

**Northwest Corner of Dufferin Street and McAdam Avenue (0 Dufferin Street)
Rezoning Application – Final Report**

Date:	April 8, 2010
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 15 – Eglinton-Lawrence
Reference Number:	08 224263 NNY 15 OZ

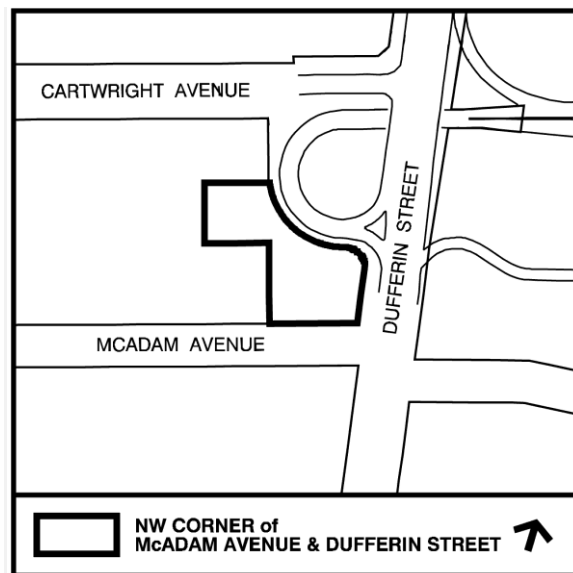
SUMMARY

This application was submitted on November 24, 2008 and is subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.

This application proposes to amend Zoning By-law 7625 of the former City of North York to permit the construction of a 9 storey 83 unit apartment building with grade related retail uses fronting Dufferin Street. Also proposed are four townhouse units to the rear of the proposed apartment building on the western portion of the site.

The proposal intensifies land along an *Avenue* in a reasonably scaled mid-rise mixed use building that appropriately transitions to adjacent lands designated *Neighbourhoods*. The height, density and scale of the redevelopment is in keeping with the development potential of this segment of Dufferin Street and may proceed prior to the completion of an *Avenue Study*.

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



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7.
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.
3. Before introducing the necessary Bills to City Council for enactment, require the applicant to enter into a Site Plan Agreement under Section 41(16) of the *Planning Act* and Section 114 of the *City of Toronto Act*.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

A Preliminary Report was adopted by North York Community Council in March of 2009 authorizing staff to conduct a community consultation meeting with notification given to an expanded area. This report can be accessed via the following link:

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-19521.pdf>

ISSUE BACKGROUND

Proposal

The current proposal, filed on December 21, 2009, proposes the redevelopment of the site with a 9 storey mid-rise apartment building containing 83 dwelling units fronting Dufferin Street. Also proposed is a three storey townhouse block on the west side of the property containing 4 dwelling units (see Attachment 1). A total gross floor area of 8,717m² is proposed resulting in a density of 3.2 times the area of the lot.

A total of 113 parking spaces are proposed, the majority of which are provided in a two level below grade parking garage which serves both the apartment building and the townhouses. Two parking spaces are proposed at grade: one space being intended for short term parking related to the retail component of the building and a second reserved for a potential car-sharing service. Vehicular access to the site is proposed from McAdam Avenue.

The application was originally submitted in November 2008 and was revised to respond to concerns raised by City staff, the local Councillor and the community through a consultation process that included two working group meetings.

The following table provides a comparison between the original proposal, a revised submission filed in September 2009, and the current proposal:

	Original Proposal November 2008	Revised Submission September 2009	Current Submission December 2009
Building Height	11 Storeys (33.6m)	9 storeys (26.7m)	9 storeys (26.7m)
Townhouse Height	3 Storeys (9.0m)	3 storeys (9.0m)	3 storeys (9.0m)
Gross Floor Area (excluding mechanical)	9,602m ² total Residential: 9,331m ² Retail: 271m ²	8,712 m ² Residential: 8,498m ² Retail: 214m ²	8,717m ² Residential: 8,507m ² Retail: 210m ²
Density	3.5	3.2	3.2
Dwelling Units	101 total 96 apartments 5 townhouses	87 total 83 apartments 4 townhouses	87 total 83 apartments 4 townhouses
Parking Spaces	116 (includes 1 car-share)	113 (includes 1 car-share)	113 (includes 1 care-share)

Additional site statistics for the current proposal are presented in Attachment 6. The major changes to the proposal from the November 2008 submission include:

- the reduction of the overall building height of the mid-rise apartment building from 11 storeys to 9 storeys (33.6m to 26.7m);
- a reduction in the unit count from 101 units to 87 units;
- the setback of the apartment building on the ground floor increased from 0m to 1.0m;
- the introduction of a 1.5m step back of floors 4 through 9 of the apartment building;
- the elimination of one unit from the townhouse block to provide additional outdoor amenity space and a 7.5m setback from the abutting lots to the north and west containing single detached dwellings; and
- an increased landscaped buffer between the driveway and service area and the adjacent place of worship to the west.

Site and Surrounding Area

The site is located on the northwest corner of Dufferin Street and McAdam Avenue south of Highway 401. The site has a frontage of 29m on Dufferin Street and 41m on McAdam Avenue with an irregular depth and shape resulting in an area of 0.28 hectares. The irregular shape results in the development site projecting behind the neighbouring property immediately to the west which contains a place of worship and is designated *Neighbourhoods*. The site is presently vacant with the exception of a stand-alone, third party sign. Land uses surrounding the subject site are as follows:

North: an exit ramp off Dufferin Street providing access to the Yorkdale Shopping Centre with low rise commercial uses and a 14 storey hotel to the north along Dufferin Street;

West: a place of worship to the immediate west with single detached homes beyond;

South: Low rise commercial uses along Dufferin Street; and
East: Low rise commercial uses and Yorkdale Shopping Centre beyond.

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 by the *Planning Act*, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The subject lands are designated *Mixed Use Areas* by the City of Toronto Official Plan as a focus for intensification along an *Avenue* as identified by Map 2. *Avenues* are corridors along major streets intended for incremental reurbanization to create new residential, commercial and retail opportunities while improving the overall pedestrian environment, the appearance of the street and accessibility to transit for community residents.

The Official Plan provides that development in *Mixed Use Areas* along *Avenues*, prior to an *Avenue* Study, has the potential to set a precedent for the form and the scale of reurbanization along the *Avenue*. Proponents of such proposals are to address the larger context and implications for the segment of the *Avenue* in which the proposed development is located. The proponent must demonstrate to Council’s satisfaction that the subsequent development of the entire *Avenue* segment will have no adverse impacts within the context and parameters of the review.

