

720 Humberwood Boulevard - Zoning By-law Amendment and Draft Plan of Subdivision Applications – Final Report

Date:	August 27, 2009
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward No. 2 – Etobicoke North
Reference Number:	File No. 07 196771 WET 02 OZ & 09 102810 WET 02 SB

SUMMARY

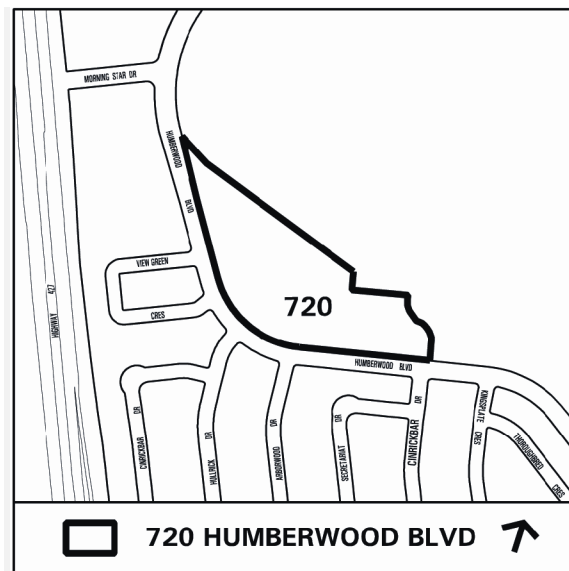
The applications were made on or after January 1, 2007 and are subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

The applications propose 82 freehold townhouse units at 720 Humberwood Boulevard.

The proposal implements the Apartment Neighbourhood objectives of the Official Plan and is consistent with the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe requirements for the accommodation of residential growth.

This report reviews and recommends the approval of the application to amend the Zoning By-law and advises that the Chief Planner may approve the Draft Plan of Subdivision, subject to conditions.

The Zoning By-law and conditions of Draft Plan of Subdivision will be provided directly to Community Council under separate cover.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 1989-78 substantially in accordance with the draft Zoning By-law Amendment provided under separate cover.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment and Draft Plan of Subdivision as may be required.
3. Before introducing the necessary Bills to City Council for enactment, require the applicant/owner to:
 - a. enter into a legal agreement under Section 37 of the Planning Act to secure the community benefits discussed in this report, and
 - b. obtain notice of approval conditions for site plan approval and enter into a Site Plan Agreement.
4. That in accordance with the delegated approval under By-law 229-2000, City Council be advised that the Chief Planner may approve the Draft Plan of Subdivision as generally illustrated on Attachment. 4, subject to:
 - a. the conditions as provided under separate cover must be fulfilled prior to the release of the plan of subdivision for registration;
 - b. any such revisions to the proposed subdivision plan or any such additional or modified conditions as the Chief Planner may deem to be appropriate to address matters arising from the on-going technical review of this development; and
 - c. the approval of the Draft Plan of Subdivision not be issued until the Zoning By-law is in full force and effect.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The property constitutes the western portion of Block 1 of Registered Plan 66M 2257. The entire Block was identified as Block 998 within the Riverwood Village Subdivision as adopted by the former City of Etobicoke on October 6, 1986. By-law 1989-78 governs development within the southern portion of the Humberwood subdivision. It permits, among other provisions, a maximum of 920 residential units in a maximum of 4 apartment buildings, each having a maximum height of 29 storeys on the site.

The applicant elected to consolidate 922 units, as increased by Committee of Adjustment decision A365/05 EYK, within two, 29-storey apartment buildings thereby fulfilling the development permissions associated with the property. Those apartment buildings,

known municipally as 710 and 700 Humberwood Boulevard, received site plan approval in June 2002 and November 2005, respectively. Construction of the apartment buildings has been completed and they have been occupied by purchasers.

On May 7, 2007 the applicant applied for permission to build 39 townhouse units and two, 29-storey apartment buildings containing 615 units on the remaining portion of the lands. The applications were the subject of a Community Meeting on June 16, 2008. Approximately, 400 members of the community attended the meeting and concern was indicated regarding the height and density of the proposed buildings, and the resultant impact of the additional population upon local schools, traffic and parks.

As a result of the community feedback, the applicant revised the proposal to an entirely townhouse concept which was presented at a pre-meeting held by the local Councillor on December 17, 2008. Approximately, 45 residents were in attendance. Concerns regarding the 74 freehold townhouse units on a new municipal roadway included the overcrowding and parking concerns at the local schools; the tenure of the units; limitations of local parkland and built form. The Ward Councilor held a vote regarding the built form and it was determined that amongst those in attendance, single detached dwellings were more acceptable than townhouses.

