

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

Date: June 15, 2018

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Ward: 13 – Parkdale-High Park

Planning Application Number: 16 137330 WET 13 OZ and 16 137349 WET 13 RH

SUMMARY

This application proposes to modify City Council's previous approval for the development of 2978-2982 Dundas Street West and 406-408 Pacific Avenue (Zoning By-law Nos. 953-2015 and 954-2015) by including three additional properties to the development (2984, 2986 and 2988 Dundas Street West). The current application proposes to demolish the four existing mixed use buildings containing 7 residential rental dwelling units at 2978-2988 Dundas Street West and 406-408 Pacific Avenue and replace them with an 8-storey mixed use building (26 metres in height, including mechanical penthouse).

The proposed development would have a gross floor area of approximately 6,945 m². The building would contain 883m² of retail space at grade and 6,062 m² of residential gross floor area, with 80 residential rental units on the second through seventh floors including 7 replacement rental dwelling units and a partial eighth storey that would contain indoor amenity space (160 m²) and provide access to a proposed rooftop amenity space (160 m²). The proposed mix of unit types is: 1 bachelor unit; 47 one-bedroom units (59%); 24 two-bedroom units (30%); and 8 three-bedroom units (10%).

A total of 87 parking spaces are proposed for the mixed use development consisting of 67 resident parking spaces, 12 visitor parking spaces and 8 parking spaces for the retail uses. Parking would be provided in a three storey below grade parking garage with the exception of four spaces which would be provided at grade off the lane. Access to the loading space and the below grade parking garage would be via the public lane to the rear of the site. A total of 81 bicycle parking spaces are proposed, including: 9 short-term bicycle parking spaces located next to the residential entry on Pacific Avenue and 72 long-term bicycle parking spaces located at the base of the parking ramp in the first level of below-grade parking.

An application for Rental Housing Demolition under Section 111 of the *City of Toronto Act* (Chapter 667 of the Toronto Municipal Code) has been filed to permit the demolition of the 7 existing rental dwelling units at 2978-2988 Dundas Street West and 406-408 Pacific Avenue. The applicant has proposed to replace all existing rental dwelling units within the proposed building and provide tenant relocation and assistance to all eligible tenants.

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 and the Rental Housing Demolition application under Section 111 of the *City of Toronto Act*, subject to conditions

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the former City of Toronto Zoning By-law No. 438-86, as amended by By-law No. 953-2015 for the lands at 2978-2988 Dundas Street West and 406-408 Pacific Avenue substantially in accordance with the Draft Zoning By-law Amendment attached as Attachment No. 4 to this report.
2. City Council amend City of Toronto Zoning By-law No. 569-2013, as amended by By-law No. 954-2015 for the lands at 2978-2988 Dundas Street West and 406-408 Pacific Avenue substantially in accordance with the Draft Zoning By-law Amendment attached as Attachment No. 5 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, require the owner to enter into an Agreement pursuant to Section 37 of the *Planning Act* to secure the following matters:
 - i. The owner shall provide and maintain not less than 7 replacement rental dwelling units, comprised of 1 bachelor unit, 2 one-bedroom units, 3 two-bedroom units and 1 three-bedroom unit, at 2978-2988 Dundas Street West and 406-408 Pacific Avenue for a period of at least 20 years, as generally shown on the plans submitted to the City Planning Division dated January 8, 2018. Any revision to these plans must be to the satisfaction of the Chief Planner and Executive Director, City Planning.
 - ii. The owner shall provide at least 1 bachelor, 2 one-bedroom, and 1 two-bedroom replacement rental dwelling units at affordable rents, at least 2 two-bedroom and 1 three-bedroom replacement rental dwelling units at

mid-range rents for a period of at least 10 years, beginning from the date of first occupancy.

- iii. The owner shall provide ensuite laundry in all replacement rental dwelling units.
- iv. The owner shall make available storage lockers to tenants of the replacement rental dwelling units on the same basis as the occupants of the remainder of the building.
- v. The owner shall provide tenants of the replacement rental dwelling units access to all the same amenity spaces indoors and outdoors on the same terms and conditions as the occupants of the remainder of the building.
- vi. The owner shall provide tenants of the replacement rental dwelling units with access to both vehicle parking spaces and bicycle parking spaces on the same basis as the occupants of the remainder of the building.
- vii. The owner shall provide tenant relocation and assistance to each eligible tenant within the existing rental buildings, including an extended notice period, financial compensation beyond the minimum requirements set out in the *Residential Tenancies Act*, and the right to return to a replacement rental dwelling unit for all of the tenants (the "Tenant Relocation and Assistance Plan"), all of which shall be to the satisfaction of the Chief Planner and Executive Director, City Planning.
- viii. The owner shall enter into, and register on title, one or more Agreement(s) to secure the conditions outlined in i. to vii. above and as detailed in the Draft Zoning By-law Amendments (Attachment Nos. 4 and 5) to the report from the Director, Community Planning, Etobicoke York District dated June 15, 2018, to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning.
- ix. The owner shall enter into and register on title, a Section 118 Restriction under the *Land Titles Act*, to the satisfaction of the City Solicitor, agreeing not to transfer or charge those parts of the lands comprising the 7 replacement rental dwelling units, without the written consent of the Chief Planner and Executive Director, City Planning or his designate, to assist with the securing the Section 111 Agreement against future owners and encumbrances of the lands until such time as the City Solicitor determines that its registration on title is no longer required to secure the provisions of the Section 111 Agreement.
- x. The owner shall erect a sign to the Toronto District School Board's specifications and satisfaction prior to issuance of any building permit.
- xi. The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27,

2009 through the adoption of item PG32.3 of the Planning and Growth Committee, as further amended by City Council from time to time.

5. City Council approve the application for a Section 111 permit in accordance with Municipal Code Chapter 667 to allow the demolition of 7 existing rental dwelling units at 2978-2988 Dundas Street West and 406-408 Pacific Avenue, subject to the following conditions:

- a. The owner shall provide and maintain not less than 7 replacement rental dwelling units, comprised of 1 bachelor unit, 2 one-bedroom units, 3 two-bedroom units and 1 three-bedroom unit, at 2978-2988 Dundas Street West and 406-408 Pacific Avenue for a period of at least 20 years, as generally shown on the plans submitted to the City Planning Division dated January 8, 2018. Any revision to these plans must be to the satisfaction of the Chief Planner and Executive Director, City Planning.
- b. The owner shall provide at least 1 bachelor, 2 one-bedroom, and 1 two-bedroom replacement rental dwelling units at affordable rents, at least 2 two-bedroom and 1 three-bedroom replacement rental dwelling units at mid-range rents for a period of at least 10 years, beginning from the date of first occupancy.
- c. The owner shall provide ensuite laundry in all replacement rental dwelling units.
- d. The owner shall make available storage lockers to tenants of the replacement rental dwelling units on the same basis as the occupants of the remainder of the building.
- e. The owner shall provide tenants of the replacement rental dwelling units access to all the same amenity spaces indoors and outdoors on the same terms and conditions as the occupants of the remainder of the building.
- f. The owner shall provide tenants of the replacement rental dwelling units with access to both vehicle parking spaces and bicycle parking spaces on the same basis as the occupants of the remainder of the building.
- g. The owner shall provide tenant relocation and assistance to each eligible tenant within the existing rental buildings, including an extended notice period, financial compensation beyond the minimum requirements set out in the *Residential Tenancies Act*, and the right to return to a replacement rental dwelling unit for all of the tenants (the "Tenant Relocation and Assistance Plan"), all of which shall be to the satisfaction of the Chief Planner and Executive Director, City Planning.
- h. The owner shall enter into, and register on title, one or more Agreement(s) to secure the conditions outlined in a. to g. above and as detailed in the Draft Zoning By-law Amendments (Attachment Nos. 4 and 5) to the report from the Director, Community Planning, Etobicoke York District dated June 15, 2018, 2018, to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning.

- i. The owner shall enter into and register on title, a Section 118 Restriction under the *Land Titles Act*, to the satisfaction of the City Solicitor, agreeing not to transfer or charge those parts of the lands comprising the 7 replacement rental dwelling units, without the written consent of the Chief Planner and Executive Director, City Planning or his designate, to assist with the securing the Section 111 Agreement against future owners and encumbrances of the lands until such time as the City Solicitor determines that its registration on title is no longer required to secure the provisions of the Section 111 Agreement.

6. City Council authorize the Chief Planner and Executive Director, City Planning to issue a preliminary approval for the application under Municipal Code Chapter 667 for the demolition of the 7 rental dwelling units at 2978-2988 Dundas Street West and 406-408 Pacific Avenue after all of the following have occurred:

- a. Satisfaction or securing of the conditions in Recommendations 4 and 5;
- b. The Zoning By-law Amendments have come into full force and effect;
- c. The issuance of the Notice of Approval Conditions for site plan approval by the Chief Planner and Executive Director, City Planning or his designate, pursuant to Section 114 of the *City of Toronto Act, 2006*;
- d. The issuance of excavation and shoring permits for the approved redevelopment of the site; and
- e. The execution and registration of a Section 37 Agreement pursuant to the *Planning Act* and a Section 111 Agreement securing Recommendation 5 a, b, c, d, e, f, and g and any other requirements of the Zoning-Bylaw Amendment.

7. City Council authorize the Chief Building Official to issue a Section 111 permit under Municipal Code Chapter 667 for 2978-2988 Dundas Street West and 406-408 Pacific Avenue after the Chief Planner and Executive Director, City Planning has given the preliminary approval referred to in Recommendation 6 for the demolition of the existing 7 rental dwelling units.

8. City Council authorize the Chief Building Official to issue a permit under Section 33 of the *Planning Act* for the 7 existing residential units at 2978-2988 Dundas Street West and 406-408 Pacific Avenue no earlier than the issuance of the first building permit for excavation and shoring of the development and after the Chief Planner and Executive Director, City Planning has given the preliminary approval referred to in Recommendation 6, which permit may be included in the demolition permit for Chapter 667 under 363-11.1, of the Municipal Code, on condition that:

- a. The owner erect a residential building on site no later than 3 years from the day demolition of the buildings is commenced; and
- b. Should the owner fail to complete the new building within the time specified in (a) above, the City Clerk shall be entitled to enter on the collector's roll, to be collected in a like manner as municipal taxes, the sum of twenty thousand dollars

(\$20,000.00) for each dwelling unit for which a demolition permit is issued, and that each sum shall, until payment, be a lien or charge upon the land for which the demolition permit is issued.

9. City Council authorize the appropriate City officials to take such actions as are necessary to implement the foregoing, including execution of the Section 111 Agreement.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

On June 17, 2014 Etobicoke York Community Council adopted a Preliminary Report for the previous Zoning By-law Amendment application. The report provided background information on the proposal, and recommended that a community consultation meeting be held and that notice be given according to the regulations of the *Planning Act*. The Preliminary Report is available at:

<http://www.toronto.ca/legdocs/mmis/2014/ey/bgrd/backgroundfile-69736.pdf>

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

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

On March 31, 2015, City Council prioritized seven HCD studies to be initiated in 2015 and 2016. West Queen West, Kensington Market and the Distillery District were to be studied as potential HCDs in 2015 and Baby Point, Bloor West Village, Cabbagetown Southwest and Casa Loma were to be studied as potential HCDs in 2016. The remaining eight districts, including the Junction, were determined to have Medium priority, and will be reviewed in the next prioritization analysis. The decision is available at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG2.8>

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

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.EY8.5>

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

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

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

The current application was submitted on April 7, 2016 and deemed complete on May 31, 2016. A Preliminary Report on the applications was adopted by Etobicoke York Community Council on June 14, 2016 authorizing staff to conduct a community consultation meeting. Etobicoke York Community Council directed that Notice for the community consultation meeting be given to landowners and residents within 240 metres of the site, and expanded in consultation with the Ward Councillor, with the additional cost to be borne by the applicant. The Preliminary Report is available at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.EY15.11>

ISSUE BACKGROUND

Proposal

This application proposes to modify City Council's previous approval for the development of 2978-2982 Dundas Street West and 406-408 Pacific Avenue (Zoning By-law Nos. 953-2015 and 954-2015) by including three additional properties to the development (2984, 2986 and 2988 Dundas Street West). The current application proposes to demolish the four existing buildings containing 7 residential rental dwelling units at 2978-2988 Dundas Street West and 406-408 Pacific Avenue and replace them with an 8-storey mixed use building (26.2 metres in height, including mechanical penthouse).

