

3353-3359 Lake Shore Boulevard West – Official Plan and Zoning By-law Amendment Application – Preliminary Report

Date: January 16, 2019

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Ward: 3 - Etobicoke-Lakeshore

Planning Application Number: 19 252092 WET 03 OZ

Notice of Complete Application Issued: December 20, 2019

Current Use(s) on Site: This site is presently occupied with an auto detailing and repair shop and a used car sales lot.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application to amend Official Plan Site and Area Specific Policy No. 21 (SASP 21), the former City of Etobicoke Zoning Code By-law No. 2215, By-law 1055-2004 and City-wide Zoning By-law No. 569-2013 for the lands at 3353-3359 Lake Shore Boulevard West to permit a 6-storey mixed-use building containing 60 residential units and retail uses at-grade. Staff are currently reviewing the application and 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 3353-3359 Lake Shore Boulevard West 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.

DECISION HISTORY

Pre-application consultation meetings were conducted with the applicant in 2018 and 2019 to discuss complete application submission requirements and to identify issues with the proposed development.

The initial concept is generally comparable to the current submission, with the existing buildings on site proposed to be removed to accommodate a six-storey mixed-use building with commercial uses at grade, residential units above and underground parking.

ISSUE BACKGROUND

Application Description

This application proposes to amend Official Plan Site and Area Specific Policy No. 21 (SASP 21), the former City of Etobicoke Zoning Code By-law No. 2215, By-law 1055-2004 and City-wide Zoning By-law No. 569-2013 for the lands at 3353-3359 Lake Shore Boulevard West to permit a 6-storey mixed-use building containing 60 residential units and retail uses at-grade. The application proposes a total gross floor area of 5,378 m², including 5,074 m² of residential uses and 304 m² of retail uses, resulting in a Floor Space Index of 3.81 times the area of the lot. The height of the proposed building is 20.5 metres.

As currently proposed, the 60 residential units would be comprised of 43 one-bedroom units (72%), 11 two-bedroom units (18%) and 6 three-bedroom units (10%). The application proposes a total of 30 residential parking spaces, with vehicular access to the below grade garage from Lake Shore Boulevard West along the western edge of the site. The proposed development includes a total of 52 bicycle parking spaces located on the ground level and the below grade garage, of which 18 would be short-term and 34 would be long-term. One Type G loading space is also proposed at the rear of the building.

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

See Attachments 1 and 2 of this report for three dimensional representations of the project in context.

Site and Surrounding Area

The subject site is located on the south side of Lake Shore Boulevard West, between Twenty Eighth Street and Twenty Seventh Street (see Attachment 3: Location Map). The site is rectangular in shape and is currently occupied by a used car sales lot with a one-storey building and an auto detailing shop with a two-storey building. The site is approximately 1,410 m² in size.

Surrounding land uses include:

North: On the north side of Lake Shore Boulevard West there is a three-storey mixed use building. To the northeast there is a church and associated parking lot. To the northwest there is a two-storey commercial building. Further north is a residential area comprised of 1-2 storey detached dwellings and designated *Neighbourhoods*.

West: To the west of the subject property there is a two-storey mixed-use building.

East: To the east of the subject property there is a two-storey mixed-use building.

South: To the south of the subject property is a residential area with 1-2 storey detached dwellings fronting on Ash Crescent and designated *Neighbourhoods*.

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: A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) 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 current application is located on lands shown as *Avenues* on Map 2 - Urban Structure and designated *Mixed Use Areas* on Map 15 - Land Use Plan of the Official Plan (see Attachment 5: Official Plan Land Use Map).

Mixed Use Areas are made up of a broad range of residential, commercial and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities. Development in *Mixed Use Areas* will locate and mass new buildings to adequately limit shadow impacts and provide appropriate transition towards areas of different intensity and scale, and particularly towards lower scale *Neighbourhoods*.

The site is subject to Site and Area Specific Policy No. 21 (SASP 21), which encompasses Lake Shore Boulevard West between the Etobicoke Creek and Dwight Avenue. SASP 21 reads as follows:

- a) Buildings should be built to the Lake Shore Boulevard West street line with a discretionary setback zone of 1.5 metres. Development blocks should provide a continuous building face for at least 70 per cent of the frontage on Lake Shore Boulevard West. Building heights should not exceed four storeys, except:
 - i) between Twenty Second Street and Twenty Third Street, where a six storey building is permitted if the extra height is stepped back from the street; and
 - ii) for the area between Twenty Third Street and 3829 Lake Shore Boulevard West (one block west of Fortieth Street), where a six storey building is permitted; however, in areas where lot depths exceed 35 metres, higher building height may be considered.

