

**3385 Dundas Street West Zoning By-law Amendment  
Application – Final Report**

<b>Date:</b>	January 22, 2009
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Director, Community Planning, Etobicoke York District
<b>Wards:</b>	Ward 13 – Parkdale-High Park
<b>Reference Number:</b>	07 112712 WET 13 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 to amend the former City of York By-law No. 1-83 to permit a six-storey, mixed use building at 3385 Dundas Street West. The proposed use of the building is a senior’s apartment residence with complementary retail at grade.

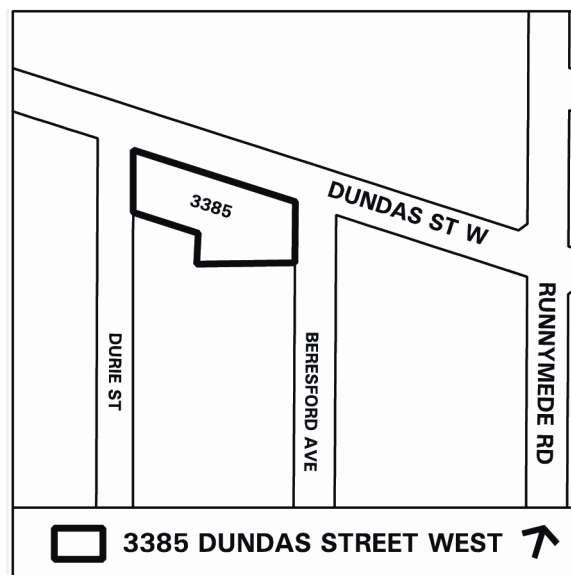
The proposal implements the ‘Avenues’ objectives of the Official Plan and is consistent with the Provincial Policy Statement’s requirement for the accommodation of residential growth.

This report reviews and recommends approval of the applications to amend the Zoning By-law.

**RECOMMENDATIONS**

**The City Planning Division recommends that:**

1. City Council amend the Zoning By-law No. 1-83 of the former City of York substantially in accordance with the draft Zoning By-law



Amendment attached as Attachment No. 5.

2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
4. Before introducing the necessary Bills to City Council for enactment, require the issuance of the Notice of Approval Conditions for the Site Plan application.
5. Before introducing the necessary Bills to City Council for enactment, require the applicant to provide pressure and flow testing of the existing water main on Dundas Street West fronting this development. In the event that those tests indicate that improvements to the existing water main are necessary to service the development, require the applicant to provide funding for these improvements and make arrangements, including any required financial securities and fees, to the satisfaction of the Executive Director of Technical Services.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **ISSUE BACKGROUND**

### **Proposal**

The application proposes to amend the former City of York By-law No. 1-83 to permit a 6-storey, 8,663 square metre, mixed use building. The proposed development includes 118 residential units with 104 square metres of roof top amenity space, and 770 square metres of retail space on the ground floor. A total of 84 parking spaces will be provided on two levels below grade with 18 spaces being proposed for retail users, and 66 for tenants and visitors.

### **Site and Surrounding Area**

The 0.28 hectare parcel of land extends along the south side of Dundas Street West between Durie Street and Beresford Avenue. The property is presently occupied by a single-storey, twelve-bay, car wash facility that extends the length of the Dundas frontage. The site is entirely paved in asphalt except for two raised planters located adjacent the north frontage. A gravel covered portion to the rear of the property is utilized for refuse and automobile storage related to the neighbouring auto-body repair facility.

Surrounding land uses include:

- North: Dundas Street West with commercial and industrial properties located on the opposite side of the street;
- South: an unimproved municipal lane and low-density residential properties;
- East: Durie Street, with commercial uses fronting on Dundas Street West and residential properties to the south; and

West: Beresford Avenue, with commercial uses fronting Dundas Street West and residential properties to the south.

### **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.

The proposed development has been reviewed for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe. These policies are discussed below.

### **Official Plan**

The site is designated as Mixed Use Area. Mixed Use areas achieve a broad range of planning objectives by combining a variety of residential, commercial, institutional, recreational and cultural activities in locations well served by transit.

The ability of Mixed Use areas to absorb future development depends upon the context of the site and available supporting services including transit and community facilities. The policies of the Plan provide that the height and form of future buildings will be assessed to ensure that they integrate with existing communities. New buildings will be located to frame the edges of streets and provide an attractive and comfortable pedestrian realm. Site access and circulation will be located and screened to minimize impacts on adjacent residential areas.

The proposed development is consistent with the City Official Plan strategy that encourages a mix of residential and commercial uses along the City's main streets. The senior's retirement home will fill an apparent need within the community, while the retail uses at grade will provide more active uses along the street frontage.

The proposed uses are among those permitted for this designation. As discussed further in this report, the proposed building achieves an acceptable built form that integrates with its surroundings. Site development standards are appropriate, and the development meets the policies of the Plan, therefore no amendment is required.

The property is situated on an Avenue as identified on Urban Structure Map 2 of the Official Plan. An Avenue Study has not been completed for this portion of Dundas Street

West. However, the Plan provides policies and performance criteria for the evaluation of proposals prior to the completion of an Avenue Study.

The applicant has submitted an acceptable Segment Study that has evaluated the proposal in the context of a broader area and addresses the corresponding criteria for Avenues within Mixed Use areas. The Segment Study is included as Attachment 8 to this report

## **Zoning**

The property is zoned Commercial Employment (CE) by the City of York By-law. The existing zoning provides for a height limit that varies from 14 metres for any portion of a building located within 10 metres of the abutting residential zone, to a maximum of 6 storeys or 20 metres for the remainder of the site. No portion of the proposed building is located within 10 metres of the abutting residential zone and the proposed height for the remainder of the site is 6 storeys at 16.8 metres. Although the zoning category permits a range of industrial, commercial and retail functions it does not permit the proposed residential uses.

