

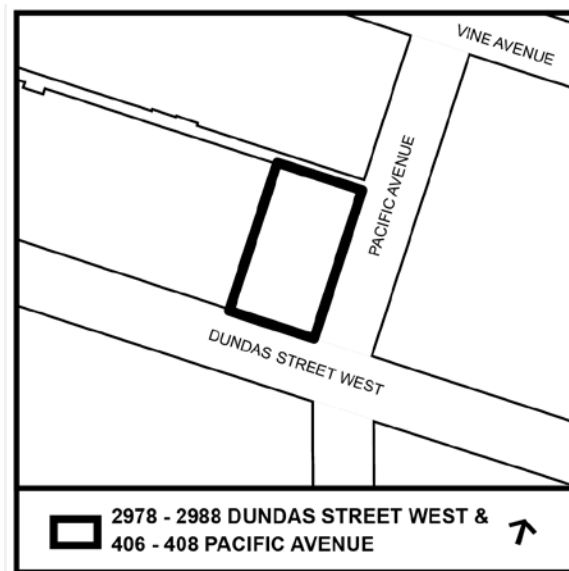
2978-2988 Dundas Street West and 406-408 Pacific Avenue - Zoning By-law Amendment and Rental Housing Demolition and Conversion Applications- Preliminary Report

Date:	May 24, 2016
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 13 – Parkdale-High Park
Reference Number:	16 137330 WET 13 OZ and 16 137349 WET 13 RH

SUMMARY

The Zoning By-law Amendment application proposes to modify City Council's previous approval for the development of 2978-2982 Dundas Street West and 406-408 Pacific Avenue (Zoning By-law Nos. 953-2015 and 954-2015) by including three additional properties to the development (2984, 2986 and 2988 Dundas Street West). The current application proposes to demolish the four existing buildings containing 7 residential rental dwelling units at 2978-2988 Dundas Street West and 406-408 Pacific Avenue and replace them with an 8-storey mixed use building. The building would contain 892m² of retail space at grade, 84 residential rental units on the second through seventh floors and a partial eighth storey that would contain indoor amenity space and provide access to a proposed rooftop amenity space.

An application for Rental Housing Demolition and Conversion under Section 111 of the *City of Toronto Act* (Chapter 667 of the Municipal Code) has been submitted and will be reviewed concurrently with the Zoning By-law Amendment application.



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.

A Final Report and statutory public meeting under the *Planning Act* to consider these applications is targeted for the second quarter of 2017. This target assumes that the applicant will provide all 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 2978-2988 Dundas Street West and 406-408 Pacific Avenue 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 of the *Planning Act*.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

On October 2, 2015 City Council passed Zoning By-law Nos. 953-2015 and 954-2015 which permit an eight-storey building with 267m² of retail space at grade, 43 residential rental units on the second through seventh storeys and a partial eighth storey that would provide access to a rooftop amenity space at 2978-2982 Dundas Street West and 406-408 Pacific Avenue. City Council's decision can be found at the following link:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.EY8.5>

Subsequent to this approval, the owner has acquired additional properties (2984, 2986 and 2988 Dundas Street West) and is seeking to amend the previous approval to include the additional properties into the proposed development.

Pre-Application Consultation

A pre-application consultation meeting was held February 17, 2016 with the applicant to discuss complete application submission requirements.

The applicant held a pre-application community consultation meeting with residents and the Ward Councillor on March 29, 2016. Planning staff did not attend.

ISSUE BACKGROUND

Proposal

The Zoning By-law Amendment application proposes to modify City Council's previous approval for the development of 2978-2982 Dundas Street West and 406-408 Pacific Avenue (Zoning By-law Nos. 953-2015 and 954-2015) by including three additional properties to the development (2984, 2986 and 2988 Dundas Street West). The current application proposes to demolish the four existing buildings containing 7 residential rental dwelling units on site and redevelop the site with an 8-storey mixed use building. The building would contain 892m² of retail space at grade, 84 residential rental units on the second through seventh floors and a partial eighth storey that would contain indoor amenity space and provide access to the proposed rooftop amenity space. The total gross floor area of the proposed development would be approximately 7,519m², representing a density of approximately 4.6 times the site area. There would be approximately 892m² of non-residential gross floor area (commercial and retail uses) and 6,627m² of residential gross floor area.

A total of 84 residential units are proposed with a unit mix of: 52 one-bedroom units (62%); 28 two-bedroom units (33%); and 4 three-bedroom units (5%). The applicant is proposing that 7 of the units will be replacement for the existing residential units to be demolished. Of these 7 rental replacement units, 3 are one-bedroom units and 4 are two-bedroom units.