Building height should not exceed a 45-degree angular plane from the property line of the adjacent low-scale residential properties.

- b) Maximum net density of mixed commercial-residential buildings with commercial uses on the ground floor is 3.0 times the lot area for the lands designated *Mixed Use Areas*.

Zoning By-laws

The site is zoned Commercial Avenues (C1-AV) under the former City of Etobicoke (Long Branch) Zoning Code and is also subject to By-law No. 1055-2004. The maximum Gross Floor Area (GFA) permitted is 3.0 times the lot area, with a maximum permitted building height of six (6) storeys or 20 metres, excluding the mechanical penthouse. Commercial and residential uses are permitted in this zone.

City-wide Zoning By-law No. 569-2013 does not apply to the subject property as a Site Specific Zoning By-law is in place.

Design Guidelines

The following Design Guidelines will be used in the evaluation of this application:

- Avenues and Mid-Rise Buildings Study and Performance Standard Guidelines;

- Growing Up: Planning for Children in New Vertical Communities;
- Lake Shore Boulevard West Urban Design Guidelines;
- Bird Friendly Development Guidelines; and
- Toronto Green Standard.

The application may be subject to further design guidelines as the review of the application progresses.

The City's Design Guidelines can 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

An application to amend Official Plan Site and Area-Specific Policy No. 21 (SASP 21) is required to permit an increase of the maximum permitted density from 3.0 to 3.81 times the lot area, a height of 20.5 metres, and an encroachment into the 45-degree angular plane from the residential properties to the rear. In addition, amendments to the former City of Etobicoke Zoning Code By-law No. 2215, By-law 1055-2004 and City-wide Zoning By-law No. 569-2013 are required to permit a maximum Gross Floor Area of 5,378 m², increase the maximum permitted building height to 20.5 metres (excluding mechanical penthouse), reduce the number of required vehicular parking spaces to 30 spaces and reduce the building setback requirements. Other areas of non-compliance may be identified through the review of the application.

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

This 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 (2019), especially with regard to ensuring that the development recognizes the local context in terms of appropriate intensification, the promotion of well-designed built form, providing for a range of housing options, transition of built form to adjacent properties and whether the proposal complies with the municipal direction for growth.

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 include: the adequate provision of a full range of housing, including affordable housing; the appropriate location of growth and development; the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians; and 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, and 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 stock and surrounding area.

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.

The Growth Plan (2019) 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 a vibrant public realm. The Growth Plan provides municipalities with 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.

Through its Official Plan, the City has identified appropriate locations and opportunities for intensification. Although growth is intended to occur on this particular site given its *Mixed Use Areas* designation, the level of intensification of this site must reflect the existing and planned context as established by the Zoning By-law and Official Plan policies, including in particular SASP 21.

Official Plan Conformity

The property is designated *Mixed Use Areas* in the City of Toronto Official Plan (see Attachment 5: Official Plan Land Use Map) and is subject to Site and Area Specific Policy No. 21 (SASP 21). The subject lands are also located on an *Avenue*, as identified on Map 2 - Urban Structure of the Official Plan. *Avenues* are areas where growth and reurbanization are intended to occur.

Mixed Use Areas policies establish a number of site-related development criteria that must be met. The Built Form policies emphasize the importance of ensuring that new development fits within its existing and/or planned context, while limiting impacts on neighbouring streets, parks and open spaces. New buildings should be located and massed to provide a transition between areas of different development intensity and scale. The development criteria within the *Mixed Use Areas* policies are also supplemented by additional development criteria outlined in the Built Form policies in Section 3.1.2 of the Official Plan.

SASP 21 provides policy direction and establishes the planning framework for new development along Lake Shore Boulevard West between the Etobicoke Creek and Dwight Avenue, including the following development standards which are applicable to the subject site:

- Buildings should be built to the Lake Shore Boulevard West street line with a discretionary setback zone of 1.5 metres;
- Development blocks should provide a continuous building face for at least 70 per cent of the frontage on Lake Shore Boulevard West;
- Building heights should not exceed four storeys;
- Building height should not exceed a 45-degree angular plane from the property line of the adjacent low-scale residential properties; and
- The maximum net density of mixed commercial-residential buildings with commercial uses on the ground floor is 3.0 times the lot area of the lands designated *Mixed Use Areas*.