Lands immediately abutting the subject site to the west and north are designated *Neighbourhoods*. The Official Plan also requires intensification in *Mixed Use Areas* along *Avenues* to be carefully controlled so that low scale neighbourhoods are protected from negative impact. Developments in *Mixed Use Areas* that are adjacent to *Neighbourhoods* will be compatible with those *Neighbourhoods* and provide a gradual transition of scale and density to the adjacent low scale uses to maintain adequate light and privacy.

Zoning

The subject site is zoned “One Family Detached Dwelling Fifth Density Zone” (R5) by Zoning By-Law 7625 of the former City of North York as indicated in Attachment 5.

The R5 zoning permits one-family detached dwellings and accessory buildings as well as various recreational and institutional uses.

Site Plan Control

A Site Plan Control application is required but has not been submitted by the applicant.

Reasons for Application

An amendment to the Zoning By-law is required to permit the proposed mixed use development at the proposed height and density, as well as to establish appropriate performance standards to facilitate the proposal.

Community Consultation

A Community Consultation meeting was held on May 5, 2009 at the Columbus Center attended by the local Councillor, representatives of the applicant, City staff and approximately 130 members of the public. A number of issues were raised with the application as originally submitted.

The height of the proposal was the main concern as it was seen to be inconsistent with adjacent single detached houses and the low scale uses along Dufferin Street. It was felt that the height of the building would result in unacceptable shadow impacts and raised significant concerns related to privacy and overlook. There were also concerns with the density of the proposal and a lack of amenity space for both the proposed townhouses and mid-rise building. Those in attendance felt that the proposal should provide additional outdoor open space in lieu of the townhouse units given the deficiency of parkland in the area and the apartment building should be reduced in terms of height, density and scale to something that better fits the existing context.

A second major concern voiced by residents related to traffic operations on Dufferin Street at McAdam Avenue and anticipated parking problems with the proposal. Those in attendance described significant traffic congestion in the area both on local roads and on Dufferin Street and cited a high incidence of accidents occurring on left turn movements from Dufferin Street onto local roads. It was felt that the parking supply proposed for visitors and the retail component was inadequate.

Given the level of interest in the proposal, the local Councillor organized a working group consisting of 12 members of the local community. The first working group meeting was held in June, 2009 and reviewed the original proposal presented at the May 5, 2009 community consultation meeting. Many of the comments and issues raised reiterated those made at the community consultation meeting, but with a greater degree of specificity.

The working group took issue with the *Avenue* segment study prepared by the applicant, particularly as it related to density and unit count provided in the massing and density exercise. The working group felt that the apartment units should be larger and reduced in number with the townhouse units eliminated entirely from the proposal. There was concern with the proposed access from McAdam Avenue and its impact on the level of

service of the McAdam Avenue/Dufferin Street intersection. It was felt that setbacks at grade along the public right of ways should be provided to give the sense of a wider sidewalk, but that the proposed retail at grade was appropriate. The working group also felt that additional setbacks to the adjacent single detached properties were required which could be landscaped substantially as a buffer to mitigate issues of privacy and overlook. Additional concerns were raised with respect to stormwater and site servicing issues and how they would be addressed through the redevelopment of the property.

A revised application was presented at a second working group meeting in October, 2009. While the revisions responded to many of the concerns of the working group, it was the opinion of the working group that these were not substantive changes and that the numerous concerns had not been addressed. Despite the reduction in height from 11 to 9 storeys, the working group felt that the apartment building continued to be too tall for the site and continued to oppose the presence of the townhouse block in the rear yard. It was felt this area should be entirely landscaped open space.

Agency Circulation

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 PPS. It accommodates an appropriate range and mix of land uses for the infrastructure and public services available and planned. It also falls within a designated growth area and is developed with appropriate standards to facilitate intensification in a compact form.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. It focuses intensification within an identified intensification corridor providing a mix of land uses and housing types. The proposal is transit supportive and achieves an appropriate transition of built form to surrounding areas.

Land Use

The proposed mixed use building and townhouses are provided for by the *Mixed Use Areas* designation. The proposed intensification of land along a designated *Avenue* with mid-rise residential development and grade related commercial use is provided for within the growth management policies of the Official Plan.

The site is located within an *Avenue* identified on Map 2 of the Official Plan, but a City-initiated *Avenue Study* has not been undertaken for this stretch of Dufferin Street. Development may proceed on *Avenues* prior to the completion of an *Avenue Study* provided the proponents of such proposals examine the implications for the segment of the *Avenue* in which the proposal is located.

Avenue Segment Review

In accordance with Policy 2.2.3.3 of the Official Plan, the applicant submitted an *Avenue* segment review for Dufferin Street between Cartwright Avenue to the north and Orfus Road to the south. The purpose of the segment review is to assess the impacts of the incremental development of the entire *Avenue* segment at a similar form, scale and intensity, whether such incremental development would adversely impact any adjacent *Neighbourhoods* and whether the proposed development is supportable by available infrastructure.

The segment review identified all the properties within the study area that had potential for reurbanization in accordance with the *Avenue* policies, but acknowledged that development potential would be greater with the consolidation of certain parcels in separate ownership along Dufferin Street. Most of the sites have similar lot depths to the subject site while some extend deeper from Dufferin Street along flanking residential streets.

The review applied a massing model to the soft sites that included a 45 degree angular plane from any property line abutting lands designated *Neighbourhoods*, as well as a 45 degree angular plan from the opposite side of any abutting right of way. The review also provided for ground floor retail and commercial uses with residential uses above to implement the intent of the *Mixed Use Areas* land use designation along the *Avenue*. The *Avenue* segment review also examined soft sites, designated *Mixed Use Areas*, which projected into abutting lands designated *Neighbourhoods*, much like the subject lands. In this case, the massing model applied articulated transitional massing to create a built form with a height and scale consistent with the height and scale of the adjacent residential uses.

