

3140-3170 Dufferin Street and 60-68 Apex Road – Official Plan Amendment Application – Preliminary Report

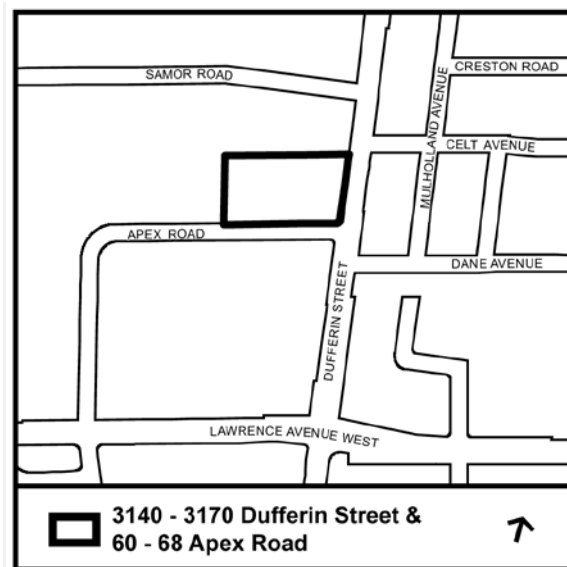
Date:	December 16, 2015
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 15 – Eglinton-Lawrence
Reference Number:	15 247805 NNY 15 OZ

SUMMARY

This application proposes to amend the Official Plan at 3140-3170 Dufferin Street and 60-68 Apex Road to permit two mixed-use buildings of 28 and 22 storeys separated by a new public road oriented in a north to south configuration. The overall development would have a gross floor area of approximately 59,400 square metres and a Floor Space Index (FSI) of 3.86. There would be 578 residential units, 878 parking spaces and 1135 bicycle parking spaces. A new public park is also proposed.

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

This report recommends that a community consultation meeting be held to present the proposal to the public and obtain public input.



RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 3140-3170 Dufferin Street and 60-68 Apex Road 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

The site has previously been the subject of several planning applications with regards to the existing shopping plaza. Many of the applications relate to parking requirements as the tenants of the plaza modify the uses on the site.

Pre-Application Consultation

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

ISSUE BACKGROUND

Proposal

The applicant is proposing an amendment to the Official Plan to create a policy framework which would permit the redevelopment of the site with two mixed-use buildings. Overall the development would have a FSI of 3.86, a total gross floor area of approximately 59,400 square metres including approximately 5632 square metres of retail space. The existing commercial building would be demolished.

The proposal includes the creation of a new twenty metre wide north-south public street connecting to Apex Road to the south which would create two development blocks. At the north end of the new public road the applicant is proposing a new ten metre wide lane connecting to Dufferin Street to the east. The new land would be a future dedication to the City which would ultimately result in a twenty metre wide public street if the site to the north redevelops and also dedicates ten metres to the City.

Block 1

The easterly block abutting Dufferin Street would be developed with a 22 storey mixed-use building with 263 residential units and 4848 square metres of retail space along both

the Dufferin Street and Apex Road facades. The building is considered a "tall building" and would have a tower floorplate of 750 square metres. The building would have a gross floor area of 29,000 square metres and an FSI of 3.59. The residential unit types would be as follows:

- 92 one bedroom
- 136 two bedroom
- 27 three bedroom
- 8 "live-work".

The building would have a setback at grade from Dufferin Street of 5 metres and 3 metres from Apex Road and the proposed public street and a north setback of 3 metres from the proposed lane. The majority of the proposed building base is five storeys with additional height along the Dufferin Street and Apex Road frontages. Along Dufferin Street the overall building would be eight storeys in height with several 1.5 metre setbacks at levels 3 to 5.

The tall portion of the proposed building, located at the north-east corner of the intersection between Apex Road and the proposed public street, would be a twenty-two storey tower with a height of seventy metres. The overall height to the top of the mechanical space would be seventy-six metres.

Parking would be provided above and below grade. Two levels of below grade parking is proposed with 231 residential parking spaces. The visitor and retail parking spaces (213 spaces) would be provided above grade in the centre of the proposed building. This would begin on the mezzanine floor and continue up to the fifth storey. Above the parking on the sixth floor would be 1663 square metres of outdoor amenity space.

Block 2

The block to the west of the proposed public street would be developed with a 28 storey mixed-use building with 315 residential units and 784 square metres of retail space along the Apex Road frontage and at the north-east corner of the building. The building is considered a "tall building" and would have a tower floorplate of 750 square metres. The overall building would have a gross floor area of 30,400 square metres and an FSI of 4.16. The residential unit types would be as follows:

- 8 bachelor
- 99 one bedroom
- 149 two bedroom
- 53 three bedroom
- 6 "live-work".

The building would have a six storey base and a twenty-eight storey tower at the north-east corner of the block. The building would have a setback of 3 metres from Apex Road and the proposed public street, 8.5 metres from the north property line and 20 metres from the west property line. The base includes 1.5 metre setbacks between levels 3 and 5 along the east façade and setbacks of 3 metres along Apex Road. Ten townhouse units are proposed to be integrated into the base along the west side of the building fronting

onto the proposed public park. The tower would have a height of eighty-nine metres. The overall height to the top of the mechanical space would be ninety-five metres.

Parking would be provided on three levels of below grade parking. A total of 348 residential parking spaces would be provided along with 86 spaces for visitors and retail users.

Along the west property line the applicant is also proposing a new public park. The park would be approximately twenty metres wide and would run the length of the west property line. The proposed area of the park is approximately 1900 square metres. Below grade parking is proposed under the park.

Site and Surrounding Area

The site is approximately 1.54 hectares and is located on the west side of Dufferin Street one block north of Lawrence Avenue West. It has a frontage of the west side of Dufferin Street of approximately 90 metres and a frontage on the north side of Apex Road of approximately 153 metres. The site is currently developed with a single storey commercial plaza known as Dufferin Plaza with a commercial area of approximately 5800 square metres.

Abutting uses include:

North: A two-storey automotive dealership and service centre

East: Dufferin Street and then one- and two-storey multi-unit mixed-used buildings. At the north-east corner of Dufferin Street and Lawrence Avenue West is a multi-phase development known as Treviso. The development includes approved buildings of 12, 15, 21 and 29 storeys (File No. 07 283458 NNY 15 OZ and 12 140740 NNY 15 OZ).

South: Immediately south of the site is Apex Road and then a one-storey automotive dealership. The site is subject to an application to amend the zoning by-law to permit a development which includes towers of 12 and 24 storeys. The application has been appealed to the Ontario Municipal Board (Case No. PL140438) and a hearing has been scheduled for June 13, 2016.

South-west along Apex Road is a 1 storey warehouse building.

West: A single storey industrial building operated in conjunction with the warehouse building located on the south side of Apex Road.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement 2014 (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 healthy communities; wise use and management of resources; and protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

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

Official Plan

The Official Plan designates the site, on Map 17, as *Mixed Use Areas* which provides for a broad range of uses. Development in these areas will provide a balance of high quality commercial, residential and institutional uses. These uses should reduce automobile dependency and meet the needs of the local community. It is expected that *Mixed Use Areas* will absorb a large amount of the expected growth within the city however not all areas will experience the same scale or intensity of development. The Official Plan also contains policies respecting built form, transportation and the public realm.

Map 2 of the Official Plan identifies this segment of Dufferin Street as an *Avenue*. *Avenues* are important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities which improve the pedestrian environment, streetscape, shopping opportunities and transit service for community residents.

The subject site is adjacent to lands designated as *Employment Areas* as designated on Map 2. Policies in Section 2.2.4 relate to these areas but also state that development which is adjacent to an *Employment District* needs to be appropriately designed, buffered and/or separated from industries to mitigate adverse effects from noise, vibration, traffic, odour and other contaminants, and to promote safety and security.

The Built Form policies in Section 3.1.2 of the Official Plan relate to ensuring that new development in the city can fit harmoniously within the existing area. This includes providing appropriate transition to the existing surrounding area to ensure that the new development will fit within the existing and/or planned context. Development should be massed with good proportions to fit within the existing and planned context and to ensure sunlight and skyview from adjacent streets. Transition in scale may be achieved with many "geometric relationships and design methods in different combinations" including angular planes, stepping of heights, location and orientation of the buildings and the use of setbacks and stepbacks of building mass.

Section 5.1.1 allows the City to approve height and/or density increases greater than permitted by the zoning by-law pursuant to Section 37 of the *Planning Act* for developments which exceed 10,000 square metres and increase the permitted density by at least 1500 square metres and/or significantly increase the permitted height. The proposal is excess of 59,000 square metres.

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

Dufferin Street Secondary Plan

At its meeting of December 9 and 10, 2015 City Council adopted the Dufferin Street Secondary Plan. The subject site is within the Secondary Plan area. City Council directed staff to use the Dufferin Street Secondary Plan in the evaluation of all current and new development proposals falling within its boundaries. City Council also adopted the Dufferin Street Urban Design Guidelines and endorsed the Transportation Master Plan and Infrastructure and Stormwater Master Plan. Council directed staff to use these documents in the review of current and new development proposals.

The Secondary Plan identified the subject site as part of Block 7 (see Attachment 5b) which is a "Large Block" and has policies which refer specifically to the Block. The overall maximum density for Block 7 is 2.5 (see Attachment 5h). The subject site is also identified as being appropriate for mid-rise buildings along Dufferin Street and low-rise along the rear for transition to the abutting *Employment Area* (see Attachment 5g).

The Secondary Plan contains policies which contemplate development adjacent to areas designated *Employment Areas*. Policy 3.2.4 states that sensitive uses such as residential development, parks and community facilities should be designed and constructed to mitigate noise, traffic, odours or other contaminants from nearby *Employment Areas*. Section 3.6 of the Secondary Plan deals with separation distances for properties which abut *Employment Areas*. A minimum setback of twenty metres should be provided to act as a buffer to minimize adverse effects. This setback may be provided in a number of ways including roads, fencing, landscaped areas, surface or below grade parking or a combination of measures.

The Secondary Plan also lays out a network of roads, parks and bicycle routes throughout the area (see Attachments 5c, 5d and 5e). It further states that a minimum of five percent of the residential units should be three or more bedrooms and indicates priorities for Section 37 benefits.

City Council's direction, the Secondary Plan, the Urban Design Guidelines, the Transportation Master Plan and the Infrastructure and Stormwater Master Plan can be found on the City's website at
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.NY10.42>.

Zoning

The site is zoned MC(38)(H) by former City of North York Zoning By-law 7625. The MC zone is an industrial-commercial zone which allows for a wide range of uses including office, retail and manufacturing and hotels. The maximum Floor Space Index permitted in a MC zone is 1.0 except that retail uses may be limited in size. On a site zoned MC with a holding provision, retail stores shall not exceed the lesser of a Floor Space Index of 0.5 or a combined total gross floor area of 5000 square metres.