## **Site Plan Control**

The property is subject to Site Plan Control. The associated application was circulated on March 22, 2008 and has been found to be generally acceptable to all City Departments and Public Agencies. This report recommends that the applicant be given Notice of Approval Conditions for Site Plan Approval prior to the introduction of the necessary Bills to City Council.

## **Reasons for Application**

Although the proposed uses conform to the Official Plan, a Zoning By-law amendment is required as the proposed uses are not permitted under former City of York By-law No. 1-83.

## **Community Consultation**

On June 20, 2007 and October 1, 2007 community consultation meetings were held at Runnymede Collegiate. Issues raised at the community included the following:

- Traffic and parking
- Location and height of the building
- Landscape treatment of the site and the public areas
- Privacy and overlook
- Types of commercial uses
- Fence along the laneway

In addition to the community consultation meetings, an informal meeting was held on May 8, 2008 at Councillor Saundercook's office to discuss revised building elevations and the proposed building materials.

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

## **COMMENTS**

### **Provincial Policy Statement and Provincial Plans**

The proposal is consistent with the Provincial Policy Statement. As a residential infill project it supports the policy objectives of focusing growth in existing settlement areas (intensification). The development promotes efficient land use, reduces land consumption related to residential development and utilizes existing services and infrastructure.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. The proposal's compact and efficient form helps to optimize the utilization of existing services and infrastructure and to reduce the need to convert rural land to urban uses. It is an example of intensification through redevelopment of an underutilized lot in the built-up area.

### **Built Form**

The applicant has revised the proposed form and setbacks of the building to respond to staff and community concerns. The final design provides an additional setback along Dundas Street West, to accommodate enhanced street tree planting. Additional setbacks have been achieved at the street corners, and the building has been set back at the sixth floor level to provide terracing to the south.

To better integrate with the character of the surrounding neighbourhood, the proposed building materials were revised to include red and buff coloured brick cladding. An informal meeting of nearby residents, held by the local councillor, supported the revised appearance.

The proposed building is generally setback 10.0 metres from properties to the south. Outdoor amenity areas are provided at the east and west ends of the building, at the sixth floor level. Balconies are limited to the sixth floor level, in an effort to reduce privacy and overlook issues for residents to the south.

### **Traffic Impact, Access, Parking**

The initial application contemplated a 2-way public lane along the south limit of the site. Due to encroachment issues arising from the property to the south, the plans have been revised to provide a 4.0 metre wide, one-way westbound lane in the same location. Access to the underground parking garage, and vehicle servicing for the site, will be from the public lane.

Parking will be provided at a rate of 0.40 stalls for each unit, including 0.05 visitor stalls for each unit. In addition, the by-law provides for commercial parking at the rate of 1.0 stall per 47 m<sup>2</sup> of gross floor area. Parking may be shared between the commercial and

residential visitors. Technical Services staff has reviewed the access and parking arrangements and have advised that they are acceptable.

### **Servicing**

Technical Services staff has requested that the applicant provide pressure and flow testing results for the existing water main on Dundas Street West to ensure that the existing water main is suitable to service the proposed development. The applicant will be required to provide any necessary upgrades to the exiting water main should those tests indicate that improvements will be required.

### **Open Space/Parkland**

#### **Applicability of Parkland Dedication**

The use is proposed to be combined residential/commercial. The site is in the second lowest quintile of current provision of parkland, as per Map 8B/C of the Official Plan. The site is in a parkland priority area, as per Alternative Parkland Dedication Rate By-law 1420-2007.

#### **Calculation of Parkland Dedication**

The application proposes 118 residential units on a site of 0.27 hectares. At the alternative rate of 0.4 hectares per 300 units specified in By-law 1420-2007, the parkland dedication would be 0.02 hectares.

#### **Proposal for Dedication of Parkland**

The applicant proposes to satisfy the parkland dedication requirement by cash-in-lieu and this is appropriate as the required amount of parkland is too small to be of a functional size.

#### **Final Determination**

The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

### **Streetscape and Landscaping**

The proposed building provides for retail commercial uses at grade, immediately west of the Dundas Street / Beresford Avenue intersection. The applicant has indicated their intention to target future uses to the occupants of the senior's building, if possible.

Doors will open onto Dundas Street West, where a 1.60 meter setback will improve the pedestrian environment through the accommodation of street trees and the creation of a 4.45 metre sidewalk. The building is also set back 2.41 metres from Beresford Avenue and 2.78 metres from Durie Street where additional landscaped areas are provided on the site and within the adjacent street rights-of-way.

The applicant proposes a 1.80 metre privacy fence along the south property line. In addition, extensive landscaping is proposed adjacent to the south side of the lane adjacent to Beresford Avenue, and within a triangular area, south of the lane, toward the centre of the site. The fence and landscaped areas will provide a measure of privacy to properties

lying to the south of the site. Staff will further review the proposed landscaping as part of the Site Plan review process.

### **Avenue Segment Study**

This portion of Dundas Street West lies within an Avenue, as shown on Map 2 of the Official Plan. Avenues are corridors along major streets where reurbanization is generally anticipated and encouraged. Avenue Studies are intended to precede major development proposals on these streets. However, Section 2.2.3.3 of the Plan provides an opportunity for the applicant to submit an Avenue Segment Study when development is proposed prior to the completion of an Avenue Study.