The segment review concluded that:

- the development sites could accommodate an appropriate and sensitive built form of 6 to 9 storeys, with some supporting up to 12 storeys, while still providing appropriate transition to minimize adverse impacts on adjacent *Neighbourhoods*;
- by adhering to angular plane restrictions on maximum height based on right of way width, there would be adequate provision of sunlight on sidewalks along Dufferin Street as demonstrated in the City's draft Avenue and Mid-Rise Buildings Study;
- the densities across the development sites range from 3.5 to over 5.5 times the area of the lot which could result in approximately 1,340 additional units and nearly 15,000m² of ground floor commercial uses;
- the additional traffic generated by the redevelopment sites can be accommodated on the existing road network within daily fluctuations; and
- the servicing infrastructure is adequate to serve the subject development at Dufferin Street and McAdam, but future development sites along this segment will have to undertake further review of the sanitary drainage system in order to determine servicing options.

Staff have reviewed the segment study and determined that the suggested 12 storey built form for two of the identified soft sites would not be an appropriate scale for this segment of Dufferin Street given that these buildings would be taller than the right of way. These would be considered a “tall building” as defined by the Official Plan and less appropriate for this part of Dufferin Street. However, the remainder of the conclusions of the *Avenue* segment review are appropriate and demonstrate that potential development of the entire *Avenue* segment at a scale similar to the current proposal can be accommodated.

Density, Height and Massing

The applicant’s *Avenue* segment review indicated that soft sites between Cartwright Avenue and Orfus Road are capable of supporting densities between 3.5 and 5.5 times the area of the lot while providing appropriate transition to adjacent low scale residential uses. The proposed density of 3.2 times the area of the lot is a reduction from the density originally proposed (3.5) and is below the lowest density suggested by the segment review.

At 9 storeys, the mid-rise building would appropriately transition to lands designated *Neighbourhoods* by adhering to a 45 degree angular plane from the rear property line. The mid-rise building also adheres to a 45 degree angular plane projected from the property line on the opposite side of Dufferin Street from the site. This results in an appropriately scaled mid-rise development based on Dufferin Street’s planned 27m right of way width while providing appropriate sunlight on the sidewalk opposite the subject lands. Along McAdam Avenue, the 8th and 9th floors have been stepped back from the 7th floor to provide an appropriate scale to the narrower flanking street.

The proposed mid-rise building is appropriately massed to frame Dufferin Street and McAdam Avenue by locating the main walls of the development parallel to the street edge. The massing and materials of the first three storeys would provide a pedestrian scale to the apartment building. The ground floor uses provide animation and access to the two public streets abutting the site. The retail uses would be directly accessible to the Dufferin Street sidewalk and along McAdam Avenue, a residential lobby entrance and two grade-related apartment units would also be directly accessible from the public sidewalk.

Despite the significant grade change between the site and the ramp accessing the Yorkdale Shopping Centre, the townhouse block has been oriented towards Dufferin Street to frame the street and ramp. This townhouse block has been set back 7.5m from the abutting properties to the north and west which are occupied by single detached dwellings and 1.5m from the property line of the lot occupied by the place of worship. The 7.5m setback is the required rear yard setback in Zoning By-law 7625 for townhouses in any multiple attached residential zone. This setback would provide private outdoor amenity space for residents of the townhouse units and would be generously landscaped as a buffer between the subject site and abutting residential properties. The open space to the north and east of the townhouse block would be used as at grade private outdoor amenity space for residents of the apartment building.

Sun and Shadow

A sun and shadow analysis was submitted with each version of the proposal. The mid-rise apartment building projects additional morning shadow on March 21 and September 21 into the rear yards of single detached houses on the south side of Cartwright Avenue which clears these properties by 10:18am. The elimination of one of the townhouse units and the provision of a 7.5m setback from the north and west property lines effectively eliminates shadow impact from the three storey townhouse block into the rear yards of the Cartwright Avenue properties. Staff reviewed the conclusions of the sun-shadow studies and are satisfied that the proposal adequately limits shadow impact on adjacent properties designated *Neighbourhoods* as directed by the Official Plan.

Traffic Impact, Access and Parking

The applicant submitted a traffic impact assessment which indicated the site is expected to generate 32 trips during the a.m. peak hour and 60 trips during the p.m. peak hour. The intersection of Dufferin Street and McAdam Avenue operates at level of service C during both peak hours, but the eastbound left turn is constrained. However, the traffic study indicated that the level of service for the intersection of Dufferin Street/McAdam Avenue/Glen Belle Crescent will largely be unchanged as a result of site traffic.

Vehicular access to the site would be provided from a driveway off McAdam Avenue. This driveway would serve the commercial and residential parking spaces in the below grade garage, a service court and a passenger pick-up/drop-off area. This access arrangement is consistent with Official Plan policies for minimizing curb cuts and consolidating service and access points to the rear of buildings on arterial roads.

Transportation Services has required the applicant to provide 1.1 parking spaces per unit in the mid-rise building, 1.35 spaces per townhouse unit, 0.2 spaces per unit for residential visitor parking and 1 space per 56m² of retail use. Transportation Services is permitting 25% of the residential visitor parking to be shared with the retail parking as these two uses have separate peak parking periods. Based on these ratios, 116 parking spaces are required. The applicant is proposing 113 spaces with one of the spaces being a dedicated car-share space. When car share spaces are provided, a reduction in required parking is typically appropriate. For a development with 75-89 residential units, the maximum reduction in parking deemed appropriate by Transportation Services if one car-share space is provided is 4 spaces. In this case, Transportation Services staff have accepted that the four space reduction via the car-share arrangement plus the 112 spaces provided on site will satisfy the parking requirement for the site.

Servicing

The applicant has submitted a site servicing assessment which provides information regarding stormwater management, water supply, and sanitary servicing for the site and provides detailed engineering designs for the lands. The report concludes that the existing municipal infrastructure is adequate to service the proposed development. Technical Services staff have reviewed the report and accepted its findings subject to minor revisions which will be addressed by the applicant through the Site Plan Control process.

Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The subject lands are in an area with 3.0+ hectares of local parkland per 1,000 people. The site is in the highest quintile of current provision of parkland. The site is in a priority parkland area, as per Alternative Parkland Dedication By-law 1420-2007.

The proposed 87 units would generate a parkland requirement of 0.116 hectares or 43% of the net site area at an alternative rate of 0.4 hectares per 300 units specified in By-law 1420-2007. However, a cap applies to sites that are less than one hectare. Therefore the site is subject to a parkland dedication of 271.5m² for the residential component and 1.5m² for the commercial component for a total parkland dedication of 273m² to implement the requirements of Section 42 of the *Planning Act*.

