

## **4, 6, 8 and 10 Beamish Drive – Zoning By-law Amendment Application – Request for Direction Report**

Date: January 3, 2023

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Ward: 3 - Etobicoke-Lakeshore

**Planning Application Number:** 19 232228 WET 03 OZ

### **SUMMARY**

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On October 7, 2019, a Zoning By-law Amendment application was submitted to permit the development of a 35-storey residential building with 329 dwelling units at 4, 6, and 8 Beamish Drive ("Original Proposal"). The existing three one-storey buildings were proposed to be demolished. The proposal included 171 vehicle parking spaces in four levels of underground parking and 252 bicycle parking spaces. The total proposed gross floor area was 24,747 square metres, resulting in a floor space index of 13.6 times the area of the lot.

Subsequently, two resubmissions were made on October 19, 2021 and August 18, 2022. In the latest resubmission, 10 Beamish Drive has been incorporated into the development site and the application has been revised to propose a 52-storey mixed-use building with 520 dwelling units and 296 square metres of commercial space at grade ("Current Proposal"). A total of 203 parking spaces and 52 bicycle parking spaces are proposed. The total proposed gross floor area has increased to 37,889 square metres, resulting in a floor space index of 16.1 times the area of the new lot area. The summary of the changes from the Original Proposal to the Current Proposal is discussed under the Application section of this report.

On September 15, 2022, the applicant appealed the Zoning By-law Amendment application to the Ontario Land Tribunal ("OLT") due to Council not making a decision within the prescribed time frames set out in the *Planning Act*.

This report recommends that City Solicitor with the appropriate City staff attend the OLT hearing to oppose the application in its current form and to continue discussions with the applicant to resolve outstanding issues, if possible.

## RECOMMENDATIONS

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The City Planning Division recommends that:

1. City Council direct the City Solicitor and appropriate City staff to attend the Ontario Land Tribunal in opposition to the current application regarding the Zoning By-law Amendment appeal for the lands at 4, 6, 8 and 10 Beamish Drive and to continue discussions with the applicant in an attempt to resolve outstanding issues.
2. In the event that the Ontario Land Tribunal allows the appeal, in whole or in part, City Council authorize the City Solicitor to request that the Ontario Land Tribunal withhold the issuance of any final Order(s) until such time as the Ontario Land Tribunal has been advised by the City Solicitor that:
  - a. The form and content of the Zoning By-law Amendments are to the satisfaction of the City Solicitor and Chief Planner and Executive Director, City Planning;
  - b. The owner has submitted a revised Functional Servicing and Stormwater Management Report to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, and such report shall determine the stormwater run-off, sanitary flow and water supply demand resulting from the development and whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposed development and/or any upgrades that may be required;
  - c. The owner has addressed all outstanding issues raised by Urban Forestry, Tree Protection and Plan Review, as they relate to the Zoning By-law Amendment application, to the satisfaction of the General Manager, Parks, Forestry and Recreation;
  - d. The owner has provided a revised Transportation Impact Study to the satisfaction of the General Manager, Transportation Services; and
  - e. The owner has provided a revised Pedestrian Wind Study to the satisfaction of the Chief Planner and Executive Director, City Planning, with recommendations implemented as part of the amending Zoning By-laws to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.
3. Should it be determined that upgrades are required to the infrastructure to support the development according to the accepted Functional Servicing and Storm Water Management Report and the Traffic Impact Study, City Council direct the City Solicitor and appropriate City staff to request that a Holding Provision (H) be included in the final form of the site-specific Zoning By-law Amendment, not to be lifted until such time as the owner has made satisfactory arrangements, including entering into appropriate agreement(s) with the City for the design and construction of any improvements to the municipal infrastructure and the provision of financial securities to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and General Manager, Transportation Services.

4. City Council authorize the City Solicitor and other City staff to take any necessary steps to implement City Council's decision.

## **FINANCIAL IMPACT**

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

## **DECISION HISTORY**

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A [Preliminary Report](#) on the application, dated January 14, 2020, was considered by [Etobicoke York Community Council on February 5, 2020](#) authorizing staff to conduct a community consultation meeting. Community consultation is summarized in the Comments section of this report.

## **SITE AND SURROUNDING AREA**

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**Site Description and Dimensions:** The revised site area ("subject site") includes four lots at 4, 6, 8, and 10 Beamish Drive that together are approximately 2,355 square metres in size and have a 59.4-metre street frontage along Beamish Drive.

**Current Uses on Site:** Four one-and-a-half to two-storey detached dwellings.

### **Surrounding Uses:**

North: Two-storey pedestrian scale commercial buildings along Bloor Street West. Further north is a residential neighbourhood with detached dwellings.

East: East of Beamish Drive is a place of worship and further east is the location of the Bloor Kipling Housing Now, Block 5, adopted by City Council on July 14, 2021 ([PH25.2](#)).

South: Immediately south of the site is a two-storey commercial building adjacent to the Historical Alignment along Dundas Street West. Further south of Dundas Street West are existing residential and mixed-use buildings adjacent to the Kipling Mobility Hub ranging from 20 to 40 storeys. This block south of Dundas Street West is identified as the focal point of the Etobicoke Centre in the Etobicoke Centre Secondary Plan ("ECSP").

West: A commercial plaza with surface parking spaces known as the Six Points Plaza is located immediately to the west. An Official Plan Amendment and Zoning By-law Amendment application has been submitted for this site proposing four mixed-use development blocks with buildings heights between 10 to 45 storeys and a public street (file no. 21 232816 WET 03 OZ).

Refer to Attachment 1 for the Location Map.

## THE APPLICATION

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The Original Proposal submitted on October 7, 2019 proposed a 35-storey residential building over the lands at 4, 6, and 8 Beamish Drive. The second submission was submitted on October 19, 2021 proposing a 32-storey mixed-use building over the same lands ("Second Proposal"). The Current Proposal is the third submission, submitted on August 18, 2022. The Current Proposal incorporates 10 Beamish Drive into the application and increases the height and scale of the development to a 52-storey mixed-use building.

The details of the Current Proposal are as follows:

**Proposed Uses:** A mixed-use building with 520 dwelling units and 296 square metres of ground floor commercial space at 4, 6, 8 and 10 Beamish Drive.

**Height:** A 52-storey mixed-use building with a seven-storey base building, which is 167.5 metres tall, not including a six-metre mechanical penthouse.

**Density (Floor Space Index):** 16.1 times the area of lot.

**Unit Breakdown:** A total of 520 dwelling units, of which 50 would be studio units (9.6%), 264 would be one-bedroom units (50.8%), 154 would be two-bedroom units (29.6%), and 52 would be three-bedroom units (10%).

**Parking:** The development proposes four levels of underground parking with a total of 203 vehicular parking spaces and 520 bicycle parking spaces.

**Amenity Space:** The proposal includes 1,049 square metres of indoor amenity space (two square metres per unit) and 1,044 square metres of outdoor amenity space (two square metres per unit) located on the ground floor, second floor and eighth floor.

**Privately Owned Publicly-Accessible Space ("POPS"):** 215 square metres.

The application details of each submission are summarized below:

	Original Proposal	Second Proposal	Current Proposal
Lot area	1,811.6 square metres	1,811.6 square metres	2,355 square metres
Height (including mechanical penthouse)	35 storeys (116 metres)	32 storeys (108 metres)	52 storeys (173.5 metres)
Base height	4 storeys	4 storeys	7 storeys
Dwelling Units	329	303	520

	Original Proposal	Second Proposal	Current Proposal
Total gross floor area	24,747 square metres	22,709 square metres	37,889 square metres
Non-residential gross floor area	None	181 square metres	296 square metres
Floor space index	13.6	12.5	16.1
Parking Spaces	171	161	203
Bicycle parking spaces	252	303	520
POPS	None	214 square metres	215 square metres

### **Additional Information**

See Attachment 1 of this report for the location map, Attachment 6 for the site plan, Attachment 7 for the elevations of the proposal, and Attachment 8 for the three-dimensional representations of the project in context.

All plans and reports submitted as part of the application can be found on the [City's Application Information Centre](#).

### **Reasons for Application**

An amendment to the Zoning By-law is required bring the site into the city-wide Zoning By-law 569-2013 and establish site specific performance standards for density, height, gross floor area, setbacks, parking, and other matters.

### **Site Plan Control**

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

## **POLICY CONSIDERATIONS**

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### **Official Plan Designation**

The site is designated as *Mixed Use Areas* on Land Use Map 14 of the Official Plan (See Attachment 2) and located within a *Centre* as identified on Map 2 of the Official Plan. The site is located within the Etobicoke Centre Secondary Plan ("ECSP") and designated *Mixed Use Area A* (See Attachment 3), which permits a wide variety of land uses and is envisioned and planned to accommodate the majority of the intensification within Etobicoke Centre boundaries.

## **Etobicoke Zoning Code**

The site is zoned "Etobicoke Centre 2" (EC2) in the Etobicoke Zoning Code, as amended by By-law 1088-2002. The EC2 zone permits both residential and a range of non-residential uses. The maximum building height permitted is 60 metres and the maximum floor space index permitted is 3.5 times the area of the lot. The by-law also requires a minimum of 25% of the site area to be reserved for landscaped open space. The zoning provides a number of additional performance standards including maximum base building height, minimum and maximum building setbacks and maximum tower floor plate size.

## **City-wide Zoning By-law 569-2013**

The subject site is currently not subject to city-wide Zoning By-law 569-2013 but, if the proposal is approved in some form, it will be added through the proposed amendments.

Additional Information on applicable policy documents can be found in Attachment 5.