Schedule "D" to By-law 7625 also applies to the site. Schedule "D" is the Airport Hazard Map and limits heights on certain lands near the flight path for Downsview Airport. The Schedule limits the height on the subject lands to 60.96 metres.

The holding provision of the by-law may be lifted to permit greater retail sizes provided certain criteria are fulfilled. In order to lift the hold an applicant must submit a transportation impact study which demonstrates that sufficient transportation capacity is available to accommodate the additional traffic generated by the development and that it would not result in an unacceptable arterial road service level.

The site is also subject to Exception 38. This exception limits the maximum gross floor area to 7125 square metres and a maximum gross floor area for retail and personal service shops of 5853 square metres. The exception also sets out minimum parking space and parking aisle dimensions.

The site is not subject to the new City of Toronto Zoning By-law 569-2013.

Site Plan Control

An application for Site Plan Control will be required however no application has been filed.

Dufferin Street Urban Design Guidelines

At its meeting of December 9 and 10, 2015 City Council adopted the Dufferin Street Secondary Plan. In addition to the Secondary Plan, Council also adopted the Dufferin Street Urban Design Guidelines and directed staff to use the guidelines in the evaluation of all new and current development proposals and public initiatives.

The Guidelines outline the vision for the area and outline eight guiding principles which all development should attain. They establish a context for coordinated development and should be used as a tool to ensure appropriate development that is consistent with the Official Plan, Secondary Plan and area specific zoning by-law. The Guidelines include specific policies with regards to the subject site. The vision for Block 7 is a mixed-use block with new public streets and a park. New development should be street related to both existing and future public streets and create several development blocks. The servicing and parking for these blocks should be taken from the new public street(s).

The Guidelines are complemented by Transportation and Infrastructure Master Plans which were also adopted by Council at the same December 2015 meeting.

Infill Townhouse Guidelines

Infill Townhouse Guidelines were approved by City Council in 2003 to address the development impacts of infill townhouses with a focus on "protecting streetscapes and seamlessly integrating new development with existing housing patterns". The Guidelines consider matters such as open spaces, building location, built form and location of parking. They also consider the interaction between the infill development and the pedestrian environment.

Green Roof By-law

On May 26, 2009 City Council adopted the Green Roof By-law (By-law 583-2009). The by-law requires new buildings to provide a green roof if a new residential development has a gross floor area of 2000 square metres or greater and a height of greater than 6 storeys. A green roof will be secured as part of the Site Plan Control process.

Reasons for the Application

The applicant has filed the application to amend the Official Plan to create a Site and Area Specific Policy for the site "as an alternative to the secondary plan policies" adopted by City Council at its meeting of December 9 and 10, 2015. The submitted draft Official Plan Amendment would permit a maximum height of twenty-eight storeys and a maximum FSI of 3.86. It would also limit the size of a retail use and require a public park adjacent to the *Employment Areas* designation to the west.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Planning and Urban Design Rationale
- Draft Official Plan Amendment
- Site Servicing and Stage 1 Stormwater Management Report
- Phase One Environmental Site Assessment
- Urban Transportation Considerations
- Tree Inventory and Arborist Report.

A Notification of Complete Application was issued on December 2, 2015.

The application abuts lands designated as *Employment District* in the Official Plan. Additional studies will be required to demonstrate that the proposed development is appropriately designed, buffered and/or separated from industries as necessary to mitigate adverse effects from noise, vibration, traffic, odor and other contaminants, and to promote safety and security.

Issues to be Resolved

Planning staff have serious concerns about the scale, height, massing and density of the proposal. This application has been filed to amend the City of Toronto Official Plan to create a new development framework for the site. However, City Council has just recently adopted the Dufferin Street Secondary Plan which is applicable to the site and establishes a comprehensive development framework for the area including this site.

In addition to the issue raised above, the following issues have been identified:

- Whether the proposed Official Plan amendment is appropriate
- Conformity with the policies in the Dufferin Street Secondary Plan

- Conformity with the Dufferin Street Urban Design Guidelines
- Whether tall buildings are appropriate on the site
- Whether the proposed height and density is appropriate
- Whether the proposed public park, including its location and configuration, is appropriate
- Whether parking below the proposed public park is appropriate
- Whether the proposed future road dedication along the north property line is appropriate
- Whether the amount of retail and employment proposed is adequate
- Whether the proposed mix of unit types is appropriate, including the possibility of an affordable housing component
- Impacts on the abutting *Employment Areas* lands
- Appropriate buffering to the adjacent *Employment Areas* designation to the west
- Impact on Community Services and Facilities in the area
- Impact on the transportation and servicing infrastructure
- Precedent for other sites along Dufferin Street
- Appropriate Section 37 benefits.

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

CONTACT

Guy Matthew, Acting Senior Planner
 Tel. No. (416) 395-7102
 Fax No. (416) 395-7155
 E-mail: gmatthe2@toronto.ca

SIGNATURE

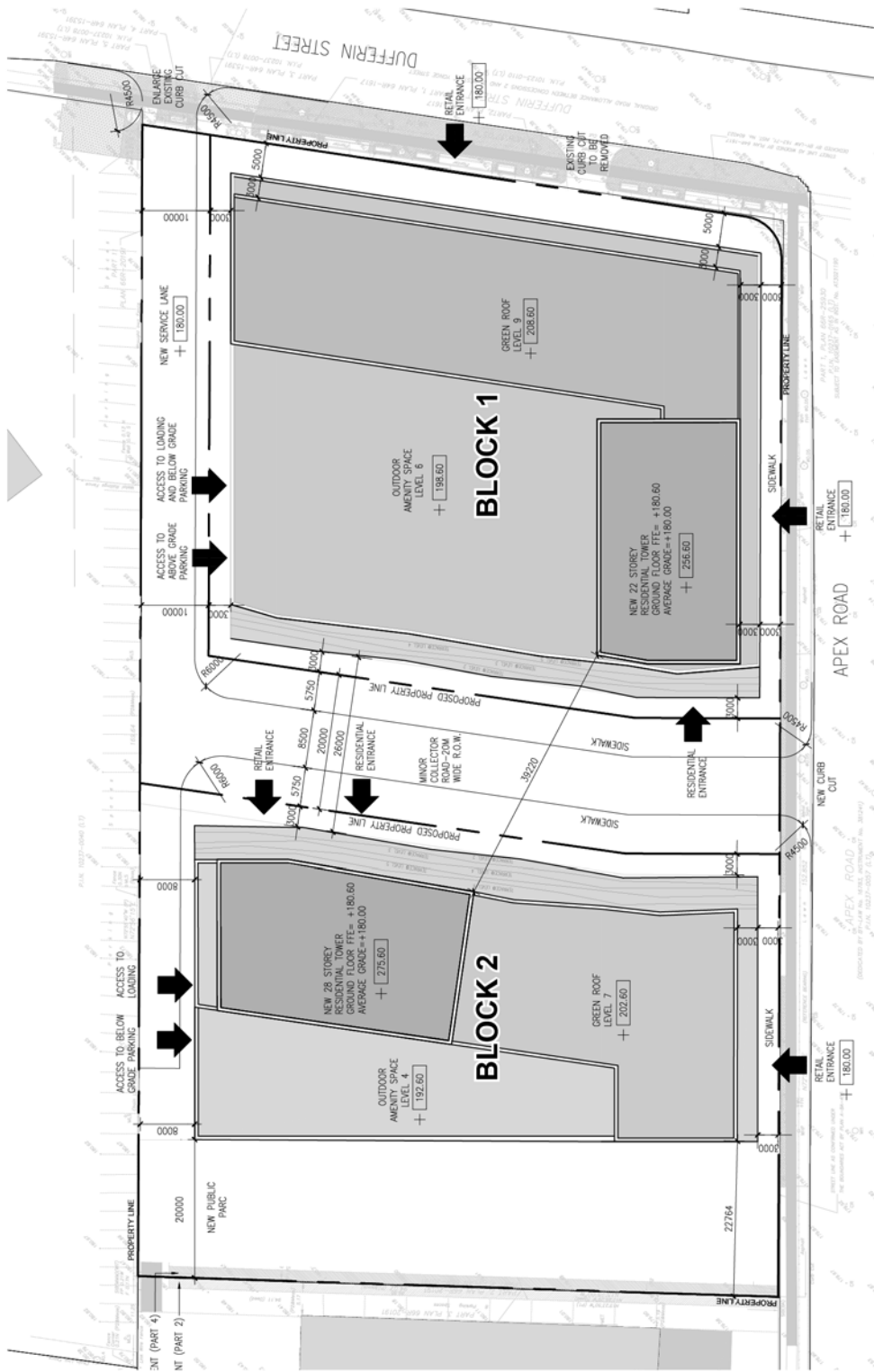
Joe Nanos, Director
 Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan
 Attachment 2a: North Elevation
 Attachment 2b: South Elevation
 Attachment 2c: East Elevation
 Attachment 2d: East Elevation – Block 2
 Attachment 2e: West Elevation
 Attachment 2f: West Elevation – Block 1

Attachment 3:	Zoning
Attachment 4:	Official Plan
Attachment 5a:	Dufferin Street Secondary Plan Boundary
Attachment 5b:	Dufferin Street Secondary Plan Block Policies
Attachment 5c:	Dufferin Street Secondary Plan Structure Plan
Attachment 5d:	Dufferin Street Secondary Plan Greening Plan
Attachment 5e:	Dufferin Street Secondary Plan Public Streets Plan
Attachment 5f:	Dufferin Street Secondary Plan Minimum Setback Plan
Attachment 5g:	Dufferin Street Secondary Plan Building Type Areas
Attachment 5h:	Dufferin Street Secondary Plan Maximum Density
Attachment 6:	Application Data Sheet