The property is located adjacent to a low-rise residential area to the south, designated *Neighbourhoods* in the Official Plan. As identified in Section 2.3.1(3) of the Official Plan, developments in *Mixed Use Areas* that are adjacent or close to *Neighbourhoods* must be compatible with those *Neighbourhoods* including, but not limited to, providing a gradual transition of scale and density from those *Neighbourhoods* and maintaining adequate light and privacy for residents in those *Neighbourhoods*.

The application will be evaluated for its conformity with the Official Plan policies and in particular SASP 21 noted above. The current proposal requires an Official Plan Amendment as the proposal exceeds the permitted maximum density. The draft Official Plan Amendment submitted with this application includes an amendment to permit a mixed-use building with a maximum height of 20.5 m, excluding mechanical equipment and encroaches into the 45-degree angular plane. City staff have advised the applicant that all aspects of the proposed development that do not conform to SASP 21 must be addressed through the Official Plan amendment application.

Built Form, Planned and Built Context

The suitability of the proposed height, density, massing, transition and other built form issues will be assessed based on the *Planning Act*, the *Provincial Policy Statement*, the *Growth Plan*, the City's Official Plan and City Council adopted Urban Design Guidelines. The following issues have been identified and will be evaluated through review of the application:

- The location and organization of the building relative to Lake Shore Boulevard West;
- Built form transition and proximity to adjacent low-scale residential properties;
- Appropriateness of the proposed building's height, massing, density, setbacks and stepbacks;
- Conformity with the 45-degree angular plane from the property line of the adjacent low-scale residential properties;

- The provision of an appropriate mix of dwelling units and adequate location and size of amenity space;
- The potential wind and shadow impacts of the development and any appropriate mitigation measures;
- Improvements to landscaped open space and the public realm, in particular the public boulevard along Lake Shore Boulevard West; and
- Other on-site matters, such as the storage of garbage and snow, and vehicular site ingress and egress.

Staff will continue working with the applicant to achieve a redevelopment proposal that is more in keeping with the vision for Lake Shore Boulevard West and the existing character of the area.

Growing Up: Planning for Children in New Vertical Communities

In July 2017, Toronto City Council adopted the Growing Up Draft Urban Design Guidelines, and directed City Planning staff to apply the "Growing Up Guidelines" in the evaluation of new and under review multi-unit residential development proposals. The objective of the Growing Up Draft Urban Design Guidelines is that developments deliver tangible outcomes to increase liveability for larger households, including families with children at the neighbourhood, building and unit scale.

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).

Additionally, Official Plan policies have been adopted by City Council to increase tree canopy coverage. City Council has adopted the objective of increasing the existing 27 percent tree canopy coverage to 40 percent. Policy 3.4.1 (d) states that "to support strong communities, a competitive economy and a high quality of life, public and private city-building activities and changes to the built environment, including public works, will be environmentally friendly based on: d) preserving and enhancing the urban forest by: i) providing suitable growing environments for trees; ii) increasing tree canopy coverage and diversity, especially of longlived native and large shade trees; and iii) regulating the injury and destruction of trees".

The applicant has submitted an Arborist Report, prepared by Jon Woodside Arborist. The report indicated that there are no existing trees located on the subject site. Three City-owned trees are located in front of the subject site, along the Lake Shore Boulevard West frontage. The Arborist Report and Landscape Plan indicate that two of the trees are sufficiently distant from the site to not warrant tree protection hoarding, while the third tree will require erecting tree protection hoarding as a result of the proposed development. Six trees located on adjacent private properties are proposed to be removed to accommodate construction activities.

The Arborist Report and Tree Preservation Plan are currently under review by City staff.

Housing

The proposed provision of 43 one-bedroom units (72%), 11 two-bedroom units (18%) and 6 three-bedroom units (10%) supports the unit mix objectives of the Growing Up Guidelines, Official Plan housing policies and the Growth Plan's growth management and housing policies. These policies provide direction on how a broad range of households, including families with children, can be accommodated in new developments. Planning staff have requested that additional information be provided with regards to the proposed unit sizes and layouts, in order to evaluate the application in the context of the Growing Up Guidelines.

Archaeological Assessment

The subject site has archaeological resource potential. A Stage 1 Archaeological Resource Assessment has been submitted by the applicant and is under review by City staff.

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.

