

David Dunlap Circle, Block A Plan 66M-2365 (formerly part of 39 Green Belt Dr) – Rezoning Application Preliminary Report

Date:	July 20, 2010
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 34 – Don Valley East
Reference Number:	10 163304 NNY 34 OZ

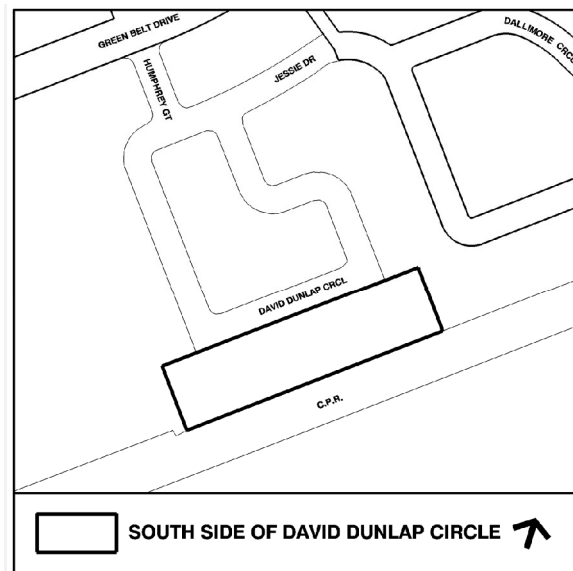
SUMMARY

This application was made on April 26, 2010 and is therefore subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.

This application proposes amendments to an existing site specific by-law that applies to the site. The proposal is to increase the number dwelling units from 192 to 350, relocate the indoor recreational amenity space from the 9th floor to the lower level and utilize the 9th floor for dwelling units. No changes are proposed to the approved zoning permissions regarding density and gross floor area. The site is located next to the Canadian Pacific Railway right-of-way at the southern edge of a residential plan of subdivision on lands formerly municipally known as 39 Green Belt Drive.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process.

The report recommends that a community consultation meeting be scheduled by City Planning staff, in consultation with the



Ward Councillor. A Final Report and a Public Meeting under the *Planning Act* is targeted for early 2011 following the community consultation meeting, providing the applicant submits any required information in a timely manner.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands on the south side of David Dunlap Circle together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the *Planning Act* be given according to the regulations under the *Planning Act*.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The lands were the subject of an Official Plan and Zoning By-law Amendment application that was heard by the Ontario Municipal Board in conjunction with the adjacent lands municipally known as 45 Green Belt Drive. The Ontario Municipal Board issued its Decision/Order No. 2305 on December 23, 1999. The lands were rezoned to permit a residential subdivision comprising 183 townhouse dwelling units, an 8-storey, 192-unit apartment building and a public park.

The townhouse portion of the subdivision was the subject of a second rezoning application to permit 27 additional townhouse units thereby increasing the maximum number of units to 210. No changes were requested with respect to density and gross floor area. The application was refused by City Council however on an appeal by the applicant the Ontario Municipal Board approved the application on June 23, 2004 by Decision/Order No. 1010.

The apartment building site was the subject of an application to remove the Holding (H) Symbol that applied to the zoning of the site. Criteria set out in the Official Plan needed to be satisfied before the Holding Symbol could be removed to allow for the development of the land for residential uses. Criteria included receiving confirmation from GO Transit that the lands were no longer necessary for the expansion of commuter rail facilities and from the Canadian Pacific Railway that the lands were no longer necessary for safety setback reasons (provided that other safety measures were used to safeguard the development of the lands). The application to remove the (H) symbol from the zoning by-law was approved by City Council on July 19, 2005.

Pre-Application Consultation

A pre-application consultation meeting was held with the applicant to discuss complete application submission requirements.

