

4916-4946 Dundas Street West and 4-16 Burnhamthorpe Road – Official Plan and Zoning By- law Amendment Application – Preliminary Report

Date: February 19, 2020

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Ward: 03- Etobicoke- Lakeshore

Planning Application Number: 19 264443 WET 03 OZ

Designated Heritage Building(s) on Site: The property located at 4946 Dundas Street West, which is designated under Part IV of the *Ontario Heritage Act*, contains the Wesleyan Methodist Church built in 1843 and a number of additions made to it over the next century. The property was the site of the first municipal hall of Etobicoke, and housed a public library and other various municipal, judicial and social activities.

Current Uses on Site: The site is currently occupied by three buildings, including a 3-storey commercial building, a 1-storey retail building and a 2 1/2 storey designated heritage building. The site has an approximate area of 5,292 m².

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application to amend the Official Plan, the former City of Etobicoke Zoning Code and Site Specific Zoning By-law No. 1088-2002 for the properties located at 4916 - 4946 Dundas Street West and 4 - 16 Burnhamthorpe Road. The application is proposing a 10-storey senior facility with retail uses at-grade and 210 residential retirement units above. The building would have a total gross floor area of 20,079 m² and a Floor Space Index of 3.79 times the area of the lands. The application proposes to retain the front portion of the designated heritage building on site. 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 4916 - 4946 Dundas Street West and 4 - 16 Burnhamthorpe Road 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

City Planning confirms there are no financial implications resulting from the recommendations included in the report in the current budget year or in future years.

DECISION HISTORY

The Etobicoke Centre Secondary Plan was enacted as part of the amalgamated City of Toronto Official Plan in 2006, and provides detailed policies that shape growth and development within the Etobicoke *Centre*.

ISSUE BACKGROUND

Pre-Application consultation

Pre-application consultation meetings were held in the Summer and Fall of 2019 to discuss complete application submission requirements. During the pre-application meetings, staff raised concerns regarding the proposed building height and the form of development planned for the *Mixed Use Area B* designation. The applicant submitted this application on December 24, 2019.

Application Description

The application proposes to amend the Etobicoke Centre Secondary Plan, the former City of Etobicoke Zoning Code and Site Specific Zoning By-law No. 1088-2002 for the properties at 4916 - 4946 Dundas Street West and 4 - 16 Burnhamthorpe Road to develop a 10-storey senior facility containing 210 retirement dwelling units and 287 m² of at-grade retail floor space.

The proposed building is in a U-shape configuration with a building height of 10-storeys along the eastern elevation, 9-storeys along the north elevation and a building height of 6-storeys stepping down to 4-storeys and 2 1/2-storeys along the south elevation. The application proposes a 14.5 m separation distance between the interior building faces. The proposed building height would be a maximum of 40.5 m, inclusive of the mechanical equipment.

The application proposes a total gross floor area of 20,079 m², of which 19,793 m² would be for residential uses and 287 m² would be retail space, resulting in a Floor Space Index of 3.79 times the area of the lands. The proposal includes the retention of the 1947 Georgian Revival addition facing Dundas Street West, while removing earlier buildings and additions.

Of the 210 proposed units, 32 would be memory care suites, 80 would be assisted living suites and 98 would be independent living suites. The memory care and assisted living floors would be provided with both indoor and outdoor amenity spaces that would serve the residents of that specific floor for accessibility reasons. Located at-grade along the west property line stretching from behind the 2-storey proposed addition at the rear of the heritage building to the north property line is a proposed outdoor open courtyard. Communal outdoor amenity space would be located both at-grade and on the 2nd level. The application is proposing a total of 3,305 m² of indoor amenity space and 1,767 m² of outdoor amenity space.

Vehicular access to the site would be provided from Burnhamthorpe Road at the northeast corner of the site. Located at the rear of the site, under the cantilevered building, would be a circular forecourt that would provide a pick-up and drop-off area and 3 short-term vehicular parking spaces. The application proposes a total of 51 vehicular parking spaces, with 48 residential vehicular parking spaces located within a 1-level below-grade garage in addition to the proposed 3 at-grade short-term spaces.