The application proposes a gross floor area of 5,378 m² and therefore does not meet the minimum size threshold of 10,000 m² of new development required by the Official Plan for consideration of Section 37 benefits.

Infrastructure/Service Capacity

The applicant has submitted a Functional Servicing and Stormwater Management Report, prepared by Husson and dated November, 2019. Engineering and Construction Services staff are currently reviewing the report to evaluate the effects of the proposed development on the City's municipal servicing infrastructure and watercourses and to identify and provide the rationale for any new infrastructure and upgrades to existing infrastructure, necessary to adequately service the proposed development.

The applicant also submitted a Transportation Impact Study (TIS), prepared by Stantec Consulting Ltd. and dated November 12, 2019. The purpose of the TIS is to evaluate the effects of the proposed development on the transportation system and to suggest any transportation improvements that are necessary to accommodate the travel demands and impacts generated by the development. This study is under review by Transportation Services staff.

Preliminary comments on matters relating to transportation, servicing, solid waste, stormwater management and sanitary sewers relative to the proposed development indicate that additional information is required for further review.

Toronto Green Standard

City 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 applicant submitted a TGS Checklist with this application. City staff are currently reviewing the Checklist for conformity with Tier 1 performance measures and will be encouraging the applicant to meet the Tier 2 or higher level of performance.

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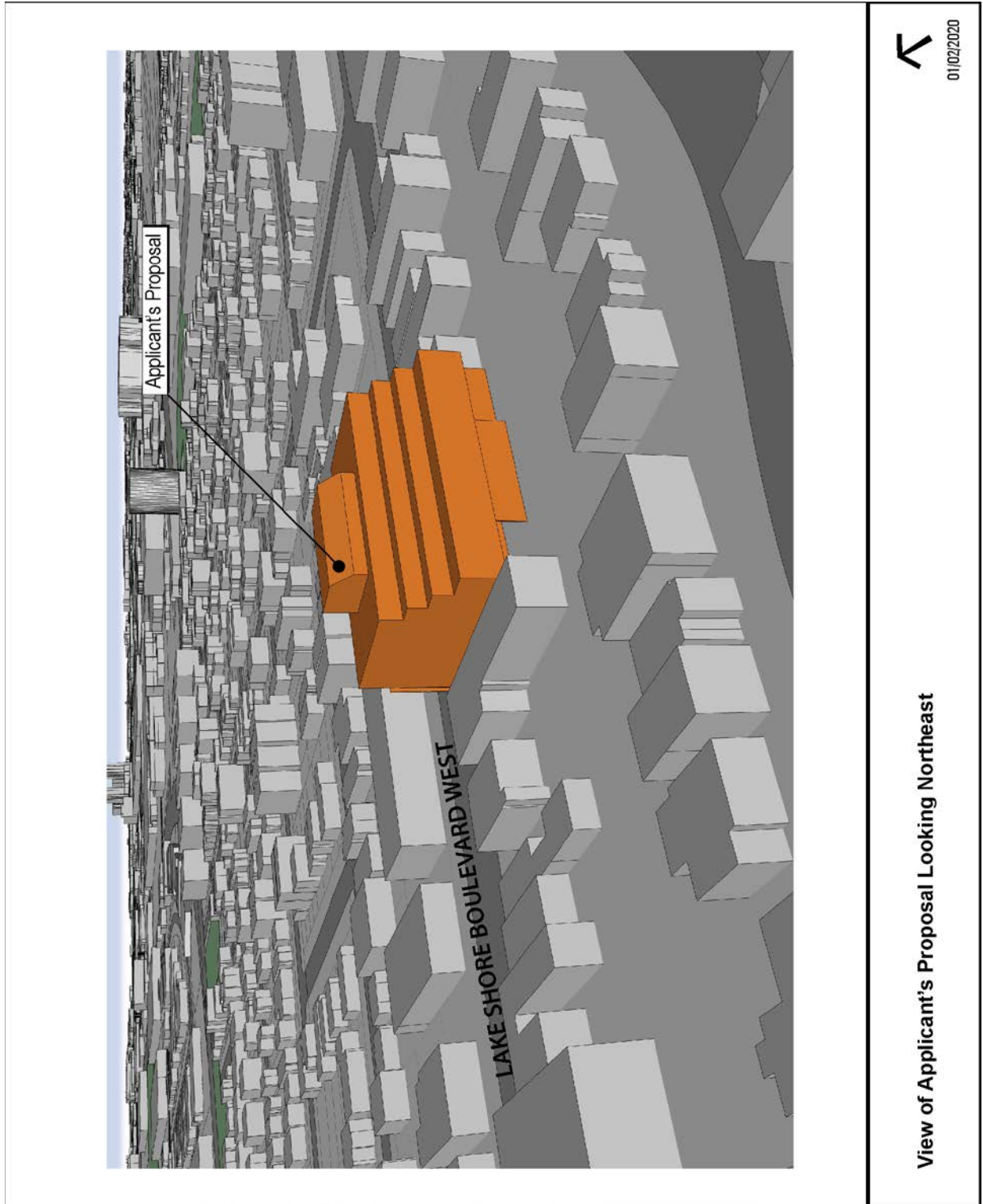
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Neil Cresswell, MCIP, RPP
Director of Community Planning
Etobicoke York District