Parks, Forestry & Recreation staff have required the applicant to satisfy the parkland dedication requirement through a cash-in-lieu payment. This is appropriate as the 273m² land dedication would be too small to be of a functional size. The actual amount of cash-in-lieu-payment will be determined by the Facilities and Real Estate Division prior to building permit issuance.

Streetscape

The development supports the objectives of the Official Plan to achieve an aesthetically pleasing streetscape with ground floor uses which are directly accessible from the public sidewalk including retail and street-oriented uses. The building incorporates architectural elements including step backs and articulated balconies to create a pedestrian scale while providing visual interest along Dufferin Street. A total of 17 trees will be planted within the public right of way along the Dufferin Street and McAdam Avenue frontages as well as along the ramp accessing the Yorkdale parking lot. Along the Dufferin Street frontage, staff will secure the appropriate streetscape treatment in accordance with the Streetscape Manual through the Site Plan Control process.

Tree Protection

A significant number of trees that exist along the western property line are proposed for removal. Urban Forestry staff have reviewed the tree protection plan and arborist report and do not object to the proposed rezoning application as most of the trees are in poor condition. To injure or remove the trees, the applicant is required to file the appropriate permit applications and replace the 13 removed trees at a 3:1 ratio. The submitted landscape plan indicates there is only room for 27 trees on site. Urban Forestry staff will require a payment-in-lieu of tree planting to cover the remaining 12 replacement trees.

Toronto Green Standard

The Green Standard contains site and building performance targets that promote better environmental sustainability of development in Toronto. The Toronto Green Standard and Green Roof By-law came into force and effect on January 31, 2010. This application

was submitted prior to these initiatives coming into force and effect. However the applicant will be required to meet all Tier 1 standards for new residential development including those related to the use of local materials, the provision of bicycling and pedestrian infrastructure, stormwater management/retention, and landscape treatments to reduce the urban heat island effect. Measures required to meet this standard will be secured through the Site Plan Control process.

Section 37

Section 37 of the *Planning Act* authorizes a municipality with appropriate Official Plan provisions to pass Zoning By-laws involving increases in the height and/or density otherwise permitted by the Zoning By-law in return for the provision of community benefits by the owner.

Policies in Chapter 5.1.1 of the Official Plan set out the provisions governing the use of Section 37 in Zoning By-laws. Policy 5.1.1.4 provides that Section 37 may be used for development with a gross floor area greater than 10,000m². Policy 5.1.1.5 provides certain circumstances where Section 37 may be applied irrespective of this threshold. These circumstances include where Section 37 is used to conserve heritage resources or rental housing or as a mechanism to secure capital facilities required to support the development, or where there are Secondary Plan or area specific policies in effect that contain Section 37 provisions. None of the above circumstances apply to this development. As such, with a gross floor area of 8,717m², the proposal is exempt from the application of Section 37.

Development Charges

It is estimated that the development charges for this project will be \$530,900. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

CONTACT

Christian Ventresca, Planner
Tel. No. (416) 395-7129
Fax No. (416) 395-7155
E-mail: cventre@toronto.ca

