

3401 Dufferin Street and 1 Yorkdale Road – Zoning By-law Amendment Application – Final Report

Date: November 13, 2020

To: North York Community Council

From: Acting Director, Community Planning, North York District

Wards: Ward 8 - Eglinton-Lawrence

Planning Application Number: 19 205970 NNY 08 OZ

SUMMARY

This application proposes to amend the parking provisions in the site-specific by-law at 3401 Dufferin Street and 1 Yorkdale Road.

The proposed development is consistent with the Provincial Policy Statement (2020), conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) and conforms with the Official Plan.

This report reviews and recommends approval of the application to amend the zoning by-law's parking requirements. Parking requirements for the site are currently based on a site-specific zoning by-law which is outdated and based on a specific gross leasable floor area (GLFA) which includes below grade storage, an area which does not generate any parking demand. The revised parking rates are intended to reflect a contemporary approach to parking in a way that is flexible to ensure future needs of retail tenants can be met.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 7625, as amended, for the lands at 3401 Dufferin Street and 1 Yorkdale Road substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 3 to this report.
2. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

FINANCIAL IMPACT

The City Planning Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

DECISION HISTORY

Lawrence-Allen Secondary Plan

On November 30, 2011, City Council approved the Lawrence-Allen Secondary Plan, adopting Amendment No.162 to the City of Toronto Official Plan, to allow the revitalization of Lawrence Heights to proceed. At the same meeting, City Council adopted the Lawrence-Allen Community Services and Facilities Strategy, Transportation Master Plan, Urban Design Guidelines and Financial Strategy and endorsed the Infrastructure Master Plan.

A copy of the Lawrence-Allen Secondary Plan can be found here:

<http://www.toronto.ca/legdocs/bylaws/2011/law1414.pdf>

A link to the City Council decision can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.NY11.24>

Dufferin Street Secondary Plan

On December 9, 2015, City Council adopted the Dufferin Street Secondary Plan (the "DSSP") Official Plan Amendment ("OPA 294") and Urban Design Guidelines which provides a comprehensive framework to guide growth, including direction for a desired type and form of physical development, providing for appropriate transition in scale and activity between districts, and guides investment in infrastructure and community services and facilities required to support future growth.

A copy of the final report, City Council's decision and a copy of By-law 1351-2015 can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.NY10.42>

The DSSP and By-law 1351-2015 have been appealed to the Local Planning Appeal Tribunal by a number of parties, including the owners of the subject site. As part of the settlement discussions, staff are undertaking a Block Master Plan and Transportation Master Plan for the site. The details of those studies are available at:

<https://www.toronto.ca/city-government/planning-development/planning-studies-initiatives/yorkdale-shopping-centre-block-master-plan/>.

Yorkdale Shopping Centre

Since its opening in 1964, Yorkdale Shopping Centre has altered its exterior and interior layout through multiple renovations and expansions. This includes recent Site Plan

Amendment application approvals for the East expansion (Nordstrom department store) (Application No. 13 156857 NNY 15 SA) and West expansion (Restoration Hardware store) (Application No. 15 125487 NNY 15 SA).

In May 2017, an application for Official Plan and zoning by-law amendments was filed for the entirety of the Yorkdale Shopping Centre lands (file no. 17 168973 NNY 15 OZ). The purpose of the application was to develop a Block Master Plan for a mixed-use redevelopment of the existing surface parking lot areas on the site, including residential, office, hotel and retail uses. Concurrently with the review of the applications, Planning staff are undertaking the Yorkdale Shopping Centre Block Master Plan study. This study work is ongoing with additional community consultation expected in the fall of 2020. More information is available on the study website, including copies of the Preliminary Report and Request for Interim Directions Report: <https://www.toronto.ca/city-government/planning-development/planning-studies-initiatives/yorkdale-shopping-centre-block-master-plan/information-reports-yorkdale-shopping-centre-block-master-plan/>.

The site has also been the subject of a number of Committee of Adjustment decisions for minor variances to permit expansions to the existing shopping centre and to amend the amount of parking required (File Nos. A0648/10NY, A733/13NY, A478/14NY, A0218/15NY and A0031/19NY).

The current application was submitted on August 14, 2019 and deemed complete on September 4, 2019. A Preliminary Report on the application(s) was adopted by North York Community Council on October 10, 2019 authorizing staff to conduct a community consultation meeting with an expanded notification area: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.NY9.5>. Community consultation on the application is summarized in the Comments section of this Report.