## **COMMUNITY CONSULTATION**

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An in-person Community Consultation Meeting was hosted by City staff in coordination with the Ward Councillor on March 30, 2020 to discuss the proposal. Following a presentation by City staff and the applicant the following issues were raised by the community:

- Conformity with the ECSP;
- Height of the proposal;
- Traffic generated as a result of the proposed development;
- Shadow impacts on the surrounding neighbours and Bloor Street West;
- Impact of the proposal on local schools;
- Provision of parkland in the surrounding area;
- Provision of affordable units; and
- The appropriateness of the proposed parking supply.

## **COMMENTS**

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The proposal has been reviewed against the *Planning Act*, Provincial Policy Statement ("PPS"), Growth Plan and Official Plan and ECSP policies, planning studies and design guidelines.

### **Planning Act**

The review of this application has had regard for the relevant matters of provincial interest set out under Section 2 of the *Planning Act*.

### **Provincial Policy Statement (2020)**

City Planning staff have reviewed the current proposal against the policies of the PPS, as described in Attachment 5: Policy Considerations section in this report. The Official

Plan, as amended, is consistent with the PPS and outlined below is a detailed assessment of the proposed development against the policies of the Official Plan.

### **A Place to Grow: Growth Plan For the Greater Golden Horseshoe (2020)**

City Planning staff have reviewed the current proposal against the policies of the Growth Plan, as described in Attachment 5: Policy Considerations section in this report. The Official Plan, as amended, conforms to the Growth Plan and outlined below is a detailed assessment of the proposed development against the policies of the Official Plan.

### **Land Use**

The residential and commercial land uses proposed at 4, 6, 8 and 10 Beamish Drive are consistent with the *Mixed Use Areas* designation in the Official Plan and the policies of the ECSP.

### **Height and Density**

The application proposes a 52-storey tower (167.5 metres, not including a six-metre mechanical penthouse) with a total gross floor area of 37,889 square metres. The current zoning reflects the vision set out in the ECSP for tall buildings with a maximum height of 60 metres.

The ECSP states that to promote the Secondary Plan focal points, the zoning for the Etobicoke Centre will permit the greatest heights and highest densities around the Kipling and Islington subway stations. The block located east of Aukland Road and south of Dundas Street West is the focal point around Kipling subway station in the Etobicoke Zoning Code. The existing and approved building heights within the Six Points Area south of Dundas Street West range from 20 to 36 storeys, with the exception being 40 storeys at the Kipling focal point. The subject site is located north of Dundas Street West and is to have substantially less height than the buildings located south and in the focal point to provide transition down towards the *Mixed Use Area B* designated lands along Bloor Street West and the *Neighbourhoods* area to north and west at the periphery of the ECSP area.

The proposed height and density are much greater than all of the existing and approved developments south of Dundas Street West and approved developments north of Dundas Street West, which is not in keeping with the urban structure outlined in the ECSP and the planned context for the site.

The proposed density of 16.1 greatly exceeds the maximum permitted density of 3.5 in the zoning and does not reinforce the urban structure outlined in the ECSP or the transition down from the focal point to the pedestrian scaled built form along Bloor Street West and the *Neighbourhoods* areas to the north.

### **Building Placement and Massing**

City Planning staff have reviewed the proposed built form, including height, massing and transition, against the policies of the Official Plan, ECSP, and relevant design guidelines.

The proposed building massing, including the base building height, setbacks and stepbacks, is not acceptable and does not achieve the policies of the Official Plan, the policies of the ECSP or the intent of Tall Building Design Guidelines.

The policies and applicable guidelines require tall buildings to be massed to define streets and open spaces with good proportion. To achieve the policy objective of having a consistent base condition and to ensure a predictable street edge to frame and enhance the public realm within the Etobicoke Centre, the height of the base building should be reduced from seven storeys to no more than four storeys along the street frontage.

A distinct base building, with a streetwall with good proportion along Beamish Drive no greater than four storeys, should be combined with tower stepbacks of three metres or greater from the face of the base building to reduce the visual and physical impacts of the tower. Any taller base portions up to a 1:1 ratio to Beamish Drive may be permitted if a substantial stepback is provided.

The zoning requires a minimum 25% of the lot area to be reserved for landscaped open space. The Current Proposal did not provide information on the percentage of landscaped open space provided. Additional information is required to confirm that the minimum landscaped open space is achieved in order to maintain the landscape quality of developments envisioned within the ECSP area, provide pedestrian amenity and circulation around the site as well as adequate space for soil volume and tree planting.

The current proposal shows the tower extending to the ground along the south side. An appropriate tower setback and base building expression is required at the south, including a 12.5-metre minimum tower setback from the south lot line and the tower step back of least three metres from the base building to reinforce the base building as the defining element of the site and adjacent public realm, including the proposed landscaped POPS to the south. A base building on the south will enhance pedestrian comfort by absorbing downward wind shear and limiting the visual impact of the tower at grade.

## **Sun/Shadow**

The Official Plan requires development in *Mixed Use Areas* to locate and mass new buildings to frame the street edge with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks, and open spaces. The Official Plan also states that the tower portion of a tall building should be designed to limit shadow impacts on the public realm and surrounding properties. The applicant has provided a shadow study illustrating the shadow impacts during the fall and spring equinoxes and the summer solstice. The shadow study identifies shadow impacts on the *Neighbourhoods* to the north from 9:18 a.m. to 2:18 p.m., impact on the Dundas Street West historical alignment starting around 4:18 p.m. on the spring and fall equinoxes and summer solstice, and impact on the Dunkip Park during the spring and fall equinoxes from 4:19 p.m. on March 21 and 3:19 p.m. on September 21. There is also shadow impact along the planned pedestrian main street of Bloor Street West between 9:18 a.m. and 3:18 p.m. during the spring and fall equinoxes and between 9:18



am and 12:18 p.m. in the summer solstice. Necessary reductions to the building height and massing would reduce the shadow impacts on the streets and public realm.

## **Wind**

The applicant has not submitted an updated Pedestrian Level Wind Study in support of the revised application. In the event that the application is approved, the City will request that the OLT withhold its final Order until such time as the City advises that a wind tunnel study has been submitted and any building envelope changes to address the findings are made to the satisfaction of the Chief Planner and Executive Director, City Planning.

## **Unit Mix**

The Council-adopted Growing Up: Planning for Children in New Vertical Communities Urban Design Guidelines ("Growing Up Guidelines") provide guidance on the proportion and size of larger units in new multi-unit residential developments.

Staff have reviewed the applicant's proposal and note that the provision of 154 (29.6%) two-bedroom units and 52 (10%) three-bedroom units generally support the unit mix objectives of the Growing Up Guidelines, Official Plan housing policies, and the Growth Plan's growth management and housing policies. However, the average unit sizes of 68.65 square metres for the two-bedroom units and 91.97 square metres for the three-bedroom units are smaller than the unit sizes recommended in the Growing Up Guidelines which are 87 to 90 square metres for two-bedroom units and 100 to 106 square metres for three-bedroom units. The applicant should provide additional information on the proposed unit sizes and unit layouts, including a table outlining unit sizes and size ranges by bedroom type, to evaluate the application in the context of the Growing Up Guidelines.

## **Transportation**

### **Road Widening**

A 0.75-metre road widening is required along the Dundas Street West frontage and a 1.44-metre widening is required along the Beamish Drive frontage of this property to satisfy the road width requirement of a 23-metre wide right-of-way in the Official Plan. This road widening requirement was reflected in the most recent submission.

### **Traffic Impact**

A Transportation Impact Study ("TIS") prepared by BA Group dated October 4, 2019 to support the Original Proposal and an addendum dated October 15, 2021 to support the Second Proposal have been submitted. An addendum has not been provided to update the findings in the previous TIS to reflect the increase in development scale in the Current Proposal. The study will need to be updated to reflect the Current Proposal and the background traffic from all of the nearby development applications.

## **Parking, Loading and Bicycle Parking Spaces**

The application is proposing 203 vehicle parking spaces for the residential use and no parking spaces provided for the proposed commercial use. City-wide Zoning By-law 569-2013 requires 376 parking spaces for this proposal. Additional justification in an updated TIS is required for the parking space shortfall to the satisfaction of the General Manager, Transportation Services. One Type G and one Type C loading space proposed which is satisfactory. A total of 325 bicycle parking spaces are proposed on site which is satisfactory.

In the event that the application is approved in principle, the City will request that the OLT withhold its final Order until such time as the City advises the TIS has been revised to the satisfaction of the General Manager, Transportation Services.

## **Streetscape**

In accordance with the Public Realm and Built Form policies of the Official Plan, appropriate building setbacks from Beamish Drive should be provided to accommodate a row of street tree planting on Beamish Drive, as recommended in the Etobicoke Centre Public Space and Streetscape Plan.

## **Servicing and Stormwater Management**

A Functional Servicing and Stormwater Management Report ("FSR") prepared by Fabian Papa and Partners, dated October 3, 2019 and associated plans were submitted for the Original Proposal for 4, 6 and 8 Beamish Drive. The FSR and associated plans must be updated to reflect the Current Proposal at 4, 6, 8 and 10 Beamish Drive, to accurately determine the storm water runoff, sanitary flow and water supply demand resulting from this updated proposal and, to determine whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposed development. Should it be determined that there is not sufficient capacity, the City's position will be that the applicant will be required to enter into an appropriate agreement with the City for the design and construction of any improvements to the municipal infrastructure required to support the development if it is approved.

As such, in the event that the application is approved in principle, the City will request that the OLT withhold its final Order until such time as the City advises that the confirmation of water, sanitary and stormwater capacity from the Chief Engineer and Executive Director of Engineering and Construction Services, or the determination of whether a holding provisions is required in the Zoning By-law amendment.

## **Tree Preservation**

An Arborist Report and Tree Inventory and Preservation Plan prepared by Central Tree Care Limited dated October 1, 2019 was submitted for the Original Proposal and a revised version was submitted on October 12, 2021 for the Second Proposal. The reports are required for the new site area for the Current Proposal before staff can complete a review of the urban forestry matters.

