

70 Dixfield Drive–Zoning By-law Amendment Application– Final Report

Date: May 17, 2018

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Ward: 3 - Etobicoke Centre

Planning Application Number: 16 130337 WET 03 OZ

SUMMARY

This application proposes to amend the former City of Etobicoke Zoning Code and City of Toronto Zoning By-law No. 569-2013 to permit the development of one 6-storey and three 3-storey residential apartment buildings having a total of 88 new rental units at 70 Dixfield Drive. The proposed development would be in addition to an existing 12-storey, 141 unit rental apartment building. The 3-storey buildings would be located along the north property line and the 6-storey building would be located facing The West Mall at the southeast end of the property. The development would provide a total of 264 parking spaces for the 229 units and would have an FSI of 1.39 times the area of the lot.

The proposed development is consistent with the Provincial Policy Statement (2014) and conforms with the Growth Plan for the Greater Golden Horseshoe (2017). The proposal also represents an appropriate and orderly development of the site that conforms to the Official Plan.

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 the Etobicoke Zoning Code for the lands at 70 Dixfield Drive substantially in accordance with the Draft Zoning By-law Amendment attached as Attachment No. 5 to this report.

2. City Council amend City of Toronto Zoning By-law No. 569-2013 for the lands at 70 Dixfield Drive substantially in accordance with the Draft Zoning By-law Amendment attached as Attachment No. 6 to this report.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the Draft Zoning By-law Amendments as may be required.
4. Before introducing the necessary Bills to City Council for enactment, City Council require the Owner to enter into an Agreement pursuant to Section 37 of the *Planning Act* for the purpose of securing the following matters as a legal convenience to support the development, with no cost pass-through to the residents of the existing rental building, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor:
 - i. The owner shall provide and maintain the 141 existing residential rental units at 70 Dixfield Drive as rental housing for a period of at least 20 years from the date of the Zoning By-laws coming into full force and effect and with no applications for demolition or conversion from residential rental use made during such 20 year period, to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.
 - ii. Prior to the occupancy of the new buildings at 70 Dixfield Drive, the owner shall secure the following facilities, amenities and improvements for the existing residential rental building as illustrated in the architectural plans dated December 1, 2017, with no pass-through of the costs to the existing tenants, to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.
 - Renovate the lobby;
 - Convert a minimum of 39 m² of the lobby to a new lounge;
 - Add a moving room with access to the rear of the building;
 - Renovate and/or expand the mailroom, if required, to accommodate the mail for the new units;
 - Provide new carpeting and paint halls and common areas, where necessary;
 - Provide new amenity room furniture;
 - Provide poolside lounge furniture;
 - Expand and enclose the garbage facility;
 - Add new short-term bicycle racks to the rear of the building and new indoor bicycle racks in the bike parking areas;
 - Provide ongoing maintenance to repair heating and electrical outlets as necessary;

- Provide automatic doors to the entry of the laundry room to improve access for residents with mobility limitations; and
 - Provide an insulated pool cover for the existing pool.
- iii. The owner shall provide residents of the existing residential rental units with access to the new indoor and outdoor amenity spaces in the new buildings at 70 Dixfield Drive at no extra charge to the tenants and with no pass-through cost to tenants of the existing building. Access and the use of these amenities shall be on the same terms and conditions as any other resident in the building.
- iv. Prior to final Site Plan Approval, the owner shall secure the provision of the following facilities, amenities and improvements for the existing residential rental building, with no-pass through of the costs to the existing tenants, to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.
- Improvements to the pathways and pedestrian circulation throughout the site
 - Provide an outdoor amenity area in the rear of the property that will include picnic furniture;
 - Provide outdoor amenity space adjacent to the pool;
 - Improvements to the fencing around the property.

These facilities, amenities and building improvements shall be completed within one-year of the occupancy of the new buildings at 70 Dixfield Drive.

- v. Prior to final Site Plan Approval, the owner shall provide a Construction Mitigation Strategy and a Tenant Communication Plan to the satisfaction of the Chief Planner and Executive Director, City Planning and thereafter the owner shall implement such strategy.
5. Before introducing the necessary Bills to City Council for enactment, City Council require the owner to:
- i. Submit to the Chief Engineer and Executive Director of Engineering and Construction Services for review and acceptance, a Functional Servicing Report to determine the stormwater runoff, sanitary flow and water supply demand resulting from this development and whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposed development.
- ii. Make satisfactory arrangements with Engineering and Construction Services staff and enter into the appropriate agreement(s) with the City for the design and construction of any improvements to the

municipal infrastructure, all to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services and the City Solicitor, should it be determined that upgrades are required to the infrastructure to support this development, according to the Functional Servicing Report accepted by the Chief Engineer and Executive Director of Engineering and Construction Services.

- iii. Provide space within the development for installation of maintenance access holes and sampling ports on the private side, as close to the property line as possible, for both the storm and sanitary service connections, in accordance with the Sewers By-law Chapter 681-10 and to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

A pre-application meeting was held in February, 2015 to discuss complete application submission requirements. The current application was submitted on March 21, 2016 and deemed complete on September 21, 2016. A Preliminary Report on the application was adopted by Etobicoke York Community Council on September 7, 2016 authorizing staff to conduct a community consultation meeting with an expanded notification area. This report can be found at the following link:

<https://www.toronto.ca/legdocs/mmis/2016/ey/bgrd/backgroundfile-95483.pdf>

ISSUE BACKGROUND

Proposal

The application proposes to amend the former City of Etobicoke Zoning Code and City of Toronto Zoning By-law No. 569-2013 to permit the development of one, 6-storey apartment building and three 3-storey apartment buildings on a lot which contains an existing 12-storey apartment building. A total of 88 new rental units would be provided in addition to the existing 141 rental units contained in the 12-storey building. The three, 3-storey buildings are proposed along the north property line and the 6-storey building is proposed on the southeast portion of the property. The development would provide an overall total of 264 parking spaces for the 229 rental units and would have a Floor Space Index of 1.39 times the area of the lot (see Attachment 1: Figure 1 Application Data Sheet).

Site and Surrounding Area

The subject site is a large (19,538 m²), irregularly shaped lot generally sloping down toward The West Mall. The site has frontage on each of Dixfield Drive (160 m), Wellesworth Drive (50 m) and The West Mall (139 m) and is 185 m deep. (see Attachment 2: Figure 2: Location Map). In addition to the existing 12-storey apartment building, there is a surface parking lot, an outdoor pool and many mature trees.

The land uses surrounding the site include:

North: Semi-detached 1.5 storey houses.

South: Single-detached 1 and 2 storey houses, open space and, further south fronting on Rathburn Road, a 7-storey residential apartment building and 1-storey commercial plaza.

East: Two residential apartment buildings (19 storeys and 20 storeys) and open space.

West: Wellesworth Park and single-detached 1 and 2 storey houses.

Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

The Provincial Policy Statement (2014) (the "PPS") provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the *Planning Act* and all decisions of City Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by City Council shall also be consistent with the PPS.

The PPS is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans".

The Growth Plan for the Greater Golden Horseshoe (2017) (the "Growth Plan") provides a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part, including:

- Establishing minimum density targets within strategic growth areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

In accordance with Section 3 of the *Planning Act* all decisions of City Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by City Council shall also conform with the Growth Plan.

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. City Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of City Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by City Council shall also be consistent with the PPS and conform with Provincial Plans.

Policy 5.1 of the Growth Plan states that where a municipality must decide on a planning matter before its Official Plan has been amended to conform with this Plan, or before other applicable planning instruments have been updated accordingly, it must still consider the impact of its decision as it relates to the policies of the Growth Plan which require comprehensive municipal implementation.

Staff have reviewed the proposed development for consistency with the PPS (2014) and for conformity with the Growth Plan (2017). The outcome of the staff analysis and review are summarized in the Comments section of this report.

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan as follows:

Chapter 2 - Shaping the City

Section 2.3.1 of the Plan states that developments in *Mixed Use Areas*, *Regeneration Areas* and *Apartment Neighbourhoods* that are adjacent or close to *Neighbourhoods* will:

- a) Be compatible with those *Neighbourhoods*;
- b) Provide a gradual transition of scale and density, as necessary to achieve the objectives of the Plan through the stepping down of buildings towards and setbacks from those *Neighbourhoods*;
- c) Maintain adequate light and privacy for residents in those *Neighbourhoods*; and
- d) Attenuate resulting traffic and parking impacts on adjacent neighbourhood streets so as not to significantly diminish the residential amenity of those *Neighbourhoods*.

Chapter 3 - Building a Successful City

In Section 3.1.2, Built Form, the Official Plan states that architects and developers have a civic responsibility to create buildings that not only meet the needs of their clients, tenants and customers, but also the needs of the people who live and work in the area. New development in Toronto will be located and organized to fit with its existing and/or planned context. It will do this by generally locating buildings parallel to the street or along the edge of a park or open space, have a consistent front yard setback, acknowledge the prominence of corner sites, locate entrances so they are clearly visible and provide ground floor uses that have views into and access from the streets. New development will also locate and organize vehicle parking and vehicular access to minimize their impacts on the public realm. Furthermore, new development will create appropriate transitions in scale to neighbouring existing and/or planned buildings, limit shadowing on streets, properties and open spaces, and minimize any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility.

