

4180, 4188 and 4190 Dundas Street West – Official Plan and Zoning Amendments - Preliminary Report

Date:	November 24, 2010
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 4 – Etobicoke Centre
Reference Number:	10 223162 WET 04 OZ

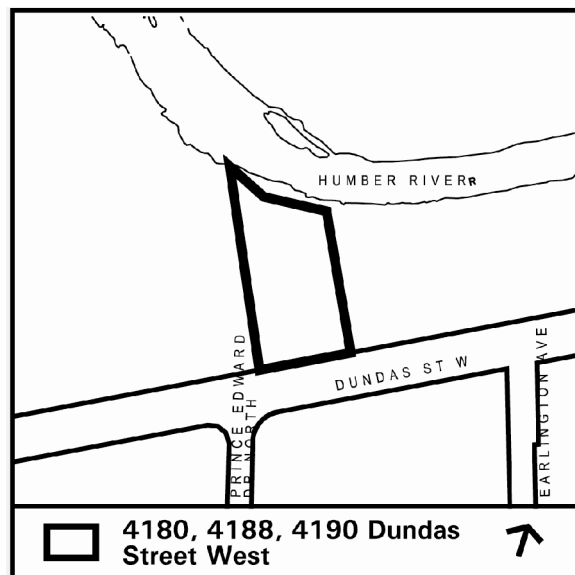
SUMMARY

This application was made on or after January 1, 2007, and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes a 9-storey seniors’ residence building at 4180, 4188 and 4190 Dundas Street West with 20 assisted living and 140 independent living units.

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

The application has been circulated for review and comment to relevant divisions and agencies. Planning staff propose that a community consultation meeting be scheduled, in consultation with the Ward Councillor. A Final Report and Public Meeting under the Planning Act are targeted for the second quarter of 2011. This target date assumes that applicant will provide 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 at 4180, 4188 and 4190 Dundas Street West 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

There have not been any previous applications on this site.

Pre-Application Consultation

A pre-application meeting was held on May 19, 2010 to discuss the proposal and complete application submission requirements. At that time the applicant proposed a 9-storey seniors' residence. The preliminary issues identified with the proposal related to: height, proximity to the Humber River top-of-bank, vehicular access, site circulation and layout and conformity with the Dundas West Avenues Study and implementing zoning.

Subsequent to this meeting, some modifications were made to the siting of the building.

ISSUE BACKGROUND

Proposal

This application proposes a 9-storey seniors' residence building at 4180, 4188 and 4190 Dundas Street West with 20 assisted living and 140 independent living units.

The ground floor will contain administration offices, medical area, multi-purpose room, library, salon, exercise room, dining room, private dining area, games room and pub/bistro. The 20 assisted suites are proposed on the second floor as well as a dining room. The 140 independent units are proposed on the third through ninth floors and will include a mix of studio, one-bedroom, one-bedroom plus den and two-bedroom units.

One patio is proposed outside the pub/bistro area to the west, and a second patio is proposed outside the dining room overlooking the ravine to the north.

Vehicle access to the underground garage and a motor court/ passenger pick-up and drop-off area is proposed on the east perimeter of the site. The main pedestrian entrance is fronting Dundas Street West and will lead to a lobby and reception lounge.

The building is proposed to be stepped back from the Dundas Street West frontage at the third and seventh levels, where terraces for residential units are to be located.

The proposed maximum building height, excluding rooftop mechanicals is 31.2 metres. The proposed floor space index is 2.6 times the area of the entire site.

Site and Surrounding Area

The site is located on the north side of Dundas Street West, east of Prince Edward Drive (See Key Map). It is rectangular in shape except at the rear where the lot line is angled to reflect the curve in the ravine that forms part of the Humber River valley. Currently there are 3 commercial buildings occupying the development parcel. There is some erosion of the ravine due to stormwater run-off from the existing parking lot.

Abutting Uses:

North: Humber River valley and CPR bridge

East: 3-storey commercial building that shares a driveway with the site

South: townhouse development and vacant site which has OMB approval for a 7-storey building with an 8th storey amenity space

West: 6-storey condominium apartment building

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 *Mixed Use Areas* on Map 15 – Land Use Plan and is located on an Avenue on Map 2 – Urban Structure in the Toronto Official Plan.

Mixed Use Areas in Section 4.5 of the Toronto Official Plan are made up of a broad range of commercial, residential, institutional, and parks and open space uses in single and mixed use buildings. *Mixed Use Areas* policies establish a number of site related development criteria that must be met.