The overall height of the building would be approximately 26.4m. The building is proposed to step back from Dundas Street West above the third and fifth storeys for the majority of the building frontage. The building would step back from the rear laneway immediately north of the building above the fourth, fifth and sixth storeys. Along Pacific Avenue, the building would be stepped back at the sixth and seventh storeys.

A total of 56 parking spaces are proposed to serve the development with 52 parking spaces for owner/occupants and 4 parking spaces for the retail uses and residential visitors. Parking for the occupants would be located in a 2-level below grade parking garage with access from the rear lane. Visitor and retail parking would be located at grade at the rear of the building and accessed from the rear lane.

A total of 84 bicycle parking spaces would be provided, consisting of 76 resident spaces and 8 visitor spaces. The resident bicycle parking spaces would be located within the parking garage on Level P1 and the visitor bicycle parking spaces would be located at grade at the rear of the building.

One Type G loading space is proposed to serve the development. The loading space is proposed at the rear of the building and would be accessed from the public lane.

Approximately 168m² of indoor amenity space (2m² per unit) would be provided for the development and would be located on the 8th floor. There is 179m² (2.1m² per unit) of outdoor amenity space proposed for the development, located on a rooftop terrace adjacent to the indoor amenity area.

The proposed development would be setback a minimum of 85.0m from the nearby Canadian Pacific Railway (CPR) right-of-way.

For additional details, see: Attachment 1: Site Plan; Attachment 2: South Elevation; Attachment 3: North Elevation; Attachment 4: East Elevation; Attachment 5: West Elevation; and Attachment 7: Application Data Sheet.

Site and Surrounding Area

The relatively flat rectangular site is located in the Junction community, west of Keele Street, at the northwest corner of Dundas Street West and Pacific Avenue. The site has an area of approximately 1,620m² and a frontage of approximately 30m on Dundas Street West and 53m on Pacific Avenue.

The site is occupied by 3 two-storey mixed use buildings and a one-storey commercial building. There are a total of 7 residential rental units within the three mixed use buildings, 3 of which are one-bedroom units and 4 of which are two-bedroom units. Four units have affordable rents and 3 units have mid-range rents. One unit was vacant at the time of application. Four vehicular parking spaces are provided at grade and accessed from Pacific Avenue. All four existing buildings are proposed to be demolished.

Surrounding uses include:

North: A mix of semi-detached dwellings and townhouses and one- and two-storey industrial and office buildings and the Canadian Pacific Railway corridor beyond.

East and West: A mix of one- to three-storey commercial and residential buildings fronting both sides of Dundas Street West.

South: A mix of one to three-storey commercial and residential buildings fronting Dundas Street West with a large format grocery store and a mix of detached and semi-detached dwellings beyond.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; providing an appropriate range of housing types and affordability to meet projected requirements of current and future residents; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Council's planning decisions are required, by the *Planning Act*, to be consistent with the PPS.

Staff report for action – Preliminary Report - 2978-2988 Dundas Street West and 406-408 Pacific Avenue

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; providing housing options to meet the needs of people at any age; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, as the case may be, 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 subject site is designated *Mixed Use Areas* on Map 17 of the Official Plan. This designation provides for a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities.

Section 3.2.1 of the Official Plan includes policies that encourage the provision of a full range of housing, in terms of form, tenure and affordability, and the protection of rental housing units. Policy 3.2.1.6, which applies to this proposed development, requires that new development that would result in the loss of six or more rental housing units which have affordable or mid-range rents will not be approved unless at least the same number, size and type of rental units are replaced and secured with similar rents for a period of at least 10 years and an acceptable Tenant Relocation and Assistance Plan is provided.

The subject site is located on an *Avenue* on Map 2 of the Official Plan. *Avenues* are important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities, while improving the pedestrian environment, the appearance of the street, shopping opportunities and transit service for community residents.

The framework for new development on each *Avenue* will be established through an *Avenue* Study, resulting in appropriate zoning and design guidelines created in consultation with the local community. Development applications which proceed in advance of an *Avenue* Study are required to complete a study, called an *Avenue* Segment Study, which will address the impacts of the incremental development of a portion of the *Avenue* at a similar form, scale and intensity.

At present, there is no *Avenue* Study for this segment of Dundas Street West. An *Avenue* Segment Study has been submitted in support of the application. The *Avenue* Segment Study has been provided to evaluate the opportunities for and impacts of similar mid-rise developments along the portion of Dundas Street West between St. John's Place/Malta Park and Keele Street.