As such, in the event that the application is approved in principle, the City will request that the OLT withhold its final Order until such time as the City advises that the owner has addressed all issues raised by Urban Forestry, Tree Protection and Plan Review, as they relate to the Zoning By-law Amendment application, to the satisfaction of the Supervisor, Tree Protection and Plan Review.

### **Toronto Green Standard**

The applicant is required to meet Tier 1 of the TGS that is in effect at the time of site plan control application and to provide enhanced bird friendly window treatments. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. TGS measures such as bicycle parking and minimum requirements for soil volumes will be secured in the Zoning By-law should the application be approved. Other TGS performance measures will be secured through the Site Plan Control approval process.

### **School Boards**

The Toronto Lands Corporation in consultation with the Toronto District School Board ("TDSB") and Toronto Catholic District School Board ("TCDSB") has determined that both the local elementary and secondary schools are currently presenting accommodation challenges. The Toronto Lands Corporation, TDSB and TCDSB will continue to monitor the residential development within the local area to understand the cumulative impact on local schools and to determine where prospective students will attend. In the interim, the TDSB and TCDSB have both requested that appropriate signage be erected on site and appropriate warning clauses be included in all lease, rental, sale and tenancy agreements. Should the application be approved by the OLT in some form, the status of local school accommodation should be communicated to new and existing residents to inform them that students from the new development will not displace existing students at local schools. This requirement will be secured through the future Site Plan Control application.

### **Further Issues**

City Planning continues to receive additional information regarding this application as the result of ongoing review by City commenting divisions, recent materials submitted in support of the proposal, and through deputations made by members of the public to Etobicoke York Community Council. City Planning staff may also be required to evaluate supplementary or revised plans and supporting materials submitted by the applicant after the date of this report. As a result, staff may continue to identify further issues or supplement the reasons provided in this report. Where substantive changes to the proposal are made by the applicant, staff may report back to City Council as necessary.

### **Conclusion**

The application has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), the Official Plan, the ECSP, as well as applicable City guidelines intended to implement Official Plan policies. As currently proposed, the application does not conform to the Official Plan, the ECSP, zoning, the Etobicoke Centre urban design

guidelines and the Tall Building Design Guidelines. The height, scale and massing of the proposal is not in keeping with the planned context, does not minimize the negative impact on the public realm and surrounding properties, and there is insufficient information to confirm conformity to various other policy objectives. This report recommends that the City Solicitor, with appropriate staff, attend the OLT in opposition to the application in its current form and to continue discussions with the applicant in an attempt to resolve outstanding issues.

## **CONTACT**

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## **SIGNATURE**

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Michael Mizzi, MCIP, RPP  
Director, Community Planning  
Etobicoke York District

## **ATTACHMENTS**

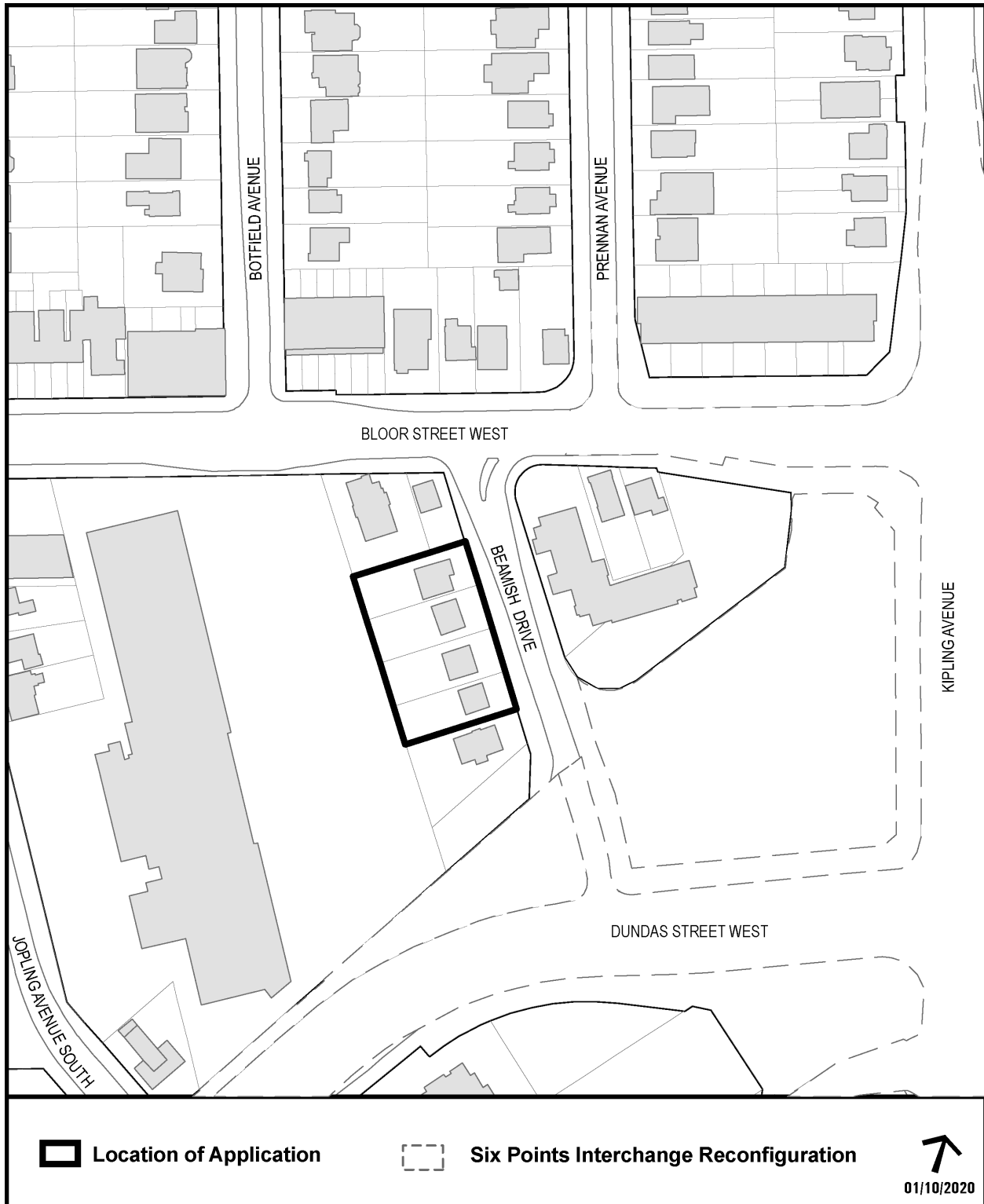
### **City of Toronto Data/Drawings**

Attachment 1: Location Map  
Attachment 2: Official Plan Land Use Map  
Attachment 3: Etobicoke Centre Secondary Plan Land Use Map  
Attachment 4: Zoning By-law Map  
Attachment 5: Policy Considerations

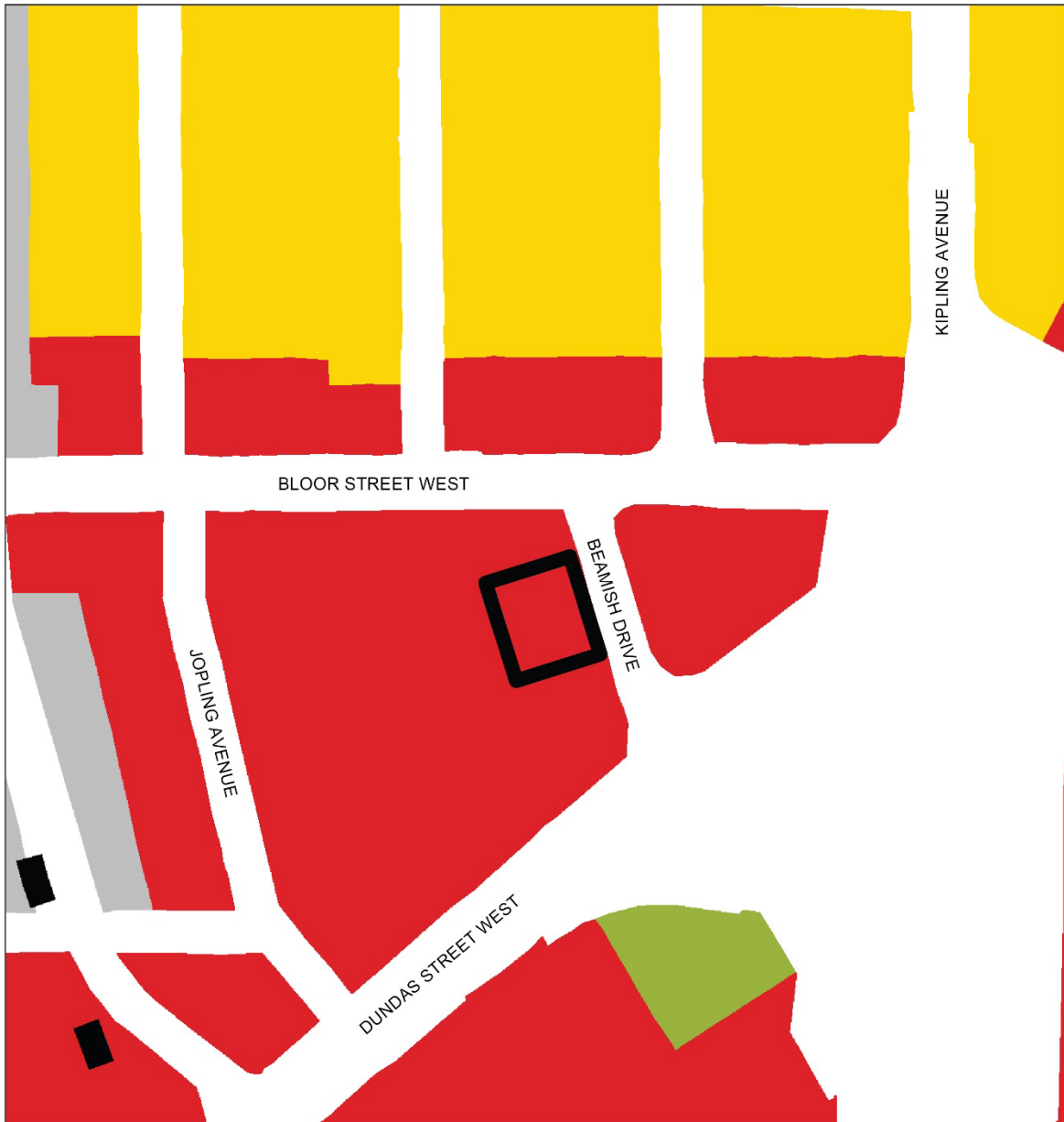
### **Applicant Submitted Drawings**

Attachment 6: Site Plan  
Attachment 7a: Elevation – North  
Attachment 7b: Elevation – East  
Attachment 7c: Elevation – South  
Attachment 7d: Elevation – West  
Attachment 8a: 3D Model of Proposal in Context Looking Northwest  
Attachment 8b: 3D Model of Proposal in Context Looking Southeast