In addition to the policies identified above, new development will also be massed to define the edge of streets, parks and open spaces to ensure adequate access to sky views for the proposed and future uses. New development will provide public amenity, and enhance the public realm through improvements to adjacent boulevards and sidewalks through tree plantings.

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 3.2.1.5, Housing, provides that significant new development on sites containing six or more rental units, where existing rental units will be kept in the new development:

- a) Will secure as rental housing, the existing rental housing units which have affordable rents and mid-range rents; and
- b) May secure any needed improvements and renovations to the existing rental housing, in accordance with and subject to the height and density

incentives of Section 5.1.1 of the Plan, without pass-through of such costs in rents to tenants.

The Official Plan also includes policies related to the Public Realm (Section 3.1.1).

Chapter 4- Land Use Designations

The subject lands are designated *Apartment Neighbourhoods* on Map 14 of the Official Plan. *Apartment Neighbourhoods* are made up of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of area residents. All land uses provided for in the *Neighbourhoods* designation are also permitted in *Apartment Neighbourhoods*, but *Apartment Neighbourhoods* allow for higher density and a greater scale of buildings than *Neighbourhoods*. There may be opportunities for additional townhouses or apartments on underutilized sites and the Plan sets out criteria to evaluate these situations.

Policy 4.2.2 provides direction for development in *Apartment Neighbourhoods*. Development in *Apartment Neighbourhoods* will contribute to the quality of life by:

- Locating and massing new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Official Plan;
- Locating and massing new buildings so as to adequately limit shadow impacts on properties in adjacent lower-scale *Neighbourhoods*;
- Locating and massing new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- Including sufficient off-street motor vehicle and bicycle parking for residents and visitors;
- Locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences;
- Providing indoor and outdoor recreation space for building residents in every significant multi-unit residential development;
- Providing ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces; and

- Providing buildings that conform to the principles of universal design, and wherever possible contain units that are accessible or adaptable for persons with physical disabilities.

Significant growth is not intended within developed *Apartment Neighbourhoods*. However, compatible infill development may be permitted on a site with one or more existing apartment buildings that has sufficient underutilized space to accommodate one or more new buildings while providing good quality of life for both new and existing residents.

Policy 4.2.3 states that infill development that may be permitted on a site containing an existing apartment building will:

- Meet the development criteria set out in Section 4.2.2;
- Maintain an appropriate level of residential amenity on the site;
- Provide existing residents with access to the community benefits where additional height and/or density is permitted and community benefits are provided pursuant to Section 5.1.1 of the Plan;
- Maintain adequate sunlight, privacy and areas of landscaped open space for both new and existing residents;
- Organize development on the site to frame streets, parks and open spaces in good proportion, provide adequate sky views from the public realm, and create safe and comfortable open spaces;
- Front onto and provide pedestrian entrances from an adjacent public street wherever possible;
- Provide adequate on-site, below grade, shared vehicular parking for both new and existing development, with any surface parking appropriately screened;
- Preserve and/or replace important landscape features and walkways and create such features where they did not previously exist;
- Consolidate loading, servicing and delivery facilities; and
- Preserve or provide adequate alternative on-site recreational space for residents.

The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

Official Plan Amendment 320

As part of the City's ongoing Official Plan Five Year Review, City Council adopted Official Plan Amendment No. 320 (OPA 320) on December 10, 2015 to strengthen and refine the Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals to protect and enhance existing neighbourhoods, allow limited infill on underutilized *Apartment Neighbourhoods* sites and implement the City's Tower Renewal Program.

In addition, OPA 320 adds new criteria to existing Healthy Neighbourhoods policy 2.3.1.2 to improve the compatibility of new developments located adjacent and close to *Neighbourhoods* and in *Mixed Use Areas*, *Apartment Neighbourhoods* and *Regeneration Areas*. The new criteria address aspects in new development such as amenity and service areas, lighting and parking.

The Minister of Municipal Affairs approved and modified OPA 320 on July 4, 2016, and this decision has been appealed in part. On December 13, 2017 the OMB issued an Order partially approving OPA 320 and brought into force new Policies 10 and 12 in Section 2.3.1, Healthy Neighbourhoods and Site and Area Specific Policy No. 464 in Chapter 7. Other portions of OPA 320 remain under appeal, and these appealed policies as approved and modified by the Minister are relevant and represent City Council's policy decisions, but they are not in effect. More information regarding OPA 320 can be found here: www.toronto.ca/OPreview/neighbourhoods.

OPA 320 helps to implement the City's Tower Renewal Program by promoting the renewal and retrofitting of older apartment buildings, and by encouraging fruit and vegetable gardens on underutilized portions of *Apartment Neighbourhood* sites.

The outcome of staff analysis and review of relevant Official Plan policies and designations are summarized in the Comments section of this report.

Zoning

Most of the lands at 70 Dixfield Drive are zoned R5 (Fifth Density Residential Zone) in the Etobicoke Zoning Code, permitting residential uses in a wide range of residential housing types, including regulations specific to apartment buildings. A rectangular portion of the property along the Wellesworth Drive frontage is zoned R2 (Second Density Residential Zone), permitting residential uses in the form of detached houses. Both residential zones also permit some limited non-residential uses. A shallow, irregularly shaped portion of the property along The West Mall is zoned CPR (Planned Commercial Regional), permitting commercial and other non-residential uses, but prohibiting residential uses (see Attachment 3: Figure 3: Existing Zoning By-law Map Former City of Etobicoke Zoning Code).

In City-wide Zoning By-law No. 569-2013, the site is zoned RA (Residential Apartment Zone) with a minimum frontage of 24 metres and a minimum lot area of 139 m² per unit. This translates into a maximum of 141 permitted dwelling units on this site (see Attachment 4: Figure 4: Existing Zoning By-law Map, City of Toronto Zoning By-law No. 569-2013).

Design Guidelines

Avenues and Mid-Rise Buildings Study and Performance Standards

City Council adopted the Avenues and Mid-Rise Buildings Study and an addendum containing performance standards for mid-rise buildings. They identify a list of best practices and establish a set of performance standards for new mid-rise buildings. Key issues addressed include maximum allowable building heights, setbacks and stepbacks, sunlight and skyview, pedestrian realm conditions, transition to *Neighbourhoods* and *Parks and Open Space Areas* and corner sites. The link to the guidelines is here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/mid-rise-buildings/>.

City Council also adopted a revised Mid-Rise Building Performance Standards Addendum, for staff to use together with the 2010 approved Mid-Rise Building Performance Standards in the preparation of area studies or during the evaluation of development applications, where mid-rise buildings are proposed and Performance Standards are applicable, until such time as City Council adopts updated Mid-Rise Building Design Guidelines. Its decision is here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7> and <http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>.

Townhouse and Low-Rise Apartment Guidelines

A comprehensive update of the Townhouse Guidelines is underway. Updated Townhouse and Low-Rise Apartment Guidelines further clarify and expand upon the City Council approved 2006 Guidelines to reflect a broader range of multi-dwelling development up to four storeys in height. The latest draft of the Townhouse and Low-Rise Apartment Guidelines is here: <https://www.toronto.ca/wp-content/uploads/2018/01/964c-townhouse-low-rise-guidelines-02-2017.pdf>.

Prior to presenting a finalized version of these Guidelines for City Council adoption, staff are refining and consulting upon the draft Guidelines, in part through their use during the review of development applications.

Site Plan Control

The proposed development is subject to Site Plan Control. An application for Site Plan Approval has been submitted under Application No. 16 269174 WET 03 SA and is being reviewed concurrently with this Zoning By-law Amendment application.

Reasons for Application

The Zoning By-law Amendment application is required to address multiple aspects of the development, in both the City-wide Zoning By-law No. 569-2013 and the former City of Etobicoke Zoning Code. The former City of Etobicoke Zoning Code does not permit apartment buildings and therefore amendments are required to address the lands use, as well as applicable performance standards such as building setbacks, number of units and building height. The site specific by-law for City of Toronto By-law No. 569-2013 requires amendment to address building setbacks, height and gross floor area to facilitate the proposed development.

Application Submission

The following reports/studies were submitted in support of the application:

- Planning Rationale;
- Sun/Shadow Study;
- Toronto Green Standard Checklist;
- Arborist Report;
- Transportation Impact and Parking Assessment;
- Community Services and Facilities Study;
- Housing Issues Report;
- Rent Rolls;
- Servicing Report; and
- Stormwater Management Report.

Agency Circulation

The application, together with the applicable reports noted above, has been circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Zoning By-law standards.

Community Consultation

A community consultation meeting was held on December 6, 2016. The meeting was held to provide local residents with an opportunity to review and comment on the application. Approximately 150 people were in attendance.

The main concerns raised at the meeting included existing and potential traffic congestion, insufficient number of proposed parking spaces, built form and massing, loss of existing green space and amenity area, loss of trees, construction plans, stormwater management and flooding, building tenure and pedestrian safety.

A tenant consultation meeting was held on March 16, 2017. The meeting was held to provide tenants of the existing building with an opportunity to review and comment on the application, and comment on needed improvements to the site, amenities and facilities and the existing building.