Attachment 1: Site Plan

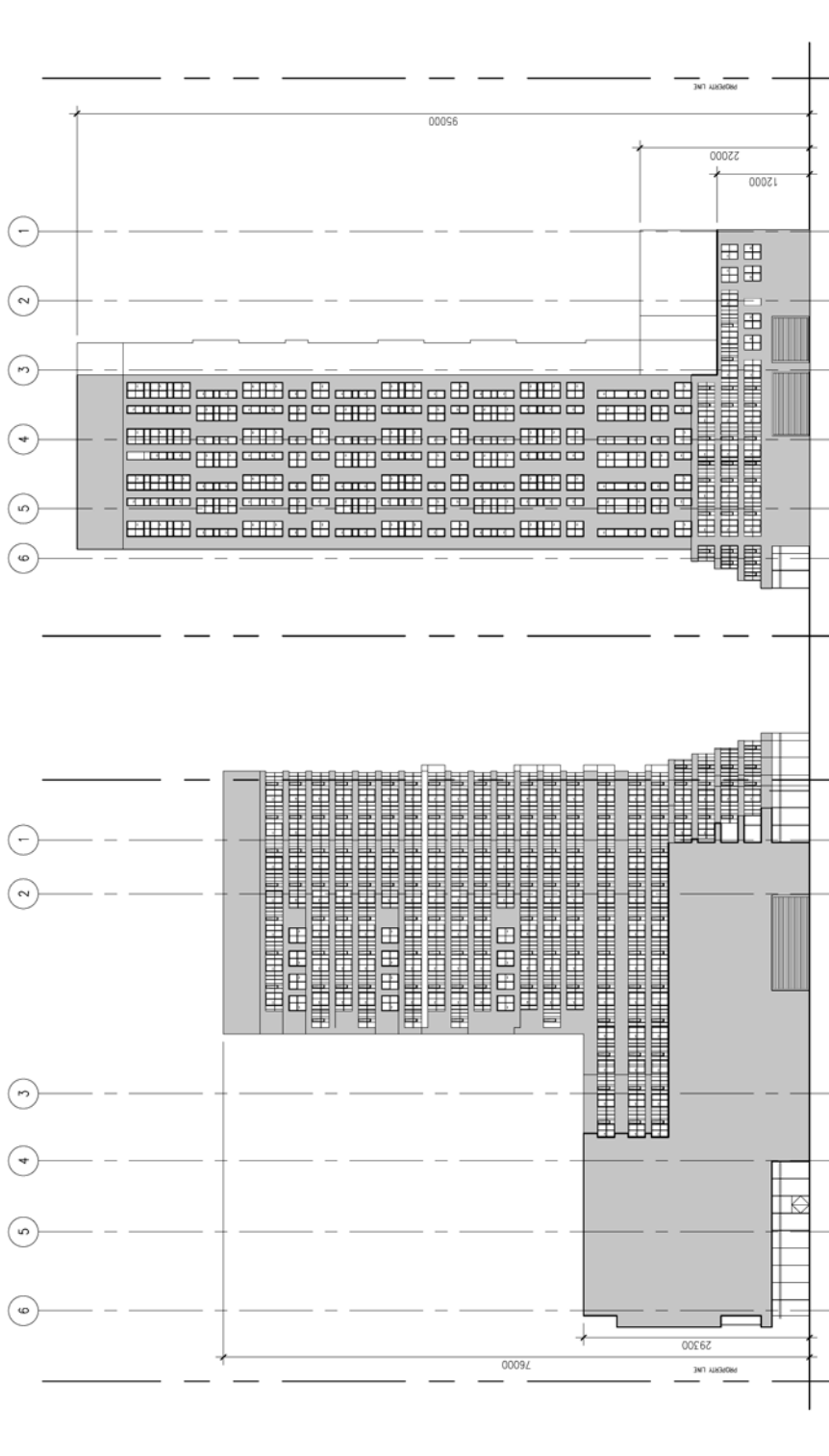


**3140 - 3170 Dufferin Street &
60 - 68 Apex Road**

File # 15 247805 NMY 15 0Z

Site Plan
Applicant's Submitted Drawing
Not to Scale
11/12/2015

Attachment 2a: North Elevation



**3140 - 3170 Dufferin Street &
60 - 68 Apex Road**

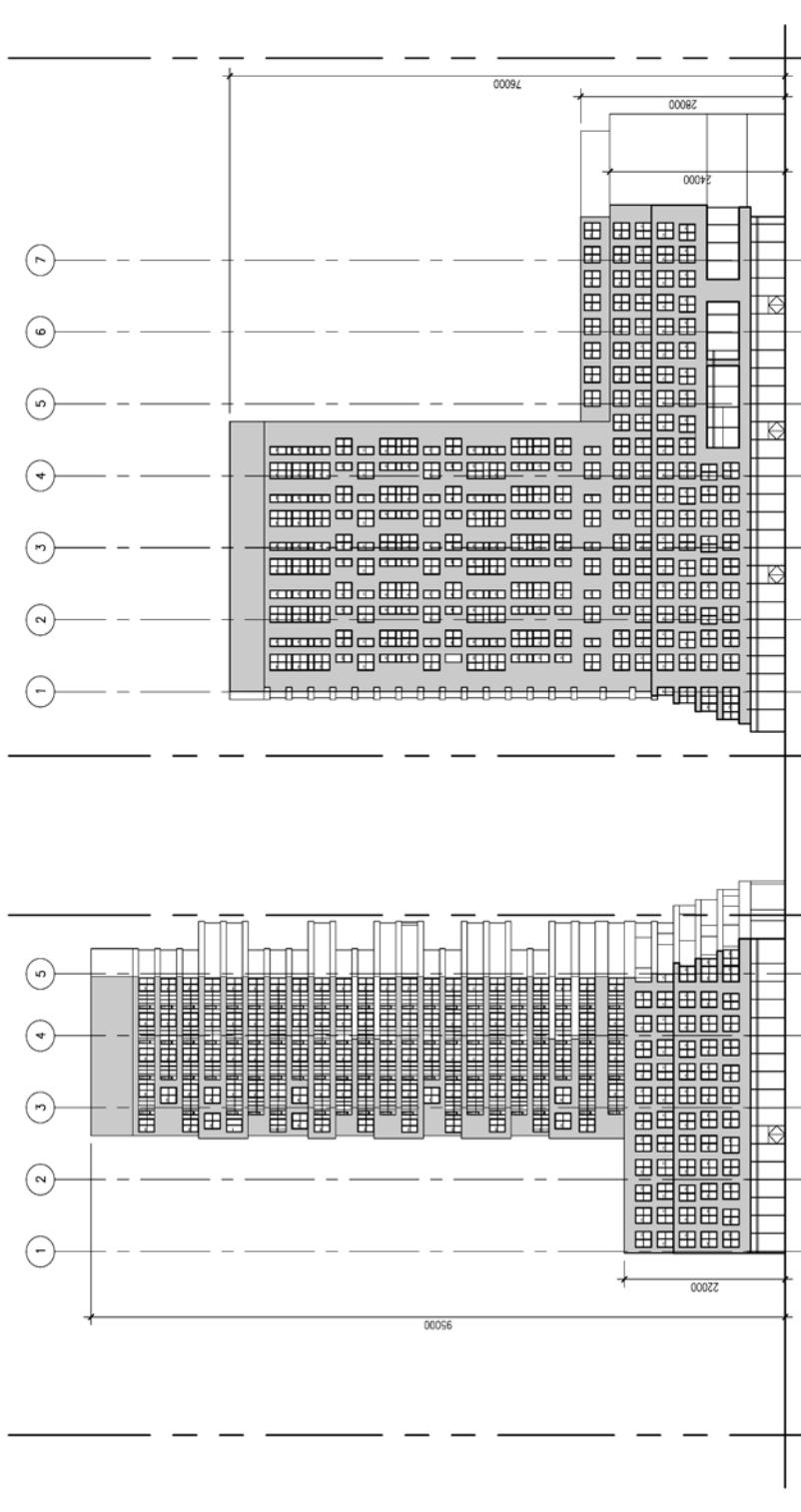
File # 15 247805 NMY 15 0Z

North Building Elevation

Applicant's Submitted Drawing

Not to Scale
11/12/2015

Attachment 2b: South Elevation



South Building Elevation

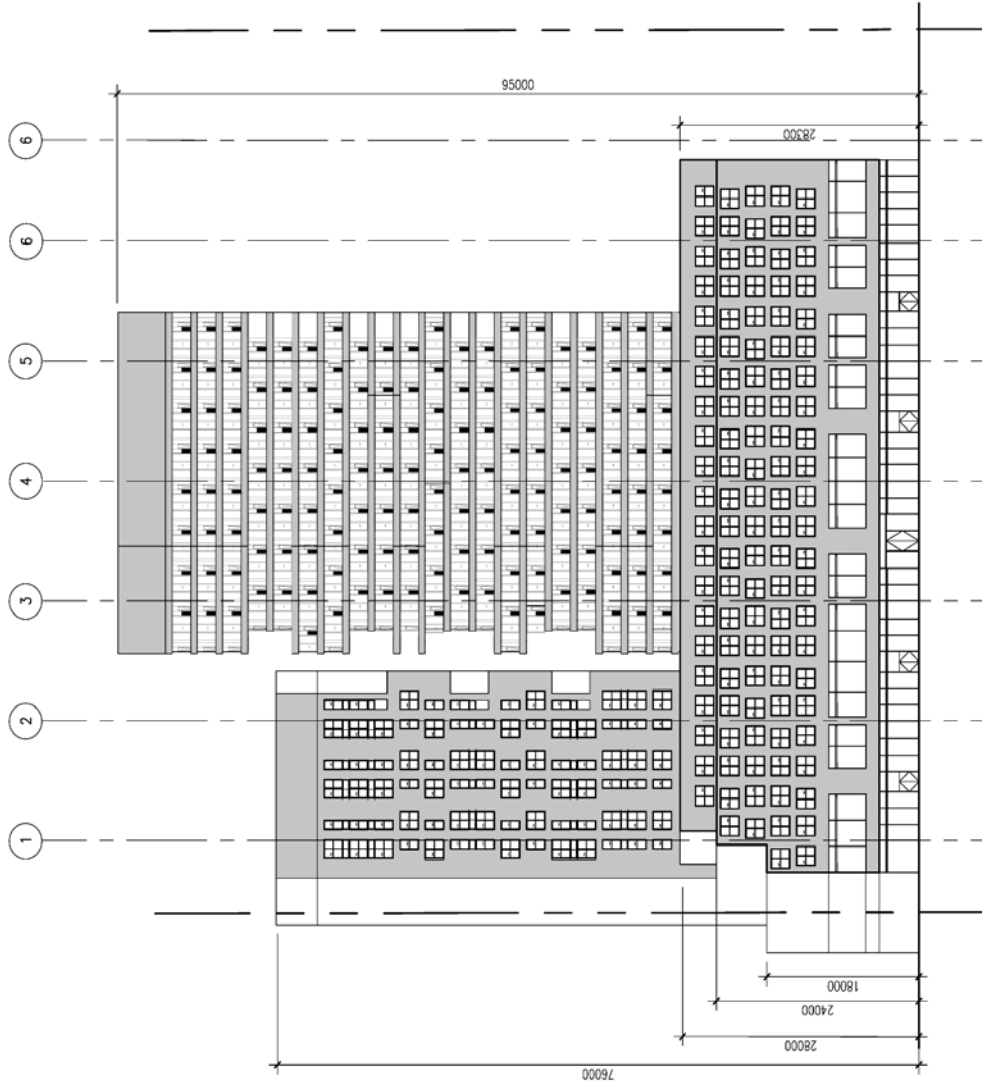
Applicant's Submitted Drawing

Not to Scale
11/12/2015

**3140 - 3170 Dufferin Street &
60 - 68 Apex Road**

File # 15 247805 NMY 15 0Z

Attachment 2c: East Elevation



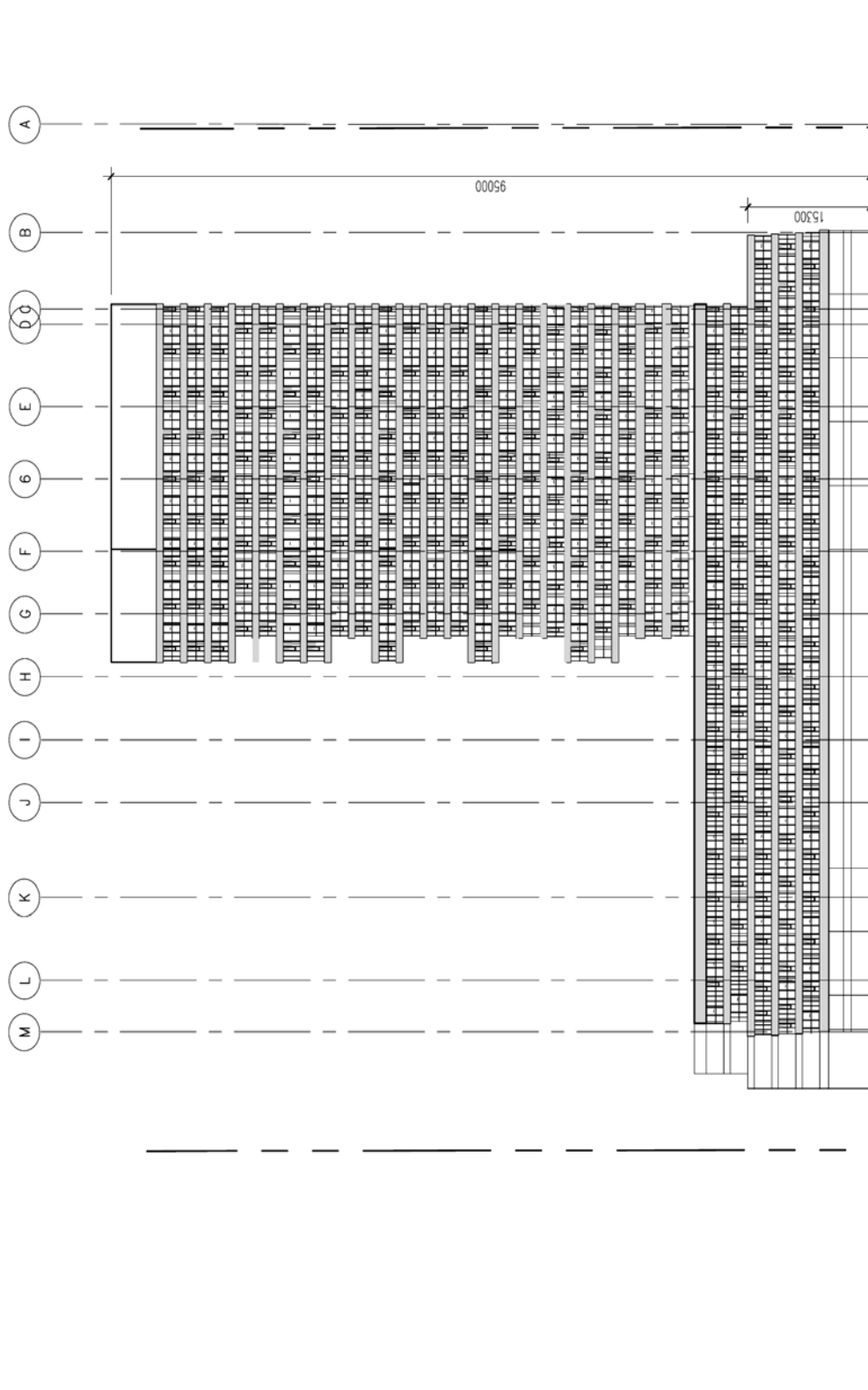
3140 - 3170 Dufferin Street &
60 - 68 Apex Road