## Attachment 1: Location Map



## Attachment 2: Official Plan Land Use Map



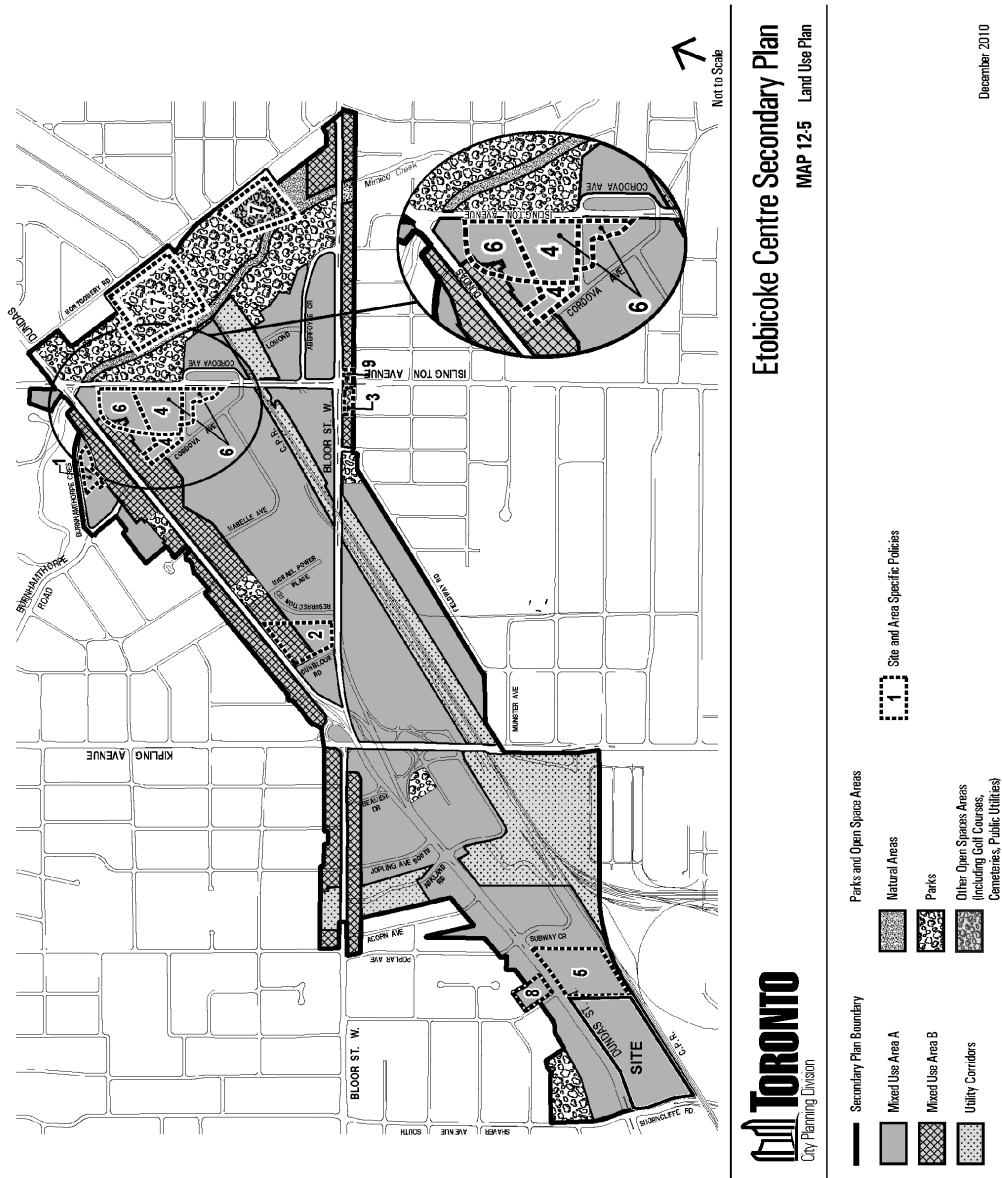
4 - 10 Beamish Drive

### Official Plan Land Use Map #14

File # 19 232228 WET 03 02



↑  
Not to Scale  
12/09/2019



# Attachment 4: Zoning By-law Map



**Zoning By-law 569-2013**

**4 -10 Beamish Drive**

**File # 19 232228 WET 03 02**

Location of Application

**RD** Residential Detached  
**E** Employment Industrial  
**UT** Utility and Transportation

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

**R2** Second Density Residential Zone  
**R4G** Fourth Density Group Residential Zone  
**OS** Public Open Space Zone  
**LC1** Class 1 Industrial Zone  
**EC1** Etobicoke Centre 1  
**EC2** Etobicoke Centre 2  
**U** Utilities Zone



Not to Scale  
Extracted: 12/09/2019



## Attachment 5: Policy Considerations

### Planning Act

Section 2 of the *Planning Act* identifies matters of provincial interest to which a municipality shall have regard regarding carrying out its responsibilities under the Act. Amongst other matters this includes:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water, and other resources;
- Protection of the natural and built environment;
- The orderly development of safe and healthy communities;
- The adequate provision and distribution of educational, health, social, cultural and recreational facilities;
- The adequate provision of a full range of housing, including affordable housing;
- The adequate provision of employment opportunities;
- The resolution of planning conflicts involving public and private interests;
- 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;
- 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; and
- The mitigation of greenhouse gas emissions and adaptation to a changing climate.

### Provincial Land Use Policies: Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plan control review.

Provincial plans are intended to be read in their entirety, and relevant policies are to be applied to each situation. The policies of the provincial plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the plans.

### The Provincial Policy Statement (2020)

The Provincial Policy Statement (2020) ("PPS") provides policy direction province wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- Encouraging a sense of place, by promoting well-designed built form;
- The efficient use and management of land and infrastructure;
- Ensuring the sufficient provision of housing to meet changing needs including affordable housing and mix of residential types;
- Ensuring opportunities for job creation;

- Ensuring the appropriate transportation, water, sewer and other infrastructure is available to accommodate current and future needs; and
- Protecting people, property and community resources by directing development away from natural or human-made hazards.

The provincial policy-led planning system recognizes and addresses the complex interrelationships among environmental, economic, and social factors in land use planning. The PPS supports a comprehensive, integrated, and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the *Planning Act*, and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.6 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated, and long-term planning is best achieved through official plans."

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS, and shall conform to provincial plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS, and conform to provincial plans.

### **A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)**

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) came into effect on August 28, 2020. This was an amendment to the Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the city forms an integral part.

The Growth Plan (2020) builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the Greater Golden Horseshoe region. The policies of the Growth Plan (2020) take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

In accordance with Section 3 of the *Planning Act*, all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan (2020).

The Growth Plan (2020) as amended contains policies pertaining to population and employment densities that should be planned for in major transit station areas ("MTSAs") along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800-metre radius of a transit station, representing about a 10-minute walk. The Growth Plan (2020) requires that, at the time

of the next MCR, the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSA's are planned for the prescribed densities.

## **Toronto 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.

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 application is located on lands shown as a *Centre* on Map 2 of the Official Plan. The City's four *Centres* are key components in the Official Plan's growth management strategy. The Official Plan provides for growth to be directed to *Centres* in order to use municipal land, infrastructure and services more efficiently and concentrate jobs and people in areas well served by surface transit and rapid transit stations. Each *Centre* is different in terms of its local character, its demographics, its potential for growth and its scale. Etobicoke Centre is focused on two subway stations and as an inter-regional transit connection point can contribute to growth management objectives of the broader region.

Etobicoke Centre takes in a range of urban conditions and has significant development potential, particularly around its subway stations and the City's own Westwood Theatre lands. Policy 2.2.2.2 requires that a Secondary Plan be created for each centre and provide criteria for those secondary plans. Criteria 2.2.2.2.1) states that the secondary plan for the *Centre* will support the potential for growth within the *Centre* and protect adjacent *Neighbourhoods* from encroachment of larger scale development by: establishing firm boundaries for the development area; ensuring an appropriate transition in scale and intensity of activity from within the *Centre* to surrounding *Neighbourhoods*; and connecting the *Centre* with the surrounding city fabric through parks, trails, bikeways, roads and transit routes.

## **Chapter 3 - Building a Successful City**

City Official Plan Amendments ("OPA") 479 (Public Realm) and 480 (Built Form) were adopted as part of the Five-Year Official Plan Review. On September 21, 2020 the Minister of Municipal Affairs and Housing issued Notices of Decision approving OPA 479 and OPA 480. The OPAs replace Sections 3.1.1, 3.1.2, and 3.1.3 of the Official Plan with new and revised policies for the public realm, built form, and built form types.