A total of 10 bicycle parking spaces are proposed and would be located at-grade adjacent to the enclosed loading space.

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/>

Site and Surrounding Area

The subject site is located at the northwest corner of Dundas Street West and Burnhamthorpe Road (see Attachment 3: Location Map). The site is currently occupied by three buildings, including a 3-storey commercial building, a 1-storey retail building and a 2 1/2 storey heritage building. The site has a unique shape and a site area of 5,292 m² with a frontage of approximately 87.2 m along Burnhamthorpe Road and 85.7 m along Dundas Street West. Dundas Street West has a right-of-way width of 27 m and Burnhamthorpe Road has a right-of-way width of 20 m at this location.

Surrounding land uses include:

North: Directly north are two 5-storey apartment buildings and beyond is a site with an active development application that is proposing 5 townhouse blocks containing 123 back-to-back 3 1/2 storey townhouses in a *Neighbourhoods* designation.

West: Directly west is a 0.2 hectare cemetery.

East: At the northeast corner of Burnhamthorpe Road and Dundas Street West is a one-storey building occupied by a CIBC bank, and beyond is a 4-storey mixed-use building with retail at-grade and residential above.

South: Directly south at the southwest corner of Dundas Street West and Cordova Avenue is a 2-storey mixed-use building.

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 (2019) and, where applicable, the Greenbelt Plan (2017). The PPS and all Provincial Plans can 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 conservation and environmental stewardship may be applicable to any application. Toronto Official Plan policies can be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The subject site is located within the Etobicoke *Centre* shown on Map 2 of the Official Plan and designated *Mixed Use Areas* on Land Use Map 14. The site is also designated *Mixed Use Area B* in the Etobicoke Centre Secondary Plan, which requires buildings to be developed at a pedestrian scale height. The *Mixed Use Areas* designation provides for a broad range of commercial, residential and institutional uses.

Zoning By-laws

The site is zoned Etobicoke Centre 1 (EC1) by the former City of Etobicoke Zoning Code as amended by Site Specific Zoning By-law No. 1088-2002 (see Attachment 6: Zoning Map). The EC1 zone permits apartment houses, senior citizen apartment buildings and a limited amount of commercial uses. The maximum building height permitted is 15 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.

The Zoning By-law also provides a number of performance standards including minimum and maximum setbacks at grade and the application of a 45 degree angular plane from the nearest Residential and Open Space zones.

City-wide Zoning By-law No. 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;
- Standards and Guidelines for the Conservation of Historic Places in Canada;
- Avenues and Mid-Rise Building Performance Standards;
- Etobicoke Centre Public Space and Streetscape Plan;
- Percent for Public Art;
- Toronto Green Standard; and
- Bird Friendly Development Guidelines.

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

The proposal requires both Official Plan and Zoning By-law amendments. The Etobicoke Centre Secondary Plan states that in the Mixed Use Area B designation, buildings are to be developed at a pedestrian-scale height. The proposed building height is greater than the width of both the Dundas Street West and Burnhamthorpe Road rights-of-way and would not be at a pedestrian-scale height, therefore an Official Plan Amendment is required.

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 the 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 Provincial Policy Statement (PPS) and conformity with the Growth Plan (2019).

Section 2 of the *Planning Act* sets out matters of provincial interest that City Council shall have regard to in making any decisions 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, pedestrian-oriented and transit-supportive; 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 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.

Policy 2.6.1 of the PPS directs that "Significant built heritage resources and significant cultural heritage landscapes shall be conserved." Properties included on the City's Heritage Register are considered to be significant in this context. "Conserved" is defined in the PPS as "the identification, protection, use and/or management of built heritage resources in a manner that ensures their cultural heritage value or interest is retained under the *Ontario Heritage Act*."

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.