The West Toronto Junction is identified as a Potential Heritage Conservation District on Map 36 of the Official Plan. The study and study area boundaries have not been authorized by City Council. Those lands identified as a Potential Heritage Conservation District are subject to Site and Area Specific Policy 305, which states that where Section 37 of the *Planning Act* is used in developments within or in close proximity to those specific areas identified as Potential Heritage Conservation Districts, cash contributions to fund Heritage Conservation District studies may be eligible as community benefits.

On May 13, 2014 Etobicoke York Community Council nominated several areas, including the Junction Area, for consideration as Heritage Conservation Districts. Community Council directed Planning staff to review the nominations against the criteria for the determination of cultural heritage value and bring forward study authorization reports and consider for prioritization those areas that meet the criteria. The decision is available at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.EY33.39>

This application will be reviewed against the policies in the Official Plan including those in the "Public Realm", "Built Form" and "Housing" sections of the Plan.

The Toronto Official Plan is available on the City's website at:

www.toronto.ca/planning/official_plan/introduction.htm

Zoning

2984 -2988 Dundas Street West

This portion of the subject site is zoned Commercial Residential (CR 2.5 (c1.0; r2.0) SS2 (x2220)) in City of Toronto Zoning By-law No. 569-2013 (see Attachment 6: Zoning).

This zoning permits a range of commercial and residential uses. A maximum combined density of 2.5 times the area of the lot is permitted, with a maximum commercial density of 1 times the area of the lot and a maximum residential density of 2 times the area of the lot. The site is subject to Development Standard Set 2, which outlines a range of performance standards for development on the City's *Avenues* and main streets, including building setbacks and angular plane requirements. Site Specific Exception 2220 to the By-law further regulates the provision of parking on the site and the maximum permitted non-residential gross floor area. The maximum permitted building height is 14m.

This portion of the subject site is also zoned Mixed Commercial-Residential (MCR T2.5 C1.0 R2.0) in former City of Toronto Zoning By-law No. 438-86. This zoning permits a range of commercial and residential uses. A maximum combined density of 2.5 times the area of the lot is permitted, with a maximum commercial density of 1 times the area of the lot and a maximum residential density of 2 times the area of the lot. The maximum permitted building height is 14m.

2978-2982 Dundas Street West and 406-408 Pacific Avenue.

Through Zoning By-law No. 954-2015 this portion of the site was zoned Commercial Residential (CR 4.3 (c0.4; r3.9) SS2 (x30)) in City of Toronto Zoning By-law No. 569-2013 (see Attachment 6: Zoning). This zoning permits a range of commercial and residential uses. A maximum combined density of 4.3 times the area of the lot is permitted, with a maximum commercial density of 0.4 times the area of the lot and a maximum residential density of 3.9 times the area of the lot. Site Specific Exception 30 to the By-law further regulates the performance standards including building setback, building height and the provision of parking on the site. The maximum permitted building height is 26.4m.

This portion of the site is also zoned Mixed Commercial-Residential (MCR T2.5 C1.0 R2.0) in former City of Toronto Zoning By-law No. 438-86 as amended by Site Specific By-law No. 953-2015. This zoning permits a range of commercial and residential uses. A maximum residential gross floor area of 3,050m² and a maximum non-residential gross floor area of 275m² are permitted. The maximum permitted building height is 26.4m. The Site Specific By-law also contains performance standards including building setbacks, building height and the provision of parking.

Site Plan Control

The proposal is subject to Site Plan Control. An application in this regard has yet to be submitted.

Mid-Rise Building Design Guidelines

Toronto City Council on July 6, 7 and 8, 2010, adopted the recommendations of the Avenues and Mid-Rise Buildings Study and Action Plan, with modifications. The main objective of this City-wide Study is to encourage future intensification along Toronto's *Avenues* that is compatible with the adjacent neighbourhoods through appropriately scaled and designed mid-rise buildings. The Avenues and Mid-Rise Buildings Study identifies a list of best practices, categorizes the Avenues based on historic, cultural and built form characteristics, establishes a set of performance standards for new mid-rise buildings and identifies areas where the performance standards should be applied.

The Performance Standards are intended to be used as tools to implement both the Official Plan's *Avenues* and *Neighbourhood* policies, maintaining a balance between reurbanization and stability and ensuring quality and comfortable streetscapes along the *Avenues* framed and defined by buildings that allow for a minimum of 5 hours of sunlight on the sidewalks from March 21 to September 21, pedestrian perception setbacks which mitigate the pedestrian perception of building height along the *Avenues* and an acceptable relationship between mid-rise buildings and the adjacent *Neighbourhoods* and *Parks and Open Spaces* which the Official Plan policies are explicit in their intent to protect with appropriate transitions. The Performance Standards give guidance about the size, shape and quality of mid-rise buildings and are intended to respect Section 2.3.1 of the Official Plan.