ISSUE BACKGROUND

Proposal

The applicant is proposing to amend certain provisions of the site specific Zoning By-law that applies to site to facilitate a 9-storey, 350-unit condominium apartment building. The proposal is to increase the number dwelling units from 192 to 350, relocate the indoor recreational amenity space from the 9th floor to the lower level and utilize the 9th floor for dwelling units. No changes are proposed to the approved zoning permissions regarding density and gross floor area. The unit mix comprises 267, 1-bedroom units ranging in size from 51m² (549 sq.ft.) to 63m² (678 sq.ft.) and 83, 2-bedroom units with sizes ranging from 69m² (743 sq.ft.) to 83m² (893 sq.ft.).

The building is designed with two 9-storey wings connected by a 2-storey central element that contains the entrance lobby for the overall complex (refer to Attachments 2 and 3 – Elevations). Grade related units with walk out patios are provided around the building. The building has a gross floor area of 22,865m² (246,117) including 525m² (5,651 sq.ft.) of common indoor amenity space resulting in a density, or Floor Space Index, of 2.68. The proposed gross floor area together with the existing gross floor area of the townhouses is 59,076m² (635,894 sq.ft.) and in accordance with the maximum allowed in the site specific Zoning By-law. No changes are proposed to the approved zoning permissions regarding overall density and gross floor area.

The common indoor recreational area, which equates to 1.5m² per dwelling unit, is proposed on the basement level. Previously, it was to be provided on the 9th floor. A common outdoor recreational amenity area is provided in the area west of the building. Vehicular access to the parking, as well as the loading facility, is provided at the east end of the site from David Dunlap Circle. In addition, a centrally located circular drop-off facility is proposed from the street to the main entrance. A total of 482 parking spaces are proposed at a rate of 1.27 spaces per unit for tenants (447 spaces) and 0.10 spaces per unit for visitors (35 spaces). The majority of spaces (331) are proposed below grade however a row of surface parking is proposed along the south property line and in the area east of the building in the form of deck parking.

The proposed site plan is included in Attachment 1, Elevations in Attachments 2, 3 and 4, Zoning in Attachment 5 and the detailed site statistics are included in the Application Data Sheet in Attachment 6.

Site and Surrounding Area

The 0.85 ha (2.1 acre) site is located along the southern portion of a residential plan of subdivision situated on the south side of Green Belt Drive in the area north of Eglinton Avenue and east of Don Mills Road. To date, the subdivision has been developed with

210 townhouse units in 20 buildings along Green Belt Drive, Humphrey Gate, Jesse Drive and David Dunlap Circle. The subject apartment building site fronts onto the south side of David Dunlap Circle and is currently vacant.

The following is a summary of the area context surrounding the site:

North: townhomes with low rise apartment buildings beyond (on north side of Green Belt Drive);

South: Canadian Pacific Railway right-of-way with employment lands beyond;

East: a 9-storey apartment building and townhomes developed by a different builder (Camrost); and

West: employment lands extending to Don Mills Road.

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. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The site is designated *Apartment Neighbourhoods* in the Official Plan. *Apartment Neighbourhoods* consist of apartment buildings, parks, local institutions, cultural and recreational facilities and small-scale retail, service and office uses that serve the area residents. *Apartment Neighbourhoods* are generally considered to be stable areas where major growth is not anticipated.

The Plan sets out development criteria for development in *Apartment Neighbourhoods* to guide review of applications to amend the zoning by-law. Section 4.2 sets out policies which are intended to contribute to the quality of life of local residents. The development criteria pertain to:

- providing a transition towards lower-scale *Neighbourhoods*;

- minimizing shadow impacts;
- locating and massing new buildings to frame the edge of streets to maintain sunlight and comfortable wind conditions;
- providing adequate off-street parking;
- locating and screening service areas and garbage storage;
- providing adequate indoor and outdoor recreation space for building residents;
- providing ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces; and
- providing units that are accessible or adaptable for persons with physical disabilities.