ATTACHMENTS

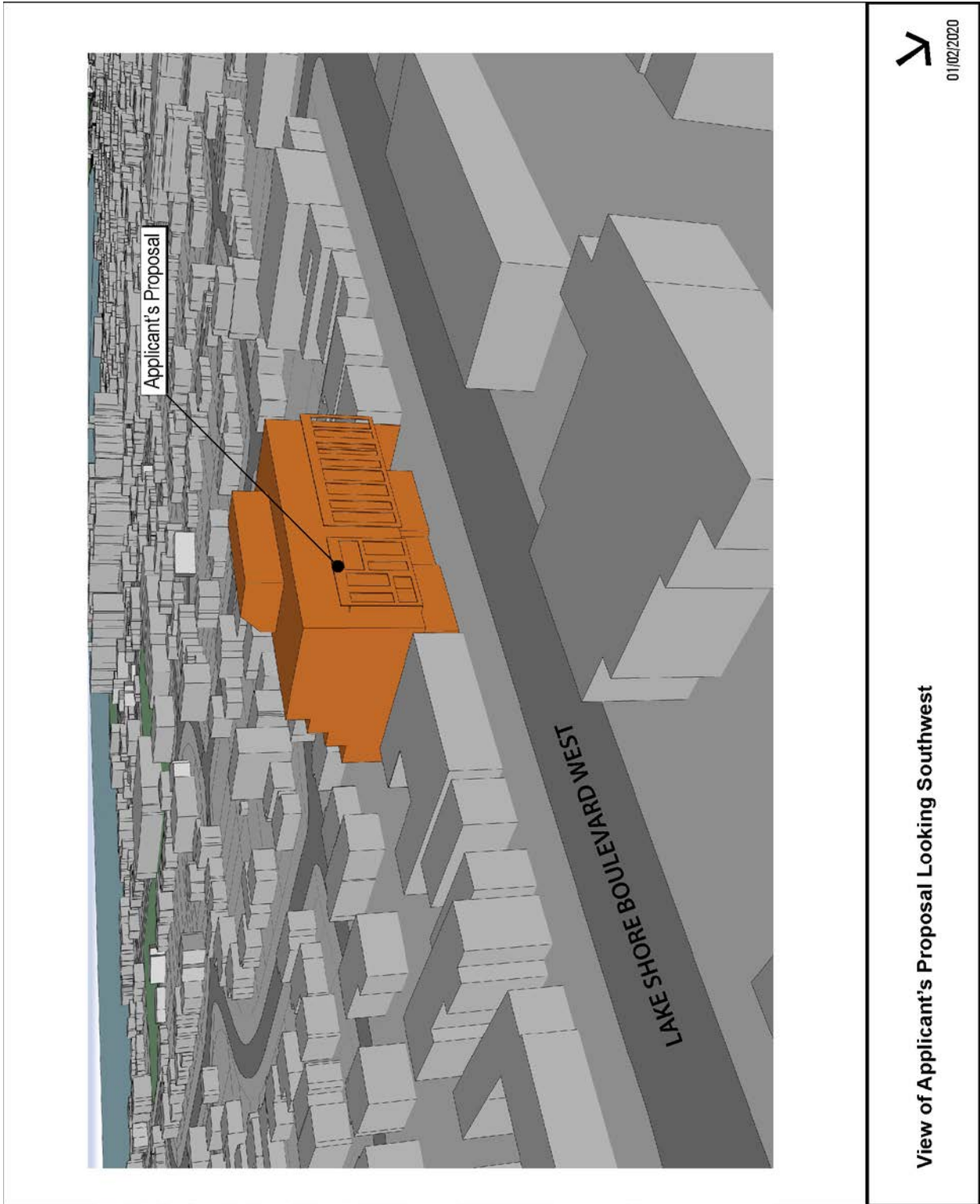
Attachment 1: 3D Model of Proposal in Context, Looking Northeast
Attachment 2: 3D Model of Proposal in Context, Looking Southwest
Attachment 3: Location Map
Attachment 4: Site Plan
Attachment 5: Official Plan Land Use Map
Attachment 6: Site and Area-Specific Policy No. 21 (SASP 21) Map
Attachment 7: Zoning By-law Map