Tree Preservation

The Arborist Report and Tree Preservation Plan submitted in support of this application indicate there are no trees located on the site however there are 4 City owned and 2 privately owned trees immediately adjacent to the subject property that qualify for protection under the City's Tree Protection By-law. All six trees are proposed to be protected.

Tenure

The applicant has advised that the proposed 84 residential units would be rental units. The 7 existing rental units on the site proposed to be demolished are proposed to be replaced.

Rental Housing Demolition and Conversion By-law

Section 111 of the *City of Toronto Act, 2006* authorizes City Council to regulate the demolition and conversion of residential rental properties in the City. By-law 885-2007 (also known as the Rental Housing Demolition and Conversion By-law), which was enacted by City Council on July 19, 2007, implemented this provision. The By-law established Chapter 667 of the Municipal Code,

The By-law makes it an offence amongst other things, to demolish, or cause to be demolished, the whole or any part of a residential rental property unless approval has been granted for a Section 111 permit for the demolition of the residential rental property. In addition, approval of related planning applications, such as a rezoning dependent on such demolition should be conditional upon the applicant receiving a Section 111 permit.

Where an application for rezoning triggers an application under Section 111 for rental demolition or conversion, City Council typically considers both applications at the same time. Unlike *Planning Act* applications, decisions made by City Council under By-law 885-2007 to refuse or approve a Section 111 permit under the Municipal Code are not subject to appeal to the Ontario Municipal Board.

City Council may refuse an application, or approve the demolition with conditions. Conditions such as the replacement of rental housing and tenant assistance may be imposed on the approval of a Section 111 permit. These conditions are based on the Official Plan policies and established practices the City has in place when considering rental housing demolition.

On April 7, 2016, the applicant made an application for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code. A Housing Issues Report has been submitted with the required application and is currently under review for consistency with the Official Plan. As per Chapter 667-14, a tenant consultation meeting shall be held to review the impact of the proposal on tenants of the residential rental properties and matters under Section 111.

Reasons for the Applications

The proposed uses are permitted within the existing Zoning By-laws. The amendments to the Zoning By-laws are required to implement appropriate performance standards to regulate the proposed development such as: increased building height; increased site density; non-compliance with angular plane requirements; and a reduction in parking.

Other areas of non-compliance may be identified as a result of the zoning review currently being undertaken by Toronto Building staff.

The applicant has also submitted an application for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code for the demolition of the existing rental housing units as the subject lands contain six or more residential units, of which at least one is rental.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Planning Rationale;
- Housing Issues Report;
- Community Services and Facilities Study;
- *Avenue* Segment Study;
- Revised Traffic Impact Study;
- Functional Servicing and Stormwater Management Report;
- Toronto Green Standard Checklist;
- Shadow Study; and
- Arborist Report.

A Notification of Incomplete Application issued on April 27, 2016 identifies the submission of a Geotechnical Study/ Hydrological Review is required for a complete submission.

Issues to be Resolved

The application has been circulated to City divisions and public agencies for comment. Planning staff will review and discuss with the applicant the issues below that have been identified on a preliminary basis:

- Consistency with the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe;
- Conformity with Official Plan policies;
- Consideration of the Avenues and Mid-Rise Buildings Study design criteria and the applicant's submitted Avenue Segment Study;

- Appropriateness of the proposed height, depth of building, setbacks, density and adequacy of the transition to areas of different development intensity and scale in particular the proposed building projections into the 45 degree angular plane;
- The provision of a mix of unit types;
- Suitability of the parking supply, loading areas and site access/circulation;
- Assessment of traffic and transportation impacts;
- Potential overlook and privacy issues with adjacent developments and properties;
- Securing the replacement of the existing rental housing units and the appropriateness of such units, including unit sizes and location; and
- The proposed Tenant Relocation and Assistance Plan.