A Place to Grow – Growth Plan for the Greater Golden Horseshoe (2019) supports intensification within built-up urban areas and focuses on accommodating forecasted growth in "complete communities", designed to meet people's needs for daily living through an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, public service facilities and a full range of housing to accommodate a range of incomes and household sizes.

Section 4.2.7.1 states "Cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas."

The application will be evaluated against the policies and objectives of the *Planning Act*, *Ontario Heritage Act*, Provincial Policy Statement and Growth Plan, especially with regard to the promotion of well-designed built form, heritage conservation and whether the proposal complies with the municipal direction for growth.

Official Plan Conformity

The site is located within the Etobicoke Centre, which is one of the four Centres within the City of Toronto.

Centres are places with excellent transit accessibility where jobs, housing and services will be concentrated in dynamic mixed-use settings with different levels of scale and intensity. Policy 2.2.2.2 (b) (j) and (l) (ii) of the Official Plan states:

"Each *Centre* will have a Secondary Plan that will"

(b) set out local goals and a development framework consistent with this Plan;

(j) set out the location, mix and intensity of land uses within the *Centre*;

(l) support the potential for growth within the *Centre* and protect adjacent *Neighbourhoods* from encroachment or larger scale development by:

(ii) ensuring an appropriate transition in scale and intensity of activity from the *Centre* to surrounding *Neighbourhoods*."

Secondary Plans establish local development policies to guide growth and change in a defined area of the City. Secondary Plan policies implement the objectives, land use designations and overall planning approach of the Official Plan to fit local contexts and are adopted as amendments to the Official Plan.

The Etobicoke Centre Secondary Plan sets out an urban structure for the area that directs different levels of intensification to certain areas within its boundaries. This is reflected in more detail in the two *Mixed Use Areas* designations of the Plan that divide the scale and intensity of growth into pedestrian scale and taller buildings. The Etobicoke Centre Secondary Plan designates the subject lands as *Mixed Use Area B*, which is expected to continue as the pedestrian focus of the Etobicoke *Centre* and is envisioned to be developed with pedestrian scale buildings having retail and service uses at-grade to enhance and expand the main street shopping area.

The site is located within the Islington Village Focus Area of the Secondary Plan. The Secondary Plan states:

"Islington Village is the historical "main street" shopping core located primarily along the north side of Dundas Street West and continuing westward across Kipling onto Bloor Street. Buildings are typically two storeys with at-grade retail uses.

Additional "main street" development consisting of buildings up to five storeys in height with at grade retail and office or residential on subsequent floor, will fill existing gaps and provide a continuation of this pedestrian-oriented form of development throughout the area".

Policy 3.3.1.4 of Etobicoke Centre Secondary Plan states "to further the concept of the Islington Village "Main Street" area, buildings along Dundas Street will be developed at a pedestrian scale". The main difference between the *Mixed Use Areas A* and *B* designations is that development within the *Mixed Use Areas B* designation is required to fit within a prescribed height and scale to reinforce the designations' "main street" character and function.

The Official Plan and Etobicoke Centre Secondary Plan policies set out direction on the conservation of heritage resources. New construction on or adjacent to, a property on the Heritage Register will be designed to conserve the cultural heritage values, attributes and character of that property and to mitigate visual and physical impact on it.

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 evaluated based on the planning framework for the area, including Sections 2 (d), (q) and (r) of the *Planning Act*, the PPS, the Growth Plan (2019), the City's Official Plan policies including the Etobicoke Centre Secondary Plan, the Zoning By-law and applicable City Council approved Design Guidelines.

Policy 3.4.7 of the Etobicoke Centre Secondary Plan states that "Urban Design Guidelines will support and implement objectives and policies of the City's Official Plan and this Secondary Plan." The Etobicoke Centre Urban Design Guidelines provide additional direction for the redevelopment of lands within the Etobicoke Centre and will be used to evaluate this proposal.