The applicant submitted the revised Zoning Bylaw and a Draft Plan of Subdivision application for 74 townhouse units on January 17, 2009. The applications were reviewed by all pertinent city departments and public agencies and a revised plan for 82 townhouse units was resubmitted for further review on May 30, 2009.

ISSUE BACKGROUND

Proposal

As the development permissions identified within the implementing By-law have been fully utilized, the applicant has proposed an amendment to the Zoning Code to permit additional development on the remainder of the lands. Specifically, the applicant seeks permission to amend the Etobicoke Zoning Code to permit 82 townhouse units on a new municipal roadway aligning with Cinrickbar Drive and View Green Crescent at Humberwood Boulevard. Should the applications be approved, the applicant has agreed to dedicate approximately 1 hectare (2.5 acres) of land to the Toronto and Region Conservation Authority. The land will be added to those lands comprising the Humber Arboretum and West Humber River Valley.

General site statistics associated with the proposal are as follows:

Site Area: 3.6 hectares (8.89 acres)
Number of Units: 82 freehold townhouses

Gross Floor Area: 17 220 square metres
Floor Space Index: 0.48 gross, 0.88 net

Units per Hectare: 22.8 gross, 42.1 net (9.22 units per gross acre, 17.01 units per net acre)

Height: 3 storeys (10 metres)

Parking Spaces: 164 (one in the driveway and one in the garage of each unit)

Site and Surrounding Area

The 3.6 hectare (9 acres) property is located on Humberwood Boulevard, north of Rexdale Boulevard, east of Highway 427 and south of Morning Star Drive. The irregularly shaped parcel was formerly associated with the development of two, 29-storey apartment buildings known municipally as 700 and 710 Humberwood Boulevard and consists of approximately 2.6 hectares (6.5 acres) of tableland and 1 hectare (2.5 acres) of valleyland.

Surrounding land uses include:

North: West Humber River Valley and the Humber Arboretum;

South: Humberwood Boulevard with detached dwellings located on the opposite side of the street;

East: 2, 29-storey, condominium apartment buildings; and

West: Humberwood Boulevard and Indian Line Park with townhouse units located on the opposite side of the street.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

The proposal is consistent with both the Provincial Policy Statement and conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The property is designated Apartment Neighbourhoods on Map 13 and a portion of the site is located within the Natural Heritage System as defined on Map 9 of the Official Plan.

Significant development is not intended within the Apartment Neighbourhood designation. However where growth can occur, development criteria are provided within Section 4.2 of the Plan. Those criteria require an evaluation of transition to surrounding land uses and protection of adjacent lower-scale neighbourhoods; appropriate framing of the street; sufficient off-street parking, screening of service/garbage areas; indoor and outdoor amenity space, and buildings that conform to the principles of universal design.

The proposed development respects the designations on-site in that townhouses are permitted within Apartment Neighbourhoods. The applicant has been in extensive discussions with the Toronto and Region Conservation Authority and should the applications be approved, the applicant has agreed to dedicate those lands below the top-of-bank to the Conservation Authority.

In addition, the applications conform to policies of the Plan contained in s2.3.1 Healthy Neighbourhoods; s2.3.2 Toronto's Green Space System; s3.1.2 Built Form; s3.2.3 Parks and Open Space; s3.4 The Natural Environment; s4.2 Neighbourhoods, and s5.1.1 Height and/or Density incentives.

Zoning

The site is zoned Residential Sixth Density (R6) and is subject to site-specific By-law 1989-79. The site specific By-law provides the following development permissions for the block incorporating the property:

- a) A maximum of 920 residential dwellings units shall be permitted.
- b) A maximum of building height of 29 storeys, excluding mechanical penthouse and rooftop architectural treatment.
- c) A maximum of four (4) buildings shall be permitted.
- d) A minimum setback of 10.0 metres shall be maintained between any structure, either above or below grade including swimming pools, and any property line which abuts a valley.
- e) A minimum setback of 35.0 metres from the street line shall be maintained for all structures.
- f) Subject to Section 3(d) and (e) of this By-law, a minimum setback of 3.0 metres from all lot lines shall be maintained for underground structures.

The applicant elected to consolidate the permitted development within two apartment buildings having the maximum height of 29 storeys as permitted by the By-law and a total unit count of 922 units as increased by the Committee of Adjustment through minor variance A365/05 EYK. The development permissions associated with the implementing By-law have been realized. Therefore, an amendment is required to address any additional development on the property.