An Avenue Study has not been completed for this section of Dundas Street West. However, Section 2.2.3.3(a) of the Official Plan allows an initial level of development within an Avenue prior to an Avenue Study subject to a Segment Study that considers the implications of the proposed development on the segment of the Avenue in which it is located and on the adjacent neighbourhood.

Section 2.2.3.3(b) of the Plan sets out the conditions of the Segment Study. A Segment Study should:

- include an assessment of the impacts of the incremental development of the entire Avenue segment at a similar form, scale and intensity, appropriately allowing for distinguishing circumstances;
- consider whether incremental development of the entire Avenue segment as identified in the above assessment would adversely impact any adjacent Neighbourhoods or Apartment Neighbourhoods;
- consider whether the proposed development is supportable by available infrastructure; and
- be considered together with any amendment to the Official Plan or Zoning By-law at the statutory public meeting for the proposed development.

The Plan notes that developments requiring a rezoning have the potential to set a precedent for the form and scale of reurbanization along the Avenue. These applications will not be allowed to proceed prior to the completion of an Avenue Study unless the applicant's review demonstrates that subsequent development of the entire Avenue segment will have no adverse impacts within the existing and planned context of the area.

In addition, when significant intensification is proposed adjacent to a Neighbourhood or an Apartment Neighbourhood, Section 2.3.1.3 of the Plan provides that Council may determine whether or not a Secondary Plan, an area-specific zoning by-law or an area-specific policy will be created in consultation with the local community following the completion of the Segment Study.

In response to Policy 2.2.3.3, on March 6, 2008, the applicant submitted the Dundas Street West Avenue Segment Study (prepared by The Planning Partnership) in support of their rezoning application. The review includes properties fronting on Dundas Street West between the Jane Street to the west and Runnymede Road to the east.

The Segment Study provides a background review of relevant Official Plan policies, an inventory of existing built form, streetscape, heritage buildings and a community services and facilities assessment which helps to inform the impacts that incremental development may have on the Avenue Segment and on adjacent Neighbourhoods. Based on the background review, the Segment Study presents five Guiding Principles that are later applied to the report's development scenario evaluations. The Guiding Principles reflect the consultant's interpretation of the Official Plan's direction with respect to reurbanization on the Avenues.

The Study was circulated to relevant City staff for their review. Besides providing a planning rationale for the proposed development, the Segment Study outlines Guiding Principles and a Planning Framework for the segment. The Guiding Principles and Planning Framework generally support the consultant's development scenarios that contemplate 5 to 6 storey buildings along the majority of Dundas Street West with greater density and height near the intersection of Runnymede Road and Dundas Street West.

The Segment Study identifies three development scenarios. The first two are based on "short term" and "full build out" of the properties on both sides of Dundas Street West for residential development with retail / amenity uses at grade. Scenario 1 considers the potential that arises from the redevelopment of "soft sites" comprised of relatively large contiguous blocks that do not require assembly. The second scenario includes "long term potential" sites, where current conditions appear to preclude redevelopment in the short term. These are mainly small sites that require assembly, or have issues related to heritage preservation.

As noted, the development scenarios provide generally for 5 to 6 storey mixed use buildings along the majority of Dundas Street West. The scenarios adopt a rear lane access configuration, and provide a 45 degree angular plane separation between the potential buildings and the existing residential areas to the south. This approach is generally consistent with current City thinking related to the Avenues.

The third scenario retains the employment area uses on the north side of Dundas Street West with full build out of a mixed use scenario on the south side of the street. This scenario appears to simply retain the existing employment area buildings, and does not explore the potential for higher-intensity employment-related uses.

Staff note that the lands north of Dundas Street West are designated as Employment Area on Land Use Map 14; however, they are not within an Employment District on Map 2. While there may be the potential to consider alternative uses within this area in the long term (as shown in scenarios 1 and 2), development scenarios that contemplate mixed use/residential development are speculative at best. The scenario that provides for



employment uses does not explore opportunities for intensification, such as office use, that have the potential to complete the streetscape. Given that there are a number of stable, long-term employment uses in this area, no change to the Plan policies is warranted at this time.

Based on the consultant's development scenario and staff's review of the application, it is our opinion that incremental development within the segment would not adversely impact adjacent Neighbourhoods. The proposal has the potential to create a positive precedent for the segment in terms of form, scale and intensity. The consultant's development scenarios demonstrate a level of reurbanization that, in principle, is in keeping with the Official Plan policies for Avenues. Any future development applications submitted in the Avenue Segment will be evaluated on their own merit.

The Segment Study's shortcomings do not affect staff's support for the proposed development. A copy of the Segment Study is included as Attachment 8.

### **Toronto Green Standard**

The applicant has been encouraged to provide features that implement the Toronto Green Standard. The proposal will be reviewed in detail when the application for Site Plan approval is made.

### **Tenure**

The applicant has indicated that the proposed building is intended to accommodate senior's rental units targeted to the local community.