The following issues have been identified and will be evaluated through the review of the application:

- Appropriateness of the proposed building height, massing, setbacks, stepbacks, siting and scale and conformity to all applicable Official Plan and Secondary Plan policies;
- Review the proposal against its existing and Mixed Use Areas B planned context;
- The provision of a high-quality public realm, landscape design and appropriate sidewalk widths;
- Whether the proposal appropriately conserves the cultural heritage values and attributes of the on-site designated building; and
- The impact of the proposed building on the public realm, including wind and shadow impacts in the immediate vicinity.

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, City Council has adopted the objective of increasing the existing 27 percent tree canopy coverage to 40 percent. Policy 3.4.1 (d) of the Official Plan 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 long-lived native and large shade trees; and iii) regulating the injury and destruction of trees".

There are 25 trees on and within 6 m of the subject site and only 1 protected private tree on private property is proposed to be removed. An Arborist Report has been submitted and is under review by City staff. Staff will work with the applicant to address the provision of trees and the requirement to add to the City's tree canopy.

Heritage Impact and Conservation

The property at 4946 Dundas Street West, which is designated under Part IV of the *Ontario Heritage Act*, contains the Wesleyan Methodist Church built in 1843 and a number of additions made to it over the next century. The property was the site of the first municipal hall of Etobicoke, and housed a public library and other various municipal, judicial and social activities.

The proposal includes the retention of only the 1947 Georgian Revival addition facing Dundas Street West, while removing earlier buildings and additions. A Heritage Impact Assessment (HIA) was submitted with the application and is under review by Heritage Planning staff.

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 healthy, safe, liveable and accessible communities. 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 the existing and future residents. Integration in the planning of 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.

The Community Services and Facilities Study that was submitted with the application will be reviewed to determine whether any capital improvements or opportunities for expansion of facilities are identified by the applicant or 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.

Given its proposed height and density, the current proposal is subject to Section 37 contributions under the *Planning Act*. Section 37 benefits have not yet been discussed. City staff intend to apply the Section 37 provisions of the Planning Act should this application be recommended for approval.

Infrastructure/Servicing Capacity

City staff and commenting agencies are reviewing the application to determine if there is sufficient infrastructure capacity to accommodate the proposed development. The applicant has submitted a Functional Servicing Report, a Geotechnical Study, and a Hydrogeological Report. Staff will be reviewing the servicing reports to evaluate the effects of the development on the City's municipal servicing infrastructure, and identify and provide the rationale for any new infrastructure and upgrades to existing infrastructure necessary to adequately service the proposal. Staff will also be reviewing the Transportation Impact Study to evaluate the effects of the development on the local transportation system, and to identify any transportation improvements that are necessary to accommodate the travel demands and impacts generated by the proposed development.

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. Staff will continue to review the Toronto Green Standard Checklist submitted by the applicant for compliance with Tier 1 performance measures and will be encouraging the applicant to meet Tier 2 or higher 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: Southeast 3D Model of Proposal in Context
Attachment 2: Northwest 3D Model of Proposal in Context
Attachment 3: Location Map
Attachment 4: Site Plan
Attachment 5: Official Plan Land Use Map
Attachment 6: Zoning Map