The main concerns raised at this meeting were potential overcrowding in common areas with the proposed addition of 88 new residential units, needed improvements to the existing amenity spaces, increase in traffic and road congestion and the loss of parking and green space.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS (2014) and the Growth Plan (2017). The proposal has also been reviewed and evaluated against Policy 5.1 of the Growth Plan as described in the Issue Background section of this report.

Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan as follows:

The PPS (2014) requires provisions to be made for an appropriate range of housing types and densities to meet projected requirements of current and future residents. This policy for healthy, livable and safe communities is achieved, amongst other means, by accommodating a range of residential, employment, institutional and other uses to meet long-term needs, facilitating all forms of residential intensification and redevelopment, promoting densities for new housing which effectively use land, resources, infrastructure and public services, and support the use of public transit. The proposal is consistent with the PPS in this regard in that it would provide a range of housing types through the residential intensification of an underutilized property. In particular, the proposed development has regard to relevant matters of provincial interest in Section 2 of the *Planning Act* as the proposal provides for a built form that is well-designed given the constraints of the site.

In planning to achieve the minimum intensification and density targets in the Growth Plan, municipalities are directed by Policy 5.2.5.6 to develop and implement urban design and site design Official Plan policies and other supporting documents that direct the development of a high quality public realm and compact built form. The City has implemented this requirement through the adoption of a number of Official Plan policies and design guidelines including the Avenues and Mid-Rise Buildings Study and Performance Standards and the Townhouse and Low-Rise Apartment Guidelines.

The Growth Plan (2017) contains policies related to setting minimum intensification targets throughout delineated built-up areas (Section 2.2.2.4). The proposed development conforms with Section 2.2.2.4. b) of the Growth Plan as it represents an appropriate scale of development for the surrounding area and appropriately transitions to adjacent properties. Further, the proposed development conforms with Section 5.2.4.5.b) which requires the type and scale of development to be contextually appropriate.

The proposal is consistent with the PPS and conforms with the Growth Plan for the Greater Golden Horseshoe. Both the PPS and the Growth Plan encourage intensification and redevelopment in urban areas, which help provide healthy, liveable and safe communities. The development will accommodate residential infill growth, supporting policy objectives related to focusing growth in existing settlement areas. The proposal supports efficient land use, reduces land consumption related to residential development and makes efficient use of infrastructure and is transit supportive.

Land Use

This application has been reviewed against the Official Plan policies described in the Issue Background section of this report, as well as the policies of the Toronto Official Plan. The application proposes three 3-storey apartment buildings and a mid-rise apartment building in an area designated as *Apartment Neighbourhoods* in the Official Plan. While *Apartment Neighbourhoods* are stable areas where significant growth is not anticipated, there are instances where underutilized lots provide opportunities for additional development. The site is a large site with an existing 12-storey apartment building with a large portion currently being used as a surface parking lot. The proposed 3-storey buildings along the northern edge of the property would provide a transition between the 12-storey apartment building and the lower density *Neighbourhoods* area to the north. The stepping down of height towards the lower scale detached dwellings is appropriate. The 6-storey apartment building proposed in the southern section of the property is appropriate as it is adjacent to existing 19 and 20 storey buildings.

Built Form, Height and Building Setbacks

This application has been reviewed against the Official Plan policies and design guidelines described in the Issue Background section of this report. The Official Plan requires new development to comply with criteria pertaining to appropriate built form, location, massing and transition between land use designations. The intent of these policies is for new development to fit harmoniously into the existing context to ensure there are no adverse impacts on existing neighbourhoods, parks, streetscapes, and open spaces and provide an attractive, comfortable and safe pedestrian environment.

The proposed development would be comprised of three, 3-storey apartment buildings and one, 6-storey apartment building. The total residential gross floor area would be 9,995 m². The existing 12 storey apartment building would remain. The 3 apartment buildings would be located along the north property line backing onto the rear lots of the existing semi-detached dwellings located on Birgitta Crescent. The 6-storey building would be located adjacent to The West Mall to the east of the existing 12-storey building.

Through the review of the application, Planning staff identified built form concerns with respect to scale, setbacks and shadowing related to the 3-storey buildings along the north property line. The original design of these buildings showed a reduced rear yard setback and the buildings being within the required 45 degree angular plane as measured from the adjacent residential zone. Through negotiations with the applicant, the proposal was revised to increase the rear yard setbacks and develop a building design that would fit within the 45 degree angular plane.

The proposed 6-storey building would be located adjacent to the existing 12-storey building and the neighbouring 19 and 20 storey residential buildings and would not have any impacts resulting from its built form or height.

Sun, Shadow and Wind

This application has been reviewed against the Official Plan policies described in the Issue Background section of this report. The applicant provided a shadow study illustrating the shadow movements associated with the development during the spring and fall equinoxes. The proposed 3-storey buildings along the north side of the site would introduce some shadowing on a limited portion of the neighbouring rear yards of the semi-detached dwellings designated *Neighbourhoods*. Planning staff are of the opinion the shadow impacts created by the new buildings would be acceptable.

Traffic Impact, Access and Parking

A Traffic Impact and Parking Assessment dated February 2017 was submitted for the development assessing the traffic impacts of the proposal. The study estimates the proposed development would generate approximately 47 and 66 new two-way trips during the AM and PM Peak hours, respectively. Given this estimate, the study concluded that the site would have minimal impacts on the adjacent road system. This finding is acceptable to Transportation Services staff.

A total of 264 parking spaces are proposed for the property at full build-out consisting of 234 resident parking spaces and 30 visitor parking spaces. The parking requirements for the site at full build-out according to City-wide Zoning By-law No. 569-2013 would be 274 spaces, which would make the proposal deficient by 10 parking spaces. In order to justify the deficiency, the applicant's

traffic consultant conducted parking utilization surveys for the existing units on the site to capture the peak resident and visitor parking demands. The consultant concluded that based on the data obtained through the surveys, the parking rates for the proposal could be reduced to reflect the actual utilization of the existing parking. The consultant proposed parking rates of 1.02 spaces per residential unit and 0.13 visitor spaces per unit. The proposed 234 residential parking spaces and 30 visitor parking spaces satisfy this requirement. The Traffic Impact and Parking Assessment has been reviewed by Transportation Services staff and found to be acceptable.

Details with respect to parking space design, layout and site circulation will be reviewed and secured through the Site Plan Control review process for this development.

Servicing

As part of the review of an application, a Functional Servicing Report is submitted to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services. The report outlines how the development would impact the local sanitary system and watermains in the vicinity of the proposed development.

A Functional Servicing Report has not been submitted for this application. As such, it is recommended that prior to introducing the necessary Bills to City Council for enactment, the applicant be required to submit to the satisfaction of the Chief Engineer and Executive Director, a Functional Servicing Report to determine the stormwater runoff, sanitary flow and water supply demand resulting from the development and whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposed development. Further, the applicant must also make satisfactory arrangements with Engineering and Construction Services staff for the design and construction of any improvements to municipal infrastructure required to service the proposed development.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the City of Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 3.00+ 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 parkland priority area, as per Chapter 415, Article III, of the Toronto Municipal Code.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication through cash-in-lieu. The residential nature of this proposal is subject to a parkland dedication of 0.4 ha per

300 residential units. The value of the cash-in-lieu of parkland dedication will be appraised by Real Estate Services staff. Payment will be required prior to the issuance of the first above grade building permit.

Tree Preservation

An Arborist Report and Tree Inventory and Preservation Plan, dated August 2017, was submitted for the development outlining which trees would remain on site and which trees are to be removed. The development proposes to protect 10 City trees and 37 private trees. A total of 55 private trees would be removed. The applicant proposes 20 new City trees located on the City road allowance and 93 new trees on the private property.

Details with respect to the provision and location of City trees and private trees will be reviewed and secured through the Site Plan Control review process for this development.

Rental Housing

The existing rental apartment building will be retained and maintained as rental housing for a period of at least 20 years. The applicant must comply with Policy 3.2.1.5 of the Toronto Official Plan which requires that the rental tenure of the building be maintained. The existing rental housing units will be secured as rental housing, along with any improvements and renovations to the existing building at 70 Dixfield Drive, through an agreement under Section 37 of the *Planning Act*. This agreement, among other matters, will stipulate that none of the existing rental units or associated parking spaces will be permitted to be registered as condominium or any other form of ownership, converted for non-rental housing purposes, or demolished during this 20 year period, from the date that any implementing By-law comes into effect.

New amenity space and needed improvements to the existing rental building will also be secured with no pass-through cost to the existing tenants. The amenity space and improvements will generally include:

- Renovate the lobby;
- Convert a minimum of 39 m² of the lobby to a new lounge;
- Add a moving room with access to the rear of the building;
- Renovate and/or expand the mailroom, if required, to accommodate the mail for the new units;
- Provide new carpeting and paint halls and common areas, where necessary;
- Provide new amenity room furniture;
- Provide poolside lounge furniture;
- Provide outdoor amenity space adjacent to the pool;

- Expand and enclose the garbage facility;
- Improve the pathways and pedestrian circulation throughout the site;
- Add new short-term bicycle racks to the rear of the building and new indoor bicycle racks in the bike parking areas;
- Improve the fencing around the property;
- Provide ongoing maintenance to repair heating and electrical outlets as necessary;
- Provide automatic doors to the entry of the laundry room to improve access for residents with mobility limitations; and
- Provide an insulated pool cover on the existing pool to retain heat to extend the pool season.