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

CONTACT

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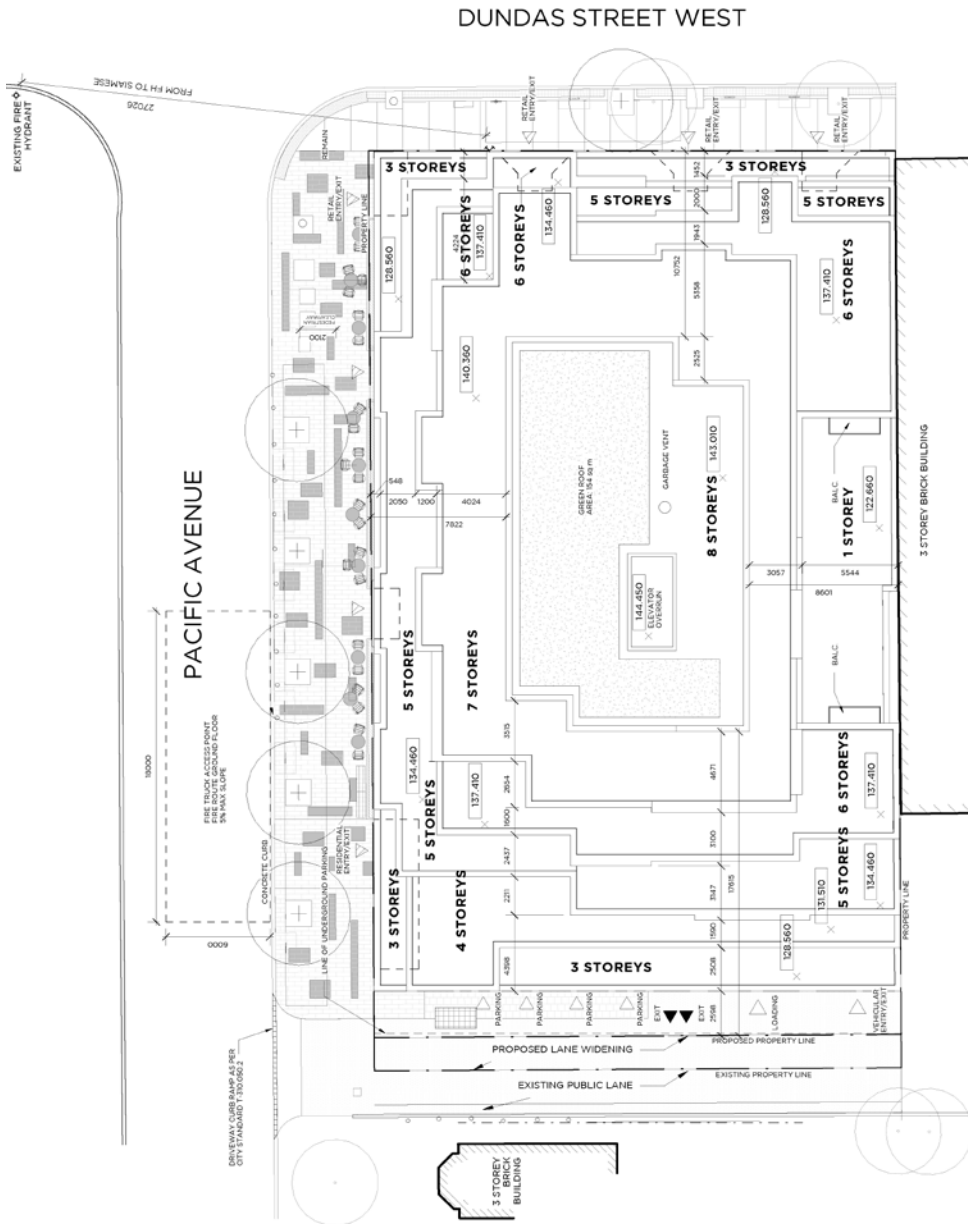
SIGNATURE

Neil Cresswell, MCIP, RPP
Director of Community Planning
Etobicoke York District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: South Elevation
Attachment 3: North Elevation
Attachment 4: East Elevation
Attachment 5: West Elevation
Attachment 6: Zoning
Attachment 7: Application Data Sheet