The site specific By-law also provides for townhouse units (row dwellings) on an adjacent development Block. The provisions of the By-law are as follows:

- 1) Lot Area: 217 square metres
- 2) Lot Frontage: 6.8 metres

- 3) Lot Frontage for lots with flankage on streets with 23.0 metre rights-of-way or greater: 11.3 metres
- 4) Front Yard Setback: 6.5 metres
- 5) Rear Yard Setback: 7.5 metres
- 6) Side Yard Setback (interior): 0.9 metres
- 7) Side Yard Setback (street side) for lots with flankage on streets with 23.0 metre rights-of-way or greater: 4.5 metres
- 8) Side Yard Setback (street side) for lots with flankage on all other streets: 3.0 metres

Generally, the proposed development complies with these standards. However, the existing By-law does not recognize the use of the application site for townhouses (row dwellings). Furthermore, some modification of these site specific standards is required to incorporate contemporary urban design principles. Thus, an amendment is further required to allow townhouses on the property.

Site Plan Control

The property is subject to Site Plan Control. An associated application has been circulated and is presently under review by City staff and public agencies. This report recommends that the applicant be given Notice of Approval Conditions for Site Plan Control and enter a Site Plan Agreement prior to the introduction of the necessary Bills to City Council.

Reasons for Application

Although the land has been zoned and designated for development, the development permissions associated with the implementing By-law have been exhausted. Further development on site requires a Zoning By-law amendment and, the present proposal necessitates a Draft Plan of Subdivision to allow the conveyance of the new municipal roadway, the lands below the top-of-bank and the securing of municipal requirements including servicing and parkland.

Community Consultation

The revised concept proposing only a townhouse development on-site was subject to a Community Meeting on December 17, 2008. Approximately 45 members of the community attended. Concerns regarding the townhouse proposal included the overcrowding and parking concerns at the local schools; the tenure of the units; limitations of local parkland and built form.

The Ward Councilor held a vote among those in attendance regarding the built form and it was determined that amongst those in attendance, single detached dwellings were more acceptable than townhouses.

Agency Circulation

The applications were circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the applications and to

formulate appropriate by-law standards and conditions of Draft Plan of Subdivision approval.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the PPS as, amongst other matters, the proposal specifically supports the objectives of Part V, s1.1, s1.4, s1.6 and s3.1. The proposal promotes an efficient development and land use pattern and contributes to a desirable range and mix of residential uses in the area. The proposed intensification aids in optimizing the existing infrastructure and public service facilities and provides for the more efficient use of the existing public transit serving the area. Furthermore, the development respects the natural hazards of the north portion of the property and proposes to direct development away from this area while dedicating the lands to Toronto and Region Conservation Authority.

The proposal conforms to the Growth Plan for the Greater Golden Horseshoe. Amongst other matters, the plan promotes intensification within built-up areas, such as the Humberwood community. Relevant policies include, but are not limited to, s2.2.3 which encourages intensification and a range and mix of housing.

Land Use, Density, Height, Massing

Townhouses are permitted within the existing Apartment Neighbourhood designation. The proposal provides a transition in intensity from the high-rise buildings in the east to existing lower density townhouse and detached units in the west. Additionally, the proposed townhouses are separated from the detached dwellings to the south by Humberwood Boulevard (23.0 metres) and an additional 5.0 metre front yard setback from the street. Those units backing onto the adjacent valley are setback 7.5 metres from the top-of-bank.

The materials as proposed for the townhouses are brick with stone detailing and are intended to compliment the surrounding neighbourhood. The main facades of the those units along Humberwood Boulevard face onto the street and those along the internal roadway have been designed to face the new street in order to provide a front yard presence, casual surveillance and comfortable conditions for pedestrians on streets and sidewalks adjacent to the property.

Traffic Impact, Access & Parking

Staff of Technical Services have reviewed the applications and have advised that they are acceptable. The projected volume of site trips generated by the proposed development can be accommodated on the existing road network without any detrimental level of service and operational impacts to the area street system.

The applicant proposes to provide parking for each of the proposed freehold townhouses by means of a single-vehicle attached garage with one additional parking space being located in each driveway. The parking is to be accessed by the proposed public roadway. The applicant is required to design, construct and convey the proposed public road, at no cost to the City, to the satisfaction of the Executive Director of Technical Services.

For safety reasons, opposing auxiliary left turn lanes are required at Cinrickbar Drive and Viewgreen Crescent but can be accommodated within the existing pavement width. As a condition of Site Plan Control, the applicant will be required to submit a detailed pavement marking and signage plan to the satisfaction of the Executive Director of Technical Services.

Servicing, Stormwater Management & Grading

Staff of Technical Services have reviewed the applications and have advised that they are acceptable. The Functional Servicing Report dated January 6, 2008, and updated May 12, 2009 as prepared by Trafalgar Engineering Ltd. indicates that the existing City water supply and sewer systems are sufficient to accommodate the proposed development.