Attachment 1: Southeast 3D Model of Proposal in Context

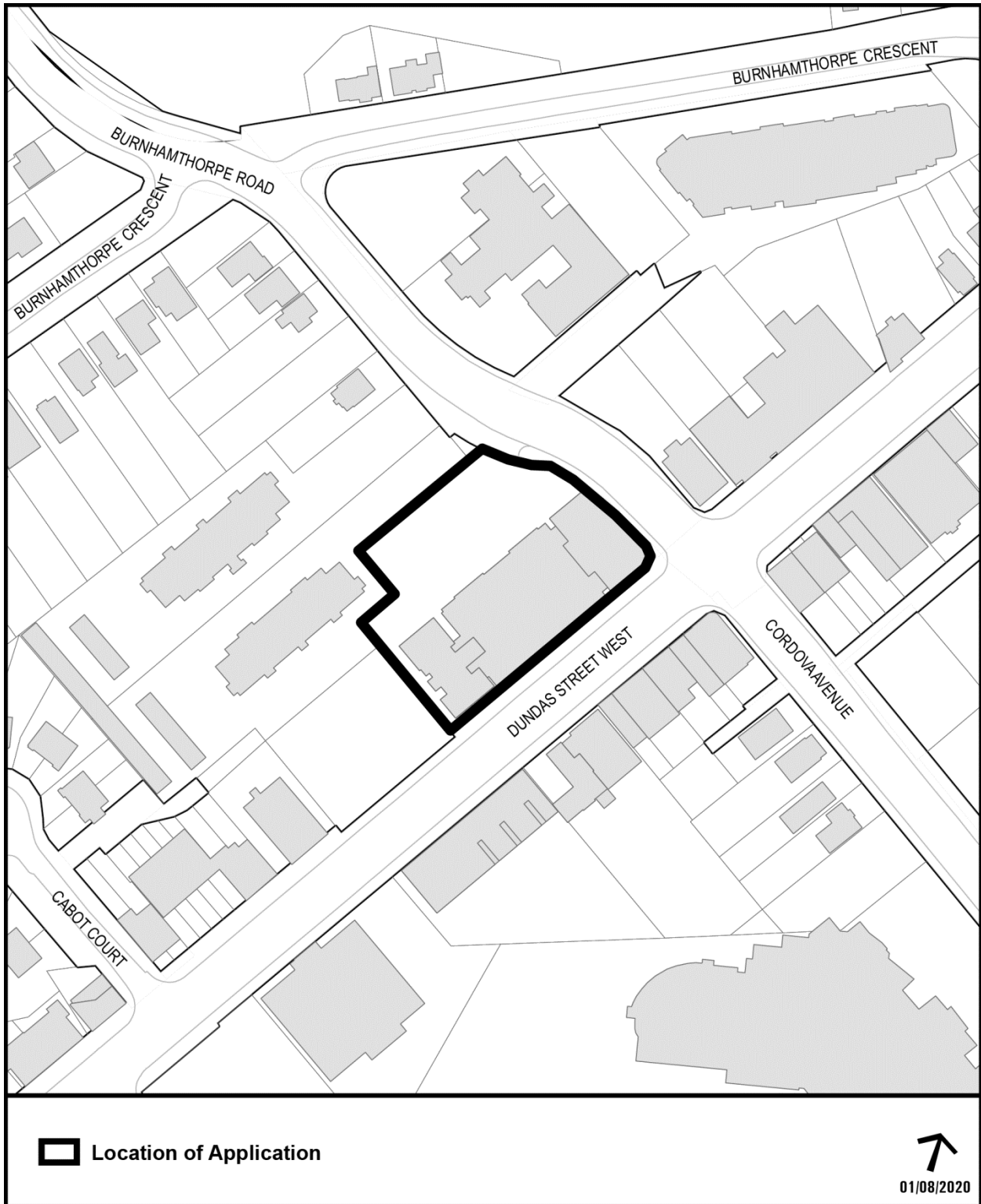


Attachment 2: Northwest 3D Model of Proposal in Context

