional Areas		Utility Corridors
	Neighbourhoods		Parks		Regeneration Areas		
	Apartment Neighbourhoods		Other Open Space Areas		Employment Areas		
	Mixed Use Areas						

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Attachment 5: Zoning By-law Map



Zoning By-law 569-2013

150 Eighth Street

File # 18 272221 WET 03 0Z



Location of Application

RD	Residential Detached	CR	Commercial Residential
RM	Residential Multiple	E	Employment Industrial
RA	Residential Apartment	I	Institutional
		OR	Open Space Recreation



See Former City of Etobicoke (New Toronto) By-Law No. 2215

R1	First Density Residential	I.C1	Class 1 Industrial Zone
R2	Second Density Residential	I.C2	Class 2 Industrial Zone
R4	Fourth Density Residential		
C	Commercial		
MU	Mixed Use		



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Extracted: 03/22/2019