PROPOSAL

This application proposes to amend the site specific zoning by-law's parking requirements for the property at 3401 Dufferin Street and 1 Yorkdale Road. The submitted draft zoning by-law proposes a minimum parking rate of 1.5 parking spaces for each 100 square metres of gross leasable floor area ("GLFA") for office uses and 3.42 parking spaces for each 100 square metres of GLFA for all commercial uses other than office uses. Parking requirements for the site are currently based on a site-specific zoning by-law which is outdated and based on a specific GLFA which includes below grade storage, an area which does not generate any parking demand. The revised parking rates are intended to reflect a contemporary approach to parking based on a ratio in a way that is flexible to ensure future needs of retail tenants can be met in order to support the evolving retail market.

The application also proposes to permit the use of parking stackers for employee and valet parking spaces to meet the site parking requirements.

Detailed project information is found on the City's Application Information Centre at:

<https://www.toronto.ca/city-government/planning-development/application-information-centre/>

Reasons for Application

The applicant is proposing to amend the parking requirements in order to calculate the parking requirements for the site as a ratio rather than using the current method of calculation which is based on a fixed GLFA. The effect of the amendment would be to amend the requirements to recognise the current parking demands on the site while being flexible in order to respond to future needs of retail tenants of the Shopping Centre. Also proposed is the use of parking stackers to be considered as part of the parking requirements and to permit the existing parking space widths of 2.59 metres.

APPLICATION BACKGROUND

Application Submission Requirements

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

- Parking Study
- Planning Rationale
- Transportation Demand Management Plan

These reports are available on the City's Application Information Centre webpage:

<https://www.toronto.ca/city-government/planning-development/application-information-centre/>

Agency Circulation Outcomes

The application together with the applicable reports noted above, have 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.

Statutory Public Meeting Comments

In making their decision with regard to this application, Council members have been given an opportunity to view the oral submissions made at the statutory public meeting held by the North York Community Council for this application, as these submissions are broadcast live over the internet and recorded for review.

POLICY CONSIDERATIONS

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 (2020)

The Provincial Policy Statement (2020) (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 use and management of land and infrastructure;
- ensuring the sufficient provision of housing to meet changing needs including affordable housing;
- ensuring opportunities for job creation;
- ensuring the appropriate transportation, water, sewer and other infrastructure is available to accommodate current and future needs; and
- protecting people, property and community resources by directing development away from natural or human-made hazards.

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 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 Council shall also be consistent with the PPS.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.6 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."

Provincial Plans

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. 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 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 Council shall also be consistent with the PPS and conform with Provincial Plans.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) came into effect on August 28, 2020. This was an amendment to the Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan (2020), establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the Planning Act.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space, and better connected transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- 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 (2020), 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 (2020), 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 Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2020).

Planning for Major Transit Station Areas

The Growth Plan (2020) contains policies pertaining to population and employment densities that should be planned for in major transit station areas (MTSAs) along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan (2020) requires that, at the time of the next municipal

comprehensive review (MCR), the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSA's plan for the prescribed densities.

Toronto Official Plan

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from the *Planning Act* of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application.

The entire lands are designated *Mixed Use Areas* on Map 17 of the Official Plan. *Mixed Use Areas* are made up of a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities. Dufferin Street is identified as an *Avenue* on Map 2 of the Official Plan. *Avenues* are important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities while improving the pedestrian environment, the look of the street, shopping opportunities and transit service for community residents.

Section 2.4 provides direction on integrating land use with transportation at both the local and regional scale. Policy 2.4.6 requires that an adequate supply of off-street parking for bicycles and automobiles be provided and maintained to meet the short-term demands of commercial, tourist and institutional activities. Policy 2.4.7.(b) suggests the creation of minimum and maximum parking standards in by-laws.

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

Secondary Plans

The site is located within the Lawrence Allen Secondary Plan which focuses on encouraging a more balanced approach to transportation, by increasing walking, cycling and transit use.

Policy 4.7.2.(b) requires development to provide sufficient on-site parking, in the context of proximity and access to subway stations.

Policy 4.7.5 requires zoning by-laws to establish parking standards and be based on existing and proposed land uses, proximity to transit, shared parking principles and the use of Transit Demand Management ("TDM") measures.

The Secondary Plan also gives policy direction in Policy 4.7.6 toward meeting sustainable transportation goals through the provision of designated parking spaces for eco-friendly vehicles.

The Lawrence Allen Secondary Plan can be found here: <https://www.toronto.ca/wp-content/uploads/2017/11/907d-cp-official-plan-SP-32-LawrenceAllen.pdf>.