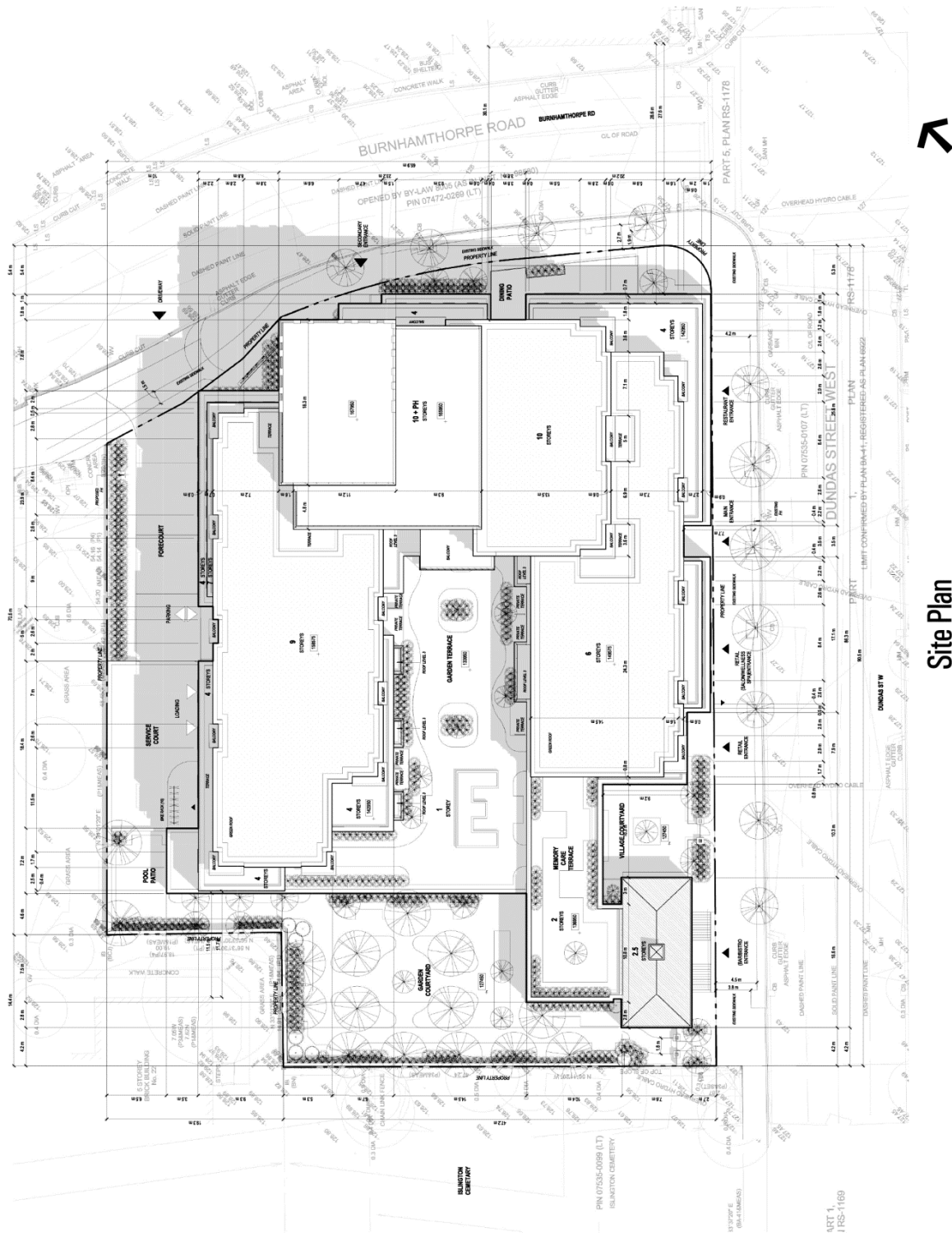


View of Applicant's Proposal Looking Northwest

Attachment 3: Location Map