Attachment 1: Site Plan



**2978 - 2988 Dundas Street West &
406 - 408 Pacific Avenue**
File # 16 137330 WET 13 0Z
File # 16 137349 WET 13 RH

Site Plan
Applicant's Submitted Drawing
Not to Scale
04/20/2016

Attachment 2: South Elevations



**2978 - 2988 Dundas Street West &
406 - 408 Pacific Avenue**
File # 16 137330 WET 13 OZ
File # 16 137349 WET 13 RH

Elevations
Applicant's Submitted Drawing
Not to Scale
04/20/2016

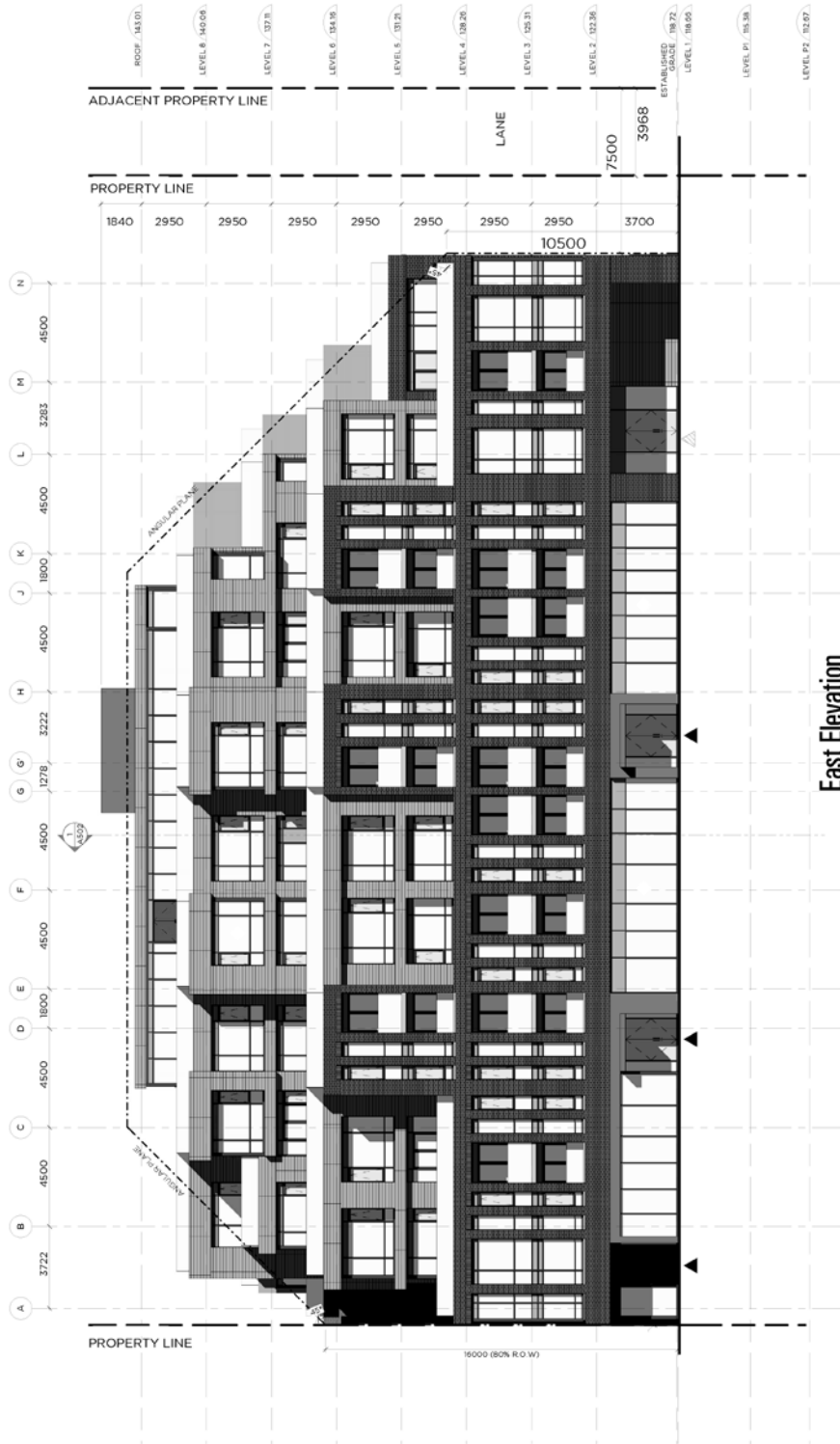
Attachment 3: North Elevations



**2978 - 2988 Dundas Street West &
406 - 408 Pacific Avenue**
File # 16 137330 WET 13 0Z
File # 16 137349 WET 13 RH

Elevations
Applicant's Submitted Drawing
Not to Scale
04/20/2016

Attachment 4: East Elevations

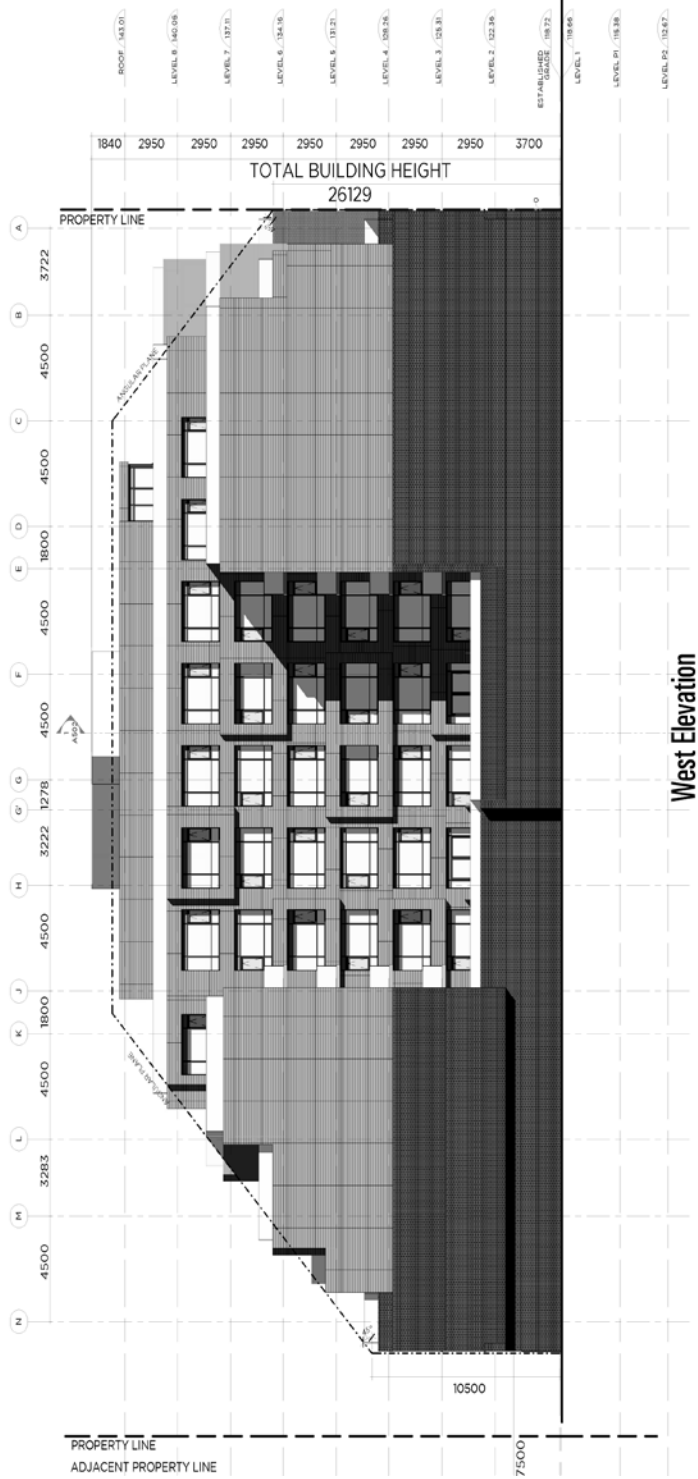


East Elevation

**2978 - 2988 Dundas Street West &
406 - 408 Pacific Avenue**
File # 16 137330 WET 13 0Z
File # 16 137349 WET 13 RH

Elevations
Applicant's Submitted Drawing
Not to Scale
04/20/2016

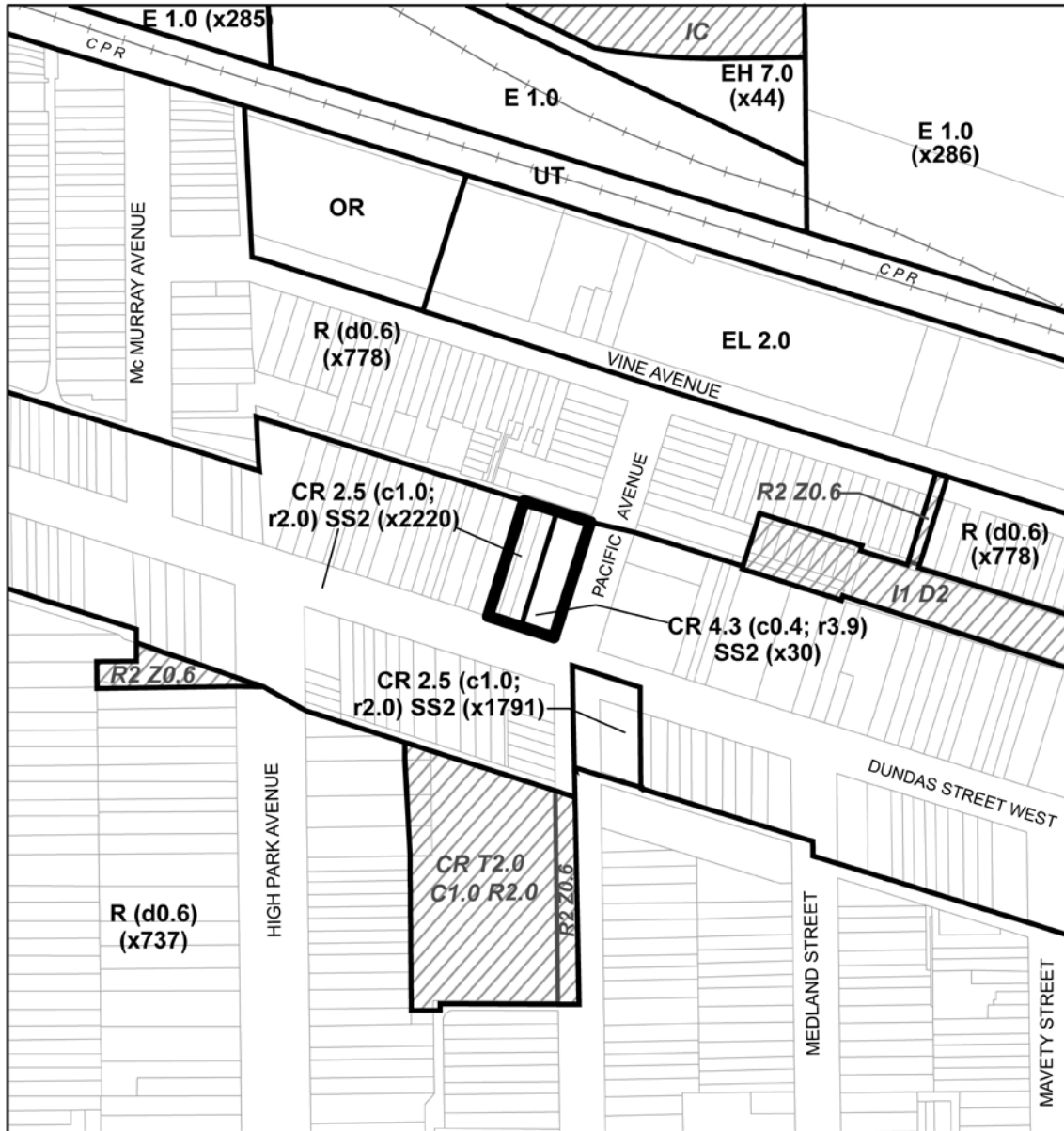
Attachment 5: West Elevations



**2978 - 2988 Dundas Street West &
406 - 408 Pacific Avenue**
File # 16 137330 WET 13 0Z
File # 16 137349 WET 13 RH

Elevations
Applicant's Submitted Drawing
Not to Scale
04/20/2016

Attachment 6: Zoning