The proposed development would have a gross floor area of approximately 6,945 m² and a density of 4.3 FSI. The building would contain 883m² of retail space at grade with accesses from both the Dundas Street West and Pacific Avenue frontages. The proposed building would also have 6,062m² of residential gross floor area, with 80 residential rental units on the second through seventh floors including 7 replacement rental dwelling units and a partial eighth storey that would contain indoor amenity space (160 m²) and provide access to a proposed rooftop amenity space (160 m²). The proposed mix of unit types is: 1 bachelor unit; 47 one-bedroom units (59%); 24 two-bedroom units (30%); and 8 three-bedroom units (10%). Access to the residential units would be from Pacific Avenue.

Along Dundas Street West, Pacific Avenue and the western property line the proposed building would be built to the property line. The proposed building would be setback from the rear property by approximately 2.6 metres.

The proposed building would step-back from the front façade above the third, fifth, sixth and seventh storey. A three-storey cornice line is proposed consistent with the adjacent existing building to the west, rising to five storeys at the corner at Pacific Avenue. On the Pacific Avenue frontage, the proposed building would have a five-storey profile, with step-backs at the sixth and seventh storey.

The proposed building would have a series of terraced step-backs to transition in scale to the adjacent houses to the north. For the eastern portion of the site, the built form is consistent with the permitted massing previously approved for 2978-2982 Dundas Street West and 406-408 Pacific Avenue (Zoning By-law Nos. 953-2015 and 954-2015). On the expanded (western) portion of the site, the proposed building would fall within a 45-degree angular plane from the property line opposite the rear lane.

A total of 87 parking spaces are proposed for the mixed use development consisting of 67 resident parking spaces, 12 visitor parking spaces and 8 parking spaces for the retail uses. Parking would be provided in a three storey below grade parking garage with the exception of four spaces which would be provided at grade off the lane. Access to the loading space and the below grade parking garage would be via the public lane to the rear of the site. A total of 81 bicycle parking spaces are proposed, including: 9 short-term bicycle parking spaces located next to the residential entry on Pacific Avenue and 72 long-term bicycle parking spaces located at the base of the parking ramp in the first level of below-grade parking (see Attachment 1 for project data, Attachment 6 for the site plan, and Attachments 7-10 for the building elevations).

Rental Housing

The proposed development consists of a total of 80 residential units, including 7 replacement rental dwelling units.

Table 1: Proposed Unit Breakdown

| Unit Type | Rental Replacement Units | New Market Rental Units | Total |
|--------------------|---------------------------------|--------------------------------|--------------|
| Bachelor | 1 | 0 | 1 |
| 1 - Bedroom | 2 | 45 | 47 |
| 2 - Bedroom | 3 | 21 | 24 |
| 3- Bedroom | 1 | 7 | 8 |
| Total | 7 | 73 | 80 |

The Rental Demolition and Conversion Application proposes the demolition and replacement of all 7 existing rental dwelling units located at 2978-2988 Dundas Street West and 406-408 Pacific Avenue within the new building as part of the proposed redevelopment of this site.

The replacement rental dwelling units would be located on the second floor of the proposed building and would be at least the same unit type and size as the existing rental dwelling units.

Site and Surrounding Area

The relatively flat rectangular site is located in the Junction community, west of Keele Street, at the northwest corner of Dundas Street West and Pacific Avenue. The site has an area of approximately 1,620m² and a frontage of approximately 30 metres on Dundas Street West and 53 metres on Pacific Avenue. A 3 metre wide public lane is located immediately north of the site and connects to Pacific Avenue.

The site is occupied by 3 two-storey mixed use buildings and a one-storey commercial building. There are a total of 7 residential rental units within the three mixed use buildings, 1 of which is a bachelor unit, 2 of which are one-bedroom units, 3 of which are two-bedroom units, and 1 of which is a three-bedroom unit. Four units have affordable rents and 3 units have mid-range rents. One unit was vacant at the time of application. Four vehicular parking spaces are provided at grade and accessed from Pacific Avenue. All four existing buildings are proposed to be demolished.

Surrounding uses include:

- North: A mix of semi-detached dwellings and townhouses and one- and two-storey industrial and office buildings and the Canadian Pacific Railway corridor beyond.
- East and West: A mix of one- to three-storey commercial and residential buildings fronting both sides of Dundas Street West.
- South: A mix of one to three-storey commercial and residential buildings fronting Dundas Street West with a large format grocery store and a mix of detached and semi-detached dwellings beyond.

Provincial 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 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 2.2 Structuring Growth in the City: Integrating Land Use and Transportation:
The Official Plan states that future growth within Toronto will be steered to areas which are well served by transit, the existing road network and which have a number of properties with redevelopment potential. Growth areas in the City are locations where good transit access can be provided along bus and rapid transit routes. Areas that can best accommodate this growth are shown on Map 2 of the Official Plan.

The subject site is located on an Avenue on Map 2 of the Official Plan. Avenues are important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities, while improving the pedestrian

environment, the appearance of the street, shopping opportunities and transit service for community residents.

The framework for new development on each Avenue will be established through an Avenue Study, resulting in appropriate zoning and design guidelines created in consultation with the local community. Development applications which proceed in advance of an Avenue Study are required to complete a study, called an Avenue Segment Study. Policy 2.2.3.3(b) states that the review of the segment will:

- Include an assessment of the impacts of the incremental development of the entire Avenue segment at a similar form, scale and intensity, appropriately allowing for distinguishing circumstances;
- Consider whether incremental development of the entire Avenue segment as identified in the above assessment would adversely impact any adjacent *Neighbourhoods*;
- Consider whether the proposed development is supportable by available infrastructure; and
- Be considered together with any amendment to the Zoning By-law at the statutory public meeting for the proposed development.

At present, there is no Avenue Study for this segment of Dundas Street West. An Avenue Segment Study was submitted in support of the application.

The Healthy Neighbourhoods policies of the Official Plan provide guidance for development in *Mixed Use Areas* that are adjacent or close to *Neighbourhoods*. Policy 2.3.1.2 states that developments within *Mixed Use Areas* that are adjacent 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*; and
- c) 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

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 3.1.1 Public Realm: The Official Plan promotes quality architecture, landscape and urban design and construction that ensures that new development enhances the quality of the public realm. The public realm policies recognize the essential role of streets, open spaces, parks and other key shared public assets in creating a great City. These policies aim to ensure that a high level of quality is achieved in architecture, landscape architecture and urban design in public works and private developments to ensure that the public realm is functional, beautiful, comfortable, safe and accessible.

Policy 3.1.2.5 states that new development will provide amenity for adjacent streets and open spaces to make these areas attractive, interesting, comfortable and functional for pedestrians by providing:

- Improvements to adjacent boulevards and sidewalks respecting sustainable design elements, which may include one or more of the following: trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers, lighting and bicycle parking facilities;
- Co-ordinated landscape improvements in setbacks to create attractive transitions from the private to public realms;
- Weather protection such as canopies, and awnings; and
- Landscaped open space within the development site.

Section 3.1.5 Heritage Conservation: The Official Plan states that "New Construction on, or adjacent to, a property on the Heritage Register will be designed to conserve the cultural heritage values, attributes and character of that property and to mitigate visual and physical impact on it".

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 of the Official Plan states that for significant new development on sites containing six or more rental units, where existing rental units will be maintained, the existing units which have affordable and mid-range rents will be secured as rental housing and any needed improvements and renovations to the existing rental housing may also be secured without the pass-through of such costs to tenants. The Official Plan indicates that Section 37 agreements may be used to secure any needed improvements to the existing rental building.

Under Policy 3.2.1.6 of the Official Plan, applicants proposing to demolish six or more residential rental units (except where all the rents are above the mid-range rent category) are required to replace the rental units with the same number, size and type of rental housing units and maintain them with rents similar to the rents of existing units on the site. An acceptable tenant relocation and assistance plan is also required to address moving related costs, alternative accommodation and other assistance to lessen hardship.

Chapter 4- Land Use Designations

The subject lands are designated *Mixed Use Areas* on Map 17 – Land Use Plan of the Official Plan. The *Mixed Use Areas* designation provides for a range of residential, commercial and institutional uses, in single use or mixed-use buildings, as well as utilities, parks and open spaces. The Official Plan states that "*Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service employment in Toronto in the coming decades, as well as much of the new housing". However, not all *Mixed Use Areas* will experience the same scale or intensity of development. The policies of *Mixed Use Areas* require new development to provide a transition between areas of different development intensity and scale.

Development in *Mixed Use Areas* is subject to a number of development criteria. In *Mixed Use Areas*, developments will: locate and mass new buildings to provide a transition between areas of different development intensity and scale; provide appropriate setbacks and/or stepping down of heights, particularly towards lower scale *Neighbourhoods*; locate and mass new buildings to adequately limit shadow impacts on adjacent *Neighbourhoods* particularly during the spring and fall equinoxes; provide good site access and circulation and an adequate supply of parking for residents and visitors; provide an attractive, comfortable and safe pedestrian environment; locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

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.

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

In addition, OPA 320 adds new criteria to existing Healthy Neighbourhoods policy 2.3.1.2 in order 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 outcome of staff analysis and review of relevant Official Plan policies and designations are summarized in the Comments section of this report.

Zoning

2984-2988 Dundas Street West

This portion of the subject site is zoned Commercial Residential (CR 2.5 (c1.0; r2.0) SS2 (x2220)) in City of Toronto Zoning By-law No. 569-2013 (see Attachment 3: Figure 3: Existing Zoning By-law Map). This zoning permits a range of commercial and residential uses. A maximum combined density of 2.5 times the area of the lot is permitted, with a maximum commercial density of 1 times the area of the lot and a maximum residential density of 2 times the area of the lot. The site is subject to Development Standard Set 2, which outlines a range of performance standards for development on the City's Avenues and main streets, including building setbacks and angular plane requirements. Site Specific Exception 2220 to the By-law further regulates the provision of parking on the site and the maximum permitted non-residential gross floor area. The maximum permitted building height is 14m.

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

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

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

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

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>.

Site Plan Control

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

Tree Preservation

This application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees by-law) and III (Private Tree by-law). The applicant has submitted an Arborist Report/Tree Preservation Plan in support of the proposal.

Tenure

The applicant has advised that the proposed 80 units are currently expected to be rental units. However, the final determination on tenure would be made at the time of building permits.

Rental Housing Demolition and Conversion By-law

Section 111 of the *City of Toronto Act, 2006* authorizes Council to regulate the demolition and conversion of residential rental properties in the city. Chapter 667 of the City's Municipal Code, the Rental Housing Demolition and Conversion Control By-law, implements Section 111. The By-law prohibits the demolition or conversion of residential rental units in buildings containing six or more residential dwelling units, of which at least one unit is rental, without obtaining a permit from the City and requires a decision by either City Council or the Chief Planner and Executive Director, City Planning.

City Council may refuse an application, or approve the demolition with conditions that must be satisfied before a demolition permit is issued. These conditions implement the City's Official Plan policies protecting rental housing.

Under the City's demolition control by-law, Chapter 363 of the Municipal Code (Section 33 of the *Planning Act*), City Council approval is needed to demolish dwelling units before the Chief Building Official can issue a demolition permit under the *Building Code Act* if six or more residential dwelling units are proposed to be demolished.