SIGNATURE

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

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: East and West Elevations

Attachment 3: North and South Elevations

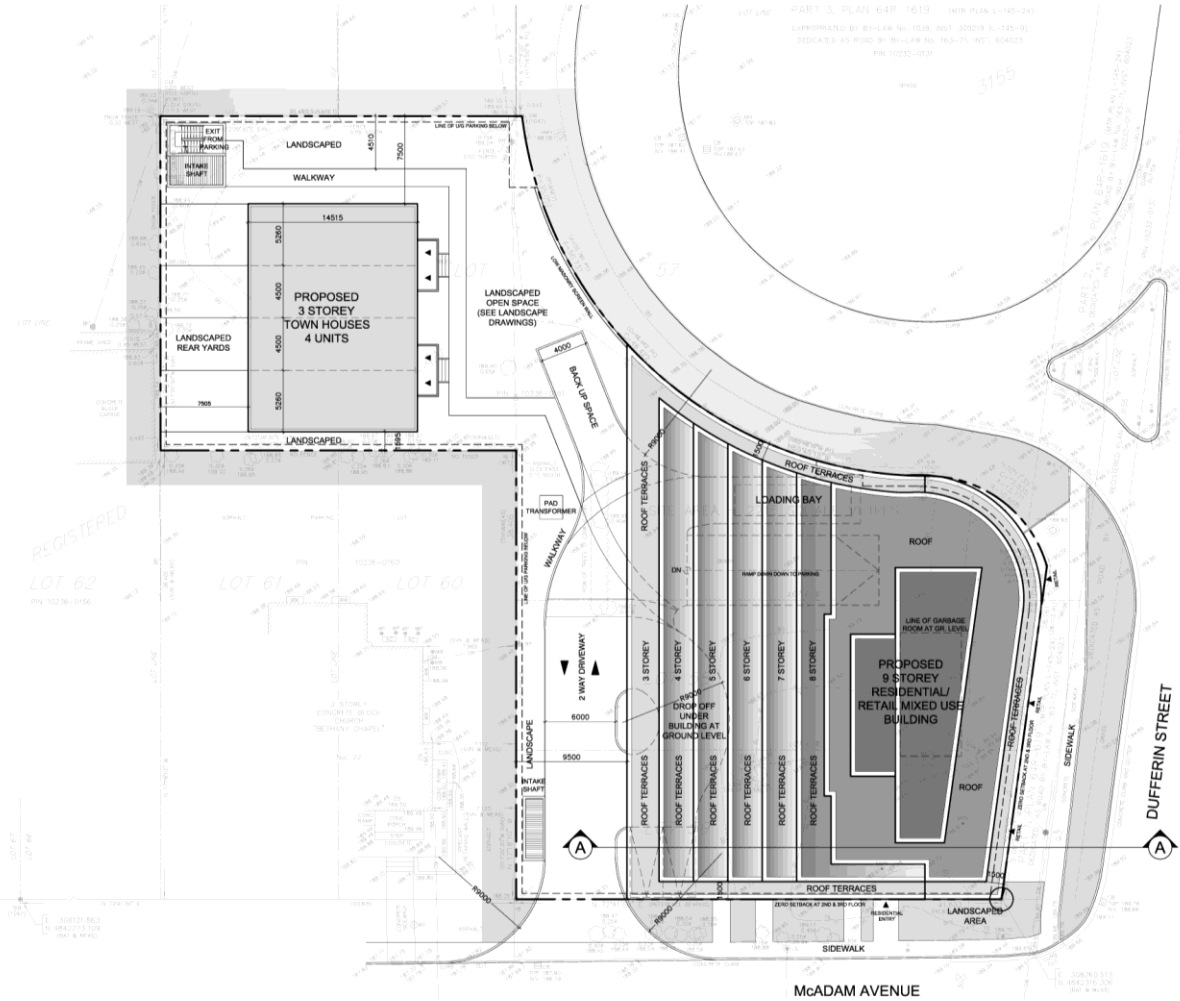
Attachment 4: Official Plan

Attachment 5: Zoning

Attachment 6: Application Data Sheet

Attachment 7: Draft Zoning By-law Amendment

Attachment 1: Site Plan



Site Plan

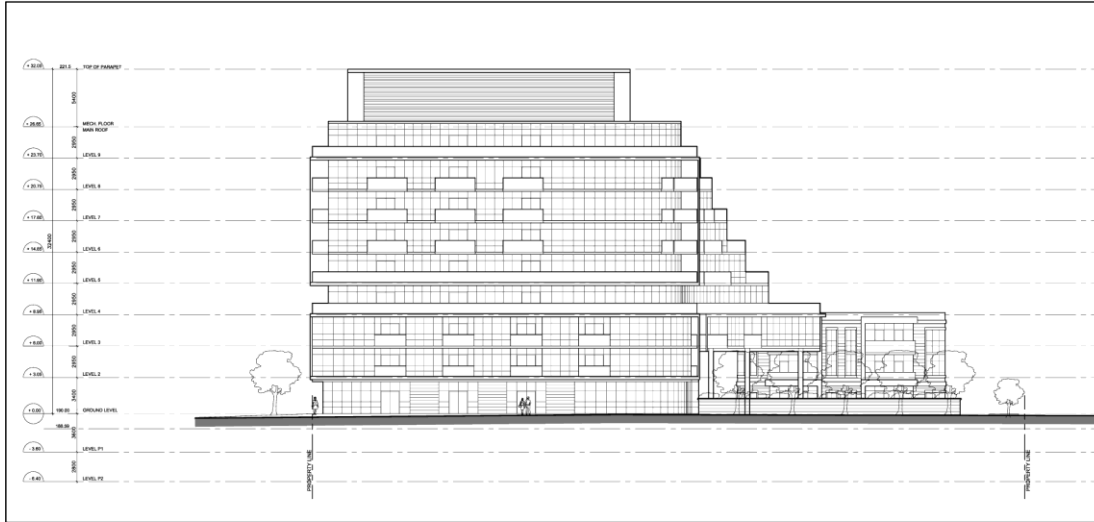
N/W Corner of McAdam Avenue and Dufferin Street

Applicant's Submitted Drawing

Not to Scale 

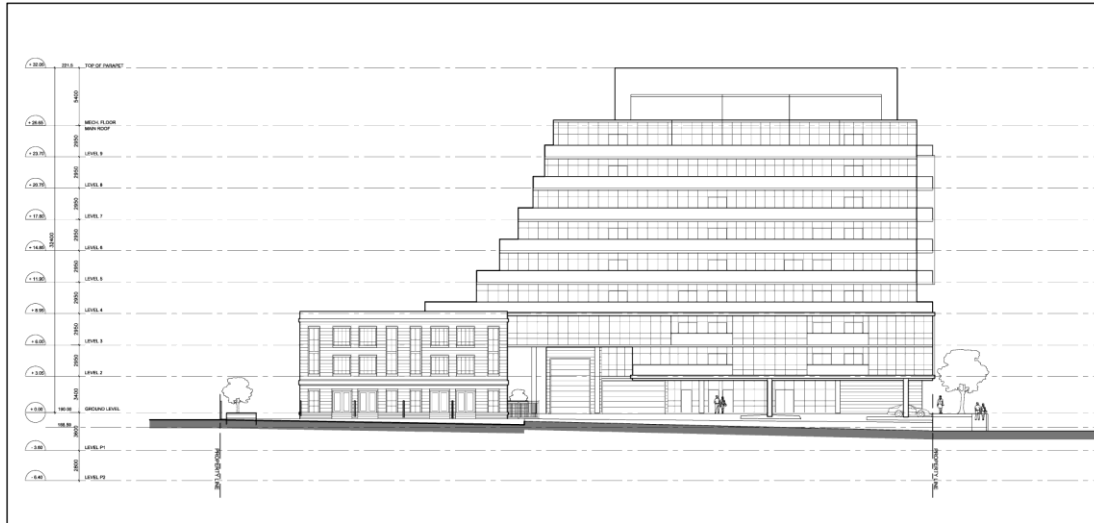
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Attachment 2: East and West Elevations



East Elevation
1:150
2
02.05

East Elevation



West Elevation
1:150
2
02.05

West Elevation

Elevations

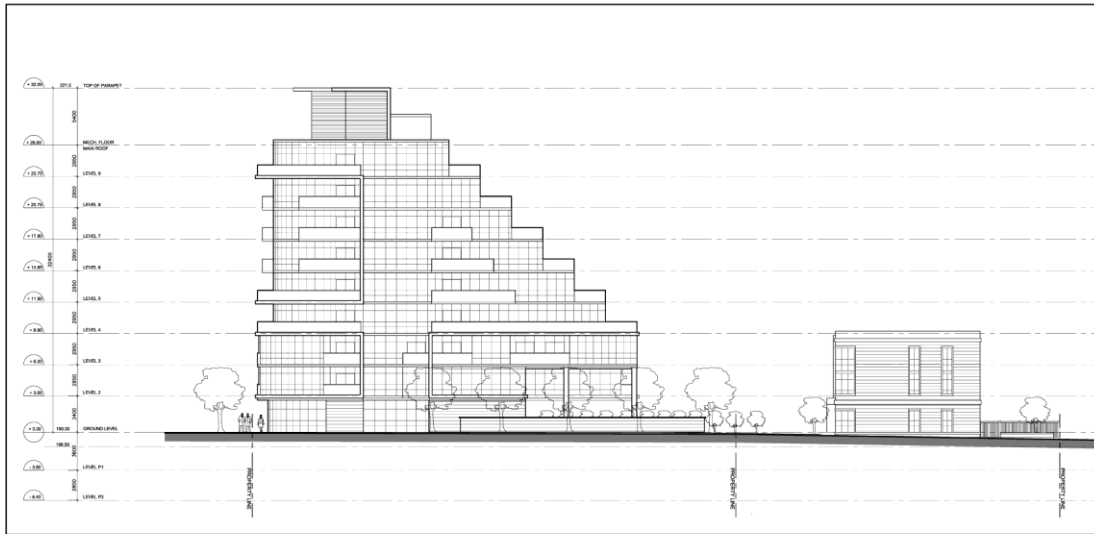
N/W Corner of McAdam Avenue and Dufferin Street