The western portion of the site along Dufferin Street is subject to the DSSP although, as discussed in the Decision History section of this report, the DSSP has been appealed and the applicant has filed an Official Plan Amendment to bring the entire site into the DSSP. The DSSP focuses on a balanced approach to transportation, including the use of TDM in reducing dependence on automobile travel and encouraging other modes of travel. However, the policies with regards to parking focus on new development unlike the subject application which proposes no new construction as part of the application.

The DSSP and the latest LPAT decision is available here: <http://www.omb.gov.on.ca/e-decisions/pl160073-Nov-15-2019.pdf>.

The outcome of staff analysis and review of relevant Official Plan policies and designations and Secondary plans are summarized in the Comments section of the Report.

Zoning

The site is zoned District Shopping Centre (C3) by former City of North York Zoning By-law 7625 and is subject to Site Specific Exception 2. The parking requirements in the site specific exception are calculated as follows:

- A minimum of 7,128 parking spaces are required for a GLFA of 157,528 square metres; and
- For any GLFA above 157,528 square metres, the minimum parking requirement is 1 space per 20 square metres of GLFA and 1 space per 48 square metres of business and professional office space.

Since the passing of the site specific zoning by-law, the site has been subject to a number of Committee of Adjustment applications to amend the amount of parking required. The latest approval (File No. A0031/19NY) permitted 7,801 parking spaces for 188,161 square metres of GLFA.

The site is not subject to the City's Zoning By-law 569-2013.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS (2020) and the Growth Plan (2020) and Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan (2020).

Both the PPS and the Growth Plan are both guiding documents for the province as a whole, best implemented through the City's Official Plan. The PPS identifies that the

long-term prosperity and social well-being of the province depends on planning for strong and sustainable communities, a clean and healthy environment and a strong and competitive economy. It also contains policies which promote the use of active transportation and transit before other modes of travel.

The Growth Plan contains similar policies about supporting the retail sector in order to create complete communities and with regards to transportation. It directs that in major transit station areas alternative development standards, such as parking rates, may be provided to support development.

Yorkdale Shopping Centre is an important, regional retail location which requires a certain amount of parking for shoppers and employees. The draft zoning by-law amendment provides a specific rate to support the shopping centre which is adjacent to a higher order transit station, supporting the use of public transit.

Toronto Official Plan

The City's Official Plan contains a number of policies with regards to creating appropriate parking standards and supporting the retail sector. Sites should provide an adequate supply of off-street parking (Policy 2.4.6) and should consider including parking standards for sites well serviced by transit (Policy 2.4.7). Yorkdale Shopping Centre is an important, regional destination and requires a clear and appropriate parking standard to meet its present and future needs. The proposed amendment to the zoning by-law creates an appropriate parking standard as it relates to the amount of retail space which is leasable and does not include areas of the shopping centre, such as storage, which do not generate a parking demand.

Parking

The applicant submitted a Transportation Demand Management Plan and a Parking Operations Analysis as part of a complete application. These reports were reviewed and accepted by Transportation Services and Transportation Planning.

The modified minimum proposed parking supply requirements at Yorkdale Shopping Centre of 6,217 spaces exceeds the peak parking demand observed on the site by 129 spaces. There are currently 7,838 parking spaces supplied on site which equates to a surplus of 1,621 parking spaces. There is a total of 79 dedicated office parking spaces whereas 129 are required, however based on the surplus of retail parking, office parking can be shared with the retail use as the total on site supply is adequate.

Community Consultation

On November 26, 2019 staff held an Open House on the application in conjunction with the Block Master Plan and Transportation Master Plan studies. As the application deals solely with the technical way in which the parking requirement on the site is calculated, members of the public did not raise any concerns with the proposed amendment to the zoning by-law.

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020) and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2020) and does not conflict with the Growth Plan (2020). Furthermore, the proposal conforms with the Toronto Official Plan, particularly as it relates to supporting the retail sector and providing appropriate on-site parking rates for development. Staff recommend that Council support approval of the application.

Work on the Block Master Plan and the Transportation Master Plan is ongoing and staff will report back to Council on the outcome of those studies separately in the future.