### **Public Realm:**

Section 3.1.1, The Public Realm, states that the public realm is the fundamental organizing element of the city and its neighbourhoods and plays an important role in supporting population and employment growth, health, liveability, social equity and

overall quality of life. Policy 3.1.1.1 identifies that the public realm is comprised of all public and private spaces to which the public has access including streets and lanes, parks and open spaces, and the parts of private and public buildings that the public is invited into. Policy 3.1.1.2 requires the public realm to provide the organizing framework and setting for development; foster complete, well-connected walkable communities and employment areas that meet the daily needs of people and support a mix of activities; support active transportation and public transit use; provide a comfortable, attractive and vibrant, safe and accessible setting for civic life and daily social interaction; contribute to the identity and physical character of the city and its neighbourhoods; provide opportunities for passive and active recreation; be functional and fit within a larger network; and contribute to the city's climate resilience. Policy 3.1.1.3 provides that the City, together with its partners, will seek opportunities to expand and enhance the public realm.

Policy 3.1.1.13 requires sidewalks to be designed to provide safe, attractive, interesting and comfortable spaces for users of all ages and abilities. Further, Policy 3.1.1.14 requires that design measures which promote pedestrian safety and security will be applied to streetscapes, lanes, parks, other public and private open spaces, and all new and renovated buildings.

Policy 3.1.1.16 states the preservation, long-term growth and increase in the amount of healthy trees will be a priority for all development. Development proposals will demonstrate how the protection, provision and maintenance of trees and their growing spaces above and below ground will be achieved.

Policy 3.1.1.18 requires new open spaces to be located and designed to: connect and extend, wherever possible, to existing parks, natural areas, and other open spaces such as school yards; consider opportunities for future expansion of the park or open space onto adjacent sites with redevelopment potential; provide a comfortable setting with wind and sunlight conditions that promote use and enjoyment of the space for community events and by users of all ages and abilities; provide appropriate spaces for a variety of active and passive recreation, as well as productive recreation such as community gardening; and emphasize and improve unique aspects of the community's identity and character, including natural and human-made heritage.

#### **Built Form:**

Section 3.1.2, Built Form, is based on principles on key relationships of the location and organization of development, its massing and appropriate amenity within the existing and planned context to inform the built form and ensure each new building will promote and achieve the overall objectives of the Official Plan.

Policy 3.1.2.1 requires development be located and organized to fit with its existing and planned context. Development is to frame and support adjacent streets, lanes, parks and open spaces to promote civic life and the use of the public realm, and to improve the safety, pedestrian comfort, interest and experience, and casual views to these spaces from the development.

Policy 3.1.2.2 prioritizes the provision of accessible open space in locations that have access to direct sunlight and daylight and Policy 3.1.2.3 requires development to protect

privacy within adjacent buildings by providing setbacks and separation distances from neighbouring properties and adjacent building walls containing windows.

Policy 3.1.2.4 requires that development locate and organize vehicle parking and vehicular access, servicing, storage areas and utilities to minimize their impact and improve the safety and attractiveness of the public realm, the site and surrounding properties.

Policy 3.1.2.5 requires development to be located and massed to fit within the existing and planned context, define and frame the edges of the public realm with good street proportion, fit with the character, and ensure access to direct sunlight and daylight on the public realm by providing streetwall heights and setbacks that fit harmoniously with the existing and/or planned context; and stepping back building mass and reducing building foot-prints above the streetwall height.

Policy 3.1.2.6 requires development to provide good transition in scale between areas of different building heights and/or intensity of use in consideration of both the existing and planned contexts of neighbouring properties and the public realm.

Policies 3.1.2.7 and 3.1.2.8 require transition in scale to be provided within the development site and be measured from shared and adjacent properties lines and where development includes, or is adjacent to, a park or open space, the buildings should be designed to provide good transition in scale to the parks or open spaces to provide access to direct sunlight or daylight.

Policies 3.1.2.9 and 3.1.2.10 require the design of new building facades visible from the public realm to consider the scale, proportion, materiality and rhythm of the façade and development to promote civic life and provide amenity for pedestrians in the public realm to make areas adjacent to streets, parks and open spaces attractive, interesting, comfortable and functional.

Policies 3.1.2.11 and 3.1.2.13 encourage new indoor and outdoor amenity spaces be provided in multi-unit residential development, and that it be high quality, well designed and consider the needs of all ages and abilities over time and throughout the year. Outdoor amenity spaces should be located above grade, have access to daylight, direct access to sunlight, provide comfortable wind, shadow and noise conditions, be located away from and physically separated from loading and servicing areas, have generous well designed landscaped areas to offer privacy and an interface with the public realm, accommodate mature trees and promote use in all seasons.

#### Housing:

Section 3.2.1 states that the City's quality of life, economic competitiveness, social cohesion, balance and diversity depend on access to adequate, affordable and appropriate housing. It states that adequate and affordable housing is a basic requirement for everyone. Policy 3.2.1.1 states a full range of housing, in terms of form, tenure and affordability, across Toronto and within neighbourhoods, will be provided and maintained to meet the current and future needs of residents.

## Chapter 4 Land Use designations

The current application is designated *Mixed Use Areas* on Map 14 – Land Use of the Official Plan. See Attachment 2 for the land use designation of the Official Plan.

*Mixed Use Areas* Section 4.5 of the Plan indicates that the *Mixed Use Areas* designation provides for a range of residential, commercial and institutional uses, and provides criteria to direct the form and quality of development. The Official Plan states that "*Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service employment in Toronto in the coming decades, as well as much of the new housing." However, not all *Mixed Use Areas* will experience the same scale or intensity of development. The policies of *Mixed Use Areas* require new development to provide a transition between areas of different development intensity and scale.

Policy 4.5.2 includes criterion that directs the form and quality of development in this land use designation. It is the intent that development in *Mixed Use Areas* will:

- create a balance of high quality commercial, residential, institutional and open space uses that reduce automobile dependency and meet the needs of the local community;
- locate and mass new buildings to provide a transition between areas of different development intensity and scale by providing appropriate setbacks and/or stepping down of heights, particularly towards lower scale *Neighbourhoods*;
- locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes;
- locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- provide an attractive, comfortable and safe pedestrian environment;
- take advantage of nearby transit services;
- provide good site access and circulation and an adequate supply of parking for residents and visitors;
- locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences;
- provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development; and
- provide opportunities for green infrastructure including tree planting, stormwater management systems and green roofs.

Further guidance for *Mixed Use Areas* that are adjacent or close to *Neighbourhoods* is found within the Healthy *Neighbourhood* policies) of the Official Plan. Policy 2.3.1.2 states that development within *Mixed Use Areas* that are adjacent to *Neighbourhoods* will:

- a) Be compatible with those *Neighbourhoods*;
- b) Provide a gradual transition of scale and density, as necessary to achieve the objectives of the Official Plan through the stepping down of buildings towards and setbacks from those *Neighbourhoods*;
- c) Maintain adequate light and privacy for residents in those *Neighbourhoods*;

- d) Orient and screen lighting and amenity areas so as to minimize impacts on adjacent land in those *Neighbourhoods*;
- e) Locate and screen service areas, any surface parking and access to underground and structured parking so as to minimize impacts on adjacent land in those *Neighbourhoods*, and enclose service and access areas where distancing and screening do not sufficiently mitigate visual, noise and odour impacts upon adjacent land in those *Neighbourhoods*; and
- f) Attenuate resulting traffic and parking impacts on adjacent neighbourhood streets so as not to significantly diminish the residential amenity of those *Neighbourhoods*.

The Healthy Neighbourhoods section of the Official Plan further states: At the boundary points between the neighbourhoods and the growth area, development in the mixed-use area will have to demonstrate a transition in height, scale and intensity as necessary to ensure that the stability and general amenity of adjacent residential area are not adversely affected.

### **Etobicoke Centre Secondary Plan**

The Etobicoke Centre Secondary Plan ("ECSP") 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 that divide the scale and intensity of growth into either pedestrian scale buildings specific to the *Mixed Use Area B* designation or taller buildings in *Mixed Use Area A*. The application is also located within the ECSP and is designated as *Mixed Use Area A* on Map 12-5 Land Use Plan, a designation that provides for both mid-rise and tall buildings. See Attachment 3 for the Etobicoke Centre Secondary Plan Land Use Map.

The site is located within the Six Points Focus Area of the Secondary Plan. The Secondary Plan states that the lands immediately around the Kipling subway station will form a high density mixed-use neighbourhood that can reap the benefits of the nearby transit facilities. Similar conditions will apply to the lands north of Dundas Street West in this area where less substantial heights will be afforded due to their proximity to lower density development to the north.

The subject site is located north of Dundas Street West within the Six Points Focus Area. The greatest heights and density are permitted and anticipated south of Dundas Street West adjacent to the transit stations within the Six Points Focus Area. Although both tall and mid-rise buildings are permitted north of Dundas Street West, the building heights are to be less substantial and secondary to the building heights to the south.

The Secondary Plan also contains urban design policies applicable to tall building proposals which are more prescriptive than the parent Official Plan policies. Section 3.4 Urban Design Policy 6 of the Etobicoke Centre Secondary Plan sets out key urban design considerations that proposed tall buildings must address, including:

- a) Demonstrate how the proposed building and site design will contribute to and reinforce the urban structure of the area;
- b) Demonstrate how the proposed building and site design relate to adjacent buildings and blocks within the immediate neighbourhood;

- c) Minimize the negative impact of shadows, sky view and wind on adjacent public areas including streets, parks and open spaces;
- d) Take into account the relationship of the site to topography of other tall buildings;
- e) Minimize the negative impact of shadows, sky view and wind on neighbouring private properties and residential neighbourhoods;
- f) Provide adequate transition between tall buildings and the adjacent lower scaled buildings; and
- g) Provide high quality, comfortable and usable publicly accessible open space and areas.