Where an application for rezoning triggers an application under Chapter 667 for rental demolition or conversion, City Council typically considers both applications at the same time. Unlike *Planning Act* applications, decisions made by City Council under Chapter 667 are not appealable to the Local Planning Appeal Tribunal.

The proposed demolition requires approval under both Municipal Code Chapter 667 and Chapter 363 because the application involves at least six residential dwelling units and at least one rental dwelling unit. Municipal Code Section 363-11.1 provides for the coordination of these two processes. The Chief Building Official may issue one demolition permit for the purposes of Section 33 of the *Planning Act* and Chapter 667 of the Municipal Code.

On April 7, 2016, the applicant made an application for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code.

Reasons for the Applications

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

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

Application Submission

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

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

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 June 29, 2016 at West Toronto Baptist Church. Approximately 25 members of the public attended along with the Ward Councillor, the applicant, their consulting team and City staff. Issues raised were:

- Concerns that the proposed building would be out of character for Dundas Street West
- Building height;
- Shadowing;
- Concerns with the architecture and proposed materials;
- Density and massing;
- Concerns related to the proposed building projections into the angular planes;
- Proposed unit mix and the need for more family sized units in the proposed development;
- The City's requirement for replacement of the existing rental units;
- Loss of the existing retail tenants;
- Amount of parking proposed to serve the development;
- Concern with the lack of on street parking in the area;
- Increase in traffic;
- Concerns with use of lane to service the development;
- Consideration should be given to use of car share;
- Consideration should be given to providing electric charging stations in the parking garage; and
- Capacity issues with local TTC bus services.

The Ward Councillor has scheduled an open house for June 20, 2018 to review the revised proposal with the community.

Tenant Consultation

On April 19, 2018, City Planning hosted a tenant consultation meeting as required under the City's Rental Housing Demolition and Conversion By-law at the Annette Library to review the City's housing policies, discuss the applicant's replacement rental proposal and outline the components of a typical Tenant Relocation and Assistance Plan. This meeting concluded with a question and answer period. This meeting was attended by one tenant household, City Planning staff and the applicant.

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.

Policy 1.6.7.4 of the PPS (2014) promotes a land use pattern, density and mix of uses that minimizes the length and number of vehicle trips and supports current and future use of transit and active transportation. The proposal is consistent with the PPS in this regard. The proposed land use and density provides a built form that supports an efficient use of land and existing transit infrastructure, and generally maintains the employment base.

In particular, the proposed development does have 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, and the proposal adequately conserves identified features of historical interest, specifically the adjacent heritage properties.

The proposal is consistent with the PPS (2014). Policy 1.7.1.d states that "long-term economic prosperity should be supported by encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes".

Policy 2.6.1 states that "significant built heritage resources and significant cultural heritage landscapes shall be conserved". Policy 2.6.3 states that "Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage properties except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved". The Heritage Impact Assessment submitted in support of the application concludes that there would be no negative impacts on adjacent heritage properties.

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.

The proposal conforms to the Growth Plan (2017) which states that population growth will be accommodated by directing new growth to the built up areas of the community through intensification. As this site is located in a built up area designated for growth in the City's Official Plan and is supported by public transit, the proposal conforms to the Growth Plan.

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 provides an appropriate transition to adjacent properties. Further, the proposed development conforms with Section 5.2.4.5.b) requiring the type and scale of development to be contextually appropriate.

Avenue Segment Study

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 as a whole. In accordance with Official Plan Policy 2.2.3.3, an Avenue Segment Study was submitted in support of the application. This Avenue Segment Study was also provided with the previous Zoning By-law Amendment Application and was reviewed and accepted by staff. Below are the comments staff previously provided in terms of the Avenue Segment Study which remain relevant to the current application.

The Avenue Segment Study was provided to evaluate the opportunities for and impacts of similar mid-rise developments along the portion of Dundas Street West between St. John's Place/Malta Park and Keele Street. The subject site is located in the middle of the segment study area. The Avenue Segment Study provides a background review of relevant policies and guidelines, an inventory of the existing built form, traffic impact, servicing and stormwater management analysis and a community services and facilities assessment, which helps to inform the impacts that incremental development may have on the Avenue.

The Avenue Segment Study identifies six sites along the segment that may be redeveloped in the near- to long-term at heights and densities that are similar to those proposed for the subject site. If these sites were to be developed as proposed along with the subject proposal, approximately 292 additional residential units could be created. Approximately 2,656 m² of grade-related commercial gross floor area could also be created, though the majority of this space would only replace existing commercial space on the development sites.

The Avenue Segment Study contained an analysis of the community services and facilities in the area. The applicant also submitted a Community Services and Facilities Study as part of the complete application. Both studies show the area has a wide array of existing community services and facilities. However, some insufficiencies in the social infrastructure were found in the areas of local infant care and schools. The Toronto District School Board has stated in response to the proposal that there is not sufficient room in the local secondary school to accommodate students from the development.

The study area is well-served by public transit. Future traffic conditions are expected to continue operating at satisfactory levels of service with the optimization of signal timing at the Dundas Street West and Keele Street intersection implemented as intensification occurs. The study also demonstrates that the demand generated by redevelopment in the study area can be accommodated in terms of servicing and stormwater management.

Based on the consultant's analysis, it is staff's opinion that incremental development within the segment would not adversely impact adjacent *Neighbourhoods*. The consultant's redevelopment scenario demonstrates a level of reurbanization that, in principle, is consistent with the Official Plan policies for Avenues. The conclusions in the Avenue Segment Study with respect to appropriate building heights, densities and massing are not considered to be conclusive in terms of consideration of any future development applications that the City may receive. Any future development applications submitted in the Avenue Segment Study area would be evaluated on their own merit, with staff having the benefit of reviewing full and detailed development proposal submission materials.

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 as a whole. The *Mixed Use Areas* designation provide for a range of residential, commercial and institutional uses, in singular use or mixed-use buildings which provide opportunities for residents to live, work and shop in the same area. The proposed eight-storey mixed use building would provide for both new housing and employment opportunities, which would be consistent with the mixed use character of the Avenue.

The development would take advantage of existing public infrastructure and encourage pedestrian and cycling activity and additional ridership on public transit. The proposed development is appropriate and can be supported by staff. The proposed mixed use development is provided for by both the Official Plan and Zoning By-law and is

consistent with the existing and the planned context for the subject property and the surrounding area.

Density, Height and Massing

This application has been reviewed against the Official Plan policies and Avenues and Mid-Rise Buildings Study and Performance Standards described in the Issue Background section of this report as well as the policies of the Toronto Official Plan as a whole. Staff's review of the current proposal also took into consideration Council's approval of the 2015 proposal and the planning merits of that application. As noted above, the current proposal seeks to add additional properties to the development approved by City Council in 2015, for an 8 storey building on the three corner properties which also form part of the current development parcel. That approval was for a building with a building height of approximately 24.5 metres (plus 1.9 metre high mechanical penthouse).

The current application seeks to add three additional properties to the development while maintaining the building height for the properties previously approved by City Council. The proposal is for an 8 storey building having a height of approximately 24.3 metres (plus 1.9 metre mechanical penthouse). The eighth floor would only be used for amenity space and mechanical rooms and would have an area of approximately 240m².

The proposal has been designed so that the additional properties which have been added to the proposal assist in transitioning the development to the lower buildings to the west and the planned context for Character Areas as set out in the Avenues and Mid-Rise Buildings Study and Performance Standards. The Avenues and Mid-Rise Buildings Study and Performance Standards for Character Areas provides for a maximum building height of 80 percent of the right-of-way width (20 metres) which would equate to 16 metres. The building would step down from 24.3 metres to 21.8 metres to 18.9 metres to 15.9 metres and to 10 metres at the southwest corner of the site. Staff are of the opinion that the subject building as designed having a maximum building height of 24.3 metres stepping down in height to the west would be acceptable in this context.

Section 4.5 of the Official Plan sets out criteria to evaluate development within the *Mixed Use Areas* designation. All new development in *Mixed Use Areas* is required to locate and mass new buildings to frame the edge of the streets, maintain sunlight and comfortable wind conditions and provide a transition between areas of different development intensity and scale. These objectives are addressed by ensuring that developments provide appropriate setbacks and/or stepping down of heights between areas of different development intensity and scale.

The proposed building would be in keeping with the existing setbacks along Dundas Street West and provide commercial entrances consistent with the rhythm of entrances in this commercial area. The proposed building would be built to the western property line to maintain the continuous streetwall along Dundas Street West. Stepbacks are proposed along the west façade in order to limit the impact of the blank sidewall and to provide for opportunities to provide windows for the residential units consistent with the Avenues and Mid-Rise Buildings Study Performance Standards. Upgraded architectural treatment of the west elevation would be secured through the Site Plan review process.

The proposed building would step back at the third storey on the Dundas Street West and Pacific Avenue façades to provide an appropriate pedestrian scale along both streets. Additional stepbacks are proposed along both the Dundas Street West and Pacific Avenue façades above the fifth, sixth and seventh storeys. For the Dundas Street West frontage, the western portion of the site, the building is stepped back beginning at a height of 10 metres consistent with the heights of the buildings to the west.

The Healthy Neighbourhoods policies in Section 2.3.1 of the Official Plan state that developments in *Mixed Use Areas* that are adjacent to *Neighbourhoods* will, among other matters, be compatible with those *Neighbourhoods*, provide a gradual transition of scale and density to the *Neighbourhoods* and maintain adequate light and privacy for residents in those *Neighbourhoods*. The semi-detached dwellings and townhouses north of the subject property are designated *Neighbourhoods*. The Avenues and Mid-Rise Buildings Performance Standards outlines the angular plane requirements for the rear of buildings on deep lots (greater than 32.6 m deep).

The 45 degree angular plane is measured from the north side of the laneway. The building is required to be set back 7.5 m from the north lot line. For the proposed portion of the building on the additional lands acquired, the building has been designed to fall within the angular plane with no projections. The building would be setback from the north side of the lane when ultimately widened to the 6 metres width. For the previous approval, the Performance Standard for shallow lots (less than 32.6 m deep) was applied. For this standard, the building would still be required to be set back from the south side of the lane by a minimum setback of 7.5 m, but the 45 degree angular plane is measured from a height of 10.5 m above the 7.5 m setback line.

In the previous application, staff noted there would be some minor penetrations of the angular plane however the penetrations were deemed acceptable as additional and greater stepbacks were proposed at each storey above the third storey. The stepbacks as previously approved were to be staggered to reduce the building massing and the resulting penetrations would not occur consistently along each storey and several storeys would have components in excess of the minimum setback required under the angular plane. In the current proposal, in the area of the property which was subject to the previous application, the applicant has modified the rear building elevation to reduce the penetrations into the angular plane.

Planning staff are of the opinion that the proposed scale and massing of the building would be appropriate for the site.

Sun and Shadow

This application has been reviewed against the Official Plan policies and Avenues and Mid-Rise Buildings Study and Performance Standards described in the Issue Background section of this report as well as the policies of the Toronto Official Plan as a whole. The applicant provided a shadow study illustrating the shadow movements associated with the development during the spring and fall equinoxes. The proposed 8-storey buildings would introduce some shadowing on a limited portion of the

neighbouring rear yards of the dwellings designated *Neighbourhoods*. Planning staff are of the opinion the shadow impacts created by the new building would be limited and as a result be acceptable.

Traffic Impact

A Revised Traffic Impact and Parking Assessment dated January 18, 2018 and Memorandum dated March 23, 2018 were submitted for the development assessing the traffic impacts of the proposal. The study estimates the proposed development would generate approximately 17 and 31 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.