### **Development Charges**

It is estimated that the development charges for this project will be \$700,000.00. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

### **CONTACT**

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 Fax No. 416-394-6063  
 E-mail: mhoward2@toronto.ca

### **SIGNATURE**

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

**ATTACHMENTS**

Attachment 1: Site Plan

Attachment 2: Elevations

Attachment 3: Sections

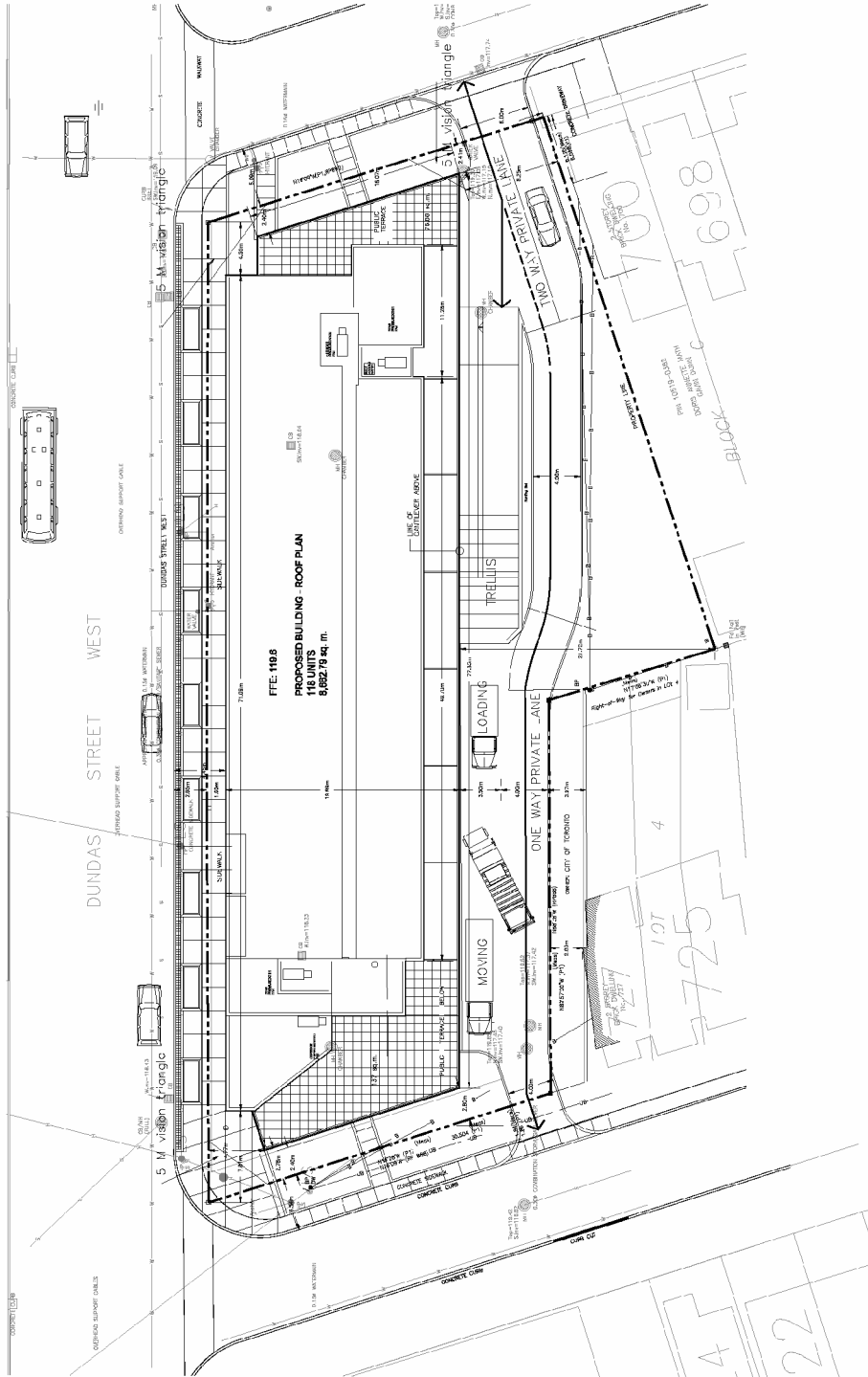
Attachment 4: Existing Zoning

Attachment 5: Draft Zoning By-law

Attachment 6: Application Data Sheet

Attachment 7: Avenue Segment Study

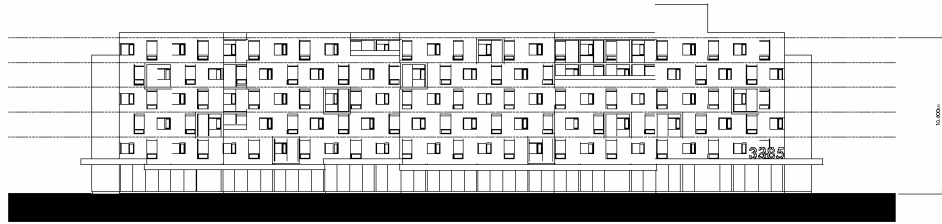
### Attachment 1: Site Plan



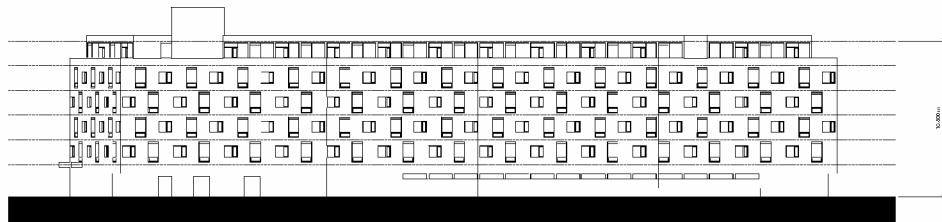
**Site Plan**  
 Applicant's Submitted Drawing  
 Not to Scale  
 01/15/09