In accordance with the Standard Subdivision Agreement the applicant will be required to provide a detailed Stormwater Management Report, engineering servicing drawings and grading plans.

The applicant is proposing an infiltration trench to treat storm water runoff from the roofs of the townhouses. The infiltration trench is proposed to be located on Block 3 which is to become TRCA property. The City will require an easement for the infiltration trench as the City will become responsible for repairing and maintaining the facility once the developer constructs it and it is assumed by the City. The details of the infiltration trench including soils and landscaping must be included in Stormwater Management Report and will be reviewed in the context of the Ministry of the Environment's Stormwater Management Planning and Design Manual.

Parkland

Staff of Parks Forestry & Recreation have reviewed the proposal and advise that the site is in the highest quintile of current provision of parkland, as per Map 8B/C of the Official Plan. The site is not in a parkland priority area, as per the Alternative Parkland Dedication Rate By-law 1420-2007.

The alternative parkland dedication rate by-law does not apply because the site is subject to a site specific Official Plan amendment made prior to January 1, 2008 and that parkland dedication was conveyed as part of the original agreement.

The owner has previously satisfied the parkland dedication requirement by parkland conveyance.

The owner has expressed a willingness to provide a financial contribution under Section 37 of the Planning Act towards improvements at Indian Line Park. A contribution is

recommended towards a soccer/cricket pitch, a shade structure and/or playground upgrades.

Environment

Staff of the Toronto and Region Conservation Authority (TRCA) have reviewed the proposal and advise that they do not object to the applications pending the inclusion of conditions within the Draft Plan of Subdivision with regard to Planning Ecology, Stormwater Management, Erosion & Sediment Control and the dedication of Block 3 to the Conservation Authority.

Staff of Urban Forestry – Ravine and Natural Feature Protection have reviewed the proposal and advise that they do not object to the applications pending the dedication of Block 3 to the Conservation Authority and a requirement for 2(two) access points from the public road into the ravine lands for the purposes of maintenance.

Toronto Green Standard

The applicant has been encouraged to provide features that implement the Toronto Green Standard. The applicant is proposing an infiltration trench to treat storm water runoff from the roofs of the townhouses. The proposal will be reviewed in detail when the application for Site Plan approval is made.

Schools

Staff of the Toronto Catholic District School Board and the Toronto District School Board have reviewed the proposal and both advise that they do not oppose the applications but have requested signs and warning clauses indicating that they may not be able to accommodate students at the nearest school and that the children may need to be sent to schools outside the immediate area until space becomes available.

Airport

Staff of the Greater Toronto Airport Authority have reviewed the proposal and advise that they do not oppose the applications pending the implementation of warning clauses within the Subdivision agreement indicating that the development is within the Bird Hazard Zone and requiring owners of properties to ensure that food waste is managed so as not to attract birds in vicinity of the airport.

Utilities

Staff of Bell Canada, Rogers Cable, Enbridge Gas and Toronto Hydro have reviewed the proposal and do not oppose the applications pending the inclusion of their conditions within the Draft Plan of Subdivision approval process.

Heritage

The Staff of Heritage Preservation Services has reviewed the Stage 1 and Stage 2 Archaeological Assessments for the property and do not oppose the applications. Heritage Preservation Services have also received correspondence from the Ministry of Culture advising that the site is free of archaeological concerns.

Density Incentives

The owner has agreed to enter into an agreement with the City, pursuant to Section 37 of the Planning Act to secure a financial contribution of \$750 per unit (\$61,500) for the purpose of a soccer/cricket pitch, a shade structure and/or playground upgrades in Indian Line Park and to the satisfaction of General Manager of Parks Forestry and Recreation.

Tenure

As previously identified to the City Departments and to the Community during the meeting of December 17, 2008 the proposed units are to be market-rate, freehold townhouse condominiums.

Development Charges

It is estimated that the development charges for this project will be \$807,000. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

CONCLUSIONS

The applicant's proposal for 82 townhouse units on a proposed public road is consistent with the Provincial Policy Statement and in conformance with the Growth Plan for the Greater Golden Horseshoe. The proposal also, conforms to the general objectives of the Official Plan and the area is well suited to further development given its proximity to transit, commercial/retail services, recreation and community services.

It is recommended that Council approve the applications and that prior to introducing the necessary Bills for enactment that the site specific By-law be completed by staff and the owner be required to enter into a legal agreement under Section 37 of the Planning Act; and a Site Plan Agreement under Section 41(16) of the Planning Act and Section 114 of the City of Toronto Act.