Toronto Transit Commission

A number of residents in the community raised concerns with crowding on the buses that service the area. The application has been circulated to the Toronto Transit Commission for their review and comment. The TTC did not indicate any concerns with the proposed development or advise of any conditions to be included in any approval of the proposed development.

Parking

A total of 87 parking spaces are proposed for the mixed use development consisting of 67 resident parking spaces, 12 visitor parking spaces and 8 parking spaces for the retail uses. Parking would be provided in a three storey below grade parking garage with the exception of four spaces which would be provided at grade off the lane. The below grade parking garage would be accessed from the rear lane. The proposed parking would comply with the parking requirements in Zoning By-law No. 569-2013 and have been included in the Draft Zoning By-law Amendment for the former City of Toronto By-law No. 438-86 in Attachment 4.

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

Loading

The applicant is proposing one type "G" loading space that would be located at the rear of the building accessed from the public lane. The type "G" loading space would have a minimum length of 13.0 metres, a minimum width of 4.0 metres, and a minimum vertical clearance of 6.1 metres.

Transportation Services staff have advised that the proposed loading space is sufficient to serve the development. Detailed comments for the review of the access, design and location to the proposed loading space would be provided through the Site Plan review process for this development.

The loading requirements for this development would comply with the loading requirements in Zoning By-law No. 569-2013 and have been included in the Draft Zoning By-law Amendment for the former City of Toronto By-law No. 438-86 in Attachment 4.

Bicycle Parking

Official Plan policies encourage reduced automobile dependency and promote alternative modes of transportation. The policies attempt to increase the opportunities for better walking and cycling conditions for residents. A total of 81 bicycle parking spaces are proposed, including: 9 short-term bicycle parking spaces located next to the residential entry on Pacific Avenue and 72 long-term bicycle parking spaces located at the base of the parking ramp in the first level of the below-grade parking. The proposed number of bicycle parking spaces is acceptable to staff.

The bicycle parking requirements for this development would comply with the bicycle parking requirements in Zoning By-law No. 569-2013 and have been included in the Draft Zoning By-law Amendment for the former City of Toronto By-law No. 438-86 in Attachment 4

Details with respect to the location, design and layout for the bicycle parking would be reviewed and secured through the Site Plan review process for this development.

Access

Vehicular access for the proposed development would be entirely off the public laneway, including access to the four proposed surface parking spaces and the ramp to the underground parking garage. Transportation Services staff have advised that this is acceptable.

Lane Widening

The public laneway on the north side of the property is approximately 3 metres wide. In order to satisfy the Official Plan requirement the lane should ultimately be widened to a minimum width of 6 metres. As a result, a 1.98 metre wide strip of land across the site's northern property limit would be conveyed to the City. Details related to process of securing the required land conveyances, which include but are not limited to the preparation of an acceptable Draft Reference Plan, would be finalized through the Site Plan review process for this development.

Amenity Space

In accordance with the Built Form policies in Section 3.1.2 of the Official Plan related to new multi-unit residential development and provisions in City of Toronto Zoning By-law Nos. 438-86 and 569-2013, the building would be required to include indoor and outdoor amenity space for residents of the development.

The development proposes to provide the indoor amenity space on the eighth floor that would be contiguous to the rooftop amenity space. The size of both the indoor and outdoor amenity spaces (160 m² each) would satisfy the minimum requirement of 2 m²

per unit of each type of amenity space in the Zoning By-laws. This would represent an appropriate provision of amenity space for residents of the building.

Details of the amenity space will be reviewed and secured through the Site Plan review process for this development.

Streetscape

The Junction Gardens Business Improvement Area (BIA) has developed a streetscape master plan vision document that identifies the desire to create meeting places, curate local culture and stimulate business and investment in the area through local improvements to the streetscape. The plan identifies the intersection of Dundas Street West and Pacific Avenue as having potential to act as a gateway and a destination in the area. The BIA currently uses the portion of Pacific Avenue along the subject property as a place to host events by shutting down the street to vehicular traffic. There is potential to create a more pedestrian-friendly zone in this area for regular activities to take place and function as more of a public gathering space. Details of the streetscape improvements have not yet been finalized. The applicant has indicated a willingness to consider incorporating the required streetscape improvements into their Site Plan Approval application. Planning staff and the Ward Councillor will explore opportunities through the Site Plan review process for this development and any other development for the corner properties to achieve this vision for the intersection of Dundas Street West and Pacific Avenue.

Servicing

The applicant has submitted a Functional Servicing Study and Stormwater Management Report. The report concludes there is generally sufficient servicing capacity within the existing municipal infrastructure to accommodate the proposed development. This conclusion has been accepted by Engineering and Construction Services staff.

Unit Mix

The Official Plan's housing policies look to achieving a full range of housing to meet the current and future needs of residents, including affordable and mid-range rental dwelling units. To achieve these housing policies, larger residential dwellings suitable for a broader range of households, including families with children should be provided. The proposed building would contain a total of 80 residential units with 1 bachelor unit (1%), 47 one bedroom units (59%), 24 two bedroom units (30%), and 8 three bedroom units (10%). The proposed unit mix is acceptable to staff.

Rental Housing Demolition and Conversion By-law

To satisfy Official Plan Policy 3.2.1.6 with regard to the demolition of existing rental housing, the Section 37 Agreement and subsequent Section 111 Agreement(s) would secure 7 rental dwelling units in the new building as replacement for the 7 existing rental dwelling units proposed to be demolished at 2978-2988 Dundas Street West and 406-408 Pacific Avenue.

The applicant's rental housing replacement proposal and tenant relocation and assistance plan conform with the Official Plan and will help preserve the City's existing stock of affordable and mid-range rental housing and lessen the hardship experienced by affected tenants.

Replacement Dwelling Units

According to the January 8, 2018 floor plans submitted to Planning staff, the applicant proposes to replace the 7 existing rental dwelling units at 2978-2988 Dundas Street West and 406-408 Pacific Avenue with 7 replacement rental dwelling with the same unit mix of 1 bachelor unit, 2 one-bedroom units, 3 two-bedroom units and 1 three-bedroom unit on the second floor of the proposed building.

Upon completion, the total gross floor area for the 7 rental dwelling units would be the same as the total gross floor area for the 7 existing rental dwelling units.

The average unit size for the one-bedroom replacement rental dwelling units would be larger than that of the existing rental dwelling units. The average unit size of the two-bedroom replacement rental units would be the same. The average unit size of the bachelor and three-bedroom replacement rental units would be smaller.

All replacement rental dwelling units would be provided with ensuite laundry facilities and central air conditioning. Tenants of the replacement rental units would have access to storage lockers, bicycle parking and all indoor and outdoor amenities on the same terms and conditions as the residents of the rest of the building. Tenants of the replacement rental dwelling units would have access to rental parking spaces on the same basis as tenants of the rest of the building.

The Section 37 and Section 111 Agreements would secure all details regarding minimum unit sizes and future tenants' access to all facilities and amenities.

Tenure and Rents for the Replacement Rental Dwelling Units

The applicant has agreed to provide and maintain the 7 replacement rental dwelling units as rental tenure within the proposed building for at least 20 years, beginning from the date that each replacement rental dwelling unit is first occupied and until the owner obtains approvals for a Zoning By-law Amendment removing the requirement for the replacement rental dwelling units to be maintained as rental units.

At the time of application, the existing building contained 4 affordable (1 bachelor, 2 one-bedroom, and 1 two-bedroom) and 3 mid-range rental dwelling units (2 two-bedroom and 1 three-bedroom). The applicant has agreed to secure the rents for the 4 affordable and 3 mid-range replacement rental units for at least 10 years.

Tenant Relocation and Assistance Plan

The applicant has agreed to provide tenant relocation and assistance to all eligible tenants, all to the satisfaction of the Chief Planner and Executive Director, City Planning

and secured through the Section 111 Agreement with the City. The Tenant Relocation and Assistance Plan would assist tenants in finding and securing alternative accommodations. As part of this plan, all eligible tenants would receive:

- At least 6 months' notice of the date that they must vacate their rental unit; and
- Compensation equal to 3 month's rent or an acceptable alternative rental dwelling unit pursuant to the *Residential Tenancies Act*.

In addition to the financial compensation outlined above, all pre-application eligible tenants would receive:

- The right to return to one of the replacement rental dwelling units in the new building at similar rents;
- A move-out moving allowance and a move-back moving allowance if they exercise their right to return to a replacement rental dwelling unit;
- Additional compensation based on length of tenure at the existing buildings; and
- Any special needs compensation as determined by the Chief Planner and Executive Director, City Planning.

Rental Housing Demolition and Conversion By-law

Section 111 of the *City of Toronto Act, 2006* authorizes City Council to regulate the demolition and conversion of residential rental properties in the City. Chapter 667 of the City's Municipal Code, the Rental Housing Demolition and Conversion By-law, implements Section 111. The By-law prohibits the demolition or conversion of rental housing units in buildings containing six or more residential units, of which at least one unit is rental, without obtaining a permit from the City and requires a decision by either City Council or the Chief Planner and Executive Director, City Planning.

City Council may refuse an application, or approve the demolition with conditions that must be satisfied before a demolition permit is issued. These conditions implement the City's Official Plan policies protecting rental housing. Council approval of demolition under Section 33 of the *Planning Act* may also be required where six or more residential units are proposed for demolition before the Chief Building Official can issue a permit for demolition under the *Building Code Act*.

Where an application for rezoning triggers an application under Chapter 667 for rental demolition or conversion, City Council typically considers both applications at the same time. Unlike *Planning Act* applications, decisions made by City Council under By-law 885-2007 are not appealable to the Local Planning Appeal Tribunal.

On April 7, 2016, the applicant made an application for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code. As per Chapter 667-14, a tenant consultation meeting was held on April 19, 2018 to review the impact of the proposal on tenants of the residential rental property and matters under Section 111. Two tenants attended along with the Ward Councillor, the applicant, their consulting team and City staff.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.43 to 0.79 hectares of local parkland per 1,000 people. The site is in the second lowest quintile of current provision of parkland. The site is in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

The application is proposing an 8 storey mixed use building containing 80 residential units and 883 m² of retail space on a site totalling 1,619.5 m². At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 1,112m² or 78.5% of the site area. However, for sites that are less than 1 hectare in size, a cap of 10% of the development site is applied to the residential use while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement is 147m².

The applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. Parks, Forestry and Recreation staff are of the opinion this is appropriate as a dedication of 147 m² is not of a suitable size to develop a programmable park within the existing context of this development site. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

Heritage Impact

A Heritage Impact Assessment (HIA) has been prepared to assess the impact of the proposed development on adjacent heritage properties. The subject site does not contain any properties listed on the City of Toronto Heritage Register or designated under Parts IV or V of the *Ontario Heritage Act* (OHA). The subject site is adjacent to two properties listed on the City of Toronto Heritage Register at 2975 Dundas Street West and 437 Pacific Avenue.

To determine any potential cultural heritage value, the Heritage Impact Assessment evaluated the existing site and buildings under Ontario Regulation 9/06 and found that they do not have sufficient design, associative or contextual value to merit designation under Part IV of the *Ontario Heritage Act*.

The report concludes that no negative impacts on adjacent heritage properties are anticipated.

The report notes that design of the proposed building responds to the scale and material composition of the Junction neighbourhood built form context, offering a compatibility with the architectural character and industrial heritage of the area while maintaining legibility as contemporary infill. Specifically, the incorporation of setbacks above the third storey of the development provides a massing that responds to the scale of the adjacent listed properties at 2975 Dundas Street West and 437 Pacific Avenue. Further, the proposed inclusion of retail space at-grade maintains the continuity of the 'main street' retail activity of Dundas Street West as well as consistency of the scale of the adjacent streetwall.

The Heritage Impact Assessment finds that the proposed development would have no negative impact on the cultural heritage value of the adjacent properties at 2975 Dundas Street West and 437 Pacific Avenue. The report also notes that no further studies would be required at this time as the property does not contain any officially recognized heritage properties.