The Plan also includes policies that ensure the built form of new development fits within the context of its surrounding area. These policies are included in Sections 3.1.2.1 to 3.1.2.6 – Built Form.

Section 3.1.2.3 requires new development to fit harmoniously into its existing and/or planned context and limit its impacts on neighbouring streets, parks, open spaces and properties including:

- massing new buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion;
- creating appropriate transitions in scale to neighbouring existing and/or planned buildings for the purpose of achieving the objectives of the Plan;
- providing for adequate light and privacy; and
- adequately limiting any resulting shadowing of, and uncomfortable wind conditions on, neighbouring streets, properties and open spaces, having regard for the varied nature of such areas.

Policies 3.1.3.1 and 3.1.3.2 – Built Form Tall Buildings, ensure that buildings fit within their existing and/or planned context and limit local impacts. The policies outline built form principles that are applied to the location and design of such buildings. The City’s “Tall Building Design Guidelines” were prepared to assist in the evaluation of tall building applications by providing guidance for the design, evaluation and approval of tall buildings and are intended to implement the built form policies of the City’s Official Plan.

The Toronto Official Plan is available on the City's website at:
http://www.toronto.ca/planning/official_plan/introduction.htm

The City's Design Criteria for Review of Tall Building Proposals study is available on the City's website at:
http://www.toronto.ca/planning/urbdesign/pdf/tallbuildings_udg_aug17_final.pdf

Central Don Mills Secondary Plan

The site is located within the southern limits of the Central Don Mills Secondary Plan. The Secondary Plan contains policies that are area-specific and more detailed than those in the general Official Plan, particularly with respect to *Mixed Use* areas and commercial lands in the Plan. Secondary Plan policies governing development on sites designated *Apartments Neighbourhoods* deal with neighbourhood protection and conservation, maintaining a balanced housing mix, maintaining and improving rental housing and encouraging affordable rental units on surplus place of worship lands.

The Central Don Mills Secondary Plan is available on the City's website at:
http://www.toronto.ca/planning/official_plan/pdf_secondary/24_central_don_mills_june2006.pdf

Zoning

The lands are zoned RM6(85)(Multiple Family Dwellings Sixth Density Zone) in Zoning By-law 7625. Exception (85) permits an 8-storey, 192-unit apartment building on the site and sets out performance standards including maximum gross floor area, minimum yard setbacks, building separation, the provision of parking at a rate of 1.5 spaces per unit of which 0.25 spaces would be for the use of visitors and the provision of indoor recreational amenity area equal to 1.5 square metres per dwelling unit.

Site Plan Control

The proposed development is subject to Site Plan Control Approval. An application has been submitted and is being reviewed concurrently.

Tree Preservation

An Arborist/Tree Preservation Report and/or Declaration was not submitted with the application and remains outstanding. Applicability of Private Tree Protection By-law No. 780-2004 and the 'Trees On City Streets' By-law will be determined by Urban Forestry.

Reasons for the Application

An amendment to the site specific Zoning By-law is required to permit

- an increase in the number of dwelling units from 192 to 350;
- the provision of dwelling units on the 9th floor rather than indoor recreational amenity area (now proposed on the lower level);

- a reduction to the rear yard setback of the building adjacent to the CPR right-of-way from 20m to 17.5m; and
- a reduction in the parking rate from 1.5 spaces per dwelling unit to 1.35 spaces.

COMMENTS

Application Submission

A Notification of Incomplete Application issued on May 18, 2010 identifies the outstanding material required for a complete application submission as follows:

- Stormwater Management Report;
- Servicing Report;
- Toronto Green Development Standards Checklist;
- Sun/Shadow Study;
- Arborist/Tree Preservation Report and/or Declaration.