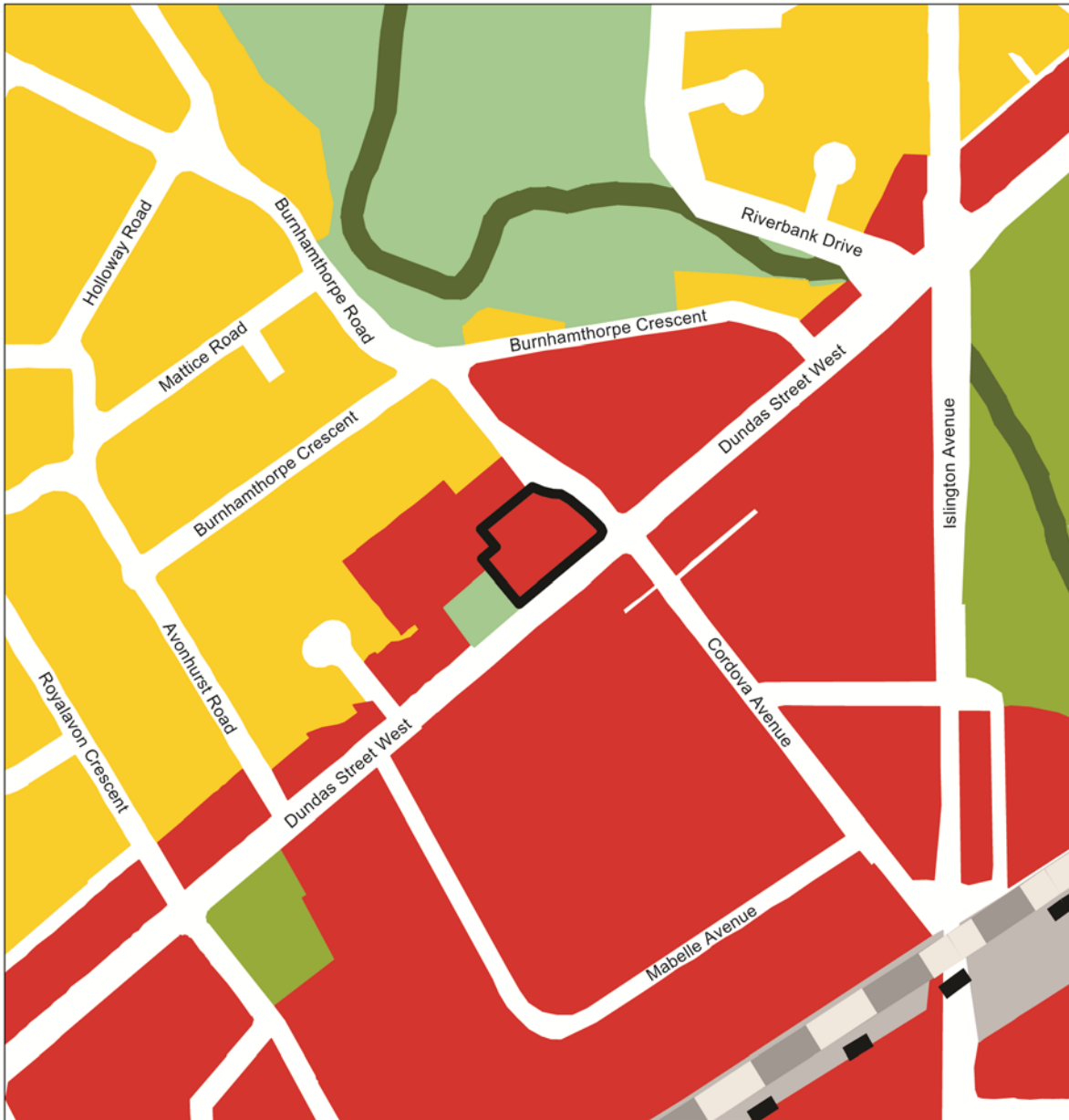


Attachment 4: Site Plan



Site Plan

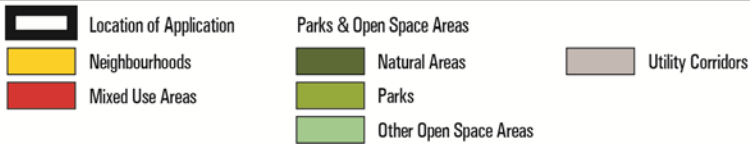
Attachment 5: Official Plan Land Use Map