Avenues are identified as areas of growth and reurbanization in Section 2.2.3 of the Plan, where an Avenue Study is to be undertaken for segments of Avenues to facilitate and shape growth. The site is in the Dundas Avenues Study Area for which an Avenues Study was completed and adopted by City Council in 2006. The Dundas Avenues Study is implemented through Site and Area Specific Official Plan Amendment No. 277 and Zoning By-law Amendment 717-2006.

OPA 277 retains the Mixed Use Areas designation and policies, but excludes townhouse building forms on frontage lands. OPA 277 also includes an Appendix of Urban Design Guidelines to be applied to new development. These guidelines set out the design recommendations of the Dundas Avenues Study to serve as a framework for growth.

The Natural Environment policies in Section 3.4 of the Plan also apply to the site because it is situated on the Humber River Valley ravine. The applicant intends the proposed building to be set back more than 10 metres from the identified Top-of-Bank but less than 10 metres from the Hazard Line on the westerly portion of the site. Given the existing physical characteristics of the bank, it is uncertain as to whether the required 10 metre development setback of Policy 3.4.8 will be drawn from the Hazard Line or Top-of-Bank. Therefore, as a determination has not yet been made on whether the 10 metre setback will be from the Top-of-Bank or the Hazard Line an Official Plan Amendment has been made. Review of this matter and determination of the development setback will be undertaken in consultation with TRCA.

Zoning

The site is in a CG-AV-H – Area 3 (General Commercial – Avenues) zone of By-law 717-2006, with the exception of the north end of the site which is in a POS (Parks and Open Space) zone. The newly approved Zoning By-law does not apply to this site as zoning was established as part of the Avenues study and recommendations.

The CG-AV-H zone category permits apartment houses with a maximum height of 5 storeys and 14 metres, and a maximum floor space index of 2.5. Developments are also permitted to have the lesser of a higher height of 18.5 metres and six storeys or a maximum floor space index of 3.0 provided the owner enters into a Section 37 Agreement pursuant to the Planning Act in exchange for Section 37 benefits described in Section N(a) of Zoning By-law 717-2006 which include parkland and streetscape improvements abutting and beyond the development site and public art.

Indoor and outdoor amenity spaces are required to be provided at the rate of 2 square metres each per unit, for a total requirement of 320 square metres indoor and 320 square metres outdoor. Forty square metres of the outdoor amenity space must be directly accessible from the indoor amenity space.

Parking for the seniors' residence is provided at a ratio of 0.25 spaces per unit plus 0.1 spaces per unit for visitors for a total of 56 spaces. The requirement for parking will be evaluated as part of the review of the application.

The site is subject to a Holding (H) symbol subject to the satisfactory availability of all road improvements, infrastructure, servicing and school capacity to accommodate the proposed development.

Site Plan Control

An application has not been submitted.

Ravine Control

The site abuts the Humber River Valley and is partially within the regulatory limits of the Toronto and Region Conservation Authority and City of Toronto Ravine Protection By-law.

Tree Preservation

The proposal will not impact any trees protected under the provisions of the City's Street Tree By-law. Two trees situated on site are protected by the Private Tree by-law but are in direct conflict with the proposed development and will require removal. An "Application for Permit to Destroy Privately Owned Trees" has not been submitted.

Reasons for the Application

Official Plan:

The *Mixed Use Areas* policies in the Official Plan allow the proposed use. Official Plan Amendment No. 277 which implements the Dundas Avenues Study also permits the use, however a number of the Urban Design Guidelines included in Appendix A to the Official Plan Amendment have not been met, including those with respect to combined vehicle access, service and parking access, amongst other matters.

The setback required in the Natural Environment policies of the Official Plan will be reviewed to determine if the 10 metre setback is required from the Hazard Line or Top of Bank. The applicant has submitted an Official Plan Amendment in the event an amendment to this policy is required.

Zoning By-law 717-2006:

The proposal does not comply with Zoning By-law 717-2006 with respect to height, density, size of mechanical penthouse, setbacks, and loading and servicing area provisions. The requirements to lift the "Hold" are being reviewed.