**3385 Dundas Street West**  
 File # 07\_112712

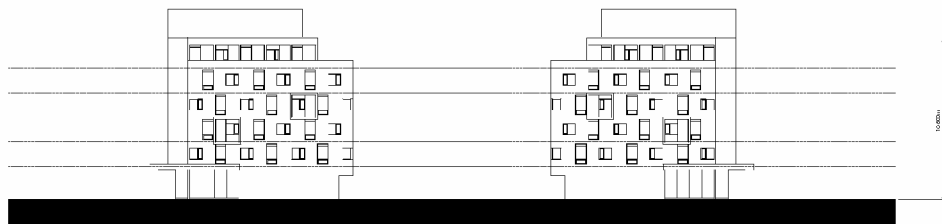
### Attachment 2: Elevations



NORTH Elevation



SOUTH Elevation



WEST Elevation

EAST Elevation

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## Elevations

Applicant's Submitted Drawing

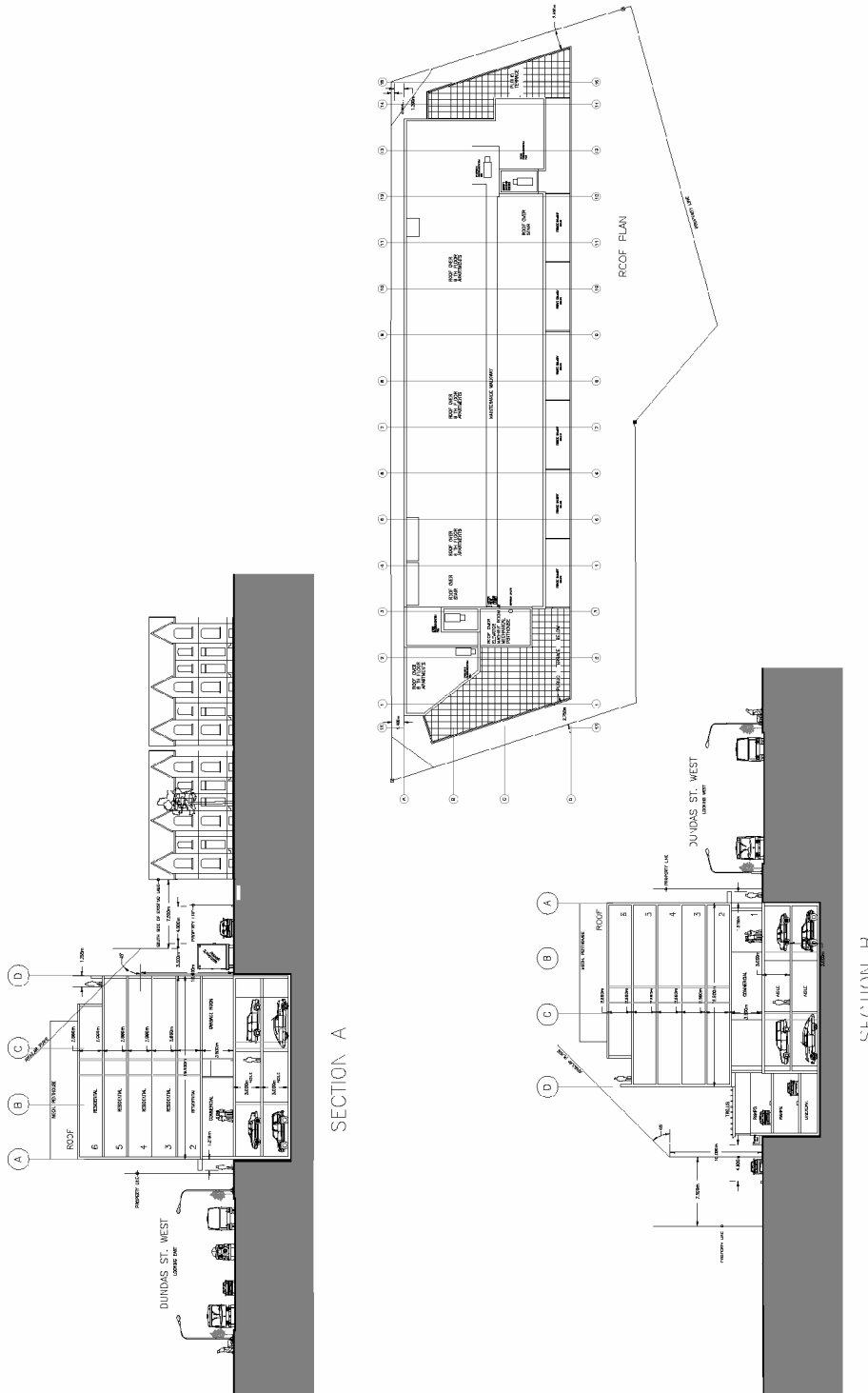
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## 3385 Dundas Street West