Section 3.9 speaks to the vision of expanding parks and open space opportunities through new parkland dedication and privately managed publicly accessible open spaces. Section 3.10 speaks to the creation of a successful and highly functioning pedestrian environment in Etobicoke Centre, by creating and ensuring safe, visually interesting and well connected pedestrian connections.

### **Zoning By-laws**

The subject site is zoned "Etobicoke Centre 2" (EC2) in the Etobicoke Zoning Code, as amended by By-law 1088-2002. The EC2 zone permits both residential and a range of non-residential uses. The maximum building height permitted is 60 metres and the maximum floor space index permitted is 3.5 times the area of the lot. See Attachment 4 for the zoning map.

The zoning requires a minimum of 25% of the site area to be reserved for landscaped open space and a minimum of 1.5 square metres per dwelling unit of indoor amenity space to be provided. The zoning also provides a number of performance standards including maximum base building height, minimum and maximum building setbacks and maximum tower floor plate size.

The subject site is not subject to city-wide Zoning By-law 569-2013.

### **Etobicoke Centre Design Guidelines**

In 2004, City Council endorsed the Etobicoke Centre Urban Design Guidelines ("Etobicoke Centre Guidelines") for developments in the Etobicoke Centre area, which is to be read in conjunction with the ECSP. The Etobicoke Centre Guidelines state the Urban Design goals for Etobicoke Centre are to define the character of Etobicoke Centre as a whole, include its streets and buildings, to provide open spaces and linkages to encourage movement in and around Etobicoke Centre, to establish the relationship of built form to adjacent streets and open spaces, and to clarify streetscape elements, view systems, and public art.

Beamish Drive is considered to be a local street which is envisioned by the Etobicoke Centre Guidelines to be tree-lined with sidewalks on both sides, and landscaped front yards. The guidelines also emphasize the importance of pedestrian comfort through the design and placement of new buildings.



The Etobicoke Centre Guidelines state that new developments will have a maximum base height of four storeys and the building mass above the base will be stepped back a minimum of three metres. Through the community consultation process, it is expected that the taller buildings will not exceed 30 storeys in height. In general, tall buildings will have a 45-degree angular plane gradient from adjacent low-rise residential areas, where appropriate, to restrict the impact of higher buildings.

## **Etobicoke Centre Public Space and Streetscape Plan**

In 2011, City Council endorsed the [Etobicoke Centre Public Space and Streetscape Plan](#) ("Streetscape Plan") to incrementally improve the quality and character of public spaces in the Etobicoke Centre. The Streetscape Plan is intended to unify the diverse parts of the Etobicoke Centre and encourages a friendly pedestrian environment while identifying new park space and public space improvements. In addition to general recommendations on the public realm, individual character areas were identified where specific public realm improvements could be undertaken to further achieve the goals of the Streetscape Plan. The site is identified at the edge of the Westwood/Civic District which will be a core destination in Etobicoke Centre and a focal point of civic identity. The Streetscape Plan has identified opportunity for street trees along the Beamish Drive frontage.

Section 7.1.4 states that Etobicoke Centre must have a distinct feeling of entry. Public art, symbolic entry ways, special building and other landscape treatments will celebrate the importance of the Centre. Moments of transition will be marked by smaller gestures, such as strategic elements in paving or mosaic tiling. Section 7.1.5, Encourages Public Art, states that Etobicoke Centre must tell its stories. New art installations will contribute to the Centre's feeling as a distinct place with a unique identity. Public art will be positioned to take advantage of important view corridors and vantage points.

## **Tall Building Design Guidelines**

City Council has adopted city-wide [Tall Building Design Guidelines](#) and directed City Planning staff to use these Guidelines in the evaluation of tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts.

The Tall Building Design Guidelines will be used to provide direction for components of the tower design including but not limited to evaluation of the base building, tower placement and orientation, separation distances and setbacks, tower stepbacks, floor plate size and shape, balconies and building articulation.

## **Privately Owned Publicly-Accessible Space Urban Design Guidelines**

In July 2014, Toronto City Council adopted the Draft [Urban Design Guidelines for Privately Owned Publicly-Accessible Spaces](#) ("POPS Guidelines") and directed City Planning staff to apply these guidelines in evaluating locations, programming and designs of POPS in order to effectively contribute to the City's overall open space network in a meaningful way. The purpose of the Guidelines is to not only provide

direction for the provision of POPS, but also to facilitate collaborative discussions between City staff, local residents and the development community in the location and design of new publicly-accessible spaces and the revitalization of existing POPS.

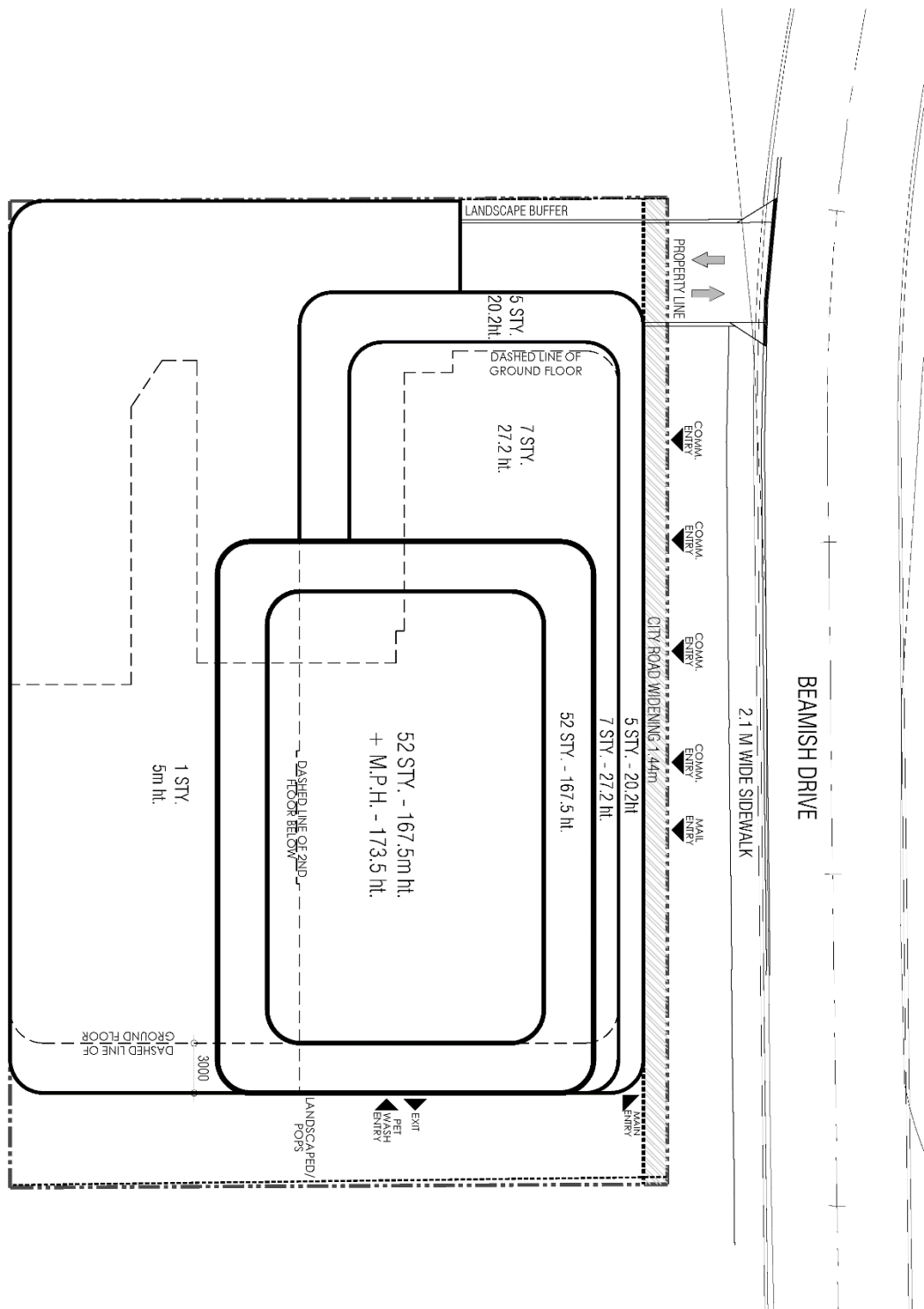
### **Growing Up: Planning for Children in New Vertical Communities**

On July 28, 2020, City Council adopted the [Growing Up Urban Design Guidelines](#) ("Growing Up Guidelines") and directed City Planning staff to apply the Growing Up Guidelines in the evaluation of new multi-unit residential development proposals. The objective of the Growing Up Guidelines is for developments to increase liveability for larger households, including families with children living in vertical communities, at the neighbourhood, building, and unit scale. The guidelines indicate that a building should provide a minimum 25 percent large units of which 10 percent should be three-bedroom units, and 15 percent should be two-bedroom units.

### **Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings**

The purpose of the [Pet Friendly Design Guidelines](#) is to guide new developments in a direction that is more supportive of a growing pet population, considering opportunities to reduce the current burden on the public realm, and provide needed pet amenities for high density residential communities.