CONTACT

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SIGNATURE

John Andreevski , Acting Director
Community Planning, North York District

ATTACHMENTS

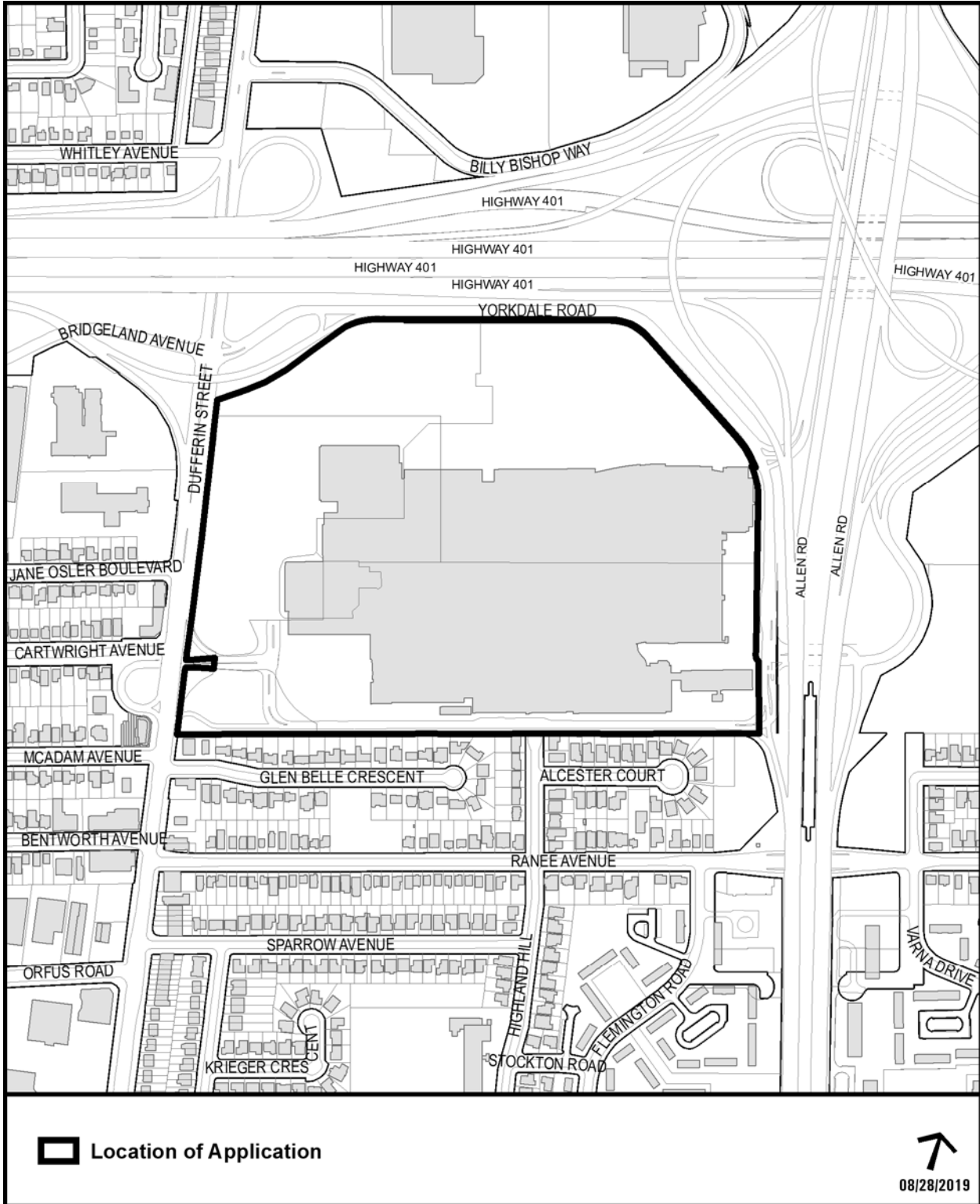
City of Toronto Data/Drawings

Attachment 1: Location Map

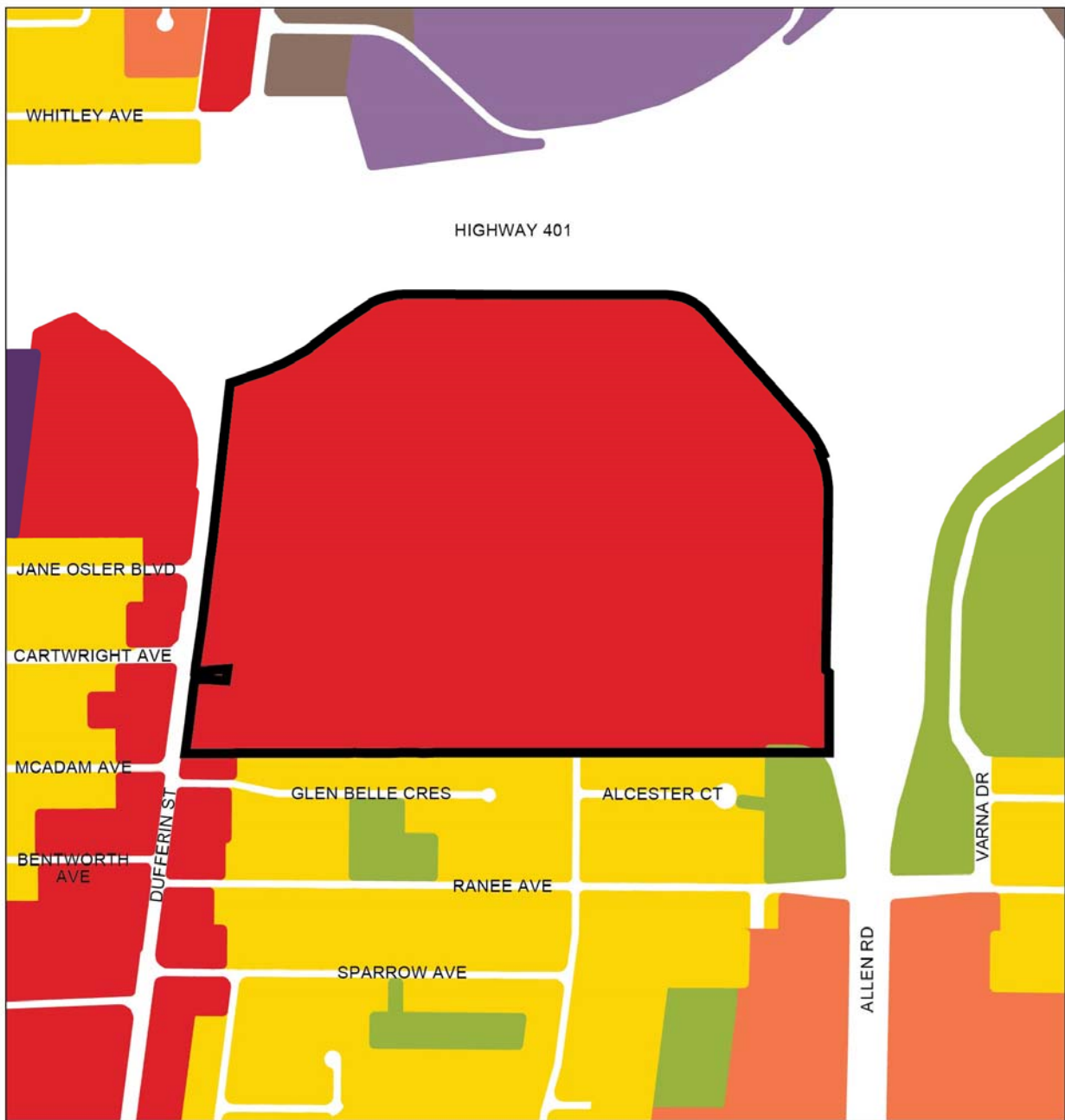
Attachment 2: Official Plan Land Use Map

Attachment 3: Draft Zoning By-law Amendment

Attachment 1: Location Map



Attachment 2: Official Plan Land Use Map



Official Plan Land Use Map #17

3401 Dufferin Street and 1 Yorkdale Road

File # 19 205970 NNY 08 0Z



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Not to Scale
08/28/2019

Attachment 3: Draft Zoning By-law Amendment

CITY OF TORONTO BY-LAW NO. XXX-2020

To amend former City of North York Zoning By-law 7625, as amended, with respect to the lands municipally known as 3401 Dufferin Street and 1 Yorkdale Road.

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

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

The Council of the City of Toronto enacts:

1. Section 64.25(2) of By-law 7625 of the former City of North York is amended by deleting clause (f) and replacing it as follows:

(f) The minimum parking requirement for a regional shopping centre shall be as follows:

(a) 1.5 parking spaces per 100 square metres of gross leasable floor area for office uses

(b) 3.42 parking spaces per 100 square metres of gross leasable floor area for all commercial uses other than office uses

2. Section 64.25(2) of By-law 7625 of the former City of North York is amended by deleting clause (g) and replacing it as follows:

(g) Parking spaces designated for employee or valet parking may be provided in the form of a stacked parking space.

3. Section 64.25(2) of By-law 7625 of the former City of North York is amended by deleting clause (h) and replacing it as follows:

(h) The minimum width of parking spaces that existed on the date that By-law No. XXX-2020 came into force shall be 2.59 metres.

4. Section 64.25(2) of By-law 7625 of the former City of North York is amended by the addition of the following clause:

DEFINITIONS

STACKED PARKING SPACE

For the purpose of this exception, “stacked parking space” means a parking space that is positioned above or below another parking space and is accessed only by means of an elevating device, and has a minimum length of 5.0 metres, a minimum width of 2.4 metres and a minimum vertical clearance of 1.7 metres.

Enacted and passed on XXXXX XX, 2020.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)