File # 15 247805 NMY 15 0Z

East Building Elevation
Applicant's Submitted Drawing

Not to Scale
11/12/2015

Attachment 2d: East Elevation – Block 2



3140 - 3170 Dufferin Street &
60 - 68 Apex Road

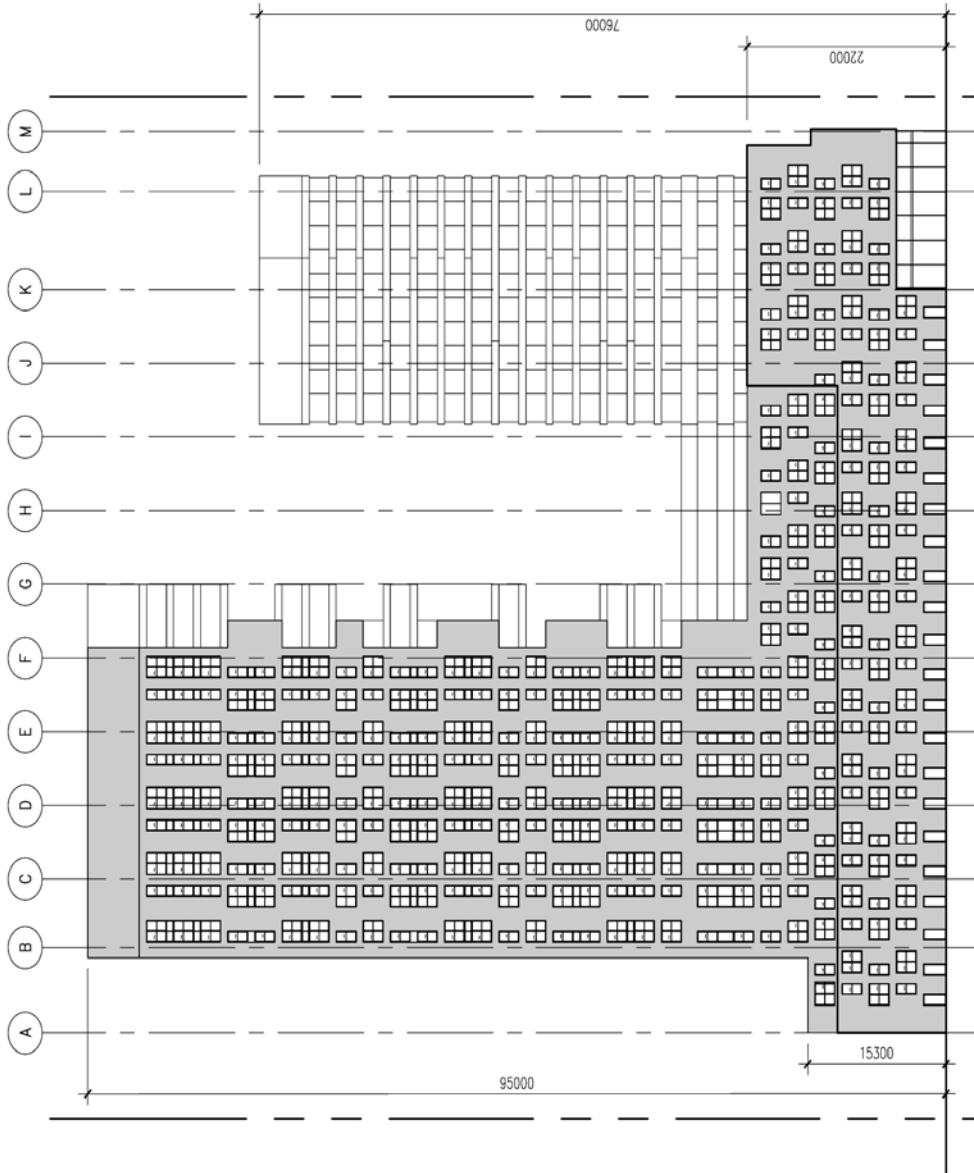
File # 15 247805 NNY 15 0Z

Partial East Building Elevation

Applicant's Submitted Drawing

Not to Scale
11/12/2015

Attachment 2e: West Elevation



**3140 - 3170 Dufferin Street &
60 - 68 Apex Road**

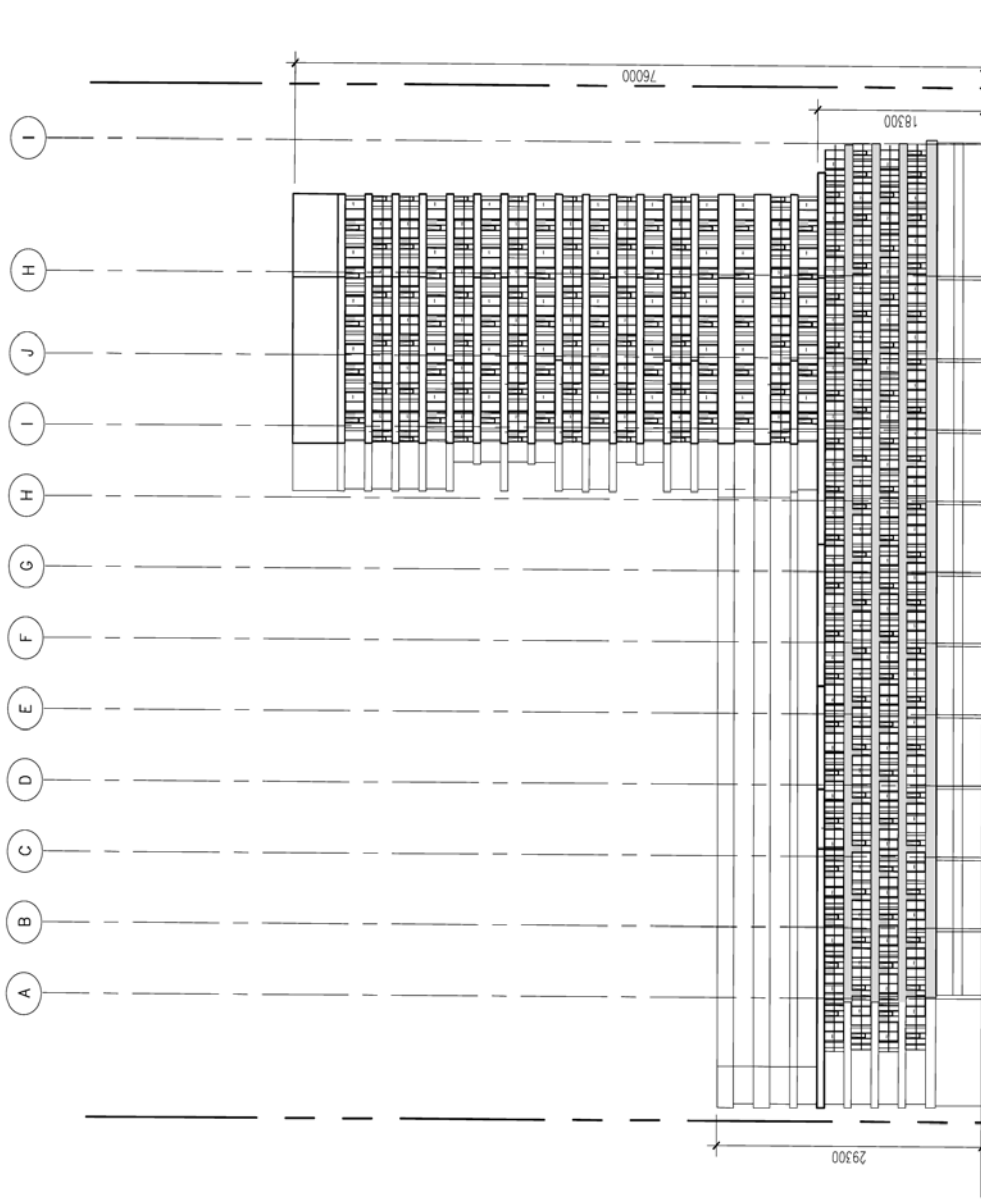
File # 15 247805 NNY 15 0Z

West Building Elevation

Applicant's Submitted Drawing

Not to Scale
11/12/2015

Attachment 2f: West Elevation – Block 1



3140 - 3170 Dufferin Street &