Heritage Preservation Services staff concur with the findings of the Heritage Impact Assessment.

As noted above, Etobicoke York Community Council nominated the Junction for consideration as a Heritage Conservation District (HCD). Community Council directed Planning staff to review the nominations against the criteria for the determination of cultural heritage value and bring forward study authorization reports and consider the prioritization of those areas that meet the criteria. This study has not yet started.

Tree Preservation

The development would be subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees by-law) and III (Private Tree by-law). 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 2 City trees and 1 private tree. No trees are proposed to be removed.

The applicant has provided a concept landscape plan which shows 5 new trees to be planted on the City road allowance. Detailed landscape plan, tree planting deposit and securities would all be fully reviewed and secured through Site Plan review process for this development.

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 Site Plan review process for this development.

The Draft Zoning By-law Amendment secures performance measures for the following Tier 1 development features: Automobile Infrastructure; Cycling Infrastructure; and the Storage and Collection of Recycling and Organic Waste.

School Board Requirements

The Toronto District School Board has requested the proponent be required to erect Notice Signs and that warning clauses be included in all agreements of purchase and sale or agreements to lease, and condominium declaration document(s) for each affected residential unit within the proposed development, that reference the potential for children from the development to be transported to schools outside of the immediate neighbourhood. Should the development be approved, these requirements would be included in the Section 37 Agreement.

There were no comments received from the Toronto Catholic District School.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the *Planning Act*. While the proposed development exceeds the height and density limits of the existing Zoning By-law, the application is consistent with the objectives and policies of the Official Plan, and thus constitutes good planning. This proposal would not be subject to the Official Plan policies for the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the *Planning Act* as the development would not exceed the 10,000 m² threshold set out in the Official Plan.

However, as a legal convenience to support this development, it is recommended that before introducing the necessary Bills to City Council for enactment, the owner be required to enter into an Agreement pursuant to Section 37 of the *Planning Act* to secure the following matters:

- i. The owner shall provide and maintain not less than 7 replacement rental dwelling units, comprised of 1 bachelor unit, 2 one-bedroom units, 3 two-bedroom units and 1 three-bedroom unit, at 2978-2988 Dundas Street West and 406-408 Pacific Avenue for a period of at least 20 years, as generally shown on the plans submitted to the City Planning Division dated January 8, 2018. Any revision to these plans must be to the satisfaction of the Chief Planner and Executive Director, City Planning.
- ii. The owner shall provide at least 1 bachelor, 2 one-bedroom, and 1 two-bedroom replacement rental dwelling units at affordable rents, at least 2 two-bedroom and 1 three-bedroom replacement rental dwelling units at mid-range rents for a period of at least 10 years, beginning from the date of first occupancy.
- iii. The owner shall provide ensuite laundry in all replacement rental dwelling units.
- iv. The owner shall make available storage lockers to tenants of the replacement rental dwelling units on the same basis as the occupants of the remainder of the building.

- v. The owner shall provide tenants of the replacement rental dwelling units access to all the same amenity spaces indoors and outdoors on the same terms and conditions as the occupants of the remainder of the building.
- vi. The owner shall provide tenants of the replacement rental dwelling units with access to both vehicle parking spaces and bicycle parking spaces on the same basis as the occupants of the remainder of the building.
- vii. The owner shall provide tenant relocation and assistance to each eligible tenant within the existing rental buildings, including an extended notice period, financial compensation beyond the minimum requirements set out in the *Residential Tenancies Act*, and the right to return to a replacement rental dwelling unit for all of the tenants (the "Tenant Relocation and Assistance Plan"), all of which shall be to the satisfaction of the Chief Planner and Executive Director, City Planning.
- viii. The owner shall enter into, and register on title, one or more Agreement(s) to secure the conditions outlined in i. to vii. above and as detailed in the Draft Zoning By-law Amendments (Attachment Nos. 4 and 5) to the report from the Director, Community Planning, Etobicoke York District dated June 15, 2018, to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning.
- ix. The owner shall enter into and register on title, a Section 118 Restriction under the *Land Titles Act*, to the satisfaction of the City Solicitor, agreeing not to transfer or charge those parts of the lands comprising the 7 replacement rental dwelling units, without the written consent of the Chief Planner and Executive Director, City Planning or his designate, to assist with the securing the Section 111 Agreement against future owners and encumbrances of the lands until such time as the City Solicitor determines that its registration on title is no longer required to secure the provisions of the Section 111 Agreement.
- x. The owner shall erect a sign to the Toronto District School Board's specifications and satisfaction prior to issuance of any building permit.
- xi. The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of item PG32.3 of the Planning and Growth Committee, as further amended by City Council from time to time.

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 is in keeping with the

intent of the Toronto Official Plan, particularly as it relates to intensifying a *Mixed Use Areas* site on an Avenue, provides an appropriate transition to areas of different development intensity and scale, maintains the non-residential at-grade character of Dundas Street West, enhances the streetscape and improves the mix and tenure of housing in the area. Staff worked with the applicant and the community to address and resolve the following key concerns: the proposal would provide much needed family-size units compatible with the surrounding context; and provide appropriate transition to the adjacent neighbourhood. Staff recommend that City Council approve the Zoning By-law Amendment application.

Staff also recommend that City Council approve the demolition of the 7 rental dwelling units at 2978-2988 Dundas Street West and 406-408 Pacific Avenue on the condition that the applicant provide for the replacement rental housing and tenant assistance as outlined in this report and enter into a Section 111 Agreement to the satisfaction of the Chief Planner and Executive Director, City Planning to secure these conditions.

CONTACT

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Narmadha Rajakumar, Planner, Tel. No. 416-392-4529, Fax No. 416-392-3821, E-mail: Narmadha.Rajakumar@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

Attachment 4: Draft Zoning By-law Amendment (Former City of Toronto Zoning By-law No. 438-86)

Attachment 5: Draft Zoning By-law Amendment (City of Toronto Zoning By-law No.569-2013)

Applicant Submitted Drawings

Attachment 6: Figure 4: Site Plan

Attachment 7: Figure 5: South Elevation

Attachment 8: Figure 6: West Elevation

Attachment 9: Figure 7: East Elevation

Attachment 10: Figure 8: North Elevation

APPLICATION DATA SHEET

Municipal Address: 2978 DUNDAS ST W **Date Received:** April 7, 2016

Application Number: 16 137330 WET 13 OZ

Application Type: Rezoning

Project Description: Proposed amendments to City Zoning Bylaws to permit the development of an 8-storey mixed use building containing 80 residential rental units and at grade retail. Four existing commercial-residential buildings would be demolished. See Folder 16 137349 WET 13 RH for related Rental Housing Demolition and Conversion application.

| | | | |
|-------------------|--------------|------------------|------------------------|
| Applicant | Agent | Architect | Owner |
| MELANIE MELNYK | | | 2261293 ONTARIO INC |

EXISTING PLANNING CONTROLS

| | | | |
|----------------------------|---------------------|--------------------------|---|
| Official Plan Designation: | Mixed Use Areas | Site Specific Provision: | By-law Nos. 953-2015 and 954-2015 |
| Zoning: | MCR T2 C1.0 R2.0 | Heritage Designation: | N/A |
| Height Limit (m): | 8 | Site Plan Control Area: | YES |

PROJECT INFORMATION

Site Area (sq m): 1,619 Frontage (m): 30 Depth (m): 53

| Building Data | Existing | Retained | Proposed | Total |
|-----------------------------|-----------------|-----------------|--------------------|--------------|
| Ground Floor Area (sq m): | | | 1,329 | 1,329 |
| Residential GFA (sq m): | | | 6,062 | 6,062 |
| Non-Residential GFA (sq m): | | | 883 | 883 |
| Total GFA (sq m): | | | 6,945 | 6,945 |
| Height - Storeys: | | | 8 | 8 |
| Height - Metres: | | | 26 | 26 |
| Lot Coverage Ratio (%): | 82 | | Floor Space Index: | 4.34 |

| Floor Area Breakdown | Above Grade (sq m) | Below Grade (sq m) |
|-----------------------------|---------------------------|---------------------------|
| Residential GFA: | 6,062 | |
| Retail GFA: | 833 | |
| Office GFA: | | |
| Industrial GFA: | | |
| Institutional/Other GFA: | | |

| Residential Units by Tenure | Existing | Retained | Proposed | Total |
|------------------------------------|-----------------|-----------------|-----------------|--------------|
| Rental: | | | | |
| Freehold: | | | | |
| Condominium: | | | 80 | 80 |
| Other: | | | | |
| Total Units: | | | 80 | 80 |

Total Residential Units by Size

| | Rooms | Bachelor | 1 Bedroom | 2 Bedroom | 3+ Bedroom |
|---------------------|--------------|-----------------|------------------|------------------|-------------------|
| Retained: | | | | | |
| Proposed: | | | | | |
| Total Units: | | 1 | 47 | 24 | 8 |