The above matters will be secured in the Section 37 Agreement.

Staff will continue to work with the applicant to develop the appropriate Tenant Communication Plan and Construction Mitigation Strategy for existing tenants at 70 Dixfield Drive, which will be a condition of approval of the Site Plan application. City staff are satisfied that the proposed improvements and renovations to the site and existing building, and the securing of the existing units as rental, meet the requirements of Official Plan Policy 3.2.1.5.

Toronto Green Standard

City Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. Performance measures for the Tier 1 development features will be secured through the Site Plan review process.

Conclusion

The proposal has been reviewed against the policies of the PPS (2014), the Growth Plan (2017) and the Toronto Official Plan.

Staff are of the opinion that the proposal is consistent with the PPS (2014) and does not conflict with the Growth Plan (2017). Furthermore, the proposal complies with Toronto Official Plan, particularly as it relates to the Mid-Rise Building Guidelines. Staff worked with the applicant and the community to address and resolve the following key concerns: loss of amenity space and existing green space, building tenure, loss of trees and pedestrian safety. The

proposal would provide renovations and additions to improve numerous existing amenities on site as well as provide additional tree planting. Staff recommend that City Council approve the application to amend the Zoning By-law.

CONTACT

Ellen Standret, Planner
Tel. No. 416-394-8223
E-mail: Ellen.Standret@toronto.ca

SIGNATURE

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

ATTACHMENTS

City of Toronto Data/Drawings

- Attachment 1: Figure 1: Application Data Sheet
- Attachment 2: Figure 2: Location Map
- Attachment 3: Figure 3: Existing Zoning By-law Map (Former City of Etobicoke Zoning Code)
- Attachment 4: Figure 4: Existing Zoning By-law Map (City of Toronto Zoning By-law No. 569-2013)
- Attachment 5: Draft Zoning By-law Amendment (Former City of Etobicoke Zoning Code)
- Attachment 6: Draft Zoning By-law Amendment (City of Toronto Zoning By-law No. 569-2013)

Applicant Submitted Drawings

- Attachment 7: Figure 5: Site Plan
- Attachment 8: Figure 6: Elevations

Attachment 1: Figure 1: Application Data Sheet

Application Type:	Rezoning	Application Number:	16 130337
Details:	Rezoning, Standard	Application Date:	WET 03 OZ March 21, 2016
Municipal Address:	70 DIXFIELD DRIVE		
Location Description:	PLAN M1031 BLK A **GRID W0301		
Project Description:	Proposed amendments to the Etobicoke Zoning Code and City of Toronto By-law No. 569-2013 to permit the development of 88 rental units having a gross floor area of 9,999.5 m ² . The units would be located within three, 3-storey buildings containing 30 units and a 6-storey mid-rise apartment building (58 units). The existing 12-storey apartment building would be maintained.		

Applicant:	Agent:	Architect:	Owner:
GOLDBERG GROUP			70 DIXFIELD (WEST MALL) INC. 3625 Dufferin St, #409 Toronto, ON

PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhoods	Site Specific Provision:	n/a
Zoning:	Toronto By-law 569-2013 RA(f24.0;au139) Etobicoke Zoning Code: R5,R2, CPR	Historical Status:	n/a
Height Limit (m):	24	Site Plan Control Area:	yes

PROJECT INFORMATION

Site Area (sq. m):	19,538	Height:	Storeys:	6
Frontage (m):	347		Metres:	20
Depth (m):	185			
Total Ground Floor Area (sq. m):	3,885			Total
Total Residential GFA (sq. m):	27,198		Parking Spaces:	264
Total Non-Residential GFA (sq. m):	0		Loading Docks	2
Total GFA (sq. m):	27,198 (9,999.5 proposed)			
Lot Coverage Ratio (%):	20			
Floor Space Index:	1.39			

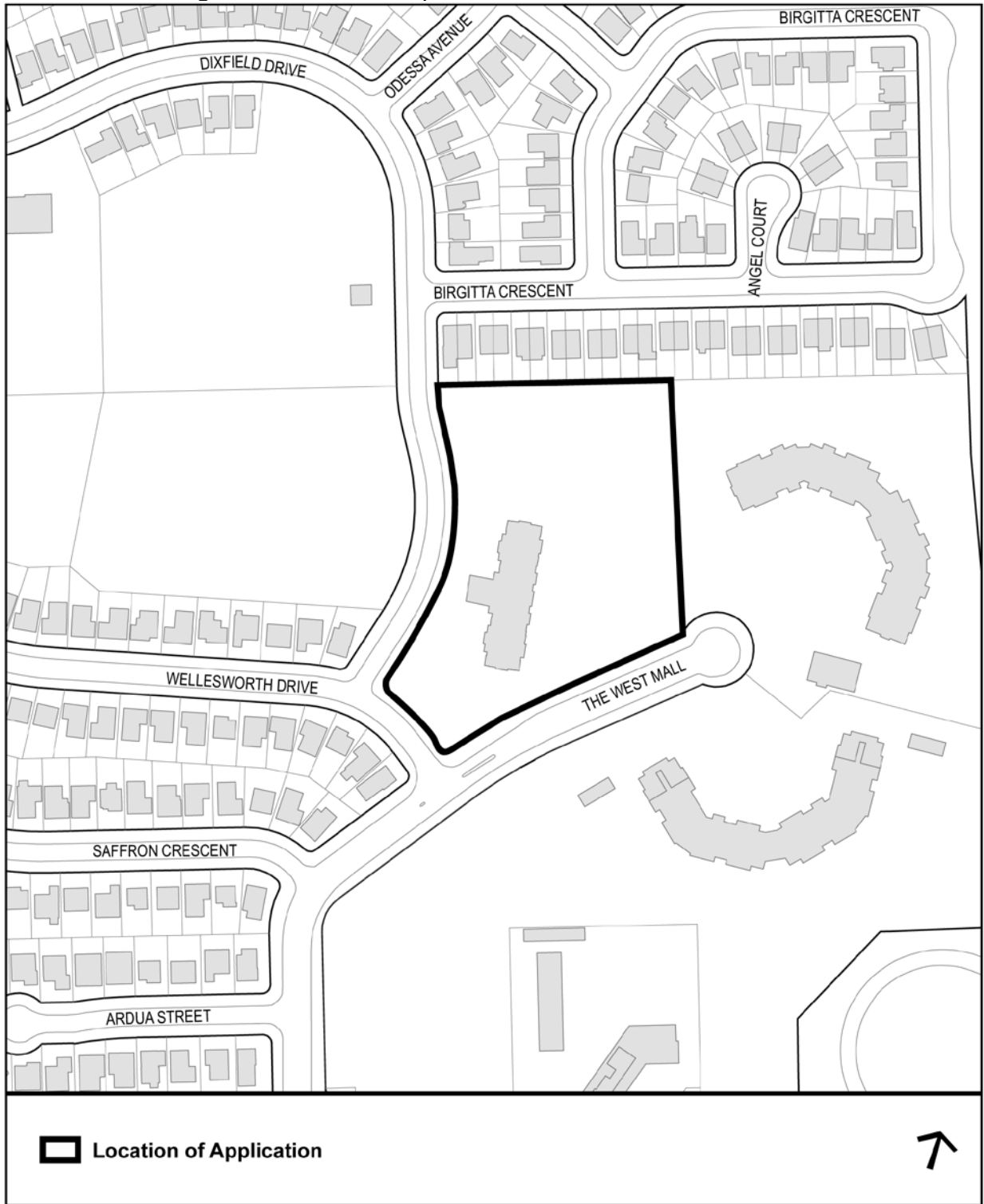
DWELLING UNITS (existing+proposed)

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Rental		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	27,198	0
Bachelor:	1+0	Retail GFA (sq. m):	0	0
1 Bedroom:	46+0	Office GFA (sq. m):	0	0
2 Bedroom:	82+70=152	Industrial GFA (sq. m):	0	0
3 + Bedroom:	12+18=30	Institutional/Other GFA (sq. m):	0	0
Total Units:	141+88=229			

CONTACT:	PLANNER NAME:	Ellen Standret, Planner, Community Planning
	TELEPHONE:	416-394-8223

Attachment 2: Figure 2: Location Map



Attachment 3: Figure 3: Existing Zoning By-law Map (Former City of Etobicoke Zoning Code)