Attachment 1: 3D Model of Proposal in Context, Looking Northeast



View of Applicant's Proposal Looking Northeast

Attachment 2: 3D Model of Proposal in Context, Looking Southwest

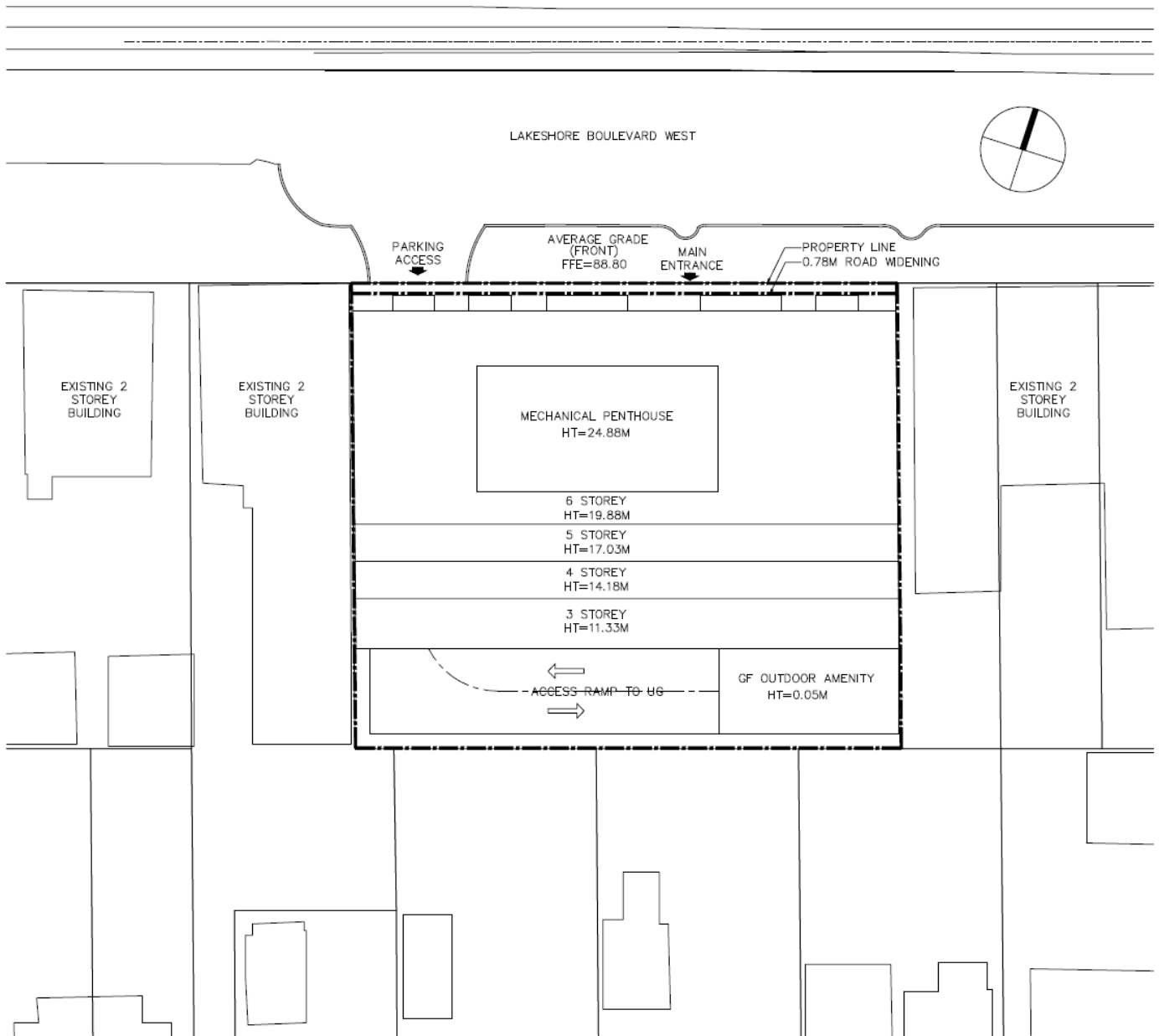


View of Applicant's Proposal Looking Southwest

Attachment 3: Location Map



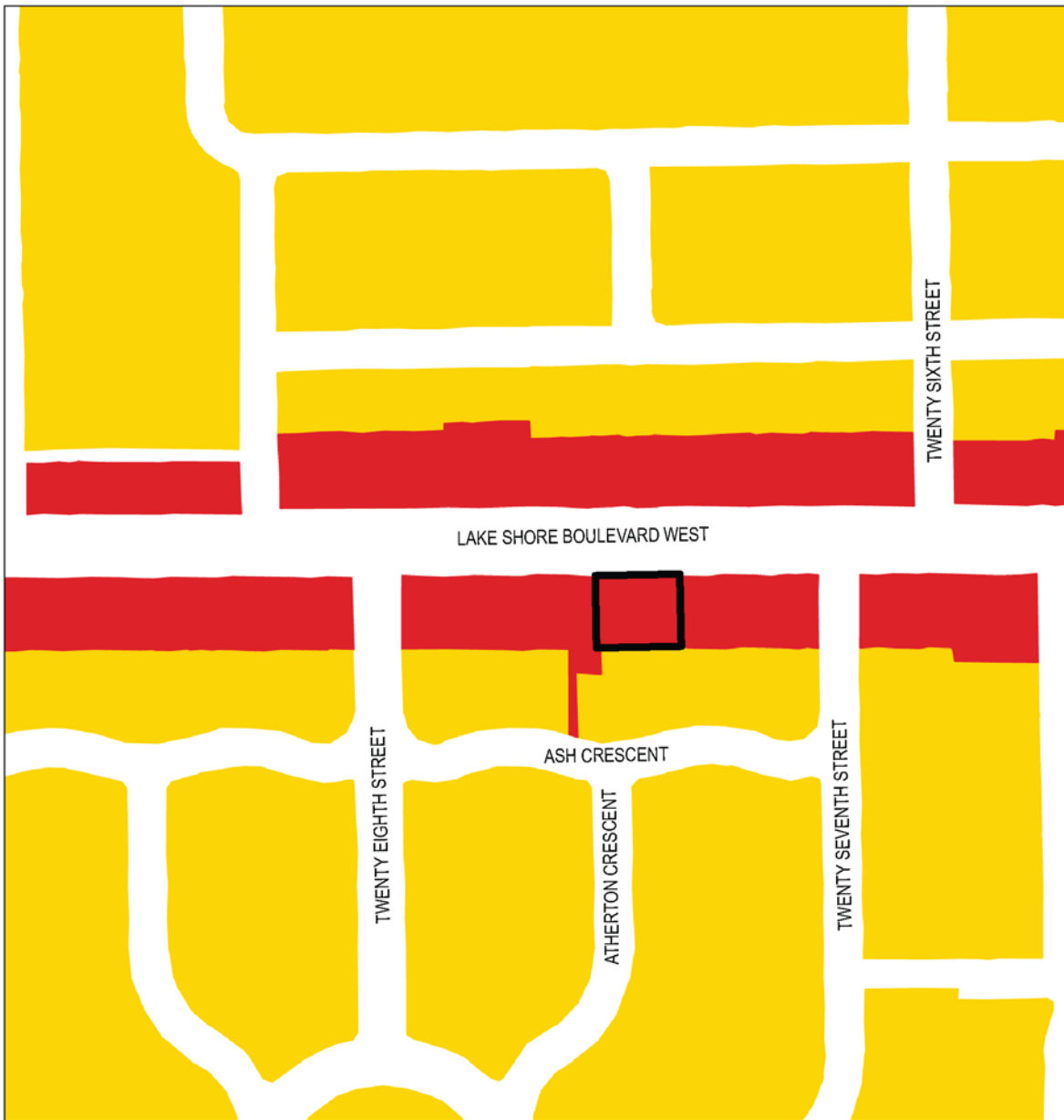
Attachment 4: Site Plan