File # 07\_112712

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Attachment 3: Sections



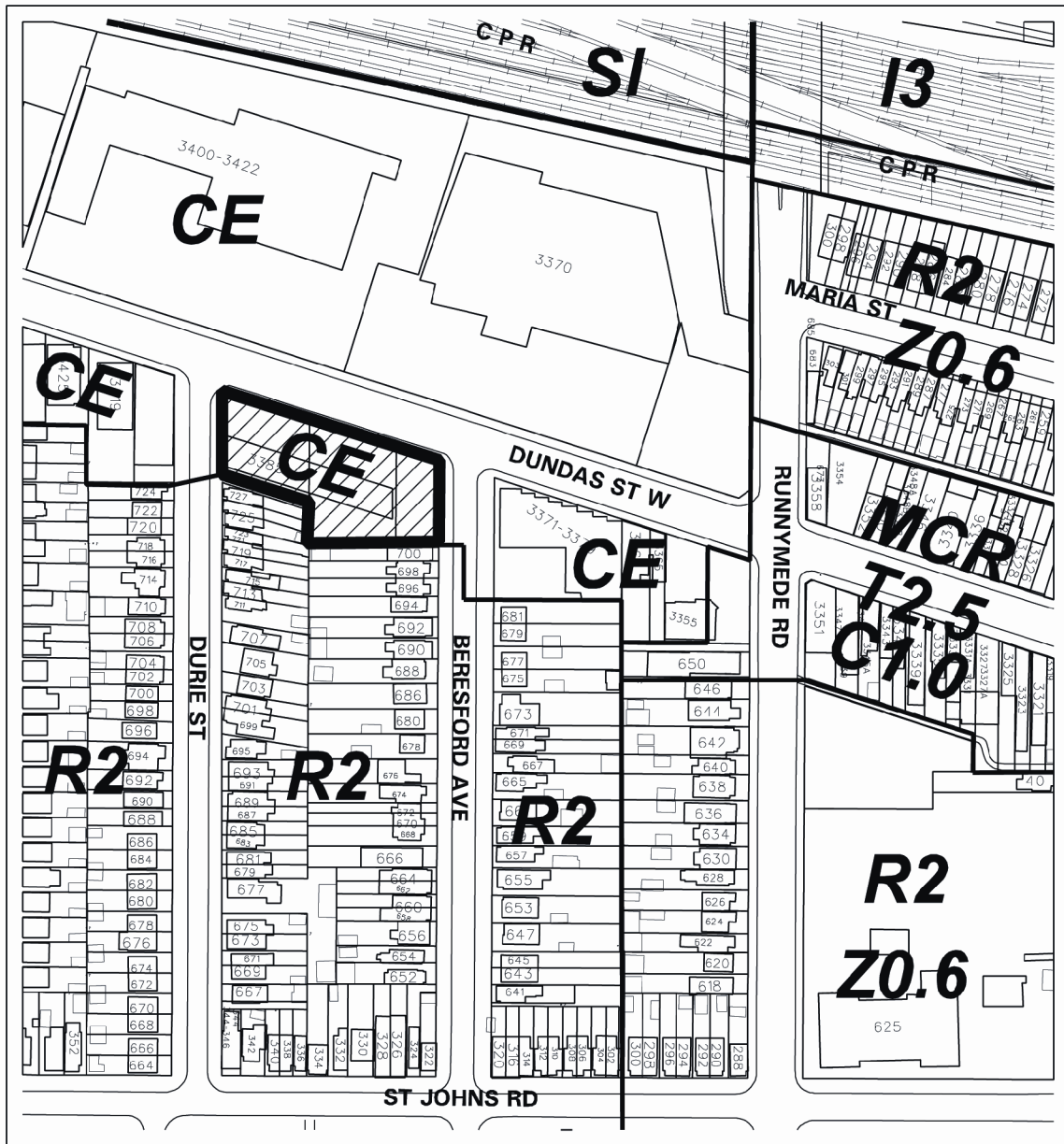
3385 Dundas Street West

Sections  
Applicant's Submitted Drawing

Not to Scale  
01/15/09

File # 07\_112712

Attachment 4: Existing Zoning



3385 Dundas Street West  
File # 07-112712

Former York Zoning By-law 1-83  
R2 Residential Zone  
CE Commercial Employment Zone  
SI Strategic Industrial Employment Zone

Former Toronto Zoning By-law 438-86  
R2 Residential District  
MCR Mixed-Use District  
I3 Industrial District



Not to Scale  
Zoning By-law 1-83 as amended  
Extracted 05/01/07 - MH

**Attachment 5: Draft Zoning By-law**

Authority: Etobicoke York Community Council Item ~ [or Report No. ~, Clause No. ~] as adopted by City of Toronto Council on ~, 20~  
 Enacted by Council: ~, 20~

**CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. ~-20~**

**To amend Zoning By-law No. 1-83, as amended,  
 With respect to the lands municipally known as,  
 3385 Dundas Street West**

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Section 6 – District Maps of Zoning By-law No. 1-83 of the former City of York, as amended is further amended by adding the following in subsection 6(80):

**Lands – South side of Dundas Street between Durie Street and Beresford Avenue (3385 Dundas Street West)  
 MAP 18**

By changing the area shown on District Map 18, municipally known as 3385 Dundas Street West, and as shown outlined in Schedule “A” hereto, from a CE District to an MCR District and Section 16 (435) as shown on Schedule “B” hereto and by changing District Map 18 accordingly.

2. That Section 16 of Zoning By-Law No. 1-83, as amended, of the former City of York, is hereby further amended by adding the following as a new Subsection:

“(436) Lands – 3385 Dundas Street West

Notwithstanding the provisions of Section 12 of this By-law, the lands municipally known as 3385 Dundas Street West, as shown on Schedule “B” to this By-law and to this Subsection may be used for the purpose of erecting a six storey apartment house, with grade related office and retail uses, subject to the following conditions:

- a) The maximum number of units permitted on site shall be 118.