Issues to be Resolved

On a preliminary basis, matters to be addressed through the review of this application include, but are not limited to:

- the appropriateness of the proposed built form and massing;
- the impact of the additional dwelling units;
- confirmation from Canadian Pacific Railway that the proposed rear yard set back is acceptable;
- traffic impacts;
- an assessment of the proposed driveways to the site;
- the supply, location and design of the parking spaces;
- assessment of the refuse and recycling arrangements;
- assessment of the proposed indoor and outdoor private residential amenity areas;
- assessment of the relationship between the proposed parking area along the east property line and the adjacent land use; and
- assessment of site servicing including stormwater management.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

Toronto Green Standard

The Toronto Green Standard (TGS) is a tool to implement the broader environmental policies of the Official Plan. Several of the natural environment policies of the Official Plan encourage green development. These policies are geared to reduce the negative impacts of development on the natural environment through practices such as improved stormwater management, water and energy efficiency, and waste reduction and recycling. These policies also promote development that enhances the natural environment and support green industry.

As noted previously, the TGS Checklist has not been submitted.

CONTACT

Steve Forrester, Senior Planner
Tel. No. (416) 395-7126
Fax No. (416) 395-7155
E-mail: sforrest@toronto.ca

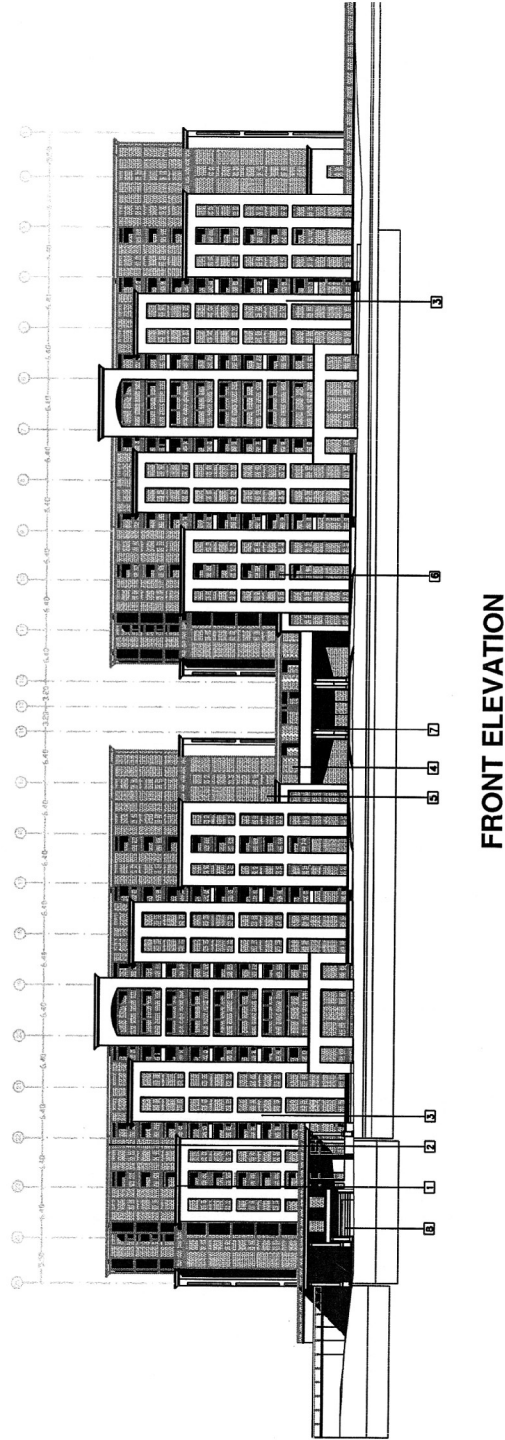
SIGNATURE

Thomas C. Keefe, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Elevations
Attachment 4: Elevations
Attachment 5: Zoning
Attachment 6: Application Data Sheet