Former Etobicoke Zoning

70 Dixfield Drive

File # 16 130337 WET 03 0Z



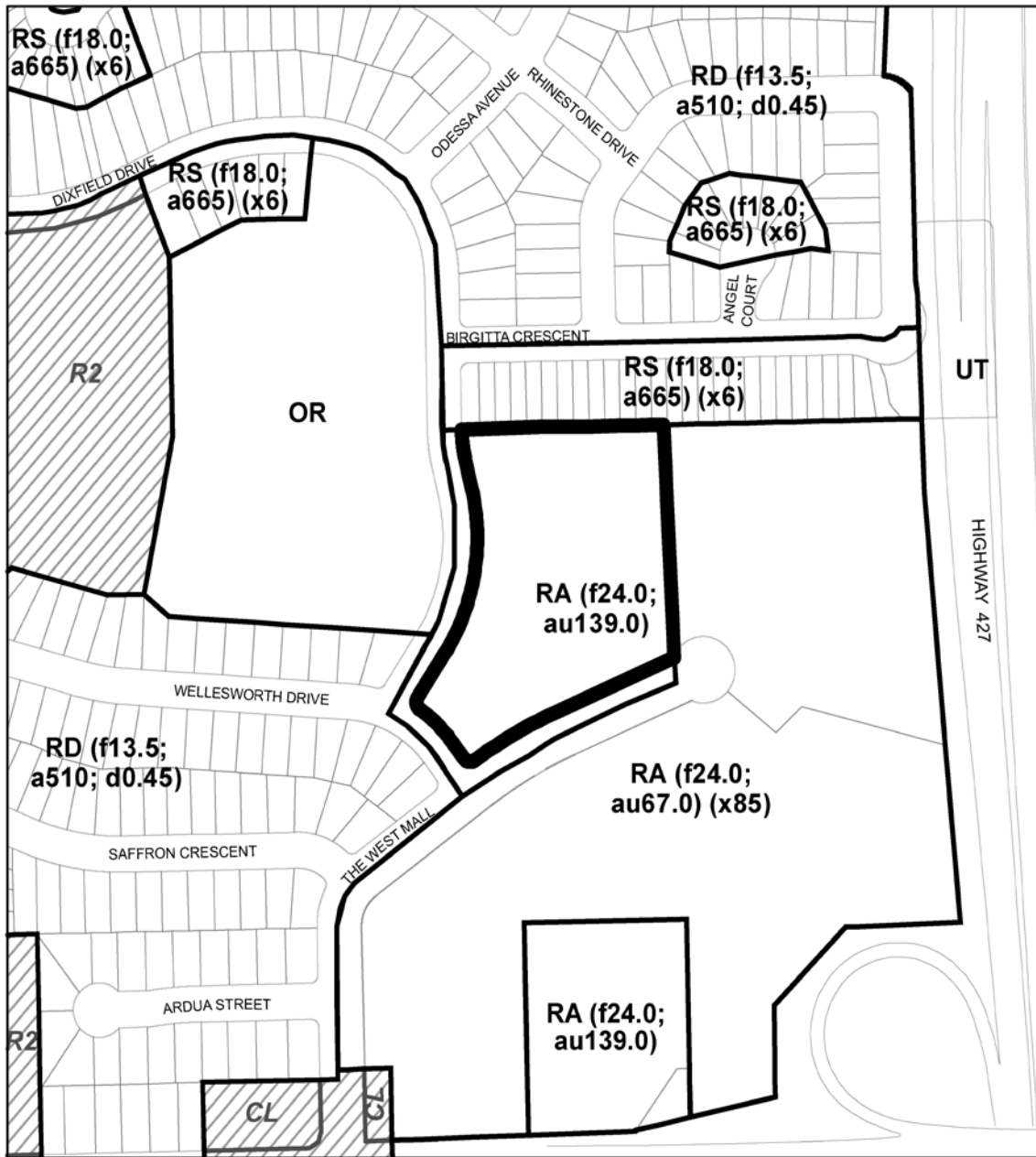
Location of Application

- | | | | |
|----|----------------------------|-----|-----------------------------|
| R2 | Second Density Residential | CL | Commercial Limited |
| R3 | Third Density Residential | CPR | Commercial Planned Regional |
| R5 | Fifth Density Residential | OS | Public Open Space |



Not to Scale
Extracted: 08/11/2016

Attachment 4: Figure 4: Existing Zoning By-law Map (City of Toronto Zoning By-law No. 569-2013)



Zoning

70 Dixfield Drive

File # 16 130337 WET 03 02

Location of Application

See Former City of Etobicoke By-Law No. 11,737

- RD Residential Detached
- RS Residential Semi-Detached
- RA Residential Apartment
- OR Open Space Recreation
- UT Utility and Transportation

- R2 Second Density Residential
- CL Commercial Limited



Not to Scale
Extracted: 07/20/2016

Attachment 5: Draft Zoning By-law Amendment (Former City of Etobicoke Zoning Code)

Authority: Etobicoke York Community Council Item _____
as adopted by City of Toronto Council on _____

CITY OF TORONTO
BY-LAW No. _____

To amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to lands known municipally as 70 Dixfield Drive.

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

Whereas the Council of the City of Toronto has provided adequate information to the public and has conducted a public meeting in accordance with the *Planning Act*; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in height and density of development; and

Whereas pursuant to Section 37 of the *Planning Act*, a by-law under Section 34 of the *Planning Act*, may authorize increases in the height and density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law; and

Whereas subsection 37(3) of the *Planning Act* provides that where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; and

Whereas the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

The Council of the City of Toronto enacts:

1. The Zoning Map referred to in Section 320-5, Article II of the Etobicoke Zoning Code, is hereby amended by deleting the Second Density Residential (R2) and Planned Commercial Preferred (CPR) zones and confirming the Fifth Density Residential (R5) zoning classification of the **Lands** located in the former Township of Etobicoke as described in Schedule 'A' attached hereto.
2. Notwithstanding the provisions of Section 320-74 of the Etobicoke Zoning Code, the following development standards shall be applicable to the entirety of the Fifth Density Residential (R5) **Lands** described in Schedule 1 attached:

- (a) For the purposes of this by-law, five (5) *apartment buildings* shall be permitted on the **Lands** described on Schedule 1 attached hereto;
- (b) The total combined **Gross Floor Area** of the buildings on the lot shall not exceed 27,200 square metres;
- (c) The maximum number of units on the **Lands** shall be 229.
- (d) The minimum building setbacks shall not be less than the setback measurements shown on Schedule 2 attached, and shall be measured from the exterior main walls, except for the following projections:
 - (i) Canopies, eaves, awnings, building cornices, balconies, lighting fixtures, ornamental or architectural elements, parapets, landings and associated railings, trellises, window sills, bay windows, guardrails, balustrades, mullions, railings, stairs, stair enclosures, wheelchair ramps, underground garage ramps, landscape and any public art features.
- (e) The maximum **Height** of any building or structure, or portion thereof, shall not exceed the **Height** in metres specified by the numbers following the symbol “Ht.” on Schedule 2;
- (f) The following elements of a building may encroach into a required building setback or building separation distance as follows:
 - (i) 3.0 metres for canopies, awnings, screens, landscape and ornamental features;
 - (ii) 2.0 metres for balconies or platforms;
 - (iii) 1.5 metres for stair enclosures, cornices, lighting features, trellises, eaves, window sills, guardrails, balustrades, railings, vents;
 - (iv) 0.6 metres for satellite dishes, eaves, screens, landscape and ornamental features, trellises, cabanas, lightning rods, window washing equipment, light fixtures, antennae, flag poles.
- (g) The following elements of a building may project above the maximum building **Height** as follows:
 - (i) 5.0 metres for a mechanical penthouse on building 4, as shown on Schedule B of By-law [clerks to insert];
 - (ii) 1.83 metres for a mechanical penthouse on building 1, 2 and 3 as shown on Schedule B of By-law [clerks to insert];
 - (iii) 1.5 metres for guardrails, railings, retaining walls, wheelchair ramps, roofing assembly and drainage, elements of green roof, parapets, cornices, balustrades and bollards.

(h) Notwithstanding Section 320-18.B, the minimum number of parking spaces on the lot shall be:

(i) 1.02 parking spaces per dwelling unit for residents, and

(ii) 0.13 parking spaces per dwelling unit for visitors;

(i) The underground parking garage shall be located within the property boundary.

3. For the purposes of this By-law the following words shall have the meanings assigned thereto:

(a) “**Grade**” shall mean 146.195 metres above Canadian Geodetic Datum for Buildings 1, 2 and 3 and 145.993 metres above Canadian Geodetic Datum for Building 4 as shown on Schedule 2;

(b) “**Height**” shall mean the distance measured from the **Grade** to the highest point of the roof or soffit of the eaves, and shall exclude mechanical equipment, mechanical penthouses, stairs, stair enclosures, parapets, bell towers, elevator shafts, chimney stacks, window washing equipment, rooftop balcony guards and landscape features located on the roof of the building.

(c) “**Gross Floor Area**” shall mean the sum of the total area of each floor level of a building, above **Grade**, measured from the exterior of the main wall of each floor level, excluding mechanical and utility rooms; and

(d) “**Lands**” shall mean the lands described in Schedule 1 attached hereto.