CONTACT

Mark Howard, Planner
Tel. No. (416) 394-8245
Fax No. (416) 394-6063
E-mail: mhoward2@toronto.ca

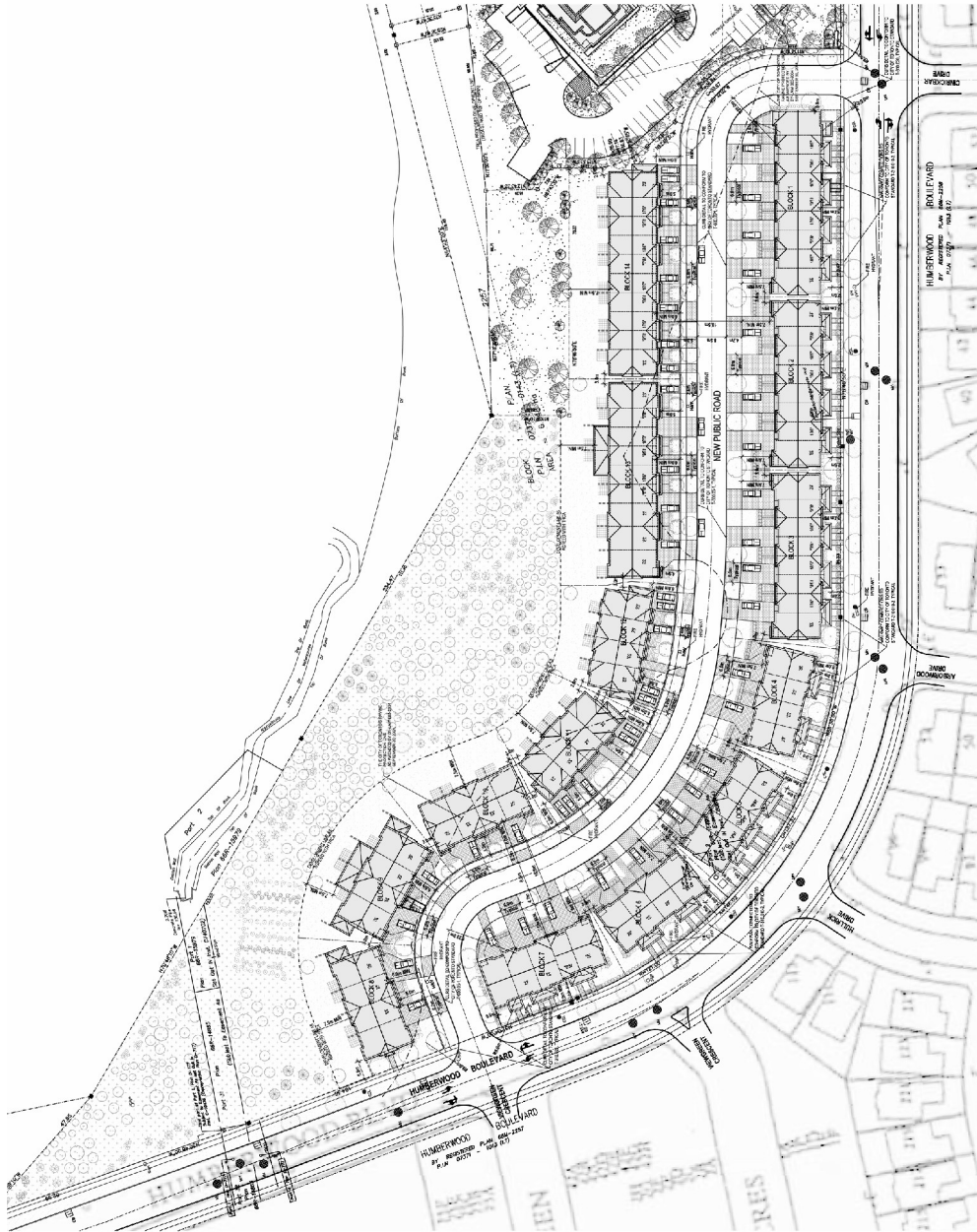
SIGNATURE

Gregg Lintern, MCIP, RPP
Director, Community Planning
Etobicoke York District

ATTACHMENTS

- Attachment 1: Site Plan
- Attachment 2: Typical Townhouse Elevations
- Attachment 3: Zoning Map
- Attachment 4: Draft Plan of Subdivision
- Attachment 5: Application Data Sheet
- Attachment 6: Conditions of Draft Plan of Subdivision Approval (Under Separate Cover)
- Attachment 7: Draft Zoning By-law (Under Separate Cover)