60 - 68 Apex Road

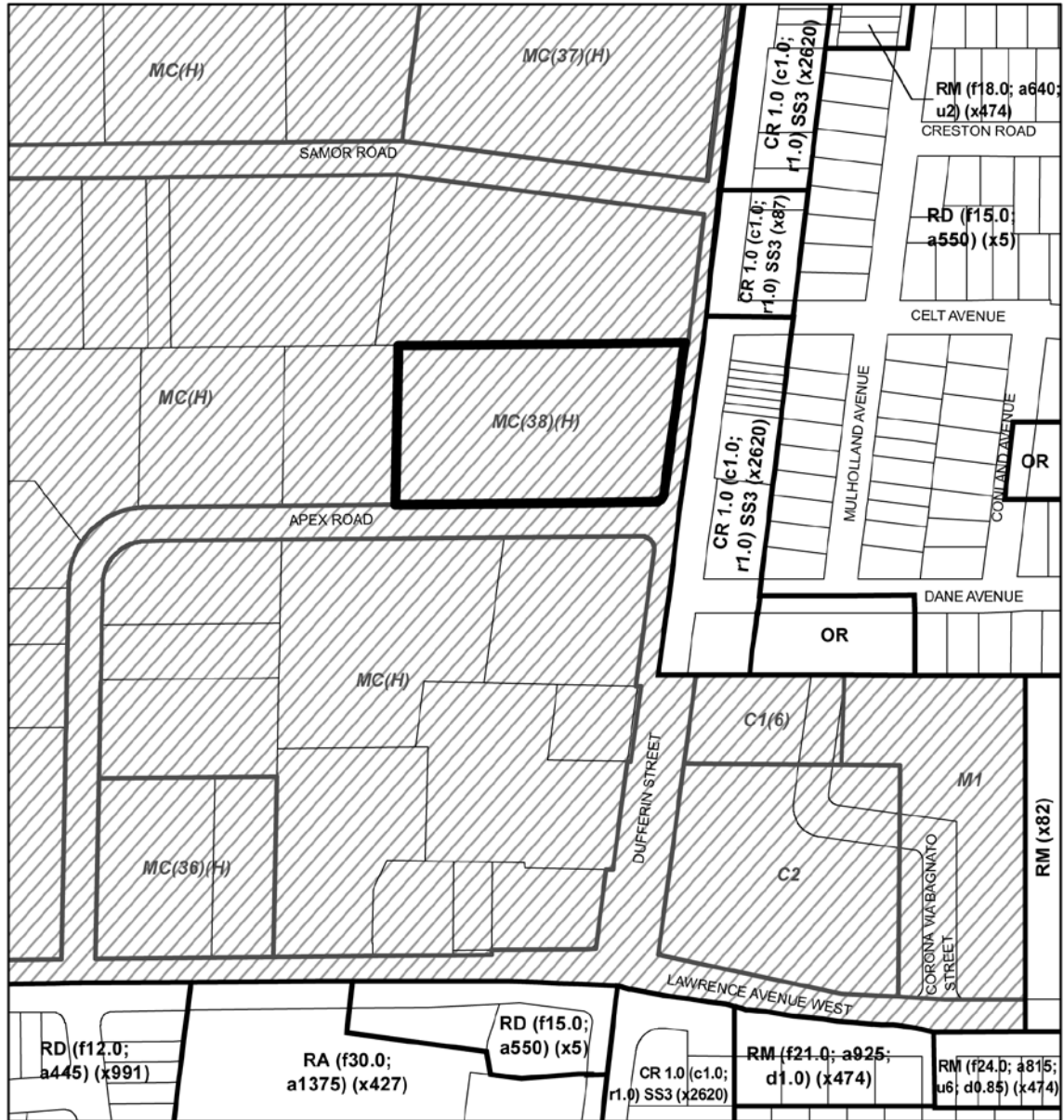
File # 15 247805 NNY 15 0Z

Partial West Building Elevation

Applicant's Submitted Drawing

Not to Scale
11/12/2015

Attachment 3: Zoning



Zoning By-Law No. 569-2013

3140 - 3170 Dufferin Street &
60 - 68 Apex Road
File # 15 247805 NNY 15 02

Location of Application

RD Residential Detached
RM Residential Multiple

RA Residential Apartment
CR Commercial Residential
OR Open Space Recreation



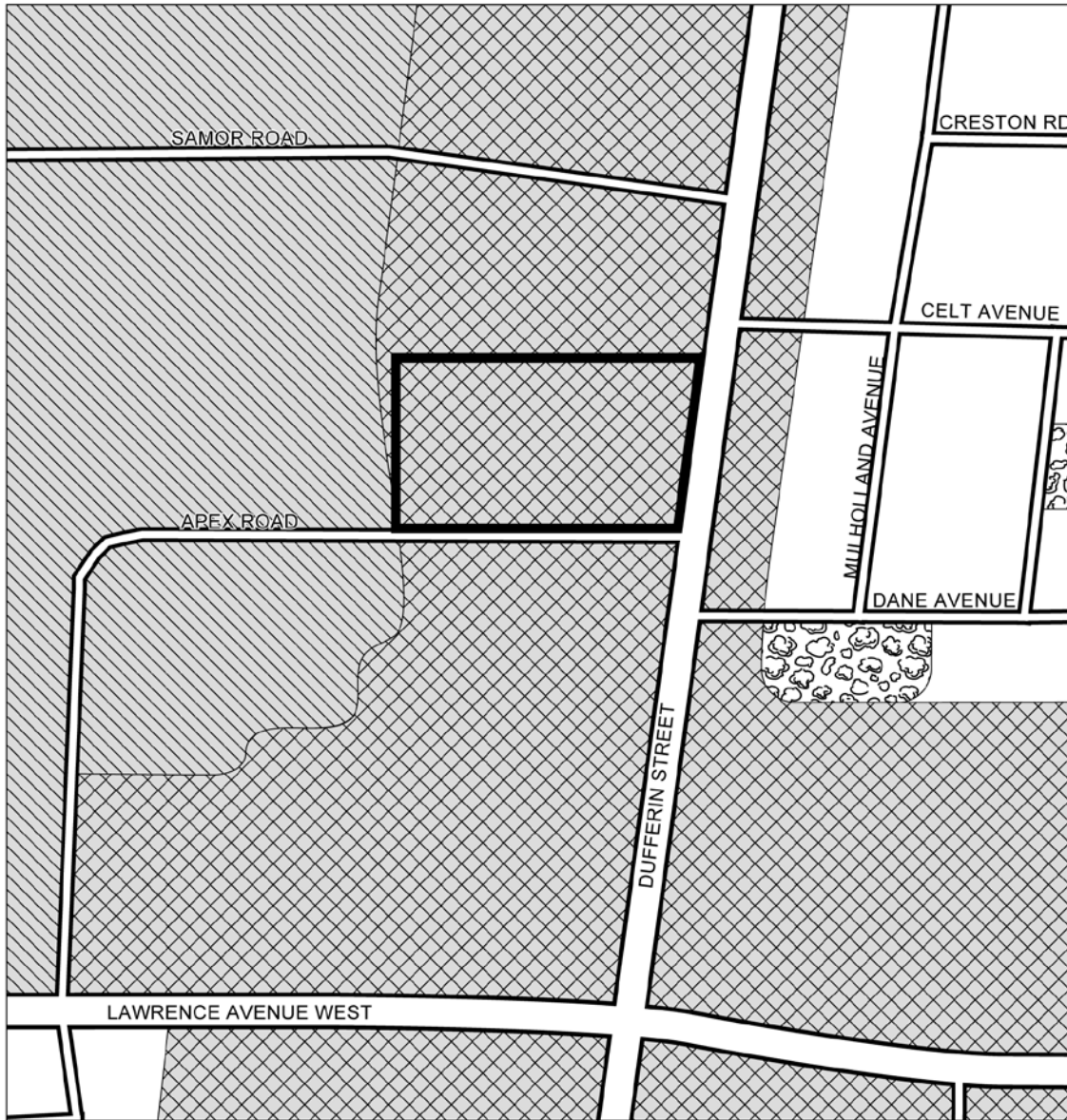
See Former City of North York By-Law No. 7625

C1 General Commercial Zone
C2 Local Shopping Centre Zone
M1 Industrial Zone One
MC Industrial-Commercial Zone