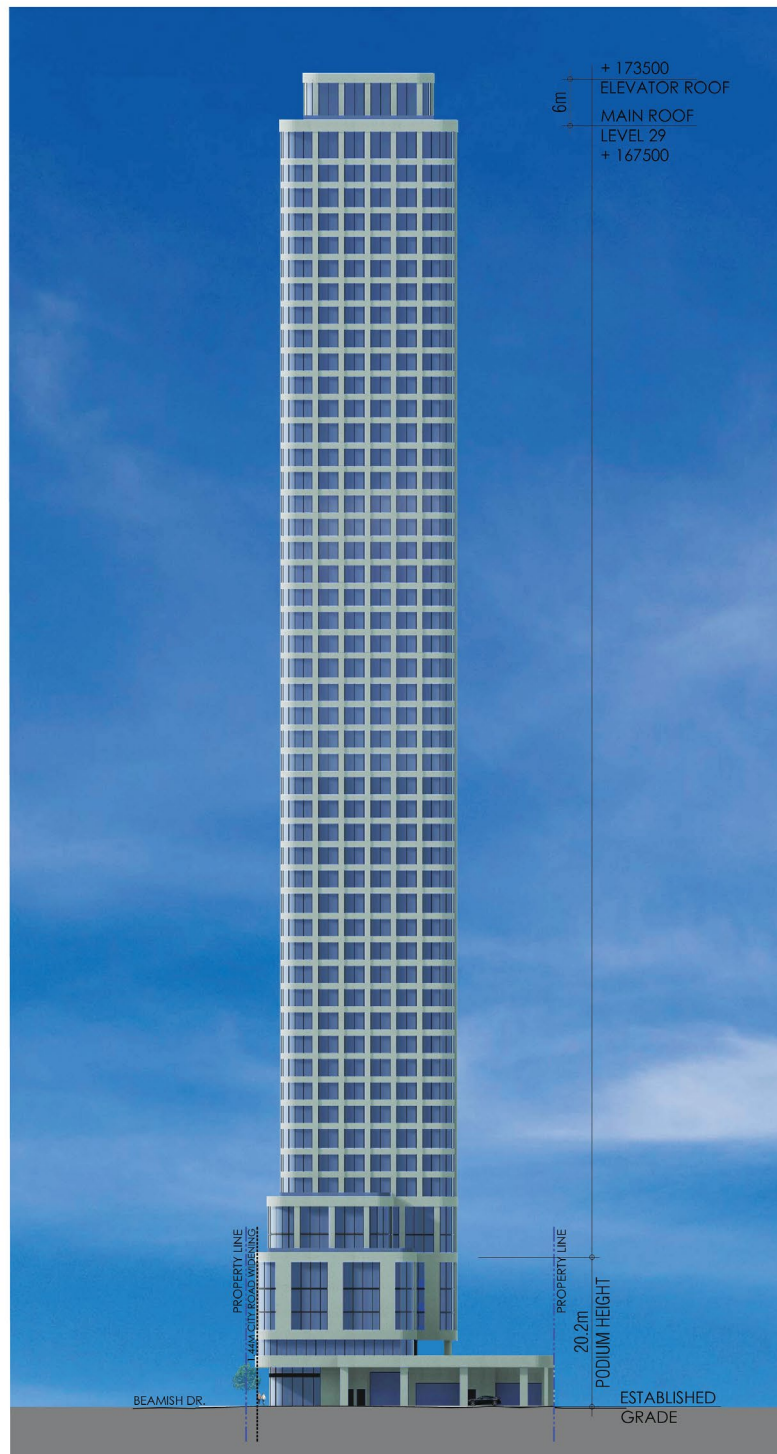
## Attachment 6: Site Plan



Site Plan

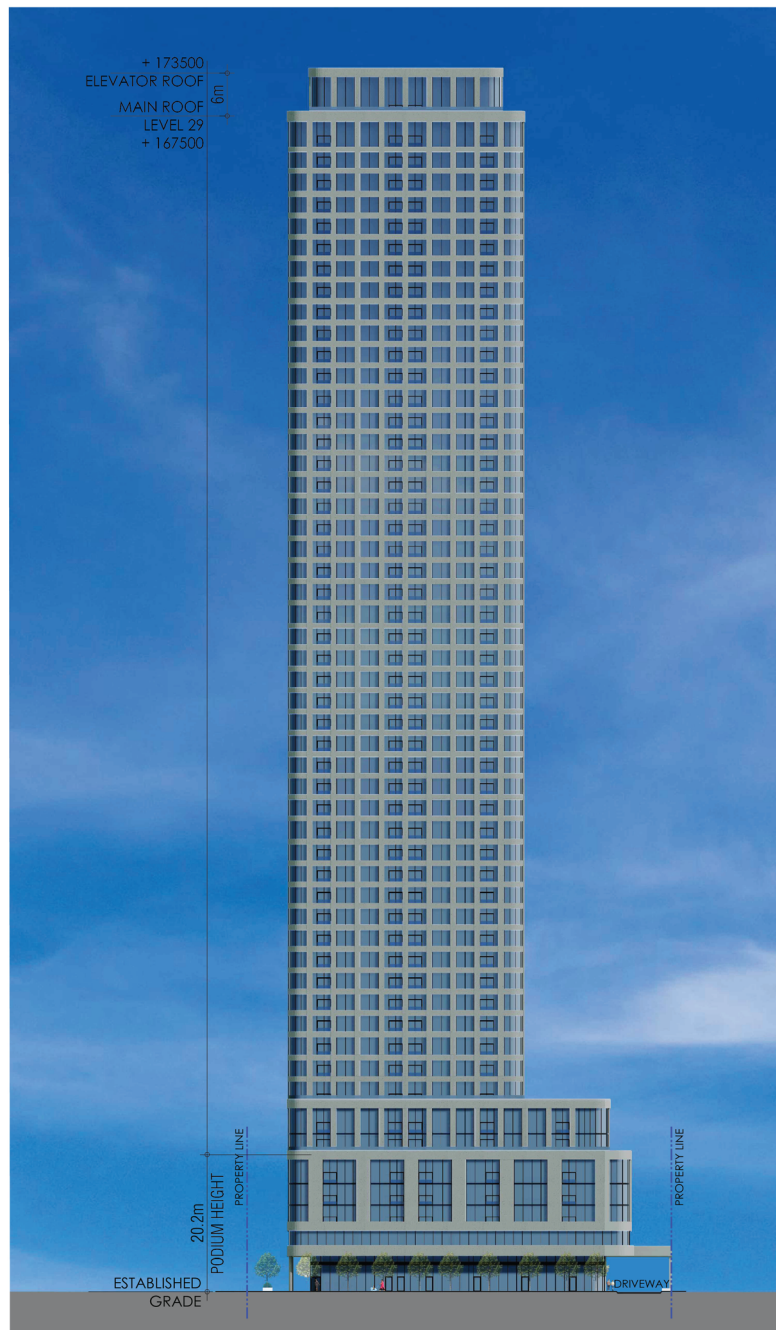


## Attachment 7a: Elevation - North



North Elevation

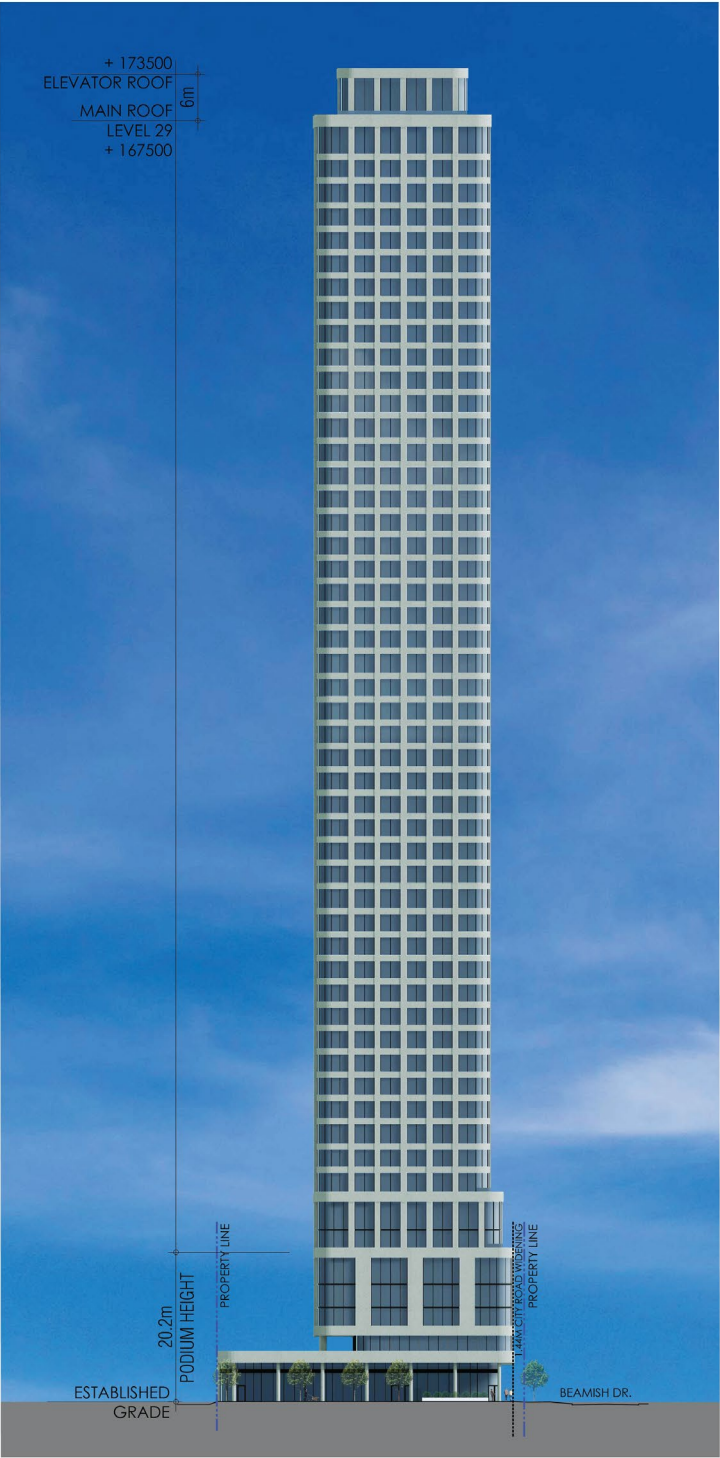
## Attachment 7b: Elevation – East



East Elevation

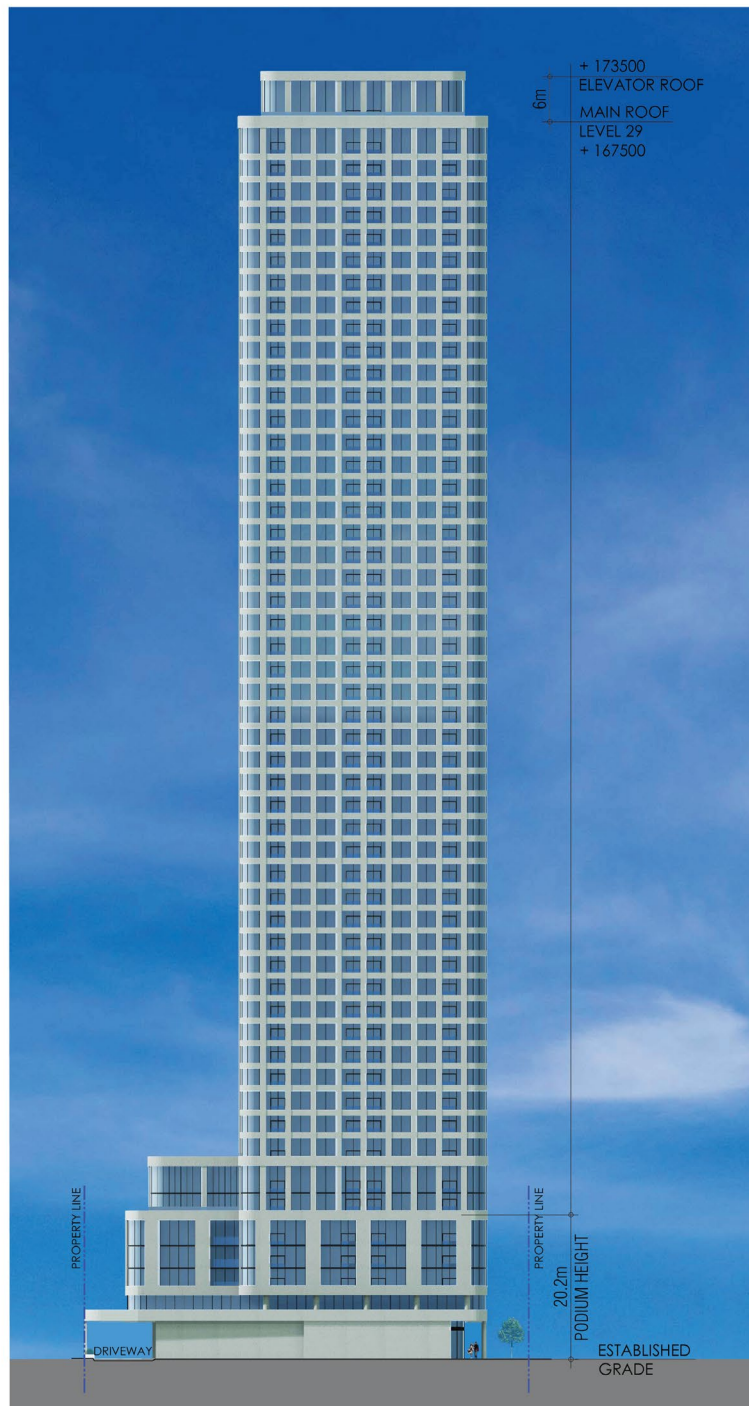


Attachment 7c: Elevation – South



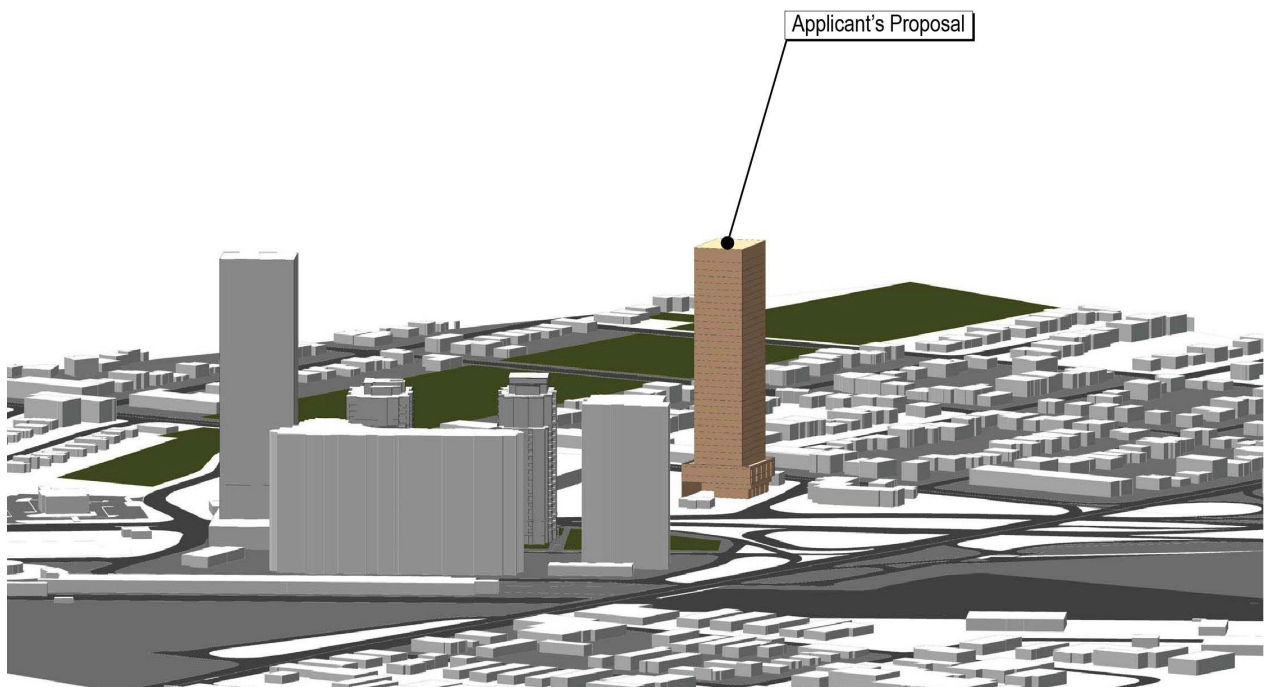