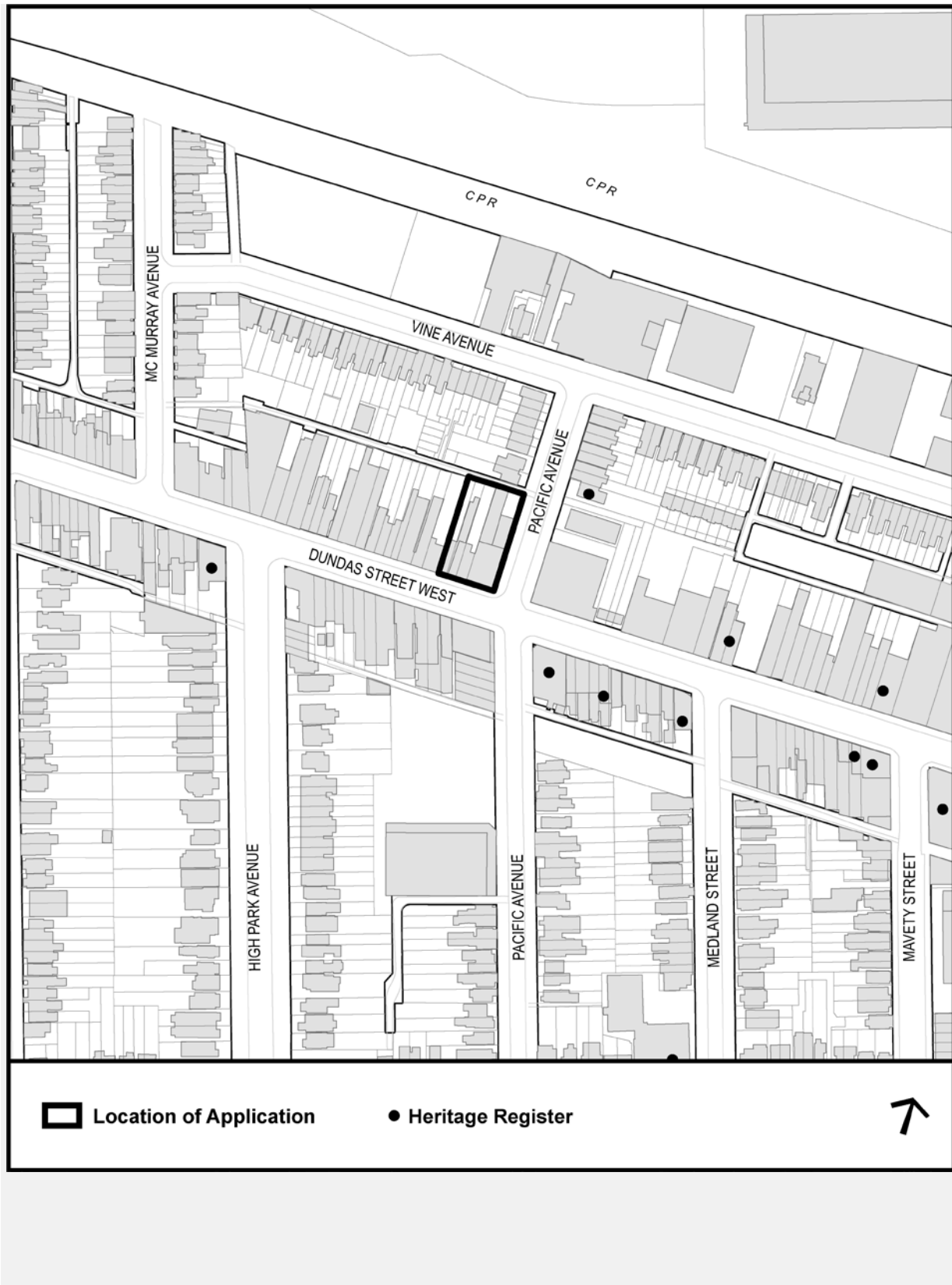
Parking and Loading

Parking Spaces: 87 Bicycle Parking Spaces: 81 Loading Docks: 1

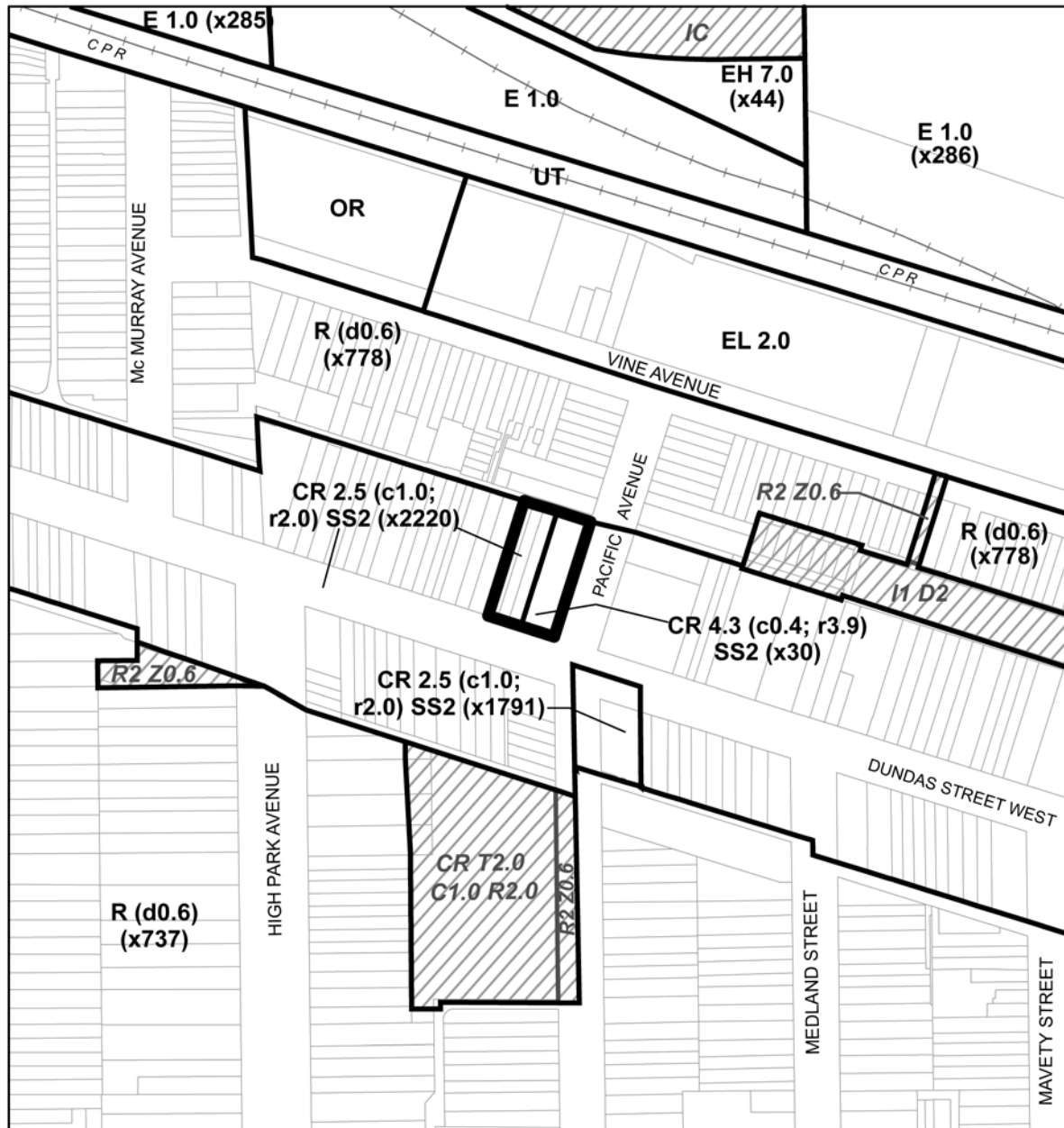
CONTACT:

Gregory Byrne, Senior Planner
(416) 394-8238
Greg.Byrne@toronto.ca

Attachment 2: Figure 2: Location Map



Attachment 3: Figure 3: Existing Zoning By-law Map



2978-2988 Dundas Street West &

406 - 408 Pacific Avenue

File # 16 137330 WET 13 02

File # 16 137349 WET 13 02



Zoning

Location of Application

R Residential
CR Commercial Residential
EL Employment Light Industrial

E Employment Industrial
EH Employment Heavy Industrial
OR Open Space Recreation
UT Utility and Transportation

See Former City of Toronto By-Law No. 438-86

R2 Residential District
CR Mixed-Use District
MCR Mixed-Use District
I1 Industrial District
IC Industrial District



Not to Scale
Extracted: 04/19/2016

Attachment 5: Draft Official Plan Amendment

Attachment 4: Draft Zoning By-law Amendment (Former City of Toronto Zoning By-law No. 438-86)

Authority: Etobicoke York Community Council Item [#],
as adopted by City of Toronto Council on [date]

CITY OF TORONTO

By-Law No. xxx – 2018

To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to the lands known as 2978-2988 Dundas Street West and 406-408 Pacific Avenue

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;

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*;

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

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;

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;

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 is permitted beyond that otherwise permitted on the aforesaid lands by By-law No. 438-86 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.

The Council of the City of Toronto HEREBY ENACTS as follows:

1. By-law 953-2015 pertaining to the development of lands known in the year 2015 as 2978-2982 Dundas Street West and 406-408 Pacific Avenue, is repealed;

2. None of the provisions of Section 2(1) with respect to the definitions of “*grade*” and “*lot*”, and Sections 4(2)(a), 4(3)(a), (b) and (f), 4(4), 4(6), 4(13)(c) and (d), 4(16), 8(3) Part I 1 and 3(a), Part II 1 and 4(c), and Part XI 1, of By-law No. 438-86 of the former City of Toronto, being “A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto” as amended, shall apply to prevent the erection and use of a *mixed-use* building or a *residential building* on the *lot*, provided:
- (1) The *lot* consists of those lands delineated by heavy black lines shown on Map 1, attached to and forming part of this By-law.
 - (2) No portion of any building or structure is located otherwise than wholly within the areas delineated by heavy lines shown on Map 2, attached to and forming part of this By-law, with the exception of the following:
 - (i) Eaves, cornices, window sills, light fixtures, railings, bollards, wheelchair ramps, stairs, stair enclosures, landscape planters and other similar architectural projections may extend beyond the heavy lines by 0.6 metres; and
 - (ii) Canopies, awnings, or similar structures may extend beyond the heavy lines by 1.5 metres.
 - (3) The *height* of any building or structure, as measured from an established *grade* of 118.72 metres, shall not exceed the maximum height in metres specified by the numbers following the symbol H on Map 2, attached to and forming part of this By-law, with the exception of the following:
 - (i) Unenclosed structures providing safety or wind protection to rooftop amenity space may exceed the permitted maximum height by 3.0 metres;
 - (ii) Parapet walls may exceed the permitted maximum height by 1.0 metres;
 - (iii) Fences and privacy screens may exceed the permitted maximum height by 2.5 metres; and
 - (iv) Railings may exceed the permitted maximum height by 1.2 metres.
 - (4) The *residential gross floor area* erected on the *lot* shall not exceed 6500 square metres.
 - (5) The *non-residential gross floor area* erected on the *lot* shall not exceed 883 square metres.
 - (6) The total number of residential *dwelling units* erected on the *lot* shall not exceed 80 *dwelling units*.

- (7) At least 25 percent of all *dwelling units* erected or used on the *lot* shall have two or more *bedrooms*, and at least 10 percent of all *dwelling units* erected or used on the *lot* shall have three or more *bedrooms*.
- (8) A total of 7 rental replacement *dwelling units* shall be provided on the site pursuant to the conditions in Appendix 1.
- (9) *Parking spaces* on the *lot* must be provided at a minimum rate of:
- (i) 0.70 spaces per bachelor *dwelling unit*;
 - (ii) 0.80 spaces per one-bedroom *dwelling unit*;
 - (iii) 0.90 spaces per two-bedroom *dwelling unit*;
 - (iv) 1.10 spaces per three-bedroom *dwelling unit*;
 - (v) 0.15 spaces per *dwelling unit* for residential visitors; and
 - (vi) 1.00 spaces per 100 m² of non-residential *gross floor area*.

If the calculation of the number of required parking spaces results in a number with a fraction, the number is rounded down to the nearest whole number, but there may not be less than one parking space.

- (10) In accordance with the minimum *parking spaces* standards required in (9), a minimum of 1 accessible *parking space* for every 25 *parking spaces* or part thereof must be provided on the *lot*.
- (11) A minimum of 81 *bicycle parking spaces* shall be provided and maintained on the *lot*, of which:
- (i) A minimum of 72 *bicycle parking spaces* shall be provided for residents; and
 - (ii) A minimum of 9 shared *bicycle parking spaces* shall be provided for visitors, and such *bicycle parking spaces* may be designated as shared retail/residential visitor *bicycle parking spaces*.
- (12) One *Type 'G' loading space* with minimum dimensions of 4.0 metres in width and 13.0 metres in length, and a vertical clearance of 6.1 metres, must be provided on the *lot*.
- (13) None of the provisions of Zoning By-law 438-86, as amended shall apply to prevent the erection or use of a temporary sales office and temporary construction office on the *lot*.
- (14) For the purposes of this By-law, the terms set forth in italics shall have the same meaning as defined in By-law No. 438-86, as amended, with the exception of the following:
- (i) "*grade*" shall be measured from an established grade of 118.72 metres; and
 - (ii) "*lot*" shall mean those lands outlined by heavy lines on Map 1 attached.