4. Section 37

(a) Pursuant to Section 37 of the Planning Act, as amended, and subject to compliance with this By-law, the increase in height and density of development on the **Lands** is permitted in return for the provision by the owner, at the owners expense, of the following facilities, services and matters which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the **Lands**, to the City at the owner's expense all to the satisfaction of the Chief Planner and Executive Director, City Planning Division:

(1) The Owner shall enter into an Agreement pursuant to Section 37 of the Planning Act, to be registered on title and to the satisfaction of the City Solicitor, secure the following to support the development:

- i. The Owner shall provide and maintain the 141 existing residential rental units at 70 Dixfield Drive as rental housing for a period of at least 20 years from the date of the Zoning By-laws coming into full force and effect and with no applications for demolition or conversion from residential rental use made during such 20 year period, to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor;
- ii. Prior to the occupancy of the new buildings at 70 Dixfield Drive, the owner shall secure the following facilities, amenities and building improvements for the existing residential rental units as illustrated in the architectural plans dated December 1, 2017, with no pass-through of the costs to the existing tenants, to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor.
 - (a) Renovate the lobby
 - (b) Convert a minimum of 39 square metres of the lobby to a new lounge
 - (c) Add a moving room with access to the rear of the building
 - (d) Renovate and/or expand the mailroom, if required, to accommodate the mail for the new units;
 - (e) Provide new carpeting and paint halls and common areas, where necessary
 - (f) Provide new amenity room furniture
 - (g) Provide poolside lounge furniture
 - (h) Expand and enclose the garbage facility
 - (i) Add new short-term bicycle racks to the rear of the building and new indoor bicycle racks in the bike parking areas
 - (j) Provide ongoing maintenance to repair heating and electrical outlets as necessary
 - (k) Provide automatic doors to the entry of the laundry room to improve access for residents with mobility limitations;
- iii. The owner shall make available all indoor and outdoor amenity space for the new buildings at 70 Dixfield Drive at no extra charge to the tenants of the existing building at 70 Dixfield Drive and with no pass-through cost to tenants. Details regarding use of these amenities, legal access, cost sharing arrangements scheduling and availability shall be on the same terms and conditions as any other resident of the existing building and shall be set out in the Section 37 Agreement.

iv. Prior to final Site Plan Approval, the owner shall secure the provision of the following facilities, amenities and building improvements, with no-pass through of the costs to the existing tenants, to the satisfaction of the Chief Planner and Executive Director, City Planning.

- (a) Outdoor amenity space adjacent to pool
- (b) Improvements to the pathways and pedestrian circulation throughout the site
- (c) Outdoor amenity area in the rear of the property that will include barbeques and picnic furniture
- (d) Improvements to the fencing around the property, and
- (e) Installment of an insulated pool cover

These facilities, amenities and building improvements shall be completed within one-year of the occupancy of the new buildings at 70 Dixfield Drive.

v. Prior to final Site Plan Approval, the owner shall provide a Construction Mitigation Strategy and a Tenant Communication Plan to the satisfaction of the Chief Planner and Executive Director, City Planning Division and thereafter the Owner shall implement such strategy.

(b) Where this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.

(c) The owner shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this By-law unless all provisions of Section 4(1) are satisfied.

5. Prior to the issuance of any building permits, the owner shall enter into an Agreement pursuant to Section 37 of the Planning Act, such agreement is to be registered on title to the **Lands** at 70 Dixfield Drive to secure the provision of facilities, services and matters identified in the Toronto Official Plan as required to support the development and promote City building objectives.

6. Where the provisions of this By-law conflict with the provisions of the former City of Etobicoke Zoning Code, the provisions of this By-law shall apply.

7. Despite any existing or future severance, partition or division of the lot, the provisions of this by-law must apply to the whole of the lot, as if no severance, partition or division has occurred.

8. In addition to the uses permitted under this By-law, a sales centre/trailer and/or construction trailer is permitted without the restriction during the development of the **Lands**.

8. Chapter 324, Site Specifics, of the Etobicoke Zoning Code, is amended to include reference to this By-law by adding the following to Section 324-1, Table of Site Specific By-laws:

BY-LAW AND ADOPTION DATE	DESCRIPTION OF PROPERTY	PURPOSE OF BY-LAW
XXXX-2018	Lands located at 70 Dixfield Drive	To permit the redevelopment of the Lands to add four (4) additional apartment buildings to the existing apartment building, for a total of Five (5).

ENACTED AND PASSED this day of , A.D. 2018.

JOHN TORY
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)



TORONTO
Schedule 1

70 Dixfield Drive

File # 16 130337 WET 03 0Z


 Former City of Etobicoke By-Law 11,737
 Not to Scale
 5/10/2018



TORONTO
Schedule 2

70 Dixfield Drive

File # 16 130337 WET 03 0Z

↑
Former City of Etobicoke By-Law 11,737
Not to Scale
5/10/2018

Attachment 6: Draft Zoning By-law Amendment (City of Toronto Zoning By-law 569-2013)

Authority: Etobicoke York Community Council Item _____
as adopted by City of Toronto Council on _____

CITY OF TORONTO
BY-LAW No. _____

To amend Zoning By-law No. 569-2013, as amended, with respect to lands known municipally as 70 Dixfield Drive.

Whereas the Council of the City of Toronto has been requested to amend its Zoning By-law pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, with respect to lands known municipally in the year 2016 as 70 Dixfield Drive; and

Whereas the Council of the City of Toronto has provided adequate information to the public and has conducted a public meeting under Section 34 of the *Planning Act* regarding the proposed Zoning By-law amendment; and

WHEREAS pursuant to Section 37 of the *Planning Act*, a by-law under Section 34 of the *Planning Act*, may authorize increases in the height and density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law; and

WHEREAS subsection 37(3) of the *Planning Act* provides that where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; and

WHEREAS the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

WHEREAS the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law No. 569-2013 as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto; and

Whereas the Council of the City of Toronto has determined to amend Zoning By-law No. 569-2013, as amended, of the former City of Toronto;

The Council of the City of Toronto enacts:

1. This by-law applies to the lands delineated by heavy lines on Diagram 1 and Diagram 2 attached to and forming part of this By-law.
2. The words highlighted in bold type in this By-law have the same meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions.

3. Zoning By-law 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined in heavy lines to RA(x122), as shown on Diagram 1 attached to this By-law.
4. Zoning By-law No. 569-2013, as amended, is further amended by adding to Article 900.7.10 Exception number 122 as follows:

Exception RA 122

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections:

Site Specific Provisions

- (A) On 70 Dixfield Drive, if the requirements of Section 5 and Schedule 'A' of By-law [clerks to insert] are complied with, regulations 15.5.40.10, 15.5.40.40, 15.10.40.70 and 15.10.40.80 do not apply to prevent the erection or use of an **apartment building** that complies with the following:
- (B) The **gross floor area** of all **buildings** on the **lot** must not exceed 27,200 square metres;
- (C) A maximum of 229 **dwelling units** are permitted;
- (D) **Building** height is measure from the Canadian Geodetic Datum of:
 - (i) 46.195 metres for **Buildings** 1, 2 and 3, as identified on Diagram 2 for By-law [clerks to insert]; and
 - (ii) 145.993 metres **Building** 4, as identified on Diagram 2 for By-law [clerks to insert];
- (E) The height of **Buildings** 1, 2, 3 and 4, must not exceed the height in metres specified by the numbers following the symbol "HT" on Diagram 2 of by-law [clerks to insert];
- (F) The following elements of a **building** may encroach into a required **building setback** or **building** separation distance as follows:
 - (i) 3.0 metres for canopies, awnings, screens landscape and ornamental features;
 - (ii) 2.0 metres for balconies or platforms;
 - (iii) 1.5 metres for stair enclosures, cornices, lighting features, trellises, eaves, window sills, guardrails, balustrades, railings, vents;
 - (iv) 0.6 metres for satellite dishes, eaves, screens, landscape and ornamental features, trellises, cabanas, lightning rods, window washing equipment, light fixtures, antennae, flag poles;

- (G) The following elements of a **building** may project above the maximum **building** height as follows:
 - (i) 5.0 metres for a mechanical penthouse on **Building 4**, as shown on Diagram 2 of By-law [clerks to insert];
 - (ii) 1.83 metres for a mechanical penthouse on **Building 1, 2 and 3**, as shown on Diagram 2 of By-law [clerks to insert]; and
 - (ii) 1.5 metres for guardrails, railings, retaining walls, wheelchair ramps, roofing assembly and drainage, elements of green roof, parapets, cornices, balustrades, bollards;
- (H) Despite regulation 200.5.10.1, **parking spaces** must be provided and maintained on the **lot** at a minimum rate of 1.02 **parking spaces** for each **dwelling unit** of which a minimum of 0.13 **parking spaces** for each **dwelling unit** must be visitor **parking spaces**;
- (I) A **building** or **structure** may not be closer to a **lot line** or another **building** than the **building** separation and **building setback** distances shown on Diagram 2 of By-law [clerks to insert];
- (J) Despite any existing or future severance, partition, or division of the **lot**, the provisions of this by-law must apply to the whole of the **lot** as if no severance, partition or division occurred.

Prevailing By-laws and Prevailing Sections: (None Apply)

5. Section 37 Provisions

- A. Pursuant to Section 37 of the Planning Act and subject to compliance with this By-law, the increase in height and density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 1 in return for the provision by the owner, at the owners expense of the facilities, services and matters set out in Section D hereof and which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in the form and registered on title of the **lot**, to the satisfaction of the City Solicitor.
- B. Where Schedule A this By-law requires the owner to provide certain facilities, services and matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.
- C. The owner shall not use, or permit the use of a building or structure unless all provisions of Schedule A are satisfied.

ENACTED AND PASSED this day of , A.D. 2018.