The new City of Toronto Zoning By-law does not apply to this site.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

Planning Rationale and Sun/Shadow Study – Bousfields Inc., dated July 2010;
Tree Inventory Plan/ Arborist Report – The Tree Specialists Inc., dated June 24, 2010;
Stage 1 Archaeological Assessment – Archaeological Services Inc., dated May 2010;
Revised Slope Stability Report Site Assessment – Toronto Inspections Geo-Environmental Consultants, dated June 15, 2010;
Addendum to Slope Stability Report - Toronto Inspections Geo-Environmental Consultants, dated July 14, 2010;
Phase 1 Environmental Site Assessment - Toronto Inspections Geo-Environmental Consultants, dated November 3, 2009;
Site Servicing Report – R.V. Anderson Associates Ltd., dated July 6, 2010; and
Traffic Considerations Memo – BA Group Transportation Consultants, dated July 6, 2010.

A Notification of Complete Application was issued on August 3, 2010.

Issues to be Resolved

The following preliminary issues have been identified. Other issues may be identified upon receipt of comments from other divisions or from the community consultation process. City Planning has significant issues with the height and density of the proposal and continues to meet with the applicant to resolve these and other identified issues.

Height:

The Dundas West Avenues Study determined that 5-storeys, with a potential increase to 6-storeys, is appropriate for the area. This recommendation is implemented in Zoning By-law 717-2006 which establishes that additional height and density is subject to the provision of specific matters identified in the Zoning By-law pursuant to Section 37 of the Planning Act. The applicant's proposal for a 9-storey building with a height of 31.2 metres is 40 percent higher than the maximum 18.5 metre height limit in the zoning by-law.

Density:

The zoning by-law establishes a maximum density of 2.5 for CG-AV-H zoned lands and provides the potential for a maximum density of 3.0 subject to Section 37 of the Planning Act. The applicant's proposal is for a density of 2.6 over the entire site (POS and CG-AV-H) and a density of approximately 3.7 for the CG-AV-H zoned lands.

Built Form

The Built Form policies in Chapter 3 of the Toronto Official Plan require new development to fit with the surrounding area or planned context (Section 3.1.2). Older buildings in the area have a height of 2 to 3-storeys. Newer buildings to the east and west in the Avenues area have heights of 6-storeys. The planned context for the area is set out in the Dundas Avenues study implementing Official Plan Amendment and Urban Design Guidelines and Zoning By-law Amendments.

A development proposal on the south-east corner of Dundas Street West and Prince Edward Drive was recommended for refusal by City Council but allowed by the Ontario Municipal Board. It allows for a 7-storey, 24 metre high building with an 8th storey amenity space and density of 3.3 times the lot area. The development has not yet been constructed.

Front Yard Setback:

The zoning by-law requires that the setback from the front lot line should be an average of front yard properties within Area 3. The applicant is proposing a front yard setback closer than any of the other properties in Area 3, including the new condominium apartment building to the west. This issue will be evaluated in consideration of streetscape improvement recommendations resulting from the Dundas Avenues Study and incorporated in the OPA 277 Urban Design Guidelines appendix.

Proximity to Canadian Pacific Rail Line:

The Canadian Pacific Railway requires a noise assessment to be carried out to determine what impact railway noise would have on the residents and to recommend mitigation measures, if required. The owner has been notified of this requirement.

Ravine Issues:

Based on preliminary discussions between the applicant, Urban Forestry and TRCA, it has been confirmed that the slope requires enhanced remediation, a ravine stewardship plan, and comprehensive planting. All lands north of the stable slope line (hazard line) are to be conveyed into public ownership and zoned open space. Urban Forestry and the Toronto and Region Conservation Authority are continuing work with the applicant to seek protection and enhancement of this edge of the development.

Site Layout:

The applicant proposes an exterior loading and garbage area. As well, the loading bay and the garbage bin storage area extend beyond the Hazard Line of the ravine. The Urban Design Guidelines identify that garbage storage areas should be integrated within

the building envelope in all new developments. The turning movements for servicing vehicles are also being further reviewed relative to improving site layout.

Vehicular Access:

The Urban Design Guidelines identify that the number and width of driveway curb cuts should be minimized along Dundas Avenue West and encourage combining driveway access to adjoining sites.

Currently there is a shared access with a three-storey commercial building at 4174 Dundas Street West. Vehicle access for this application is proposed from the east side of the site under a six-storey portion of the building. If the site were to be developed in accordance with the current proposal, the 4174 Dundas Street West access would be reduced to 3.5 metres which is not wide enough for a two-way drive that requires a minimum 6 metre width. Further, the proposed east access of this application would only be allowed to have a right-in, right-out movement due to its proximity to the traffic signal.