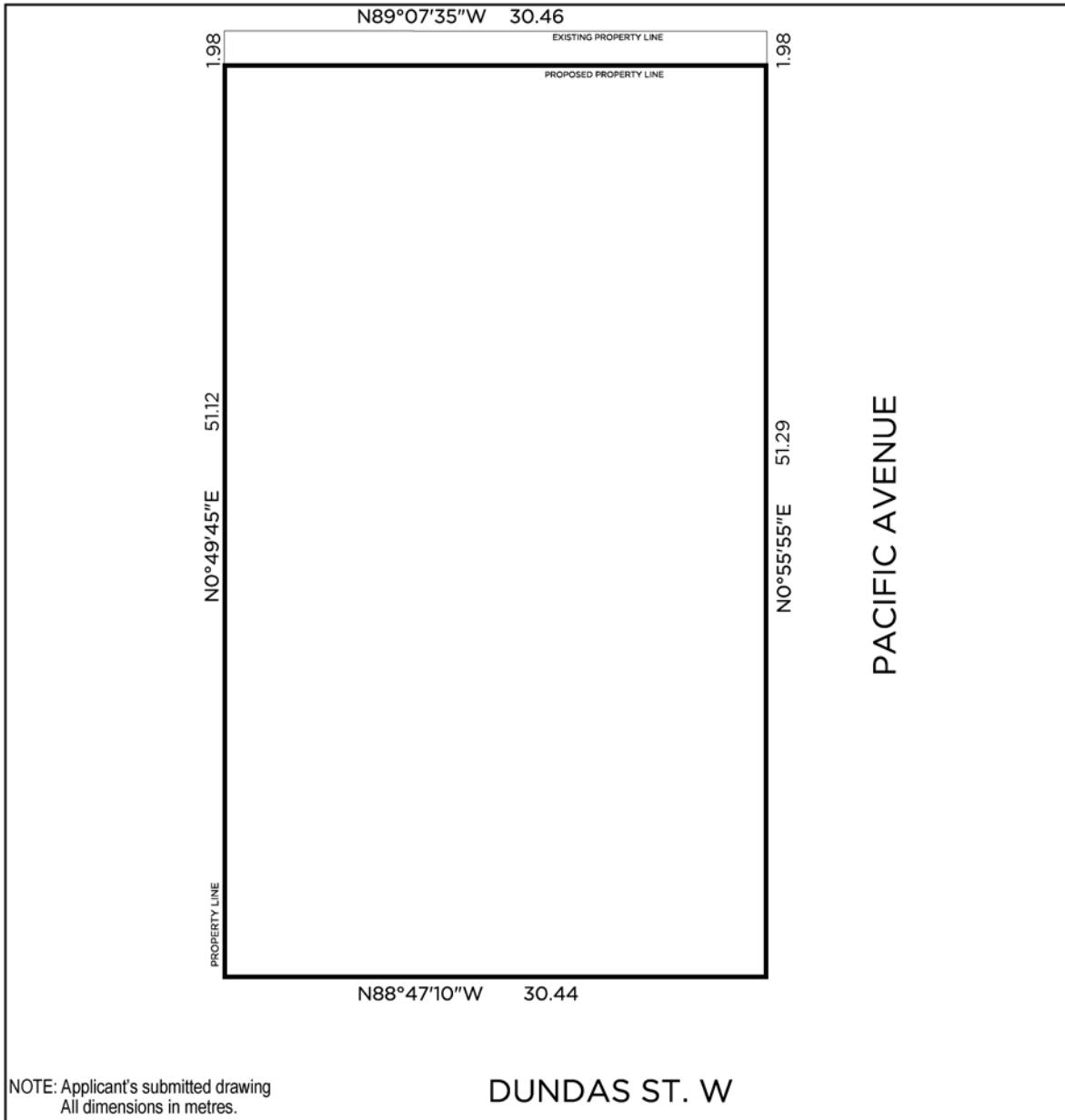
- (15) Despite any future severance, partition or division of the lot as shown on Map 1, the provisions of this By-law shall apply as if no severance, partition or division occurred.
3. Within the lands shown on Map 1 attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
- (1) All new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway; and
 - (2) All water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

Section 37 Provisions

4. 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 Map 1 in return for the provision, by the owner, at the owner's expense of the facilities, services and matters set out in Appendix "1" hereof and which are secured by 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 satisfaction of the City Solicitor.

Whereas Appendix "1" of 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.


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 Appendix "1" are satisfied.

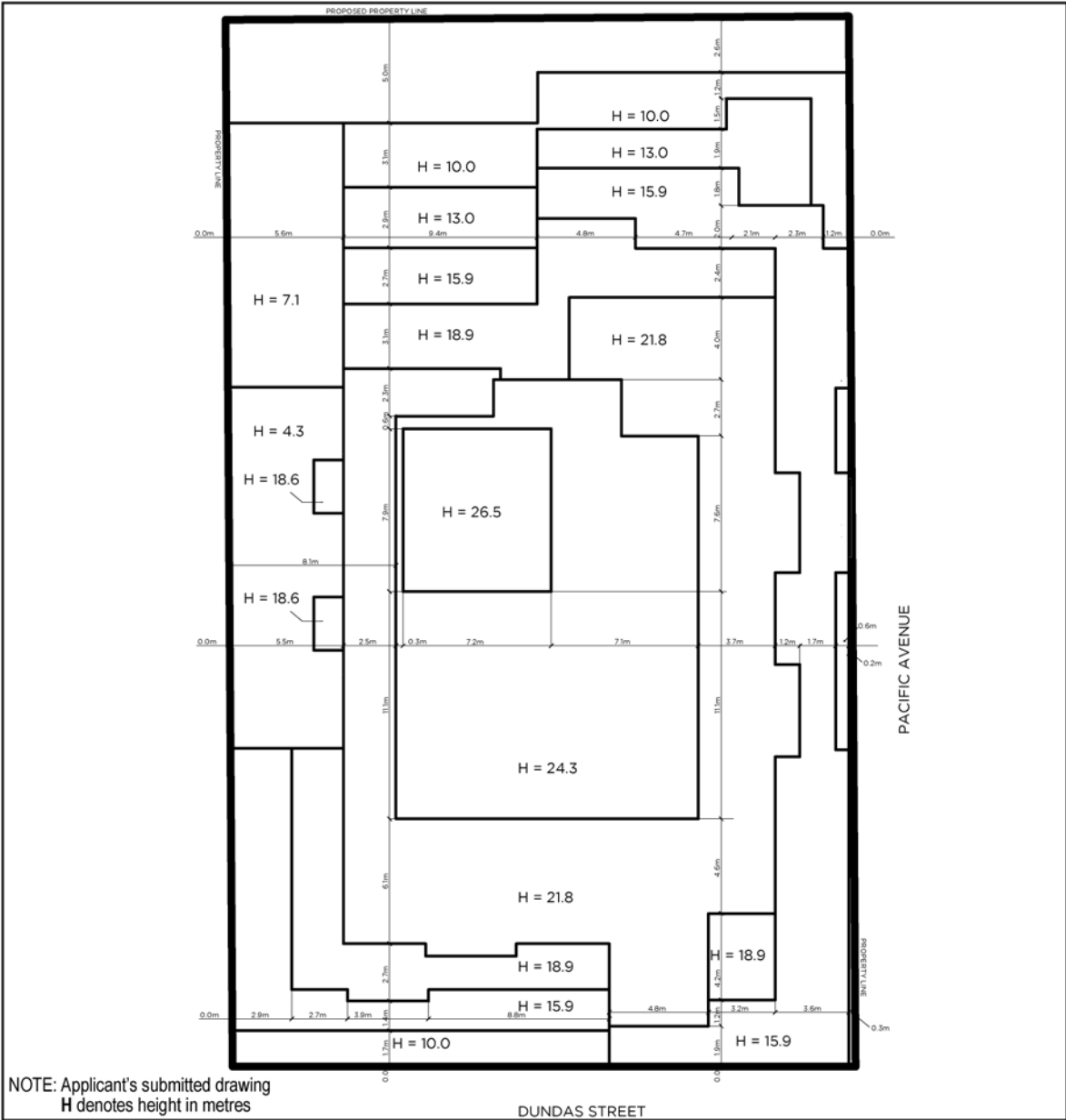



TORONTO
 Map 1

2978 - 2988 Dundas Street West &
 406 - 408 Pacific Avenue

File # 16 137330 WET 13 OZ


 City of Toronto By-Law 438-86
 Not to Scale
 5/10/2018



2978 - 2988 Dundas Street West & 406 - 408 Pacific Avenue

File # 16 137330 WET 13 0Z

↑

City of Toronto By-Law 438-86
Not to Scale
06/04/2018

Appendix "1"

Section 37 Provisions

The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and density of the proposed development on the lands as shown in Map "1" in this By-law and secured in an agreement or agreements under Section 37(3) of the Planning Act whereby the owner agrees as follows:

- a. The following matters are recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
 - i. The owner shall provide and maintain not less than 7 replacement rental dwelling units, comprised of 1 bachelor unit, 2 one-bedroom units, 3 two-bedroom units and 1 three-bedroom unit, at 2978-2988 Dundas Street West and 406-408 Pacific Avenue for a period of at least 20 years, as generally shown on the plans submitted to the City Planning Division dated January 8, 2018. Any revision to these plans must be to the satisfaction of the Chief Planner and Executive Director, City Planning.
 - ii. The owner shall provide at least 1 bachelor, 2 one-bedroom, and 1 two-bedroom replacement rental dwelling units at affordable rents, at least 2 two-bedroom and 1 three-bedroom replacement rental dwelling units at mid-range rents for a period of at least 10 years, beginning from the date of first occupancy.
 - iii. The owner shall provide ensuite laundry in all replacement rental dwelling units.
 - iv. The owner shall make available storage lockers to tenants of the replacement rental dwelling units on the same basis as the occupants of the remainder of the building.
 - v. The owner shall provide tenants of the replacement rental dwelling units access to all the same amenity spaces indoors and outdoors on the same terms and conditions as the occupants of the remainder of the building.
 - vi. The owner shall provide tenants of the replacement rental dwelling units with access to both vehicle parking spaces and bicycle parking spaces on the same basis as the occupants of the remainder of the building.
 - vii. The owner shall provide tenant relocation and assistance to each eligible tenant within the existing rental buildings, including an extended notice period, financial compensation beyond the minimum requirements set out in the *Residential Tenancies Act*, and the right to return to a replacement rental dwelling unit for all of the tenants (the "Tenant Relocation and Assistance Plan"), all of which shall be to the satisfaction of the Chief Planner and Executive Director, City Planning.

- viii. The owner shall enter into, and register on title, one or more Agreement(s) to secure the conditions outlined in i. to vii. above and as detailed in the Draft Zoning By-law Amendments (Attachment Nos. 4 and 5) to the report from the Director, Community Planning, Etobicoke York District dated June 15, 2018, to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning Division.
- ix. The owner shall enter into and register on title, a Section 118 Restriction under the *Land Titles Act*, to the satisfaction of the City Solicitor, agreeing not to transfer or charge those parts of the lands comprising the 7 replacement rental dwelling units, without the written consent of the Chief Planner and Executive Director, City Planning or his designate, to assist with the securing the Section 111 Agreement against future owners and encumbrances of the lands until such time as the City Solicitor determines that its registration on title is no longer required to secure the provisions of the Section 111 Agreement.
- x. The owner shall erect a sign to the Toronto District School Board's specifications and satisfaction prior to issuance of any building permit.
- xi. The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of item PG32.3 of the Planning and Growth Committee, as further amended by City Council from time to time.

Attachment 5: Draft Zoning By-law Amendment (City of Toronto By-law No. 596-2013)

Authority: Etobicoke York Community Council Item [#],
as adopted by City of Toronto Council on [date]

CITY OF TORONTO

BY-LAW No. ###-2018

To amend Zoning By-law No. 569-2013, as amended, to permit the development of lands known in the year 2018 as 2978-2988 Dundas Street West and 406-408 Pacific Avenue

Whereas Council of the City of Toronto has the authority pursuant to 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. By-law 954-2015 pertaining to the development of lands known in the year 2015 as 2978-2982 Dundas Street West and 406-408 Pacific Avenue, is repealed.
2. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
3. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, Chapter 800 Definitions.
4. 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 by heavy black lines to CR 4.5 (c0.6; r3.9) SS2 (x 30), as shown on Diagram 2 attached to this By-law.
5. Zoning By-law 569-2013, as amended, is further amended by amending Article 900.11.10 Exception Number [30] so that it reads:

Exception CR [30]

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

Site Specific Provisions:

- (A) On 2978-2988 Dundas Street West and 406-408 Pacific Avenue, none of the provisions of 40.5.40.10 (4), 40.10.40.10 (2), 40.10.40.10(5), 40.10.40.40(1), 40.10.40.60 (1)(C)(i), 40.10.40.70 (2)(C), 40.10.40.70(2)(E) and (F), 40.10.40.70 (2)(G), 40.10.40.80(2)(B)

40.10.80.20, 220.5.1(2), 220.5.10.1 and 220.5.20.1(A)(ii) will prevent the erection or use of a **building, structure**, addition or enlargement if it complies with the requirements of (B) to (O) below].