JOHN TORY
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

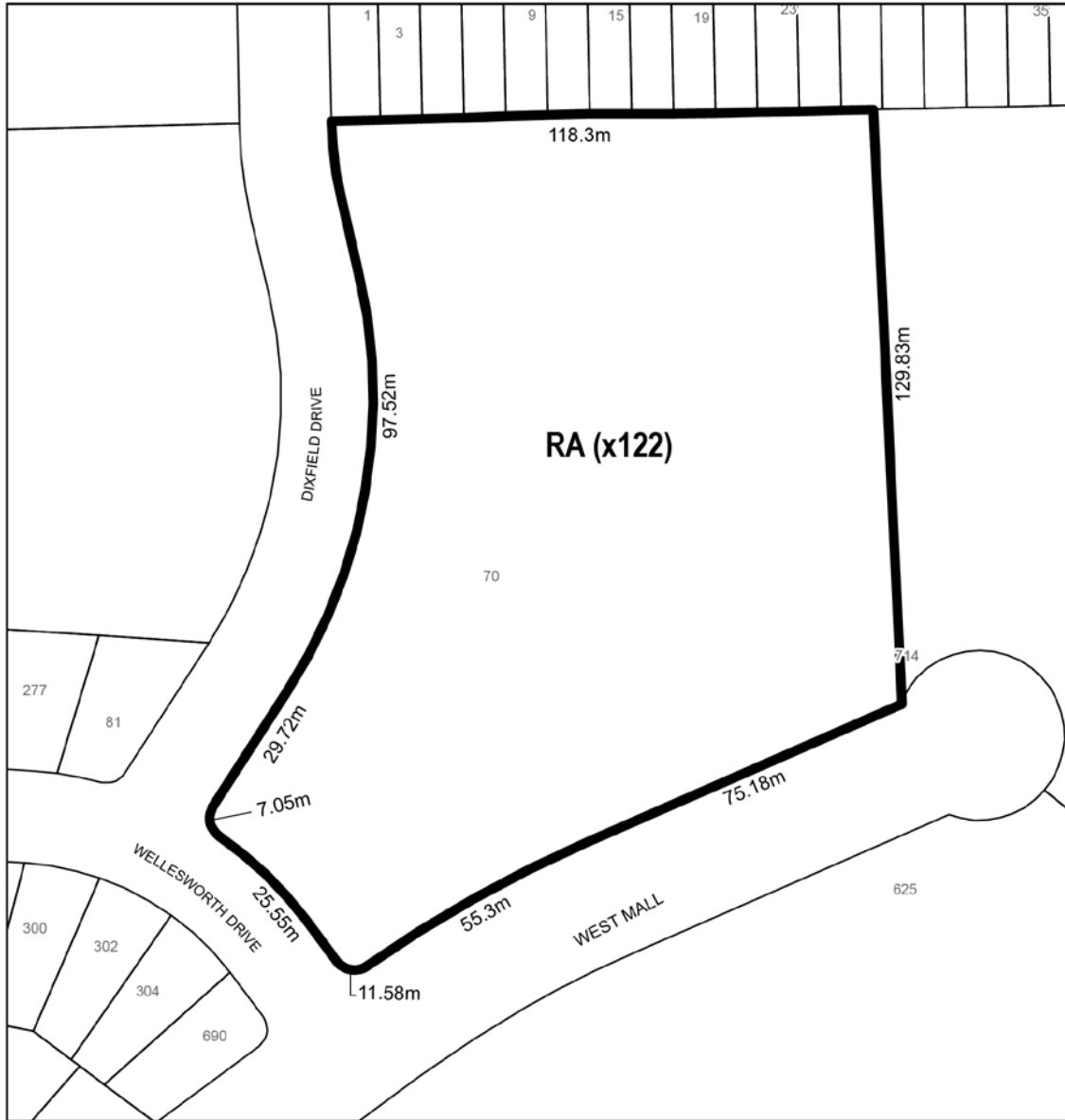
Schedule A

- (A) Pursuant to Section 37 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, and subject to compliance with the provisions of this By-law, the increase in height and density of development on the lands is permitted in return for the provision by the Owner of the following facilities, services and matters to the City at the Owner's expense all to the satisfaction of the Chief Planner and Executive Director, City Planning Division:
- (1) The Owner shall into an Agreement pursuant to Section 37 of the Planning Act, to be registered on title and to the satisfaction of the City Solicitor, secure the following to support the development:
- i. The Owner shall provide and maintain the 141 existing residential rental units at 70 Dixfield Drive as rental housing for a period of at least 20 years from the date of the Zoning By-laws coming into full force and effect and with no applications for demolition or conversion from residential rental use made during such 20 year period, to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor;
 - ii. Prior to the occupancy of the new buildings at 70 Dixfield Drive, the owner shall secure the following facilities, amenities and building improvements for the existing residential rental units as illustrated in the architectural plans dated December 1, 2017, with no pass-through of the costs to the existing tenants, to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor.
 - (l) Renovate the lobby
 - (m) Convert a minimum of 39 square metres of the lobby to a new lounge
 - (n) Add a moving room with access to the rear of the building
 - (o) Renovate and expand the mailroom, if required, to accommodate the mail for the new units
 - (p) Provide new carpeting and paint halls and common areas, where necessary
 - (q) Provide new amenity room furniture
 - (r) Provide poolside lounge furniture
 - (s) Expand and enclose the garbage facility
 - (t) Add new short-term bicycle racks to the rear of the building and new indoor bicycle racks in the bike parking areas

- (u) Provide ongoing maintenance to repair heating and electrical outlets as necessary;
 - (v) Provide automatic doors to the entry of the laundry room to improve access for residents with mobility limitations.
- iii. The owner shall make available all indoor and outdoor amenity space for the new buildings at 70 Dixfield Drive at no extra charge to the tenants of the existing building at 70 Dixfield Drive and with no pass-through cost to tenants. Details regarding use of these amenities, legal access, cost sharing arrangements scheduling and availability shall be on the same terms and conditions as any other resident of the existing building and shall be set out in the Section 37 Agreement.
- iv. Prior to final Site Plan Approval, the owner shall secure the provision of the following facilities, amenities and building improvements, with no-pass through of the costs to the existing tenants, to the satisfaction of the Chief Planner and Executive Director, City Planning.
 - (a) Outdoor amenity space adjacent to pool
 - (b) Improvements to the pathways and pedestrian circulation throughout the site
 - (c) Outdoor amenity area in the rear of the property that will include barbeques and picnic furniture
 - (d) Improvements to the fencing around the property, and
 - (e) Installment of an insulated pool cover

These facilities, amenities and building improvements shall be completed within one-year of the occupancy of the new buildings at 70 Dixfield Drive.

- v. Prior to final Site Plan Approval, the owner shall provide a Construction Mitigation Strategy and a Tenant Communication Plan to the satisfaction of the Chief Planner and Executive Director, City Planning Division and thereafter the Owner shall implement such strategy.