Attachment 2: Elevations



South Side of David Dunlap Circle

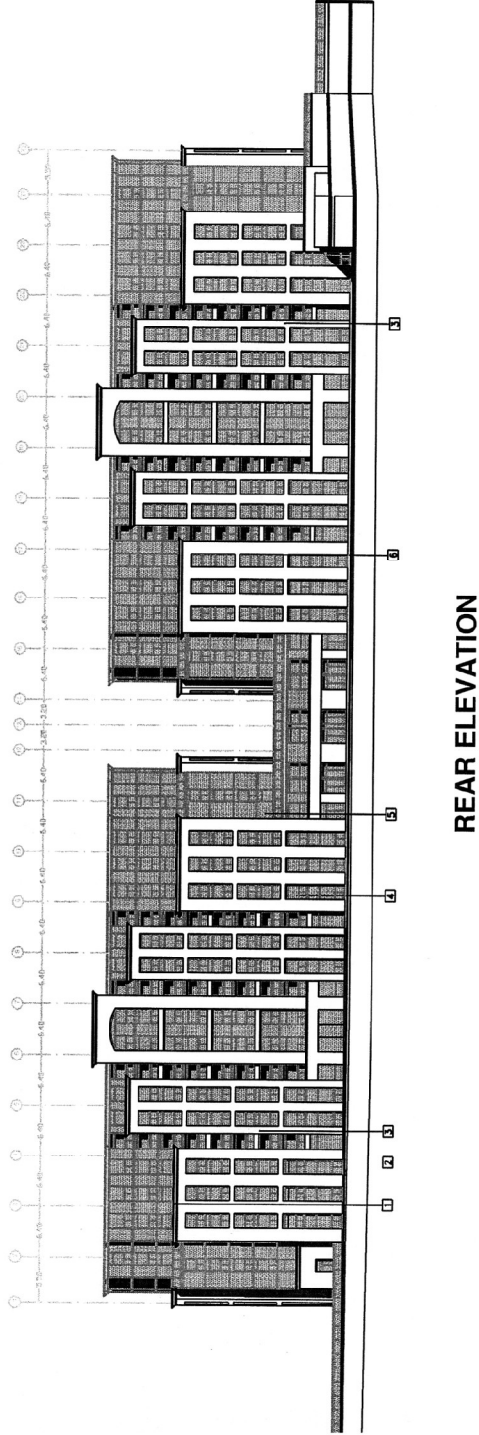
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Elevation