South Elevation

## Attachment 7d: Elevation – West



**West Elevation**

## Attachment 8a: 3D Model of Proposal in Context Looking Northwest

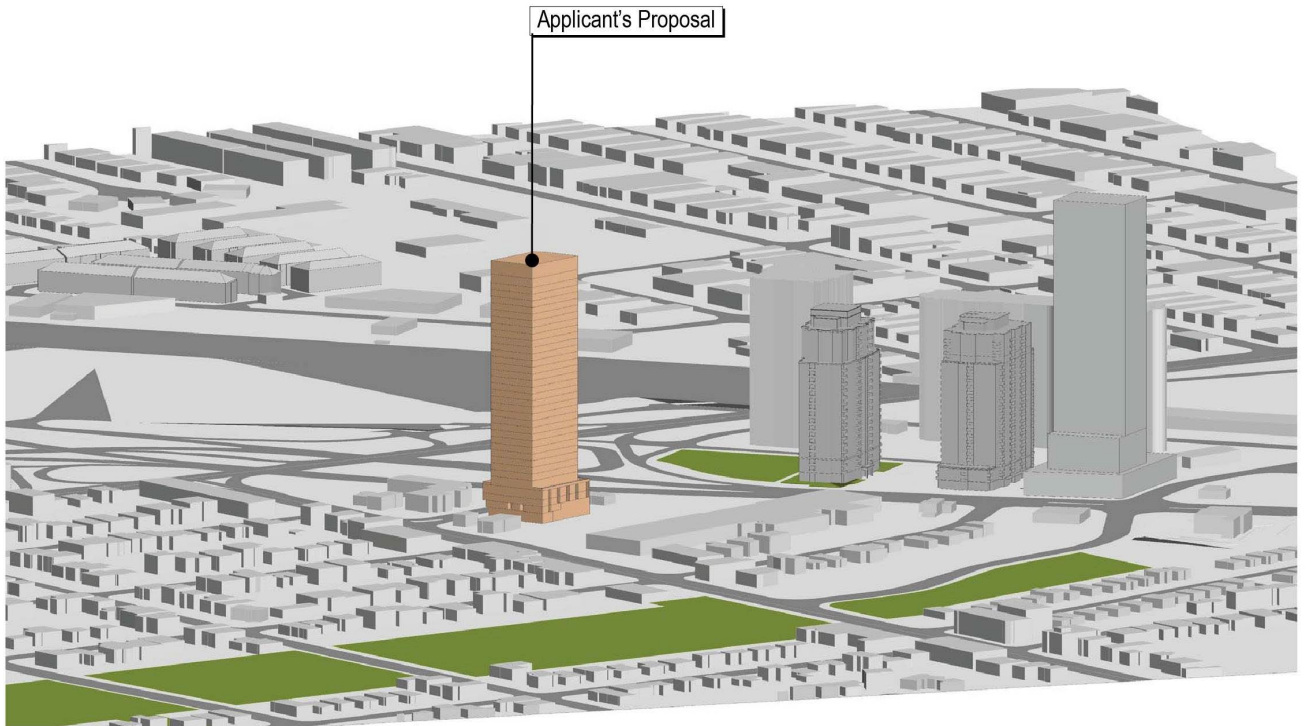


**View of Applicant's Proposal Looking Northwest**





Attachment 8b: 3D Model of Proposal in Context Looking Southeast



**View of Applicant's Proposal Looking Southeast**



MO/DA/2019