- b) The maximum retail floor area shall be 770 square metres.
  - c) The maximum height of the building permitted shall be 16.8 metres, with not more than 6-storeys, exclusive of any mechanical floors.
  - d) The building shall be located within the areas shown on Schedule "B" hereto, so as to provide the minimum and maximum setbacks and heights shown on the site plan.
  - e) A minimum of 84 underground parking spaces shall be provided, of which:
    - a. a minimum of 48 parking spaces shall be for residential purposes.
    - b. a minimum of 17 parking spaces shall be for the commercial uses.
    - c. a minimum of 5 parking spaces shall be for visitors.
    - d. a minimum of 2 parking spaces shall be for the exclusive use of the physically disabled, measuring 3.65 m wide by 5.6 m in length, with a minimum 6.0 m access aisle width.
  - f) All parking space dimensions shall comply with Section 3 of former City of York By-law 1-83, as amended.
  - g) A minimum of one loading space shall be provided and maintained at the rear of the building with access from the private lane.
  - h) Primary vehicular access to and from the lands shall be provided and maintained via the one-way westbound private lane between Beresford Avenue and Durie Street.
  - i) The ground floor recreation room of 104 square metres shall be provided and maintained.
  - j) The outdoor rooftop landscaped area on the west side shall have a minimum area of 137 square metres and the east side shall have a minimum area of 76.88 square metres, both of which are to be provided and maintained as *green open space*.
  - k) Walkways and all other means of interior and exterior pedestrian access to the apartment building shall include ramps and features for convenient use by wheelchairs.
  - l) All garbage shall be stored within a fully-enclosed garbage storage room located on the ground floor of the main building on the site and there shall be no outdoor storage of garbage or garbage containers at any time.
- 3.** Within the lands shown on Schedule "B" attached to this By-law, no person shall use any land or erect or use any building or structure unless the following



municipal services are provided to the lot line and the following provisions are complied with:

- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
- (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

DAVID R. MILLER,  
Mayor

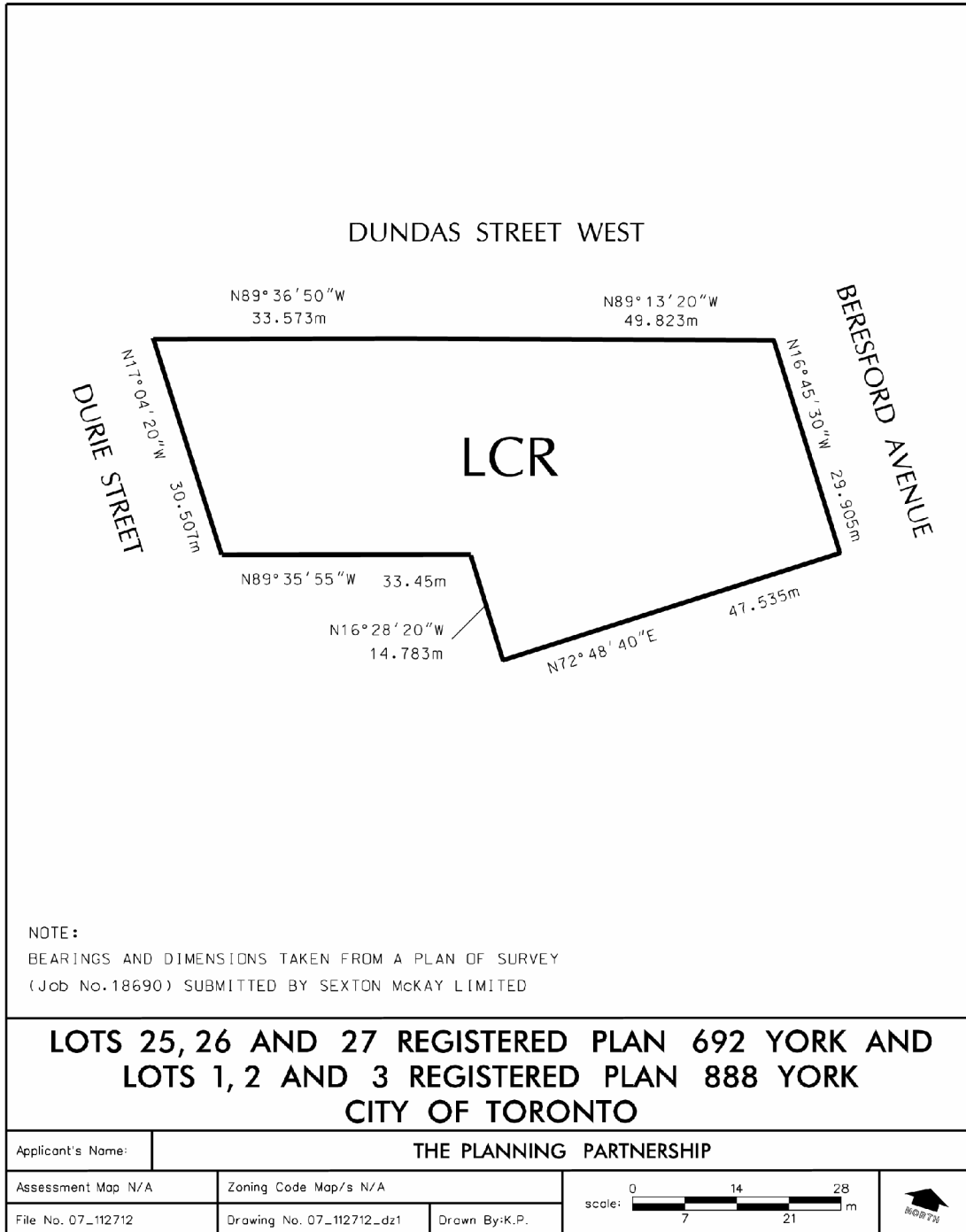
ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

Schedule 'A'