Not to Scale
Extracted: 11/12/2015

Attachment 4: Official Plan



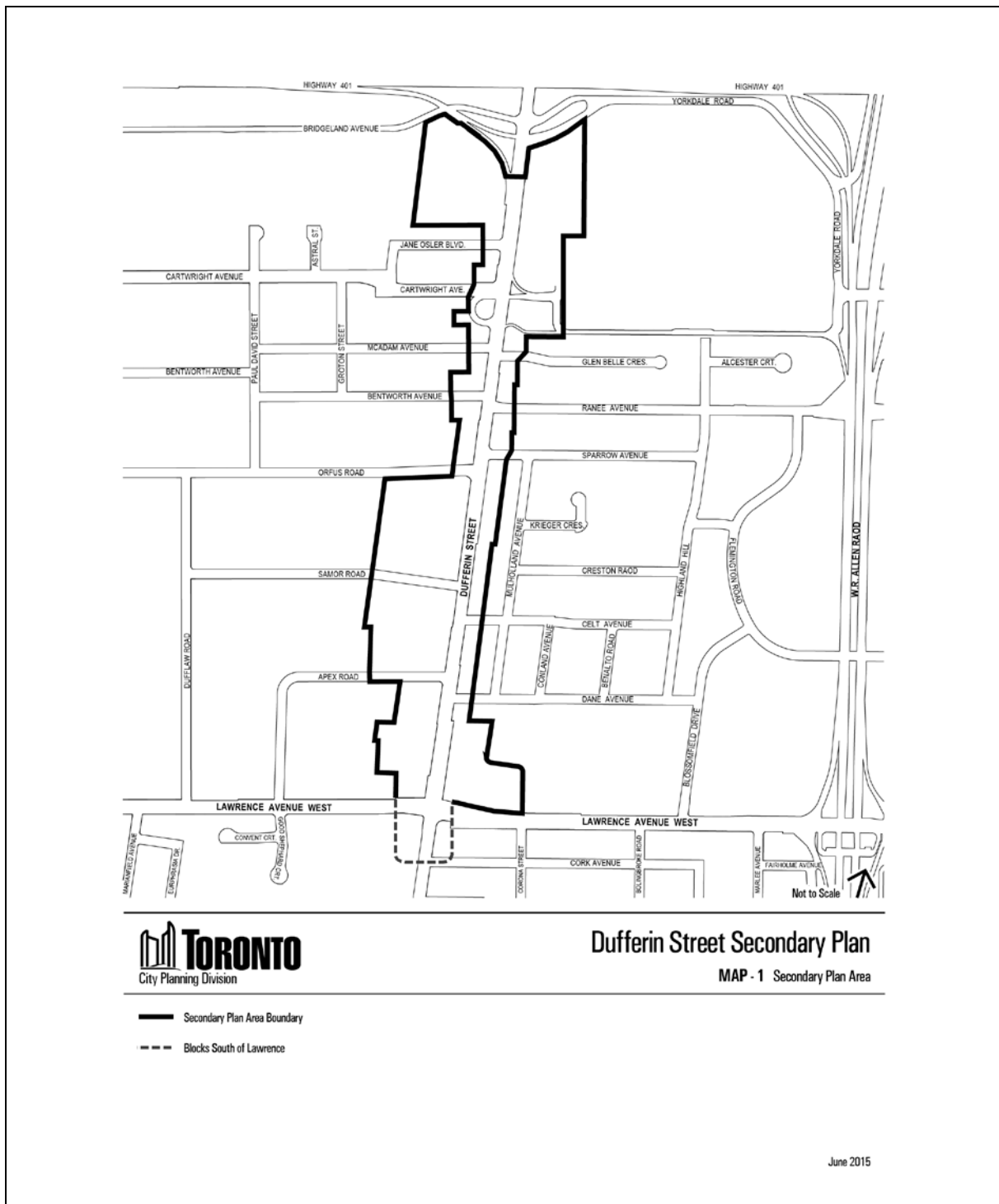
TORONTO City Planning
Extract from Official Plan

**3140 - 3170 Dufferin Street &
 60 - 68 Apex Road**
 File # 15 247805 NNY 15 0Z

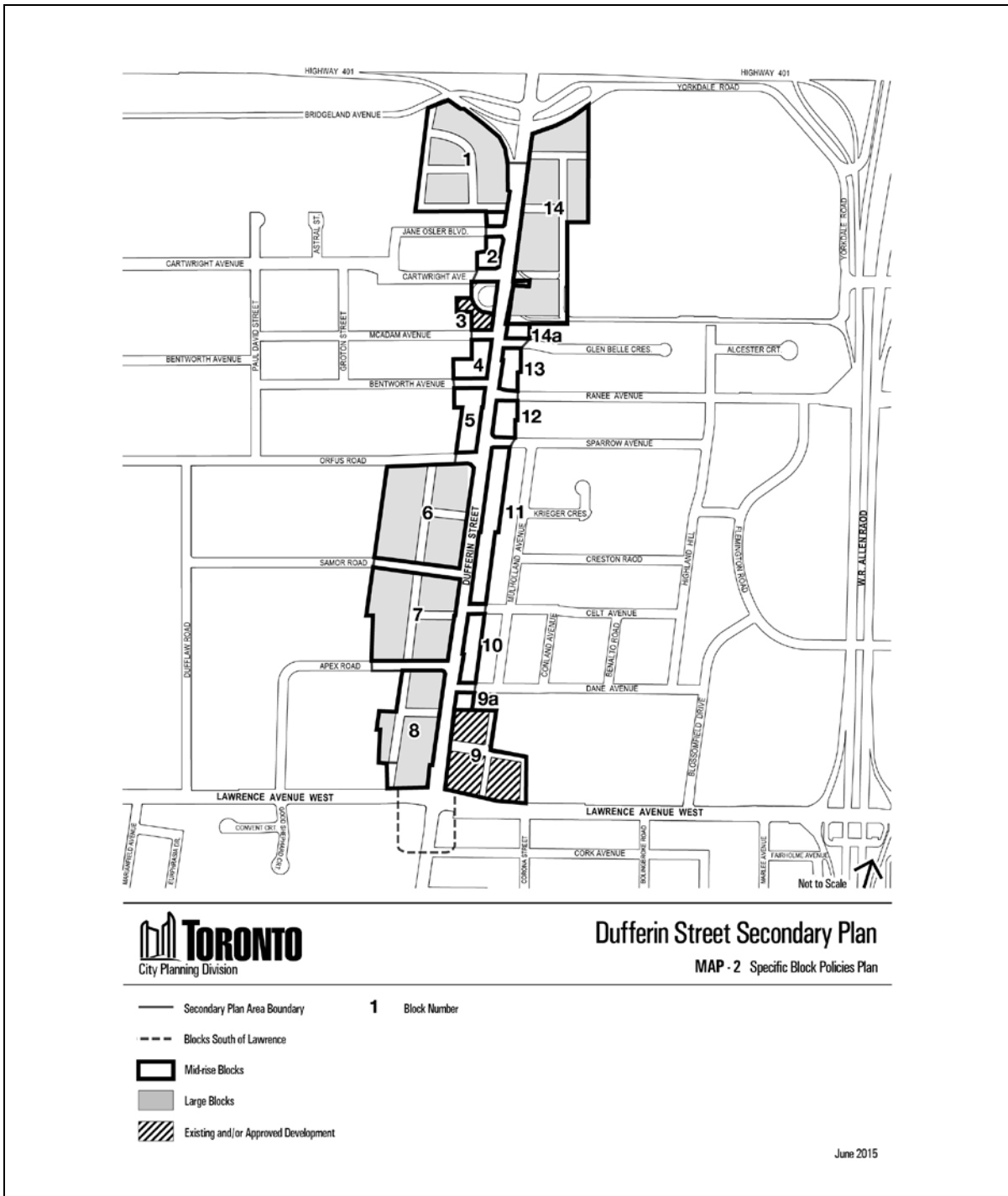
- | | |
|---|--|
|  Site Location |  Parks & Open Space Areas |
|  Neighbourhoods |  Parks |
|  Mixed Use Areas |  Employment Areas |


 Not to Scale
 11/12/2015

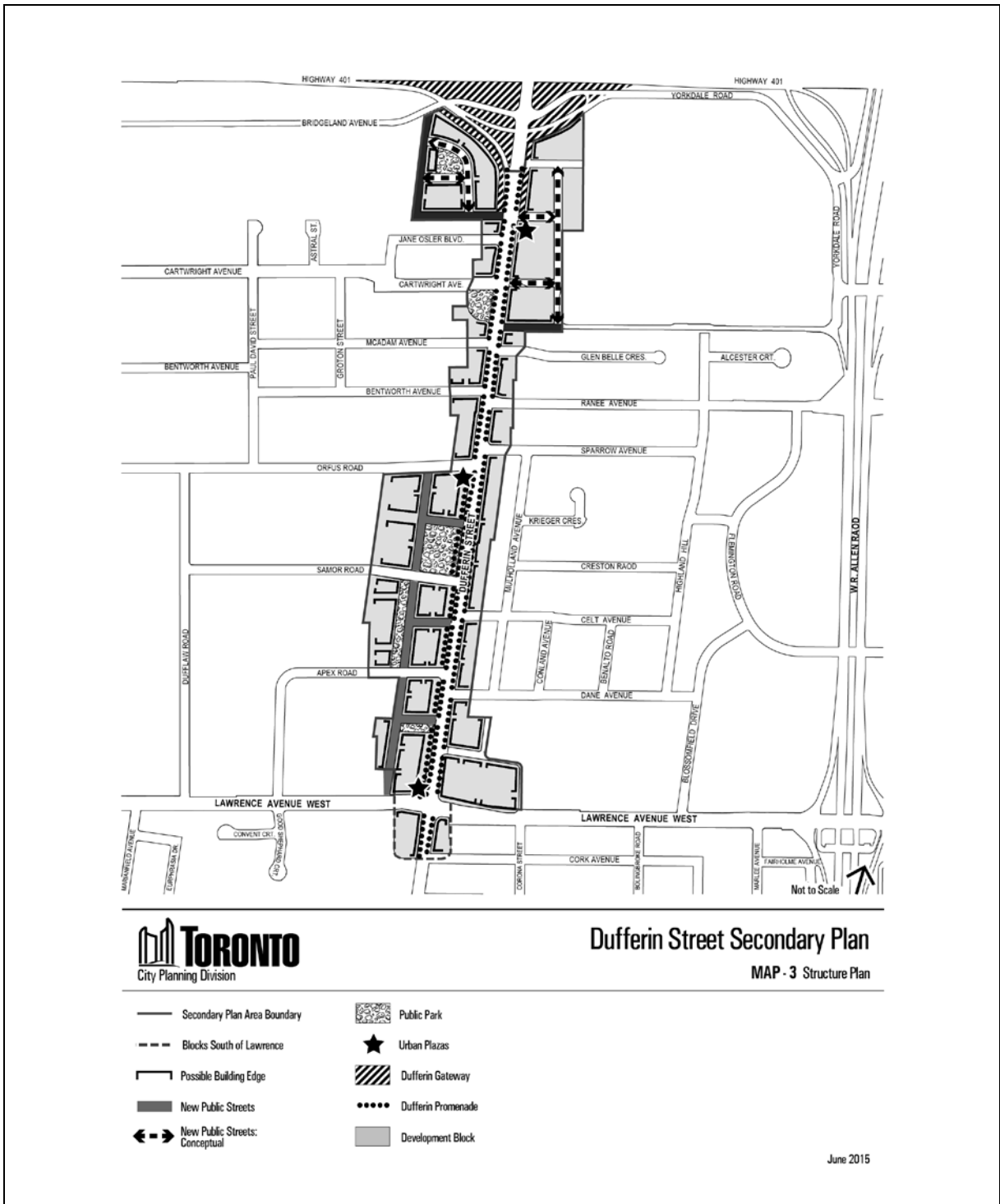
Attachment 5a: Dufferin Street Secondary Plan Boundary