TORONTO
Diagram 1

70 Dixfield Drive

File # 16 130337 WET 03 0Z

City of Toronto By-Law 569-2013
Not to Scale
5/10/2018



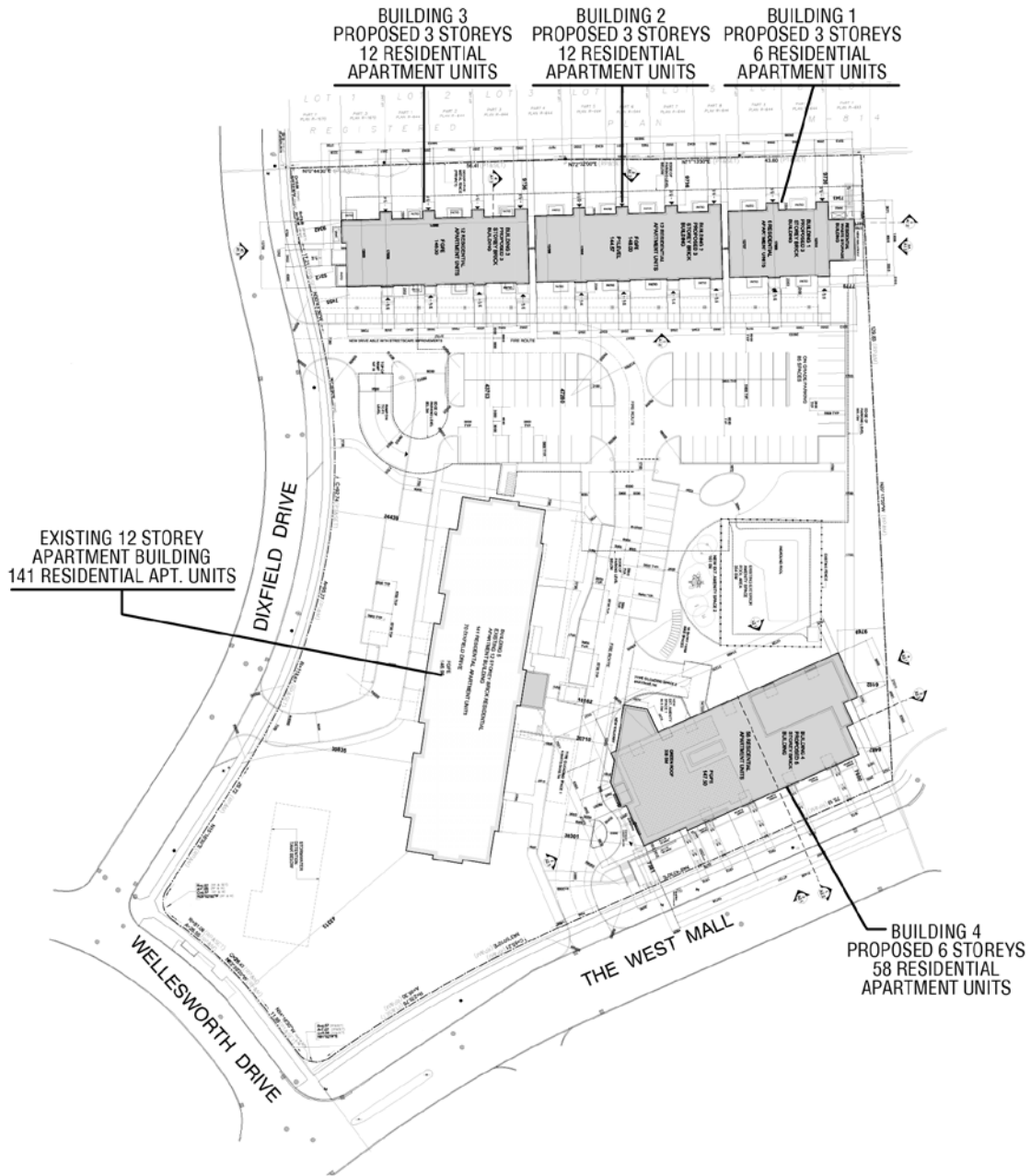
TORONTO
Diagram 2

70 Dixfield Drive

File # 16 130337 WET 03 02

City of Toronto By-Law 569-2013
Not to Scale
5/10/2018

Attachment 7: Figure 5: Site Plan



Site Plan

Applicant's Submitted Drawing

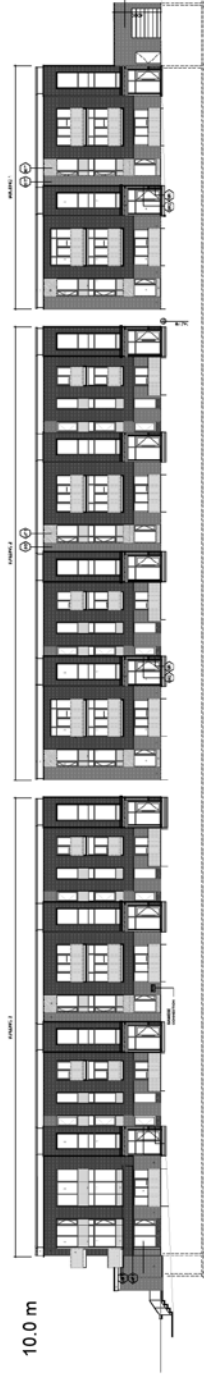
Not to Scale
05/02/18



70 Dixfield Drive

File # 16 130337 WET 03 0Z

Attachment 8: Figure 6: Elevations



Building 1, 2 & 3

South Elevation

Applicant's Submitted Drawing

Not to Scale
05/11/2018

70 Dixfield Drive

File # 16 130337 WET 03 0Z



Building 1, 2 & 3

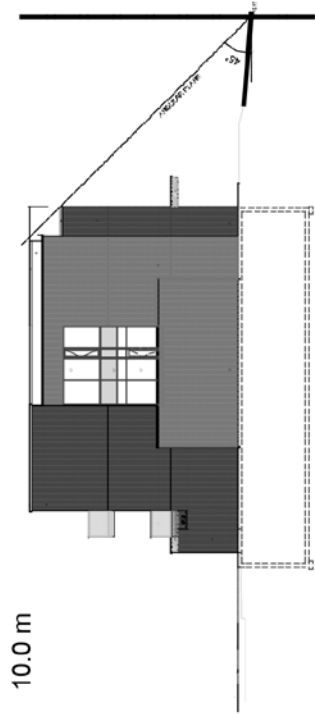
North Elevation

Applicant's Submitted Drawing

Not to Scale
05/11/2018

70 Dixfield Drive

File # 16 130337 WET 03 0Z



Building 1

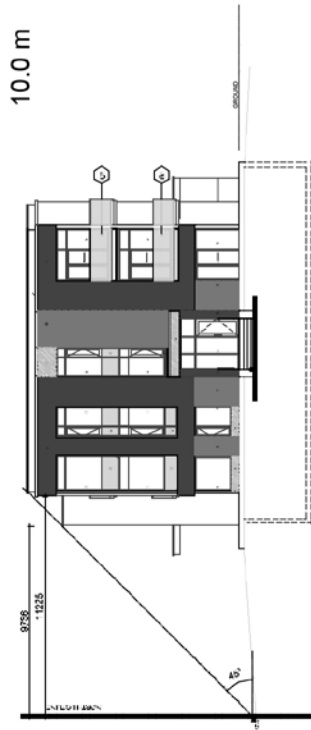
East Elevation

70 Dixfield Drive

Applicant's Submitted Drawing

Not to Scale
05/11/2018

File # 16 130337 WET 03 0Z

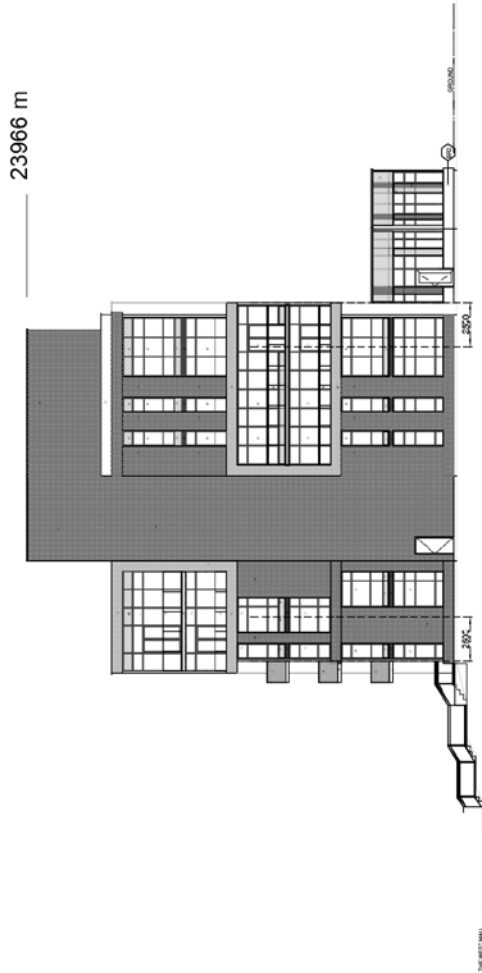


Building 3

West Elevation
 Applicant's Submitted Drawing
 Not to Scale
 05/11/2018

70 Dixfield Drive

File # 16 130337 WET 03 0Z



Building 4

East Elevation

Applicant's Submitted Drawing

Not to Scale
05/11/2018

70 Dixfield Drive

File # 16 130337 WET 03 0Z

23966 m



Building 4

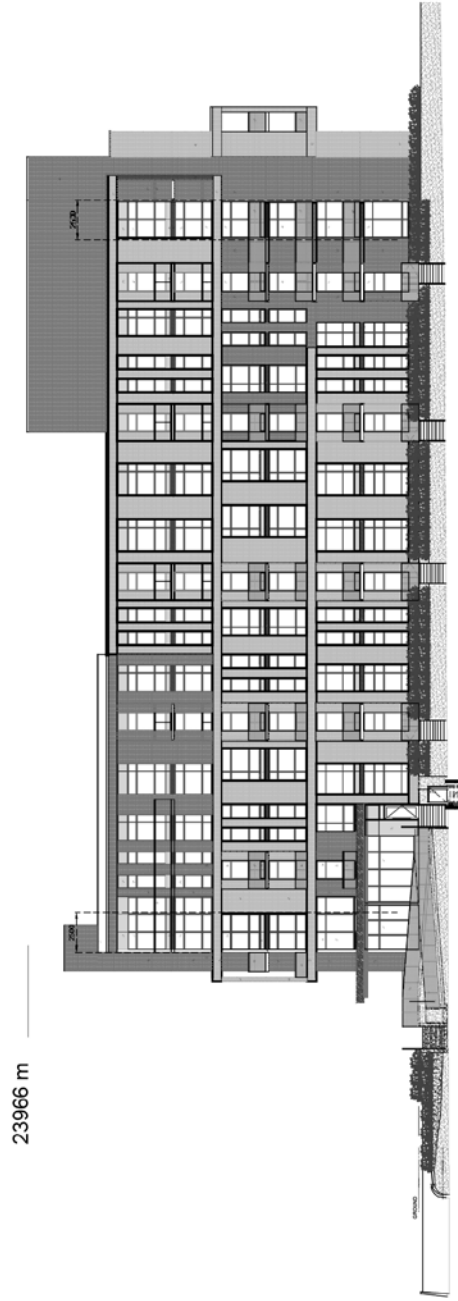
North Elevation

Applicant's Submitted Drawing

Not to Scale
05/11/2018

70 Dixfield Drive

File # 16 130337 WET 03 0Z



Building 4

South Elevation

Applicant's Submitted Drawing

Not to Scale
05/11/2018

70 Dixfield Drive

File # 16 130337 WET 03 0Z



Building 4

West Elevation

Applicant's Submitted Drawing

Not to Scale
05/11/2018

70 Dixfield Drive

File # 16 130337 WET 03 02