Applicant's Submitted Drawing

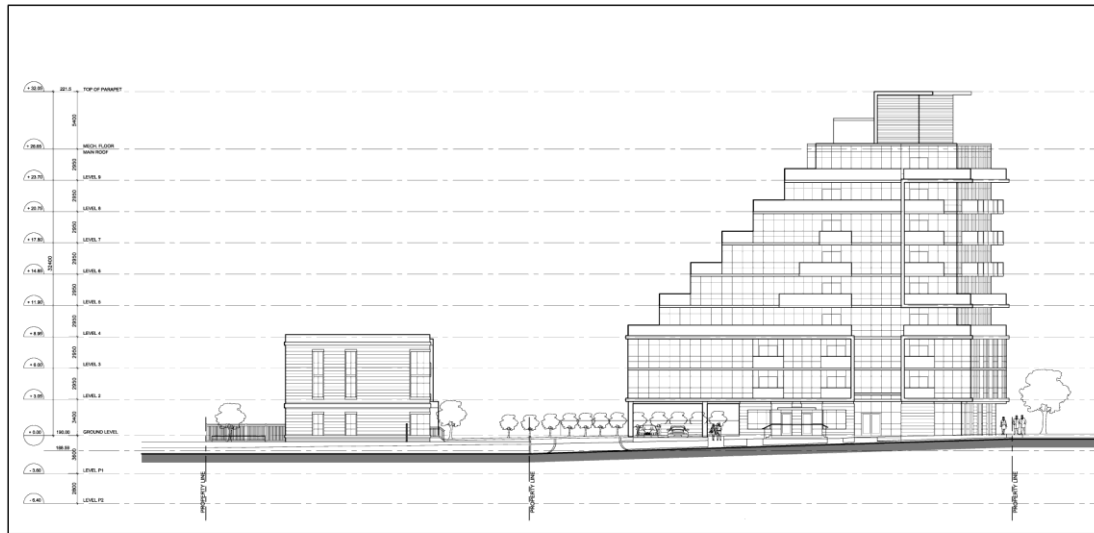
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File # 08_224263

Attachment 3: West and North Elevations



North Elevation



South Elevation

Elevations

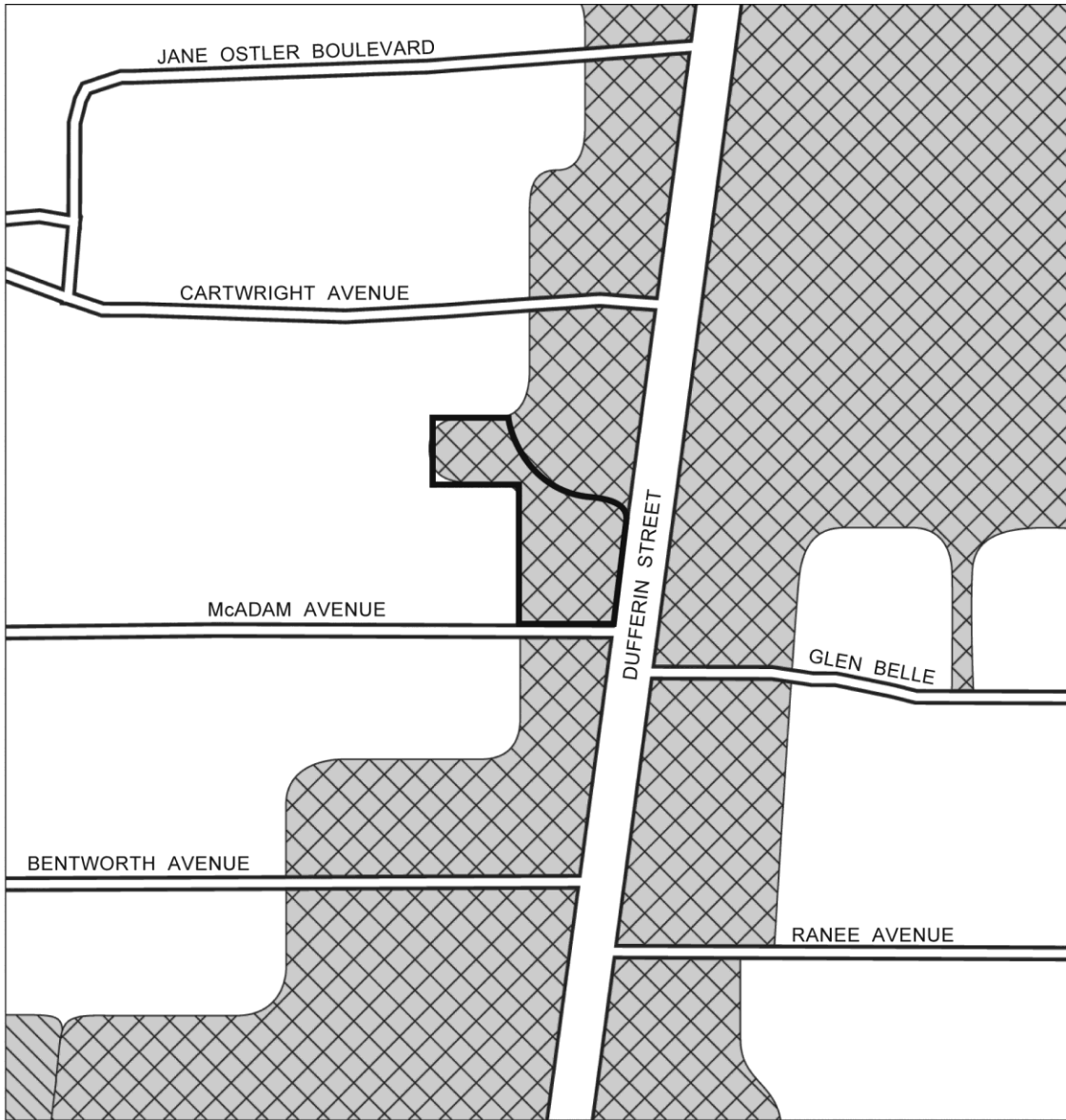
N/W Corner of McAdam Avenue and Dufferin Street