Site Plan



Attachment 5: Official Plan Land Use Map



3353-3359 Lake Shore Boulevard West

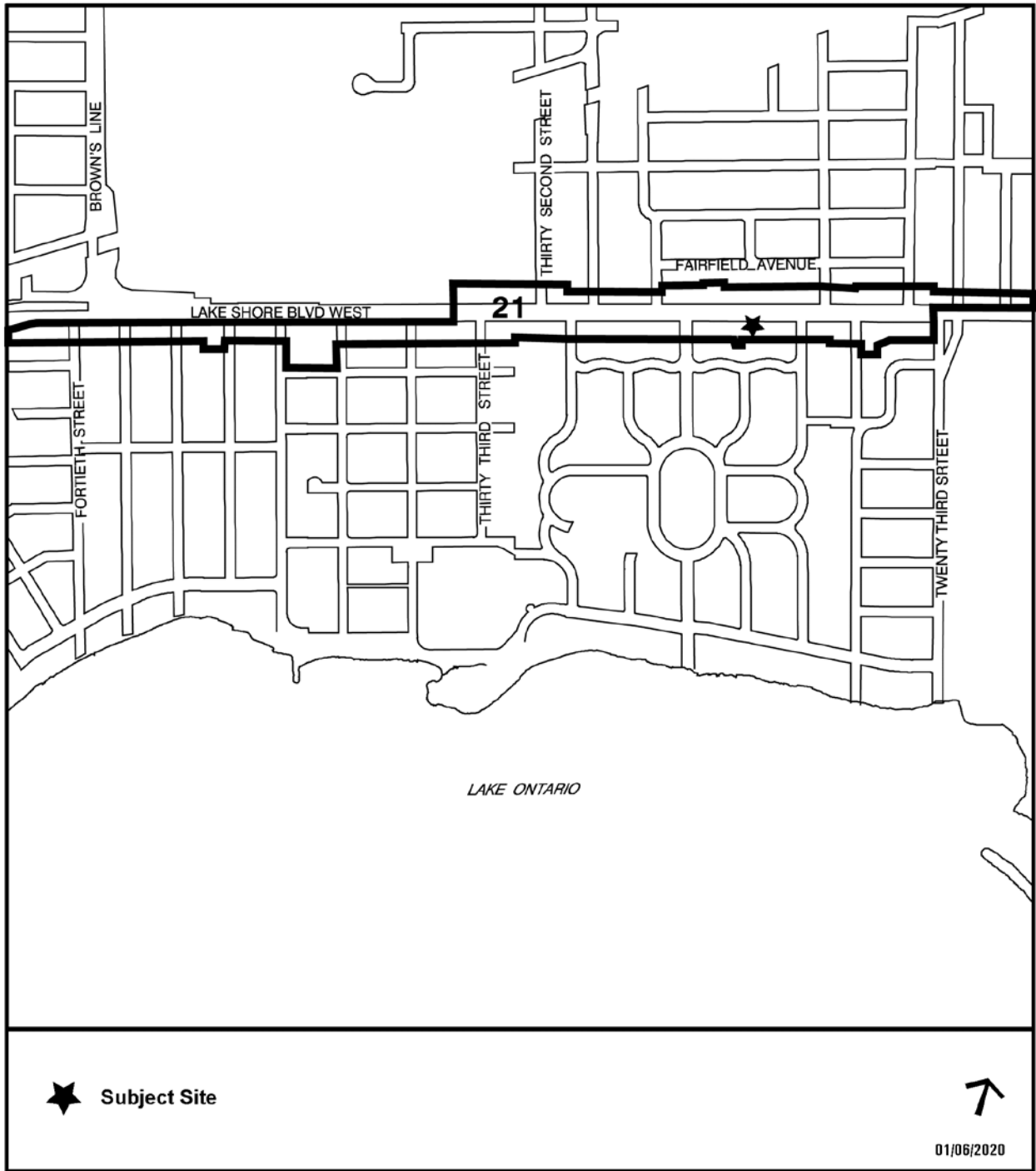
Official Plan Land Use Map #15

File # 19 252092 WET 03 0Z

-  Location of Application
-  Neighbourhoods
-  Mixed Use Areas


Not to Scale
12/10/2019

Attachment 6: Site and Area-Specific Policy No. 21 (SASP 21) Map



Attachment 7: Zoning By-law Map



Zoning By-law 569-2013

3353-3359 Lake Shore Boulevard West

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Location of Application



See Former City of Etobicoke (Long Branch) By-law No. 23/64
C1 Commercial

RD Residential Detached RT Residential Townhouse
RM Residential Multiple



Not to Scale
Extracted: 01/13/2020