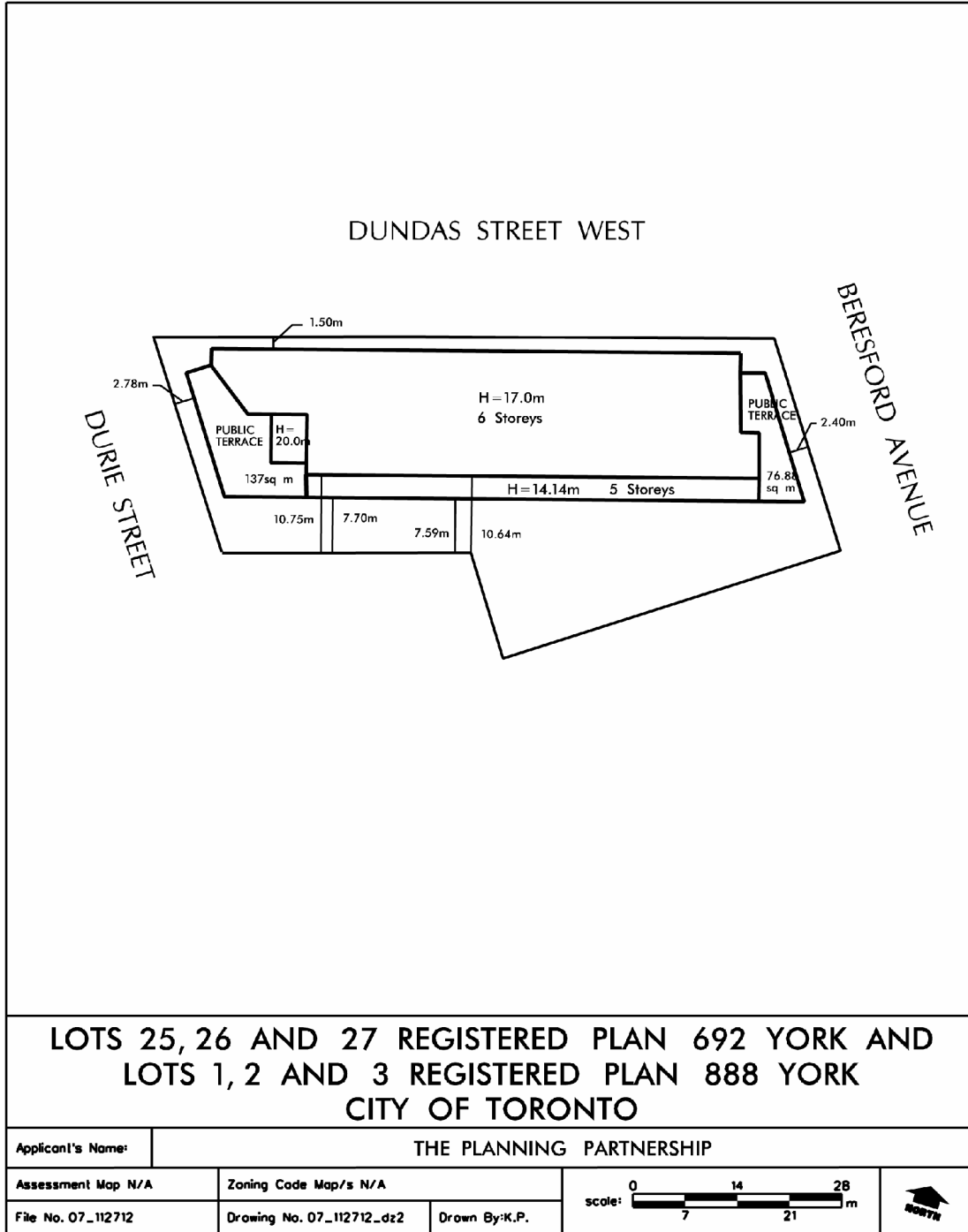
Schedule 'A' BY-LAW Number \_\_\_\_\_  
and to Section 16 (435) of Zoning By-Law 1-83



Schedule 'B'



Schedule 'B' BY-LAW Number \_\_\_\_\_  
and to Section 16 (435) of Zoning By-Law 1-83



**Attachment 6: Application Data Sheet**

Application Type	Zoning By-law Amendment	Application Number:	07 112712 WET 13 OZ
Details	Zoning By-law Amendment	Application Date:	March 1, 2007

Municipal Address: 3385 DUNDAS ST WEST

Location Description: PL 888 LTS 1 TO 3 PL 692 LTS 25 TO 27 \*\*GRID W1302

Project Description: A proposal for a 6-storey, 118 unit, mixed use, senior's apartment with ground floor retail and 2 levels of underground parking (84 stalls).

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
THE PLANNING PARTNERSHIP	JAVIN INVESTMENTS INC.	JEROME MARKSON ARCHITECT	JAVIN INVESTMENTS INC.

**PLANNING CONTROLS**

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	n/a
Zoning:	CLR Local Commercial Residential Zone with site specific provisions	Historical Status:	n/a
Height Limit (m):	17.0 (site specific)	Site Plan Control Area:	Yes

**PROJECT INFORMATION**

Site Area (sq. m):	2760.36	Height: Storeys:	6
Frontage (m):	29.9	Metres:	16.8
Depth (m):	83.39		
Total Ground Floor Area (sq. m):	1464		<b>Total</b>
Total Residential GFA (sq. m):	7189.79	Parking Spaces:	84
Total Non-Residential GFA (sq. m):	1464	Loading Docks	0
Total GFA (sq. m):	8653.79		
Lot Coverage Ratio (%):	53		
Floor Space Index:	3.16		

**DWELLING UNITS****FLOOR AREA BREAKDOWN (upon project completion)**

Tenure Type:	Other		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	7892.79	0
Bachelor:	7	Retail GFA (sq. m):	770	0
1 Bedroom:	100	Office GFA (sq. m):	0	0
2 Bedroom:	11	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	118			

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Mark Howard, Planner</b>
	<b>TELEPHONE:</b>	<b>(416) 394-8245</b>

**Attachment 7: Avenue Segment Study**