Applicant's Submitted Drawing

Not to Scale
04/06/2010

File # 08_224263

Attachment 4: Official Plan



TORONTO City Planning
Official Plan

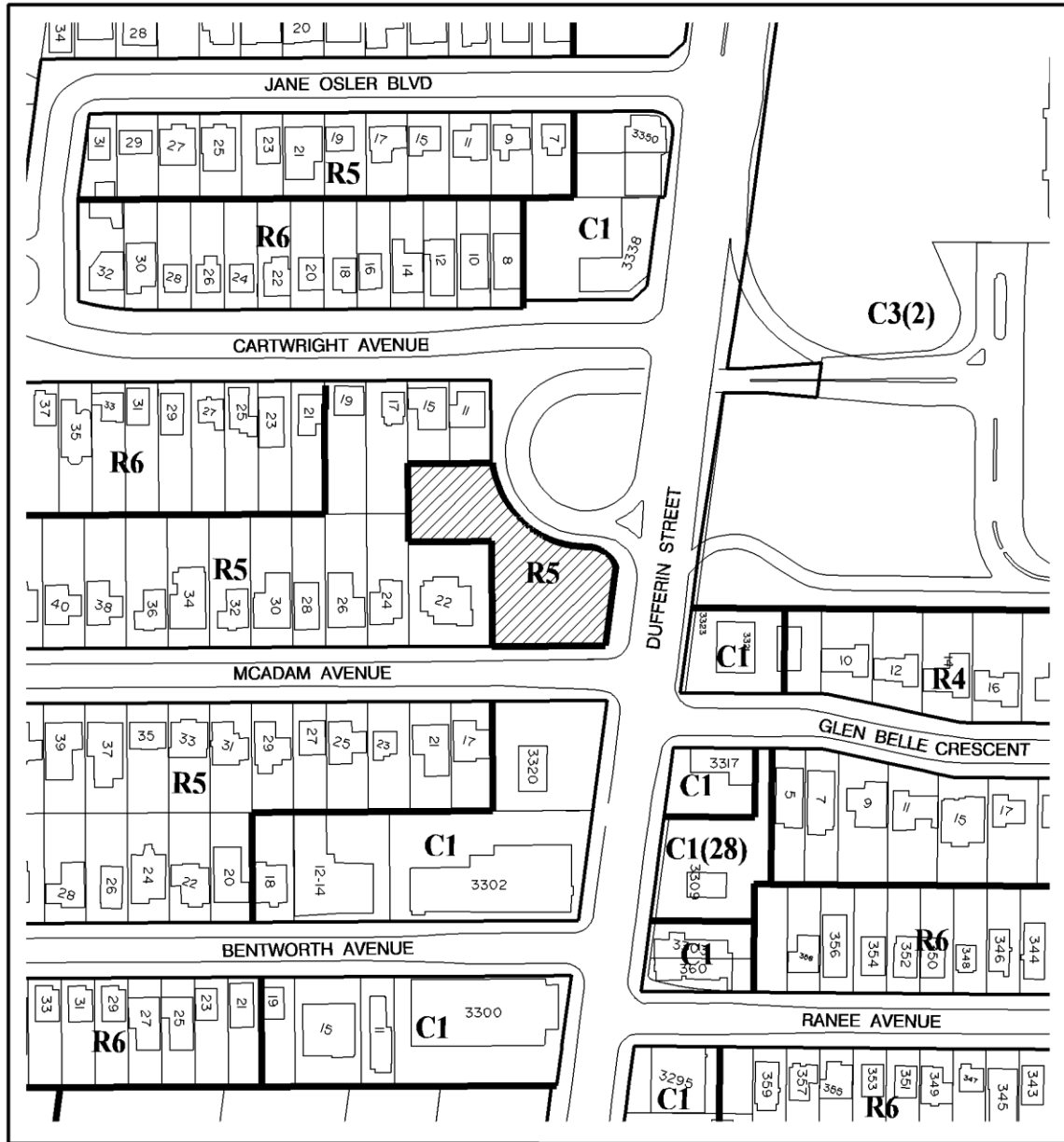
N/W Corner of McAdam Avenue and Dufferin Street

File # 08_224263

-  Site Location
-  Neighbourhoods
-  Mixed Use Areas


 Not to Scale
 12/19/2008

Attachment 5: Zoning



N/W Corner of McAdam Avenue and Dufferin Street

File # 08_224263

- R4 One-Family Detached Dwelling Fourth Density Zone
- R5 One-Family Detached Dwelling Fifth Density Zone
- R6 One-Family Detached Dwelling Sixth Density Zone

- C1 General Commercial Zone
- C3 District Shopping Centre Zone

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category



Not to Scale
Zoning By-law 7625
Extracted 12/19/2008

Attachment 6: Application Data Sheet

Application Type	Rezoning	Application Number:	08 224263 NNY 15 OZ
Details	Rezoning, Standard	Application Date:	November 24, 2008

Municipal Address: 0 DUFFERIN ST W/S
 Location Description: PLAN 3155 PT LOT 57 PT LOT 58 PT LOT 59 **GRID N1501
 Project Description: Redevelop vacant lands with a terraced 11-storey mixed use building and a separate 3-storey townhouse building located at the northwest corner of the site (total 101 units).