If the applicant were to relocate access to the west side of the site they would be allowed full turning movement with the aid of the traffic signal and would also have an opportunity to pursue combined driveway access. The owner is encouraged to explore a joint access with the six-storey condominium apartment building to the west that would also take advantage of the traffic light at the Prince Edward Drive and Dundas Street West intersection. This issue must be resolved before finalizing the site layout of the development.

Section 37 Benefits:

These will be discussed with the local Councillor, City staff and the applicant. In accordance with Zoning By-law 717-2006, possible improvements include public art, streetscape improvements, linkages to the Humber ravine trail system, street furniture, amongst other matters.

Lifting the Holding Symbol:

The requirements for lifting the “H” holding symbol are being reviewed by City staff.

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.

The TGS Checklist will be submitted by the applicant as part of the Site Plan Approval Application and once the planning issues have been resolved. The Checklist will be reviewed by City staff for compliance with the Tier 1 performance measures.

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

CONTACT

Wendy Johncox, Senior Planner
Tel. No. (416) 394-8227
Fax No. (416) 394-6063
E-mail: wjohncox@toronto.ca

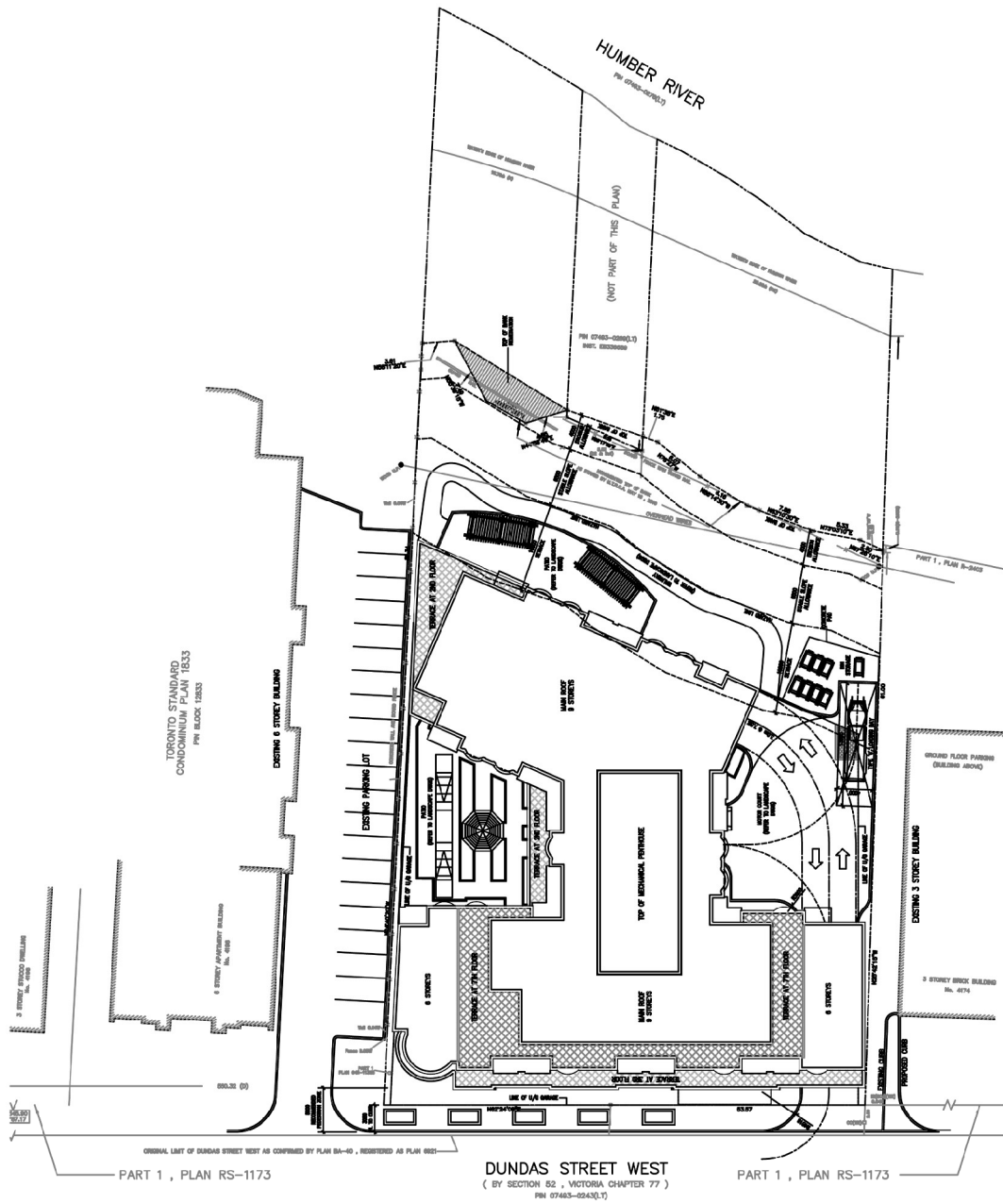
SIGNATURE

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

ATTACHMENTS

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


Attachment 1: Site Plan



Site Plan

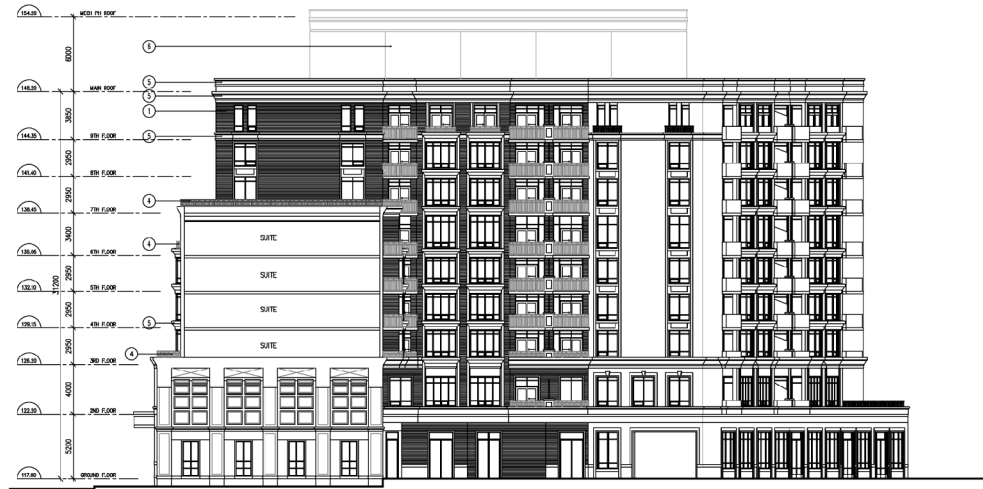
4180, 4188 & 4190 Dundas Street West

Applicant's Submitted Drawing

Not to Scale 
11/17/10

File # 10_223162 WET 04 02

Attachment 2: Elevations



East Elevation/Driveway - Section
EAST ELEVATION/DRIVEWAY SECTION



North Elevation - Ravine
NORTH ELEVATION - RAVINE

Elevations

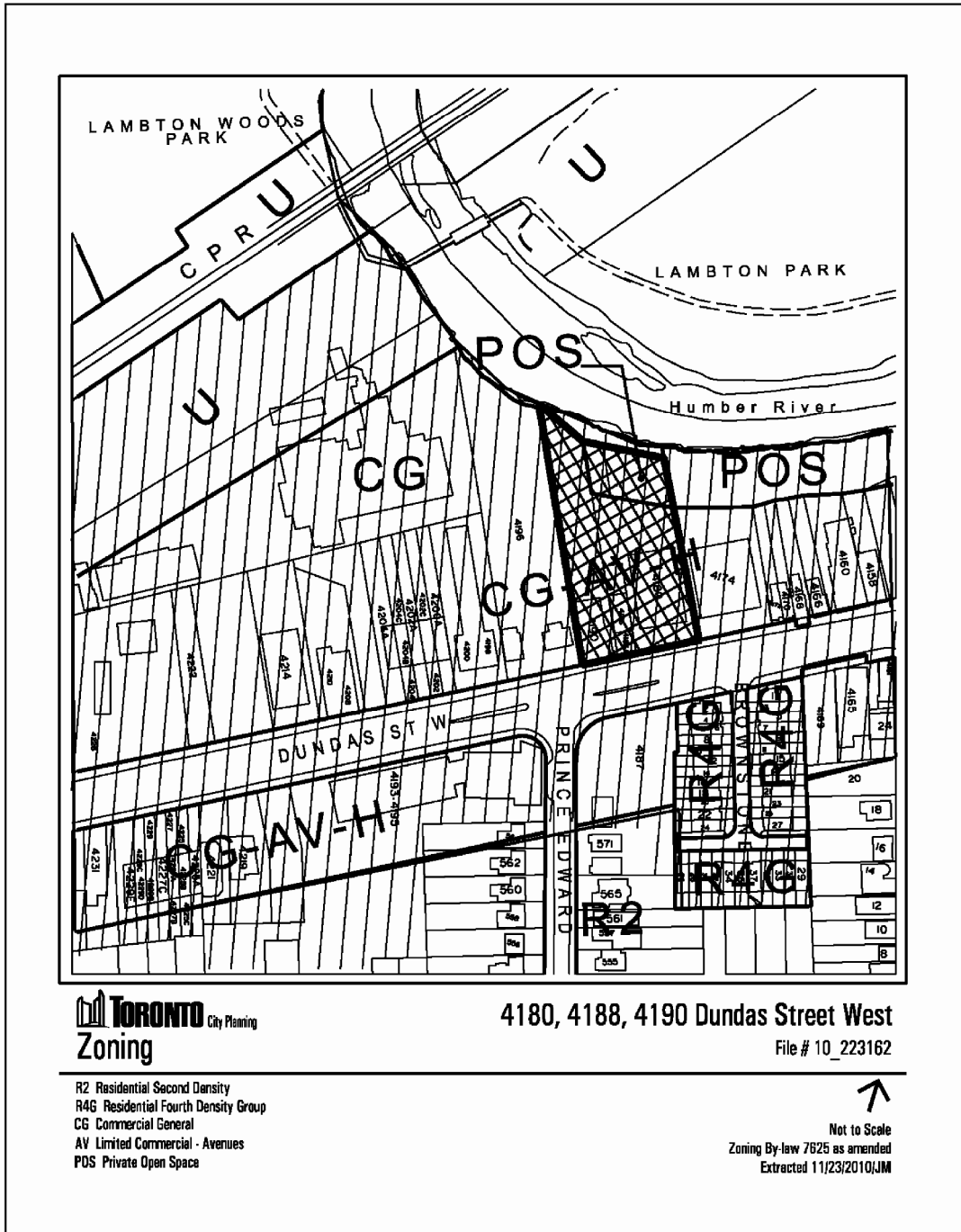
Applicant's Submitted Drawing

Not to Scale
11/17/10

4180, 4188 & 4190 Dundas Street West

File # 10_223162 WET 04 02

Attachment 3: Zoning



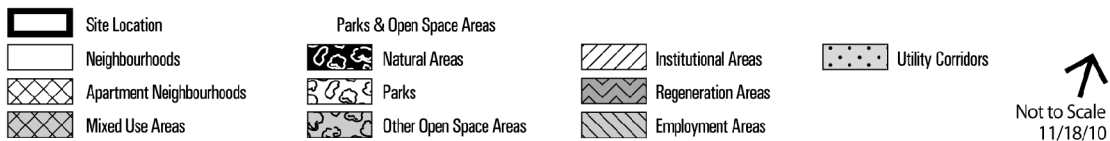
Attachment 4: Official Plan



TORONTO City Planning
Official Plan

4180, 4188 & 4190 Dundas Street West

File # 10_23169200E103456



ATTACHMENT 5: APPLICATION DATA SHEET

Application Type	Official Plan Amendment & Rezoning	Application Number:	10 223162 WET 04 OZ