Attachment 1: Site Plan



720 Humberwood Boulevard

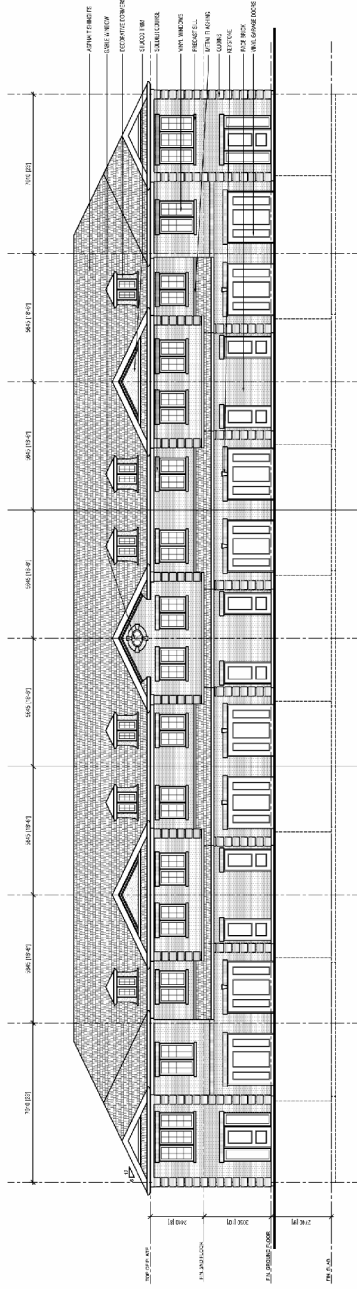
Site Plan

Applicant's Submitted Drawing

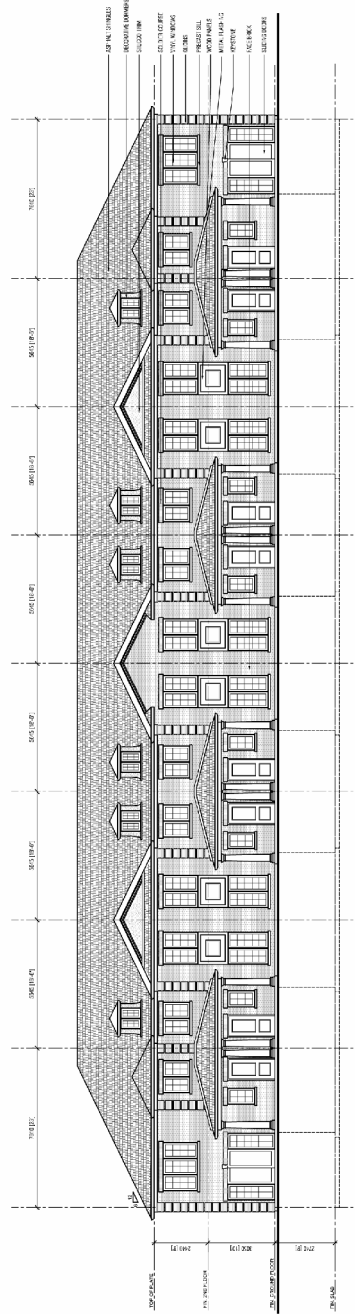
Not to Scale
09/26/09

File # 07_196771

Attachment 2: Typical Townhouse Elevations



1 FRONT ELEVATION
SCALE: 1/16"



2 REAR ELEVATION
SCALE: 1/16"

720 Humberwood Boulevard

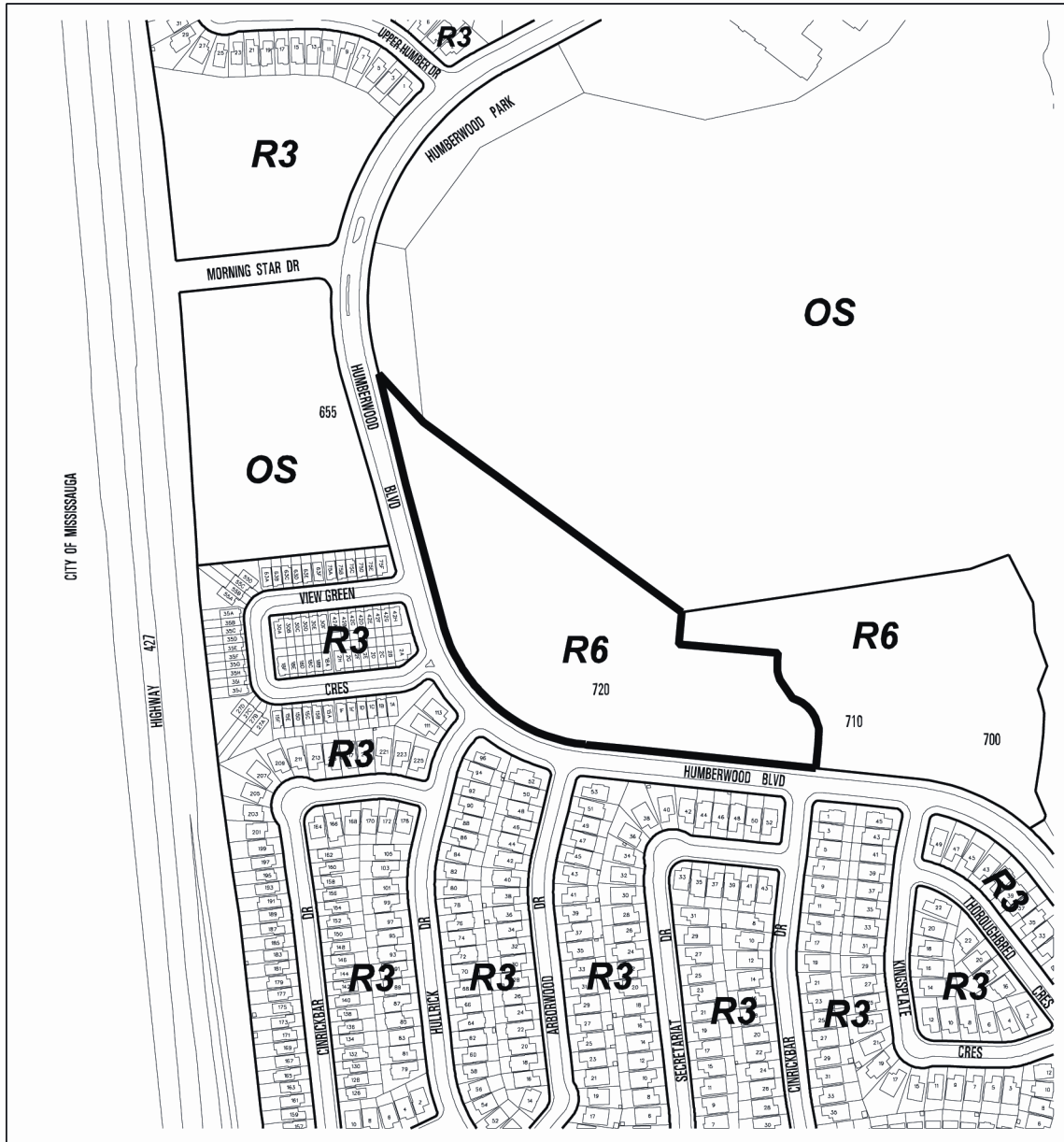
Typical Elevations

Applicant's Submitted Drawing

Not to Scale
08/26/09

File # 07_196771

Attachment 3: Zoning



720 Humberwood Boulevard

File # 07_196771

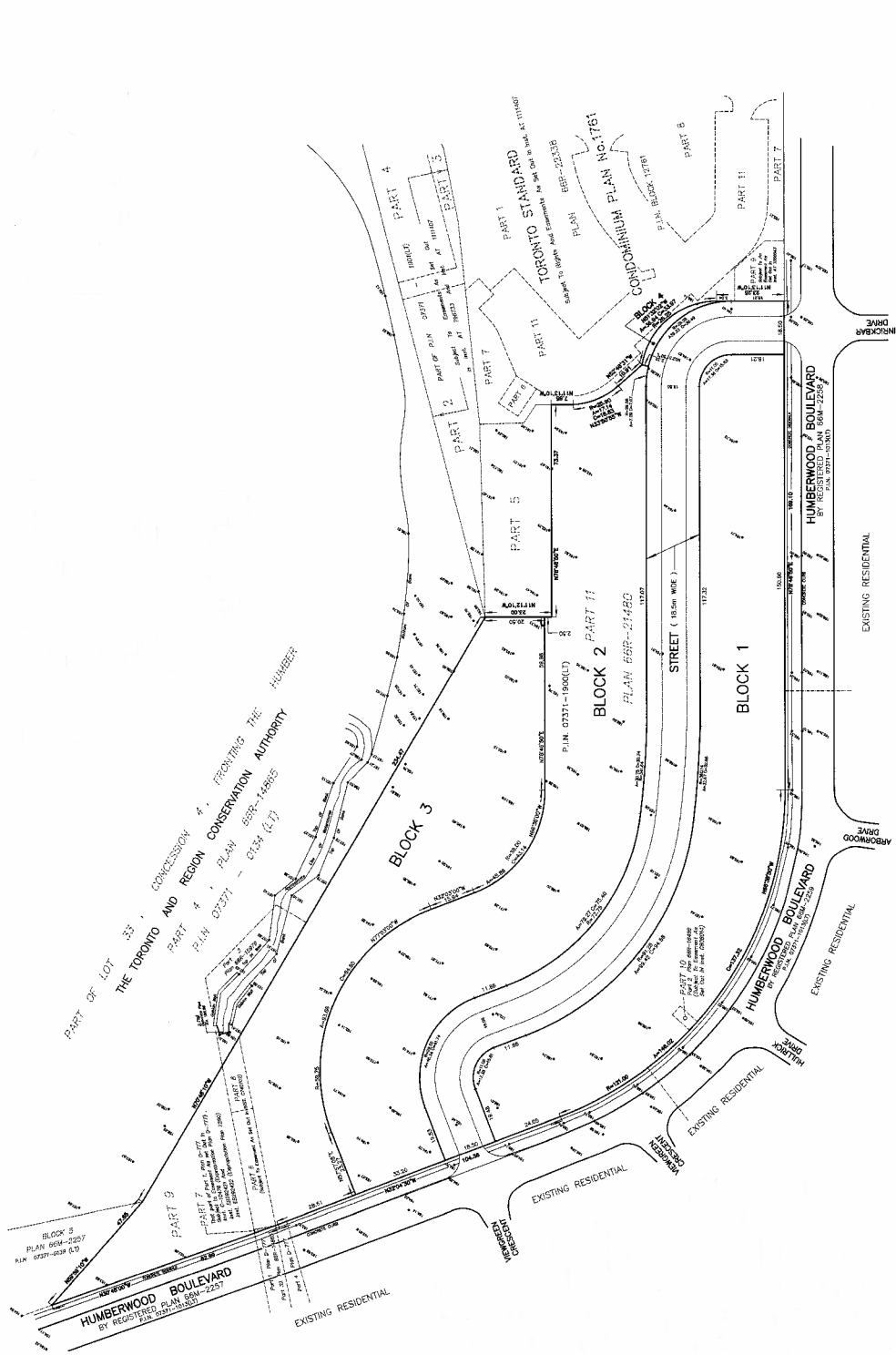
Former Etobicoke

- R3 Residential Third Density
- R6 Residential Sixth Density
- OS Public Open Space



Not to Scale
Zoning By-law 11,737 as amended
Extracted 09/18/07 - MH

Attachment 4: Draft Plan of Subdivision



720 Humberwood Boulevard

Plan of Subdivision

Applicant's Submitted Drawing