Applicant:	Agent:	Architect:	Owner:
KLM PLANNING PARTNERS INCORPORATED			2031430 ONTARIO LTD

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	R5	Historical Status:
Height Limit (m):	8.8	Site Plan Control Area: N

PROJECT INFORMATION

Site Area (sq. m):	2715	Height:	Storeys:	11
Frontage (m):	29		Metres:	0
Depth (m):	41			
Total Ground Floor Area (sq. m):	940.48			Total
Total Residential GFA (sq. m):	8507.51		Parking Spaces:	113 (incl. 1 car share)
Total Non-Residential GFA (sq. m):	209.69		Loading Docks	1
Total GFA (sq. m):	8717.20			
Lot Coverage Ratio (%):	34.64			
Floor Space Index:	3.21			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Condo		
Rooms:	0	Residential GFA (sq. m):	8507.51
Bachelor:	0	Retail GFA (sq. m):	209.69
1 Bedroom:	48	Office GFA (sq. m):	0
2 Bedroom:	35	Industrial GFA (sq. m):	0
3 + Bedroom:	4	Institutional/Other GFA (sq. m):	0
Total Units:	87		

CONTACT: PLANNER NAME: Christian Ventresca, Planner
TELEPHONE: (416) 395-7129

Attachment 7: Draft Zoning By-law Amendment

Authority: North 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. ~-2010

**To amend former City of North York Zoning By-law No. 7625, as amended,
With respect to the lands at the northwest corner of the intersection of Dufferin
Street and McAdam Avenue (0 Dufferin Street)**

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. Schedules “B” and “C” of By-law 7625 of the former City of North York are hereby amended in accordance with Schedule 1 of this By-law.
2. Section 64.20-A of By-law No. 7625 of the former City of North York is amended by adding the following subsection:

64.20-A (192) RM6 (192)

DEFINITIONS

APARTMENT HOUSE DWELLING

- a) For the purposes of this exception, “apartment house dwelling” shall include, in addition to dwelling units having access only from an internal corridor system, ground level dwelling units having access directly from the outside or from an internal corridor system or any combination thereof.

CAR-SHARING

- b) For the purposes of this exception, “car sharing” shall mean the practice of multiple people sharing the use of one or more vehicles owned by a profit or non-profit car-sharing organization and to use a car-sharing vehicle, a person must meet the membership requirements of the car-sharing organization,

including the payment of membership fees that may or may not be refundable. Cars are reserved in advance and fees for use are normally based on time and/or kilometres driven.

CAR-SHARING PARKING SPACE

- c) For the purposes of this exception, “car-sharing parking space” shall mean a parking space exclusively for a car used only for car-sharing purposes and such vehicle is accessible to resident and non-resident car-sharing members at all times.

ESTABLISHED GRADE

- d) For the purposes of this exception, “established grade” shall mean the elevation as fixed by the municipality of the center line of the street at the midpoint of the front lot line, being the geodetic elevation of 189.99m.

GROSS FLOOR AREA

- e) For the purposes of this exception, “gross floor area” shall mean the aggregate of the areas of each floor, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, including any areas used as enclosed balconies, but excluding:
 - a. any part of the building used for Mechanical Floor Area;
 - b. any space used for motor vehicle access or parking; and
 - c. the floor area of unenclosed residential balconies.

PERMITTED USES

- f) The only permitted uses shall be:

RESIDENTIAL

Apartment House Dwellings and accessory uses thereto including private recreation and amenity areas

NON-RESIDENTIAL

Business and professional office
Banks and financial institutions
Retail store
Service shop
Personal service shop

All non-residential uses shall be restricted to the ground floor and below grade levels.

EXCEPTION REGULATIONS

DWELLING UNITS

- g) The maximum number of dwelling units shall be 87.

LOT COVERAGE

- h) The provisions of Section 20-A.2.2 (Lot Coverage) shall not apply.

SETBACKS

- i) The minimum yard setbacks for buildings and structures above Established Grade shall be shown on Schedule “RM6(192)”.
- j) Notwithstanding (i) above, the minimum setback for the ground floor of the envelope identified as “Building A” on Schedule RM6(192) shall be 1.0m from any property line abutting Dufferin Street or McAdam Avenue.
- k) Notwithstanding (i) above, open balconies and cornices located at a height greater than the first floor ceiling joists shall be permitted to project not more than 1.8m into the minimum yard setbacks.
- l) Notwithstanding (i) above, the minimum yard setbacks for parking structures, and structures associated thereto below Established Grade shall be 0.0m.

GROSS FLOOR AREA

- m) The maximum Gross Floor Area permitted shall be 8,720m², provided that a minimum of 200m² shall be for non-residential uses at grade with direct pedestrian access to Dufferin Street.

BUILDING HEIGHT

- n) The building height shall not exceed the maximum building heights in meters above Established Grade as shown on Schedule “RM6(192)”.
- o) One storey roof access enclosures and mechanical rooms shall be permitted to exceed the noted height limit on Schedule “RM6(192)”.
- p) Notwithstanding (n) and (o) above, the height above Established Grade of any portion of the building or structure within the envelope identified on Schedule

“RM(192)” as “Building A” shall not exceed the horizontal distance between the building and the west property line.

LANDSCAPING

- q) The provisions of Section 15.8 (Landscaping) shall not apply.
- r) A minimum 1.5m landscape strip containing suitable fencing and vegetation shall be provided along any property line abutting an R5 Zone.
- s) Notwithstanding (r) above, access stairs and ventilation shafts for the underground parking garage shall be permitted within the required landscape strip.

RESIDENTIAL AMENITY AREA

- t) A minimum of 1.5m² per dwelling unit of indoor amenity space shall be provided.
- u) A minimum of 1.5m² per dwelling unit of outdoor amenity space shall be provided.

PARKING

- v) Parking for residential uses within the site shall be provided in accordance with the following:
 - i. A minimum of 1.1 parking spaces for any Apartment House Dwelling unit contained within the envelope identified as “Building A” on Schedule “RM6(192)”.
 - ii. A minimum of 1.35 parking spaces for any Apartment House Dwelling unit contained within the envelope identified as “Building B” on Schedule “RM6(192)”.
 - iii. A minimum of 0.2 parking spaces per residential dwelling unit designated for visitors of which a maximum of 25% may be used for parking for non-residential uses.
 - iv. A minimum of 1 space per 56m² of non-residential uses.
- w) A maximum of one Car-Sharing Parking Space shall be provided and maintained for use by resident and non-resident Car-Sharing members.

- x) Notwithstanding subsection (v) above, for each Car-Sharing Parking Space provided, the minimum number of parking spaces required for residents shall be reduced by 4 parking spaces.

LOADING

- y) One loading space with a minimum length of 11 meters and a minimum width of 3.6 meters and a minimum vertical clearance of 4.2 meters shall be provided.

EXCLUSIONS

- z) The provisions of Section 6A(8) (c) and (d) (Parking regulations for RM Zones Other Than RM2 Zones) shall not apply.

DIVISION OF LANDS

- aa) Notwithstanding any severance, partition or division of the lands shown on Schedule "RM6(192)", the regulations of this exception shall continue to apply to the whole of the lands as if no severance, partition or division had occurred.
- 3.** Within the lands shown on Schedule "RM6(192)" 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)