2978-2988 Dundas Street West &
406 - 408 Pacific Avenue
File # 16 137330 WET 13 OZ
File # 16 137349 WET 13 RH



Zoning

- Location of Application
- R** Residential
- CR** Commercial Residential
- EL** Employment Light Industrial
- E** Employment Industrial
- EH** Employment Heavy Industrial
- OR** Open Space Recreation
- UT** Utility and Transportation

- See Former City of Toronto By-Law No. 438-86
- R2** Residential District
- CR** Mixed-Use District
- MCR** Mixed-Use District
- I1** Industrial District
- IC** Industrial District

↑
Not to Scale
Extracted: 04/19/2016

Attachment 7: Application Data Zoning

Application Type	Rezoning	Application Number:	16 137330 WET 13 OZ 16 137349 WET 13 RH
Details	Rezoning, Standard	Application Date:	April 7, 2016

Municipal Address: 2978-2988 Dundas Street West and 406-408 Pacific Avenue
 Location Description: PLAN 603 LOT 68 **GRID W1304
 Project Description: The Zoning By-law Amendment application proposes to permit the development of an 8-storey building with 892 m² of retail space at grade, 84 residential rental units on the second through seventh floors and a partial eighth storey that would contain indoor amenity space and provide access to a proposed rooftop amenity space. The applicant has also submitted a rental housing demolition application under Section 111 of the *City of Toronto Act* for the demolition of 7 existing residential rental units.

Applicant:	Agent:	Architect:	Owner:
R.E. Millward and Associates Ltd. 1200 Bay St. Suite 1101			2261293 ONTARIO INC 92A Scollard Street

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	By-law 953-2015
Zoning:	MCR T2 C1.0 R2.0	Historical Status:	N/A
Height Limit (m):	14m/26.4m	Site Plan Control Area:	YES

PROJECT INFORMATION

Site Area (sq. m):	1,620	Height:	Storeys:	8	
Frontage (m):	30.4		Metres:	26.4	
Depth (m):	53.3				
Total Ground Floor Area (sq. m):	1,330				Total
Total Residential GFA (sq. m):	6,627		Parking Spaces:	56	
Total Non-Residential GFA (sq. m):	892		Loading Docks	1	
Total GFA (sq. m):	7,519				
Lot Coverage Ratio (%):	82				
Floor Space Index:	4.6				

DWELLING UNITS

Tenure Type:	Rental
Rooms:	
Bachelor:	0
1 Bedroom:	52 (62%)
2 Bedroom:	28 (33%)
3 + Bedroom:	4 (5%)
Total Units:	84

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	6627	0
Retail GFA (sq. m):	892	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

CONTACT: PLANNER NAME: Gregory Byrne, Senior Planner
TELEPHONE: (416) 394-8238