Not to Scale
09/26/09

File # 09_102810

Attachment 5: Application Data Sheet

Application Type	Rezoning Approval SubDivision Approval	Application Numbers:	07 196771 WET 02 OZ & 09 102810 WET 02 SB
Details	Rezoning, Standard SubDivision, Standard	Application Dates:	May 7, 2007 (Rezoning) Jan. 15, 2009 (SubDivision)
Municipal Address:	720 HUMBERWOOD BOULEVARD		
Location Description:	PLAN 66M2257 PT BLK 1 RP 66R21480 PARTS 6 TO 11 **GRID W0201		
Project Description:	A Zoning By-law Amendment Draft Plan of Subdivision proposal to construct 82 freehold townhouse units on 4 blocks of land to accommodate the townhouses, a new municipal roadway and valleylands to be dedicated to the City and TRCA for passive park and flood protection purposes.		

Applicant:	Agent:	Architect:	Owner:]-
The Butler Group Consultants Inc.	n/a	Rafael + Bigauskas Architects	Mansions of Humberwood Inc.

PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhood	Site Specific Provision:	By law 1989-79
Zoning:	R6	Historical Status:	None
Height Limit (m):	29 Stories (80 metres)	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	19509.97	Height:	Storeys:	3
Frontage (m):	Varies		Metres:	10
Depth (m):	Varies			
Total Ground Floor Area (sq. m):	n/a			Total
Total Residential GFA (sq. m):	17220		Parking Spaces:	164
Total Non-Residential GFA (sq. m):	n/a		Loading Docks	n/a
Total GFA (sq. m):	17220			
Lot Coverage Ratio (%):	48			
Floor Space Index:	0.88			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Condo, Freehold		
Rooms:	0	Residential GFA (sq. m):	17220
Bachelor:	0	Retail GFA (sq. m):	0
1 Bedroom:	0	Office GFA (sq. m):	0
2 Bedroom:	0	Industrial GFA (sq. m):	0
3 + Bedroom:	82	Institutional/Other GFA (sq. m):	0
Total Units:	82		

CONTACT:	PLANNER NAME:	Mark Howard, Planner
	TELEPHONE:	(416) 394-8245