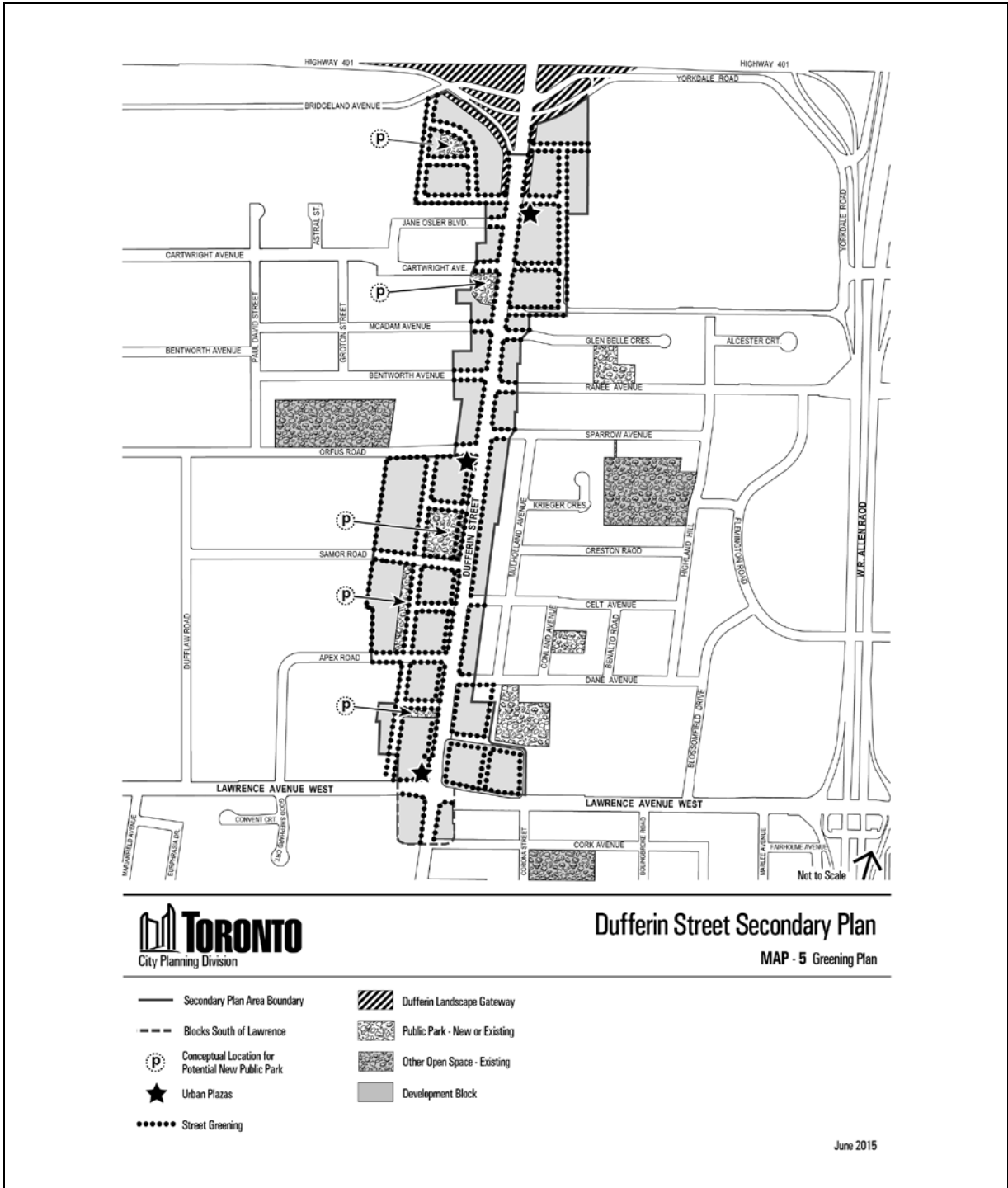
Attachment 5b: Dufferin Street Secondary Plan Block Policies



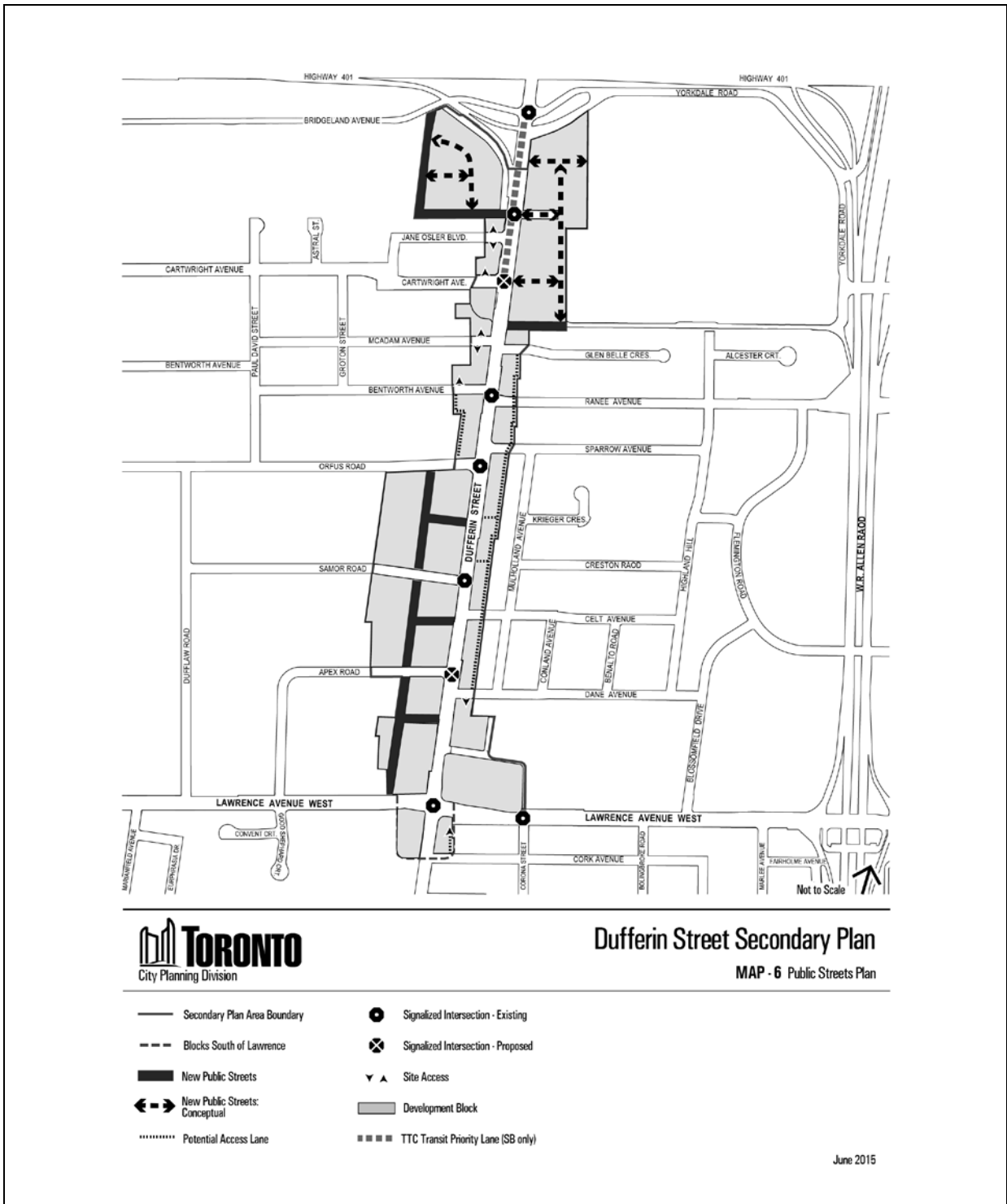
Attachment 5c: Dufferin Street Secondary Plan Structure Plan