4916 - 4946 Dundas Street West & 4 - 16 Burnhamthorpe Road

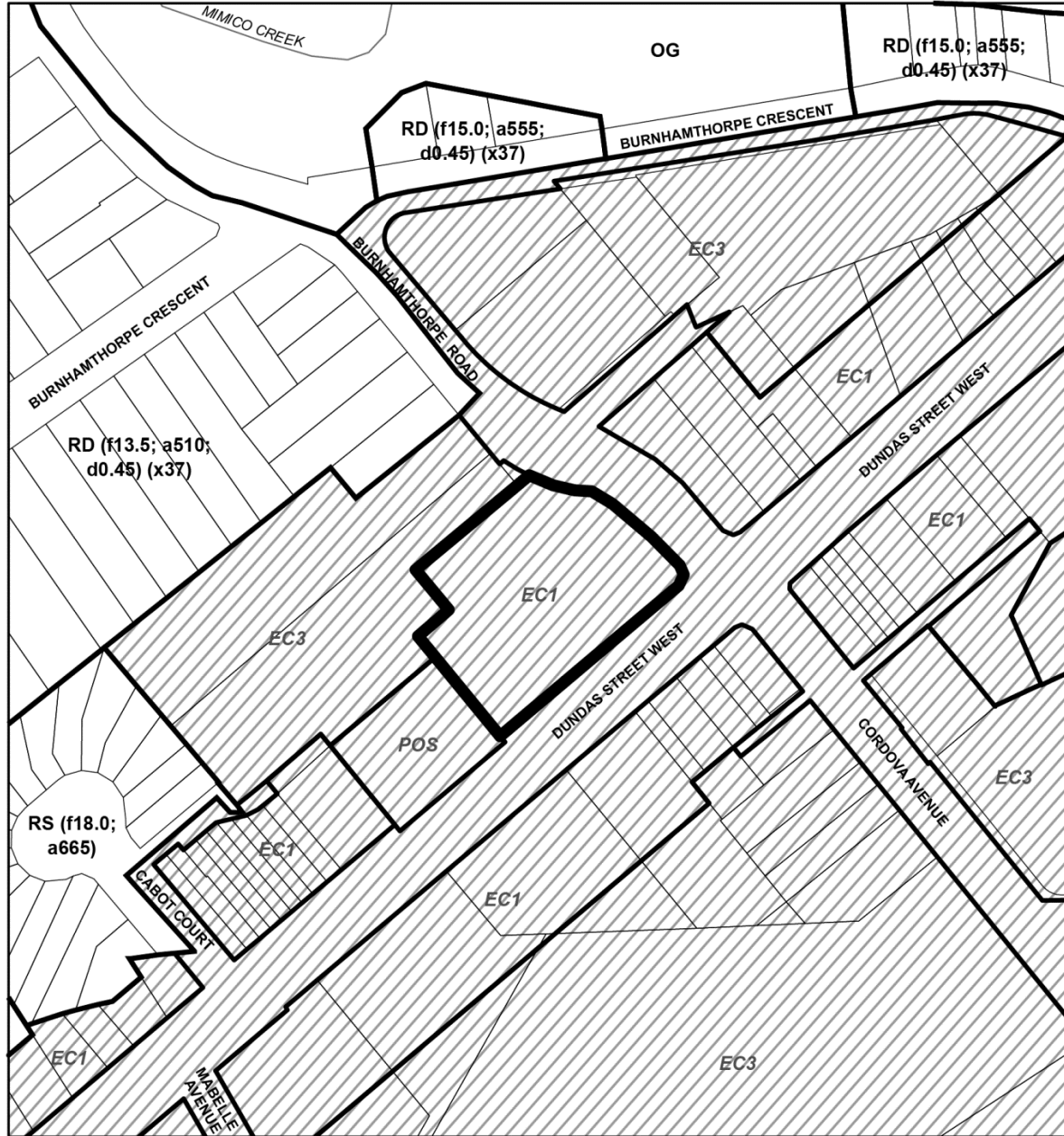
Official Plan Land Use Map #14

File # 19 264443 WET 03 0Z



Not to Scale
01/08/2020

Attachment 6: Zoning Map



4916 - 4946 Dundas Street West & 4 - 16 Burnhamthorpe Road

Zoning By-law 569-2013

File # 19 264443 WET 03 OZ

Location of Application

RD Residential Detached **RS** Residential Semi-Detached
OG Open Space Golf Course

See Former City of Etobicoke By-law No. 11,737

POS Private Open Space Zone
EC1 Etobicoke Centre 1
EC3 Etobicoke Centre 3

Not to Scale
 Extracted: 01/08/2020