Details	OPA & Rezoning, Standard	Application Date:	July 19, 2010

Municipal Address: 4180 DUNDAS ST W
 Location Description: CON C PT LOT 10 **GRID W0406
 Project Description: To construct one 9 -storey apartment building with 160 dwelling units.

Applicant:	Agent:	Architect:	Owner:
STEVE DANIELS			ARCWAY INVESTMENTS LTD

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	Dundas Avenues Area
Zoning:	CG-AV-H POS	Historical Status:	
Height Limit (m):	18.5 m (with conditions)	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	5377.16	Height:	Storeys:	9
Table land Area (sq. m)	3796		Metres:	31.2
Frontage (m):	53.57			
Depth (m):	121.2 and 92.4			
Total Ground Floor Area (sq. m):	1745.08			Total
Total Residential GFA (sq. m):	14012.73		Parking Spaces:	56
Total Non-Residential GFA (sq. m):	0		Loading Docks	1
Total GFA (sq. m):	14012.73			
Lot Coverage Ratio (%):	0.32			
Floor Space Index:	2.6			
Net Floor Space Index (exclude POS)	3.7			

DWELLING UNITS

Tenure Type:	rental
Rooms:	0
Bachelor:	30
1 Bedroom:	109
2 Bedroom:	21
3 + Bedroom:	0
Total Units:	160

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	14012.73	0	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:	Wendy Johncox, Senior Planner
	TELEPHONE:	(416) 394-8227