Applicant's Submitted Drawing

Not to Scale
05/26/2010

Attachment 3: Elevations

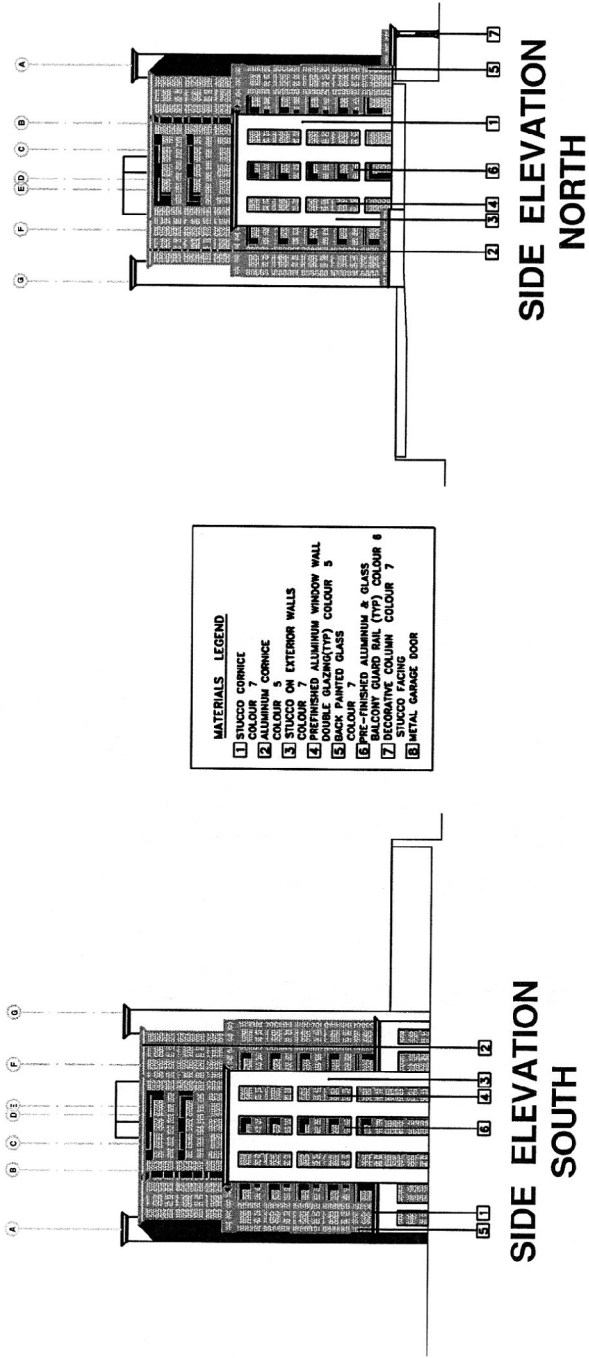


Elevation
South Side of David Dunlap Circle

Applicant's Submitted Drawing
Not to Scale
05/26/2010

File # 10_163304

Attachment 4: Elevations

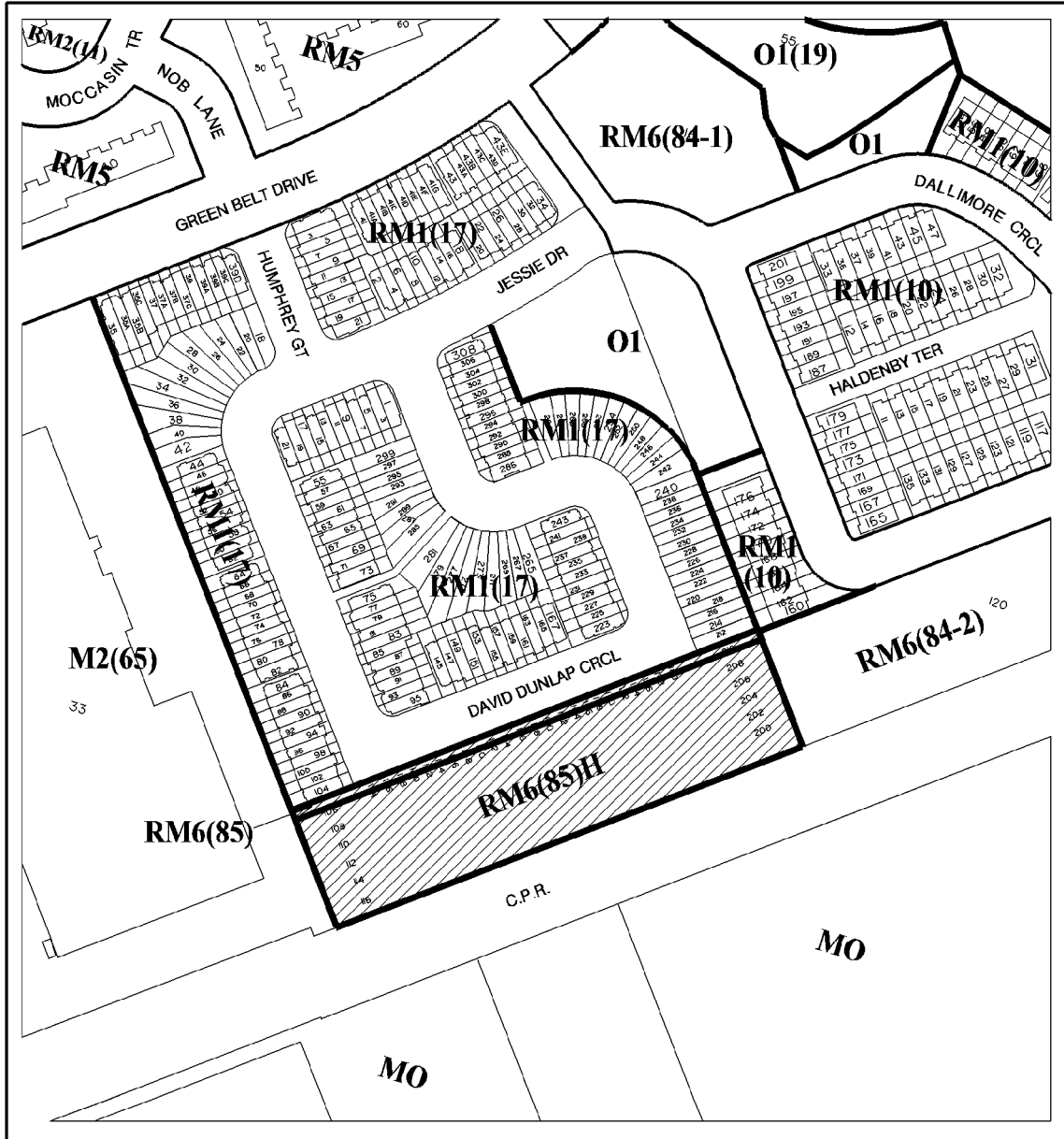


Elevation
 Applicant's Submitted Drawing
 Not to Scale
 05/26/2010

South Side of David Dunlap Circle

File # 10_163304

Attachment 5: Zoning



TORONTO City Planning
Zoning

South Side of David Dunlap Circle

File # 10_169904

- RM1 Multiple-Family Dwellings First Density Zone
- RM2 Multiple-Family Dwellings Second Density Zone
- RM5 Multiple-Family Dwellings Fifth Density Zone
- RM6 Multiple-Family Dwellings Sixth Density Zone
- M2 Industrial Zone Two

- MO Industrial-Office Business Park Zone
- O1 Open Space Zone



Not to Scale
 Zoning By-law 7625
 Extracted 05/26/2010

Attachment 6: Application Data Sheet

Application Type	Rezoning	Application Number:	10 163304 NNY 34 OZ
Details	Rezoning, Standard	Application Date:	April 26, 2010
Municipal Address:	39 GREEN BELT DR		
Location Description:	PLAN 66M2365 PT BLK 2 RP 66R19382 PART 5 **GRID N3405		