Attachment 5d: Dufferin Street Secondary Plan Greening Plan



Attachment 5e: Dufferin Street Secondary Plan Public Streets Plan



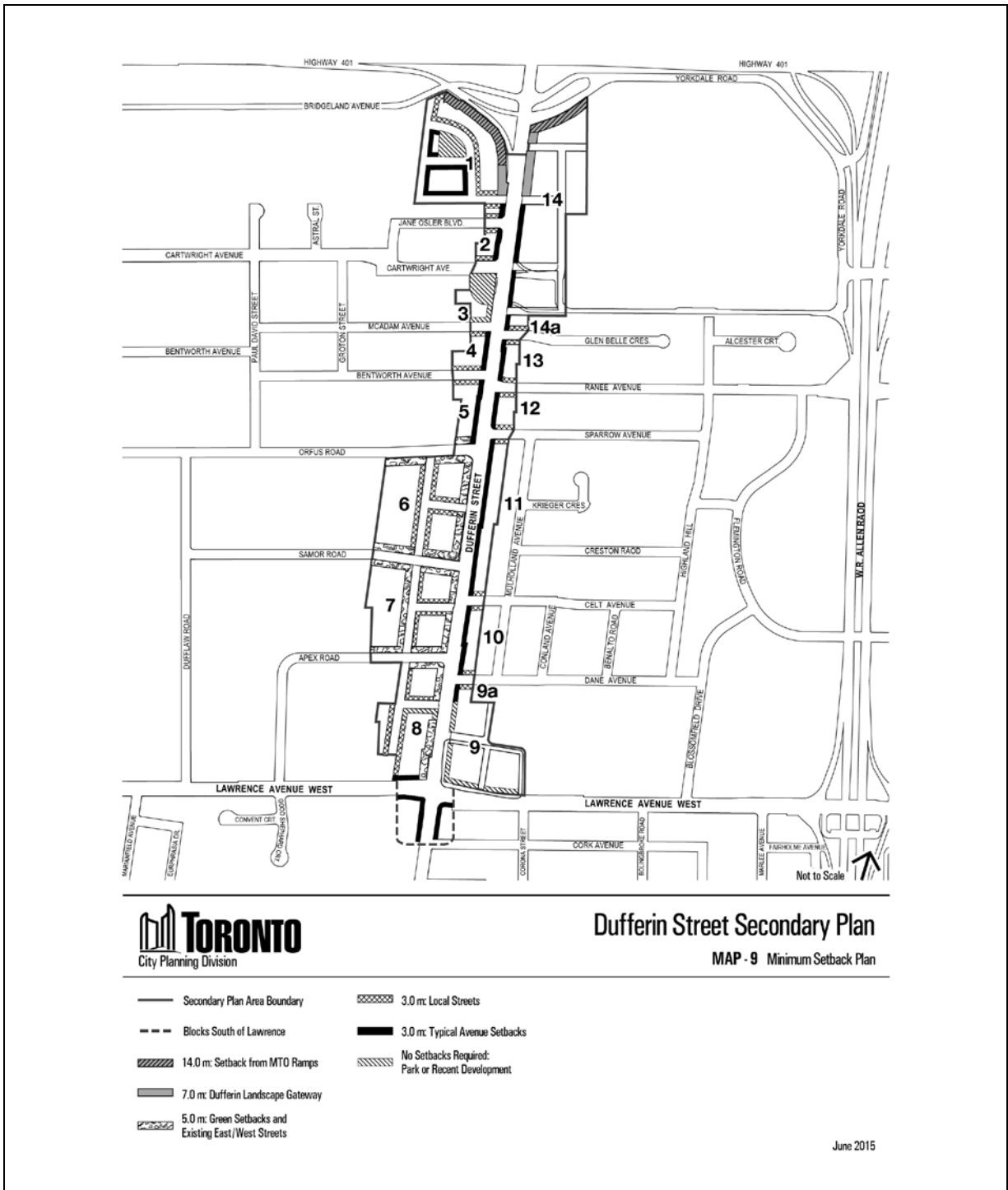
Dufferin Street Secondary Plan

MAP - 6 Public Streets Plan

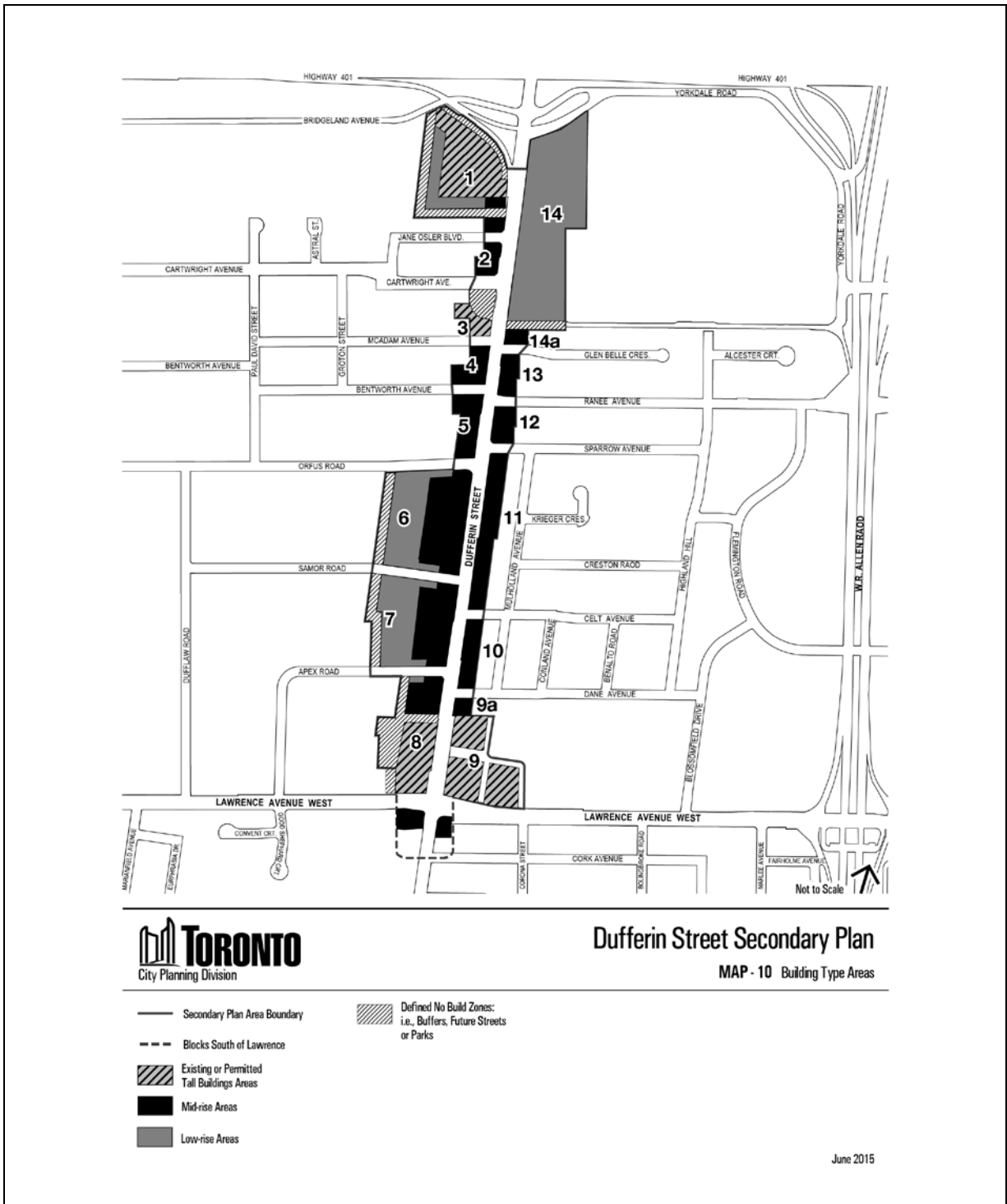
- Secondary Plan Area Boundary
- - - Blocks South of Lawrence
- █ New Public Streets
- ← - - -> New Public Streets: Conceptual
- Potential Access Lane
- Signalized Intersection - Existing
- ⊗ Signalized Intersection - Proposed
- ▼ ▲ Site Access
- █ Development Block
- ■ ■ ■ TTC Transit Priority Lane (SB only)

June 2015

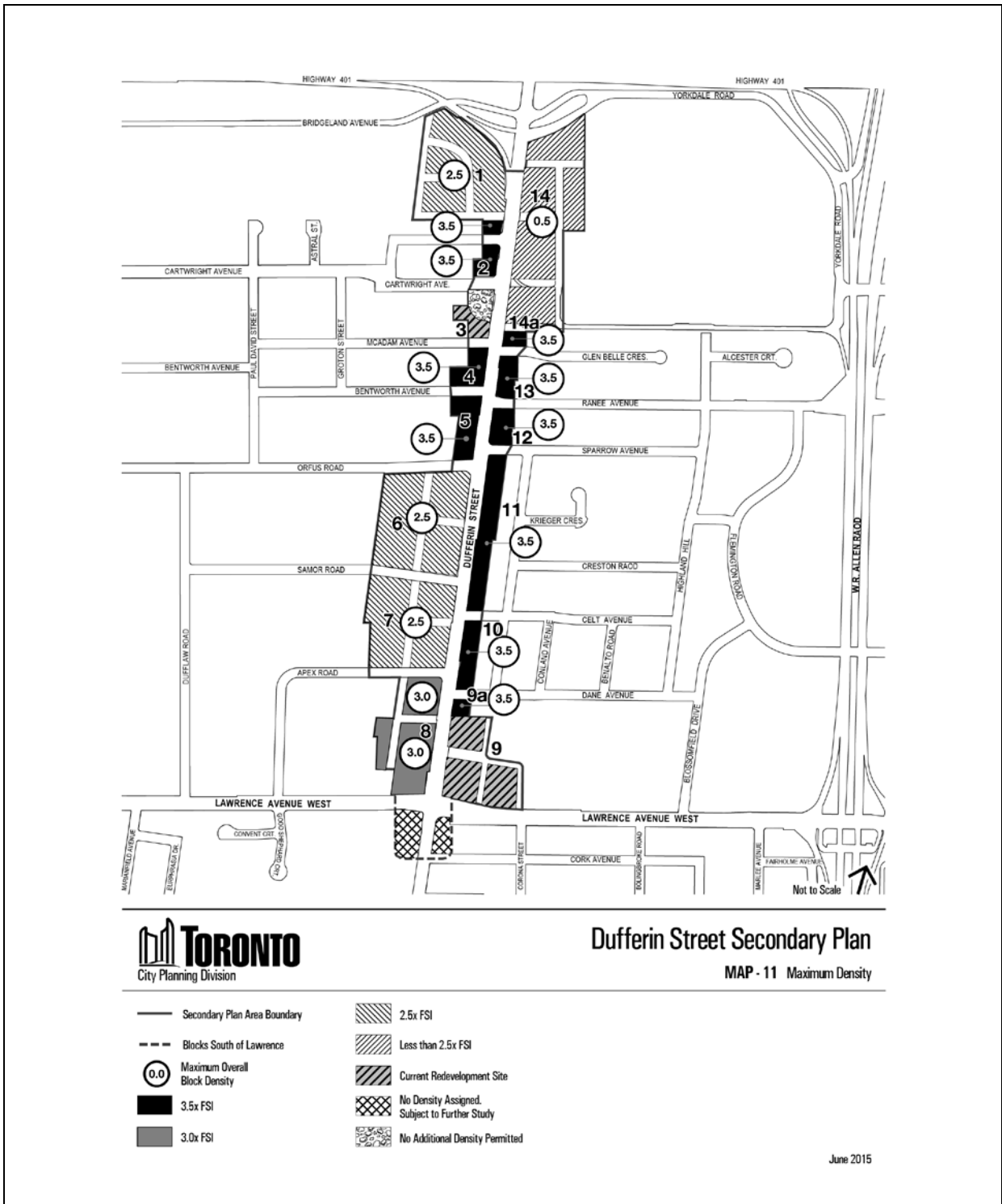
Attachment 5f: Dufferin Street Secondary Plan Minimum Setback Plan



Attachment 5g: Dufferin Street Secondary Plan Building Type Areas



Attachment 5h: Dufferin Street Secondary Plan Maximum Density



Attachment 6: Application Data Sheet

Application Type	Official Plan Amendment	Application Number:	15 247805 NNY 15 OZ
Details	OPA, Standard	Application Date:	November 5, 2015

Municipal Address: 3140-3170 DUFFERIN STREET & 60-68 APEX ROAD

Location Description: NORTH YORK CON 3 WYS PT LOT 6 RP 66R20191 PARTS 4 TO 12 PT PART 13
**GRID N1501

Project Description: Application to permit two mixed use buildings of 28 and 22 storeys. Also proposed is a new 1900 square metre public park and a 20 metre wide north-south public street.

Applicant:	Agent:	Architect:	Owner:
GOODMANS LLP 333 BAY ST SUITE 3400 TORONTO, ON M5H 2S7		QUADRANGLE 901 KING ST W SUITE 701 TORONTO, ON M5V 3H5	RIOCAN ACQUISITIONS 700 LAWRENCE AVE W SUITE 315 TORONTO, ON M6A 3B4

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	Y
Zoning:	MC(38)(H)	Historical Status:	N
Height Limit (m):	60.96	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	15386	Height:	Storeys:	28
Frontage (m):	89.74		Metres:	95
Depth (m):	169.64			
Total Ground Floor Area (sq. m):	5867			Total
Total Residential GFA (sq. m):	53771		Parking Spaces:	878
Total Non-Residential GFA (sq. m):	5632		Loading Docks	3
Total GFA (sq. m):	59403			
Lot Coverage Ratio (%):	38.1			
Floor Space Index:	3.86			

DWELLING UNITS

Tenure Type:	Other
Rooms:	0
Bachelor:	8 (1%)
1 Bedroom:	205 (35%)
2 Bedroom:	285 (49%)
3 + Bedroom:	80 (15%)
Total Units:	578

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	53771		0
Retail GFA (sq. m):	5632		0
Office GFA (sq. m):	0		0
Industrial GFA (sq. m):	0		0
Institutional/Other GFA (sq. m):	0		0

CONTACT:	PLANNER NAME:	Guy Matthew, Acting Senior Planner	
	TELEPHONE:	(416) 395-7102	E-MAIL: gmatthe2@toronto.ca