Project Description:	The application proposes to permit an increase in the number of dwelling units from 192 to 350 units, relocate the indoor amenity space from the 9th floor to the lower level and utilize the 9th floor as residential units.		

Applicant:	Agent:	Architect:	Owner:
GHASEM GHODS		M. SHAMI ARCHITECT	ENGLISH LANE HOMES INC.

PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhoods	Site Specific Provision:	
Zoning:	RM6 (85)	Historical Status:	
Height Limit (m):		Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	8537	Height:	Storeys:	9
Frontage (m):	134.8		Metres:	32.5
Depth (m):	45.7			
Total Ground Floor Area (sq. m):	2733.8			Total
Total Residential GFA (sq. m):	22856		Parking Spaces:	482
Total Non-Residential GFA (sq. m):	0		Loading Docks	1
Total GFA (sq. m):	22856			
Lot Coverage Ratio (%):	32.7			
Floor Space Index:	2.68			

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	267
2 Bedroom:	83
3 + Bedroom:	0
Total Units:	350

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	22856	22856	0
Retail GFA (sq. m):	0	0	0
Office GFA (sq. m):	0	0	0
Industrial GFA (sq. m):	0	0	0
Institutional/Other GFA (sq. m):	0	0	0

CONTACT:	PLANNER NAME:	Steve Forrester, Senior Planner
	TELEPHONE:	(416) 395-7126