- (B) The total floor space index of all **buildings** on the **lot** does not exceed 4.5, of which:
 - a. the floor space index of **residential** uses on the **lot** does not exceed 3.9; and
 - b. the floor space index of **non-residential** uses on the **lot** does not exceed 0.6.
- (C) The maximum number of **dwelling units** on the **lot** does not exceed 80 **dwelling units**.
- (D) At least 25 percent of all **dwelling units** on the **lot** must have two or more bedrooms, and at least 10 percent of all **dwelling units** on the **lot** must have three or more bedrooms.
- (E) The height of any **building** or **structure**, as measured from an elevation of 118.72 metres, must not exceed the height in metres specified by the number following the symbol HT on Diagram 3 of By-law No. ###-2018[Clerks to insert By-law number].
- (F) Despite (E) above, the following **building** elements and **structures** are permitted to exceed the maximum heights on Diagram 3 of By-law No. ###-2018[Clerks to insert By-law number].]:
 - a. Railings - a maximum vertical projection of 1.2 metres above the heights shown on Diagram 3;
 - b. Fences, privacy screens - a maximum vertical projection of 2.5 metres above the heights shown on Diagram 3;
 - c. Parapets - a maximum vertical projection of 1.0 metres above the heights shown on Diagram 3 and
 - d. **Structures** used for outside or open air recreation, safety or wind protection purposes, provided these **structures** must not enclose space so as to constitute a form of penthouse or other room or rooms - a maximum vertical projection of 3.0 metres above the heights shown on Diagram 3.
- (G) No portion of any **building** or **structure** can extend beyond the areas delineated by heavy lines shown of Diagram 3 of By-law No. ###-2018[Clerks to insert By-law number].].
- (H) Despite (G) above, the following **building** elements and **structures** are permitted to encroach beyond the heavy lines specified on Diagram 3 of By-law [###-2018], subject to the following limitations:

- a. Eaves, cornices, window sills, light fixtures, railings, bollards, wheelchair ramps, stairs, stair enclosures, landscape planters and other similar architectural projections may extend beyond the heavy lines by 0.6 metres; and
 - b. Canopies, awnings or similar **structures** may extend beyond the heavy lines by 1.5 metres.
- (I) The required minimum height of the first **storey**, as measured between the floor of the first **storey** and the floor of the second **storey**, is 4.0 metres.
 - (J) A platform attached to the front **main wall** of a **building** may be located above the first **storey**.
 - (K) Where the **main wall** of a **building** has windows or openings, the **main wall** must be set back 5.5 metres from a **side lot line** if that **side lot line** does not abut a **street**.
 - (L) A **parking space** that is not in a **building** or **structure** must be set back at least 6.0 metres from a **lot** in the Residential Zone category.
 - (M) One Type 'G' **loading space** must be provided on the **lot**.
 - (N) None of the provisions of By-law 569-2013 will apply to prevent the erection or use of a temporary sales office or temporary construction office.

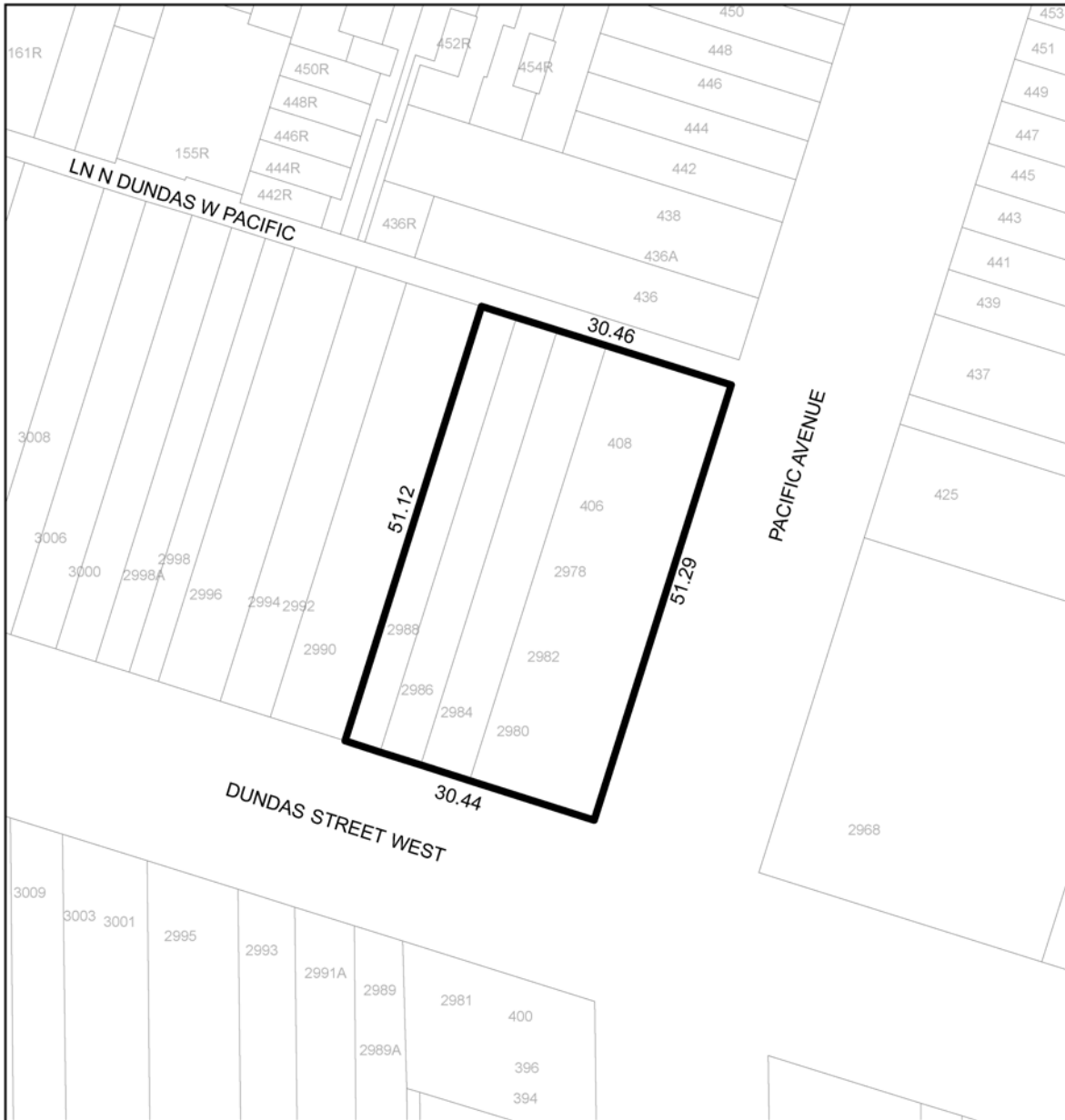
Prevailing By-law and Prevailing Sections:

- (A) Section 12(2) 270 (a) of former City of Toronto By-law 438-86.

6. 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 owner's expense, of the facilities, services and matters set out in Schedule A hereof and 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 satisfaction of the City Solicitor.
- (B) Where Schedule A of 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 Schedule A are satisfied.



TORONTO
Diagram 1

**2978 - 2988 Dundas Street West &
 406 - 408 Pacific Avenue**

File # 16 137330 WET 13 OZ

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

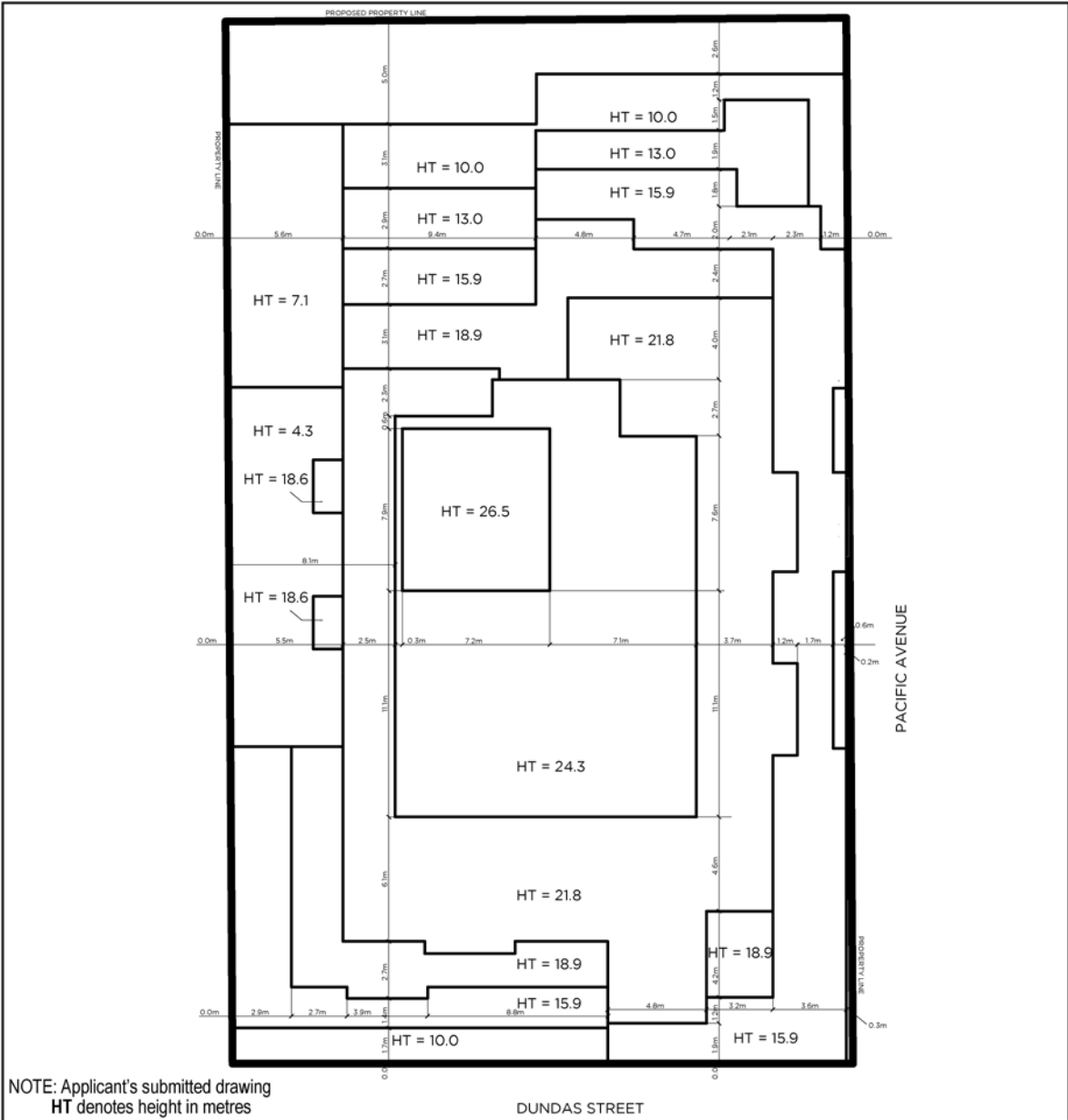


TORONTO
Diagram 2

**2978 - 2988 Dundas Street West &
406 - 408 Pacific Avenue**

File # 16 137330 WET 13 OZ

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



TORONTO
Diagram 3

**2978 - 2988 Dundas Street West &
406 - 408 Pacific Avenue**

File # 16 137330 WET 13 0Z

↑
City of Toronto By-Law 569-2013
Not to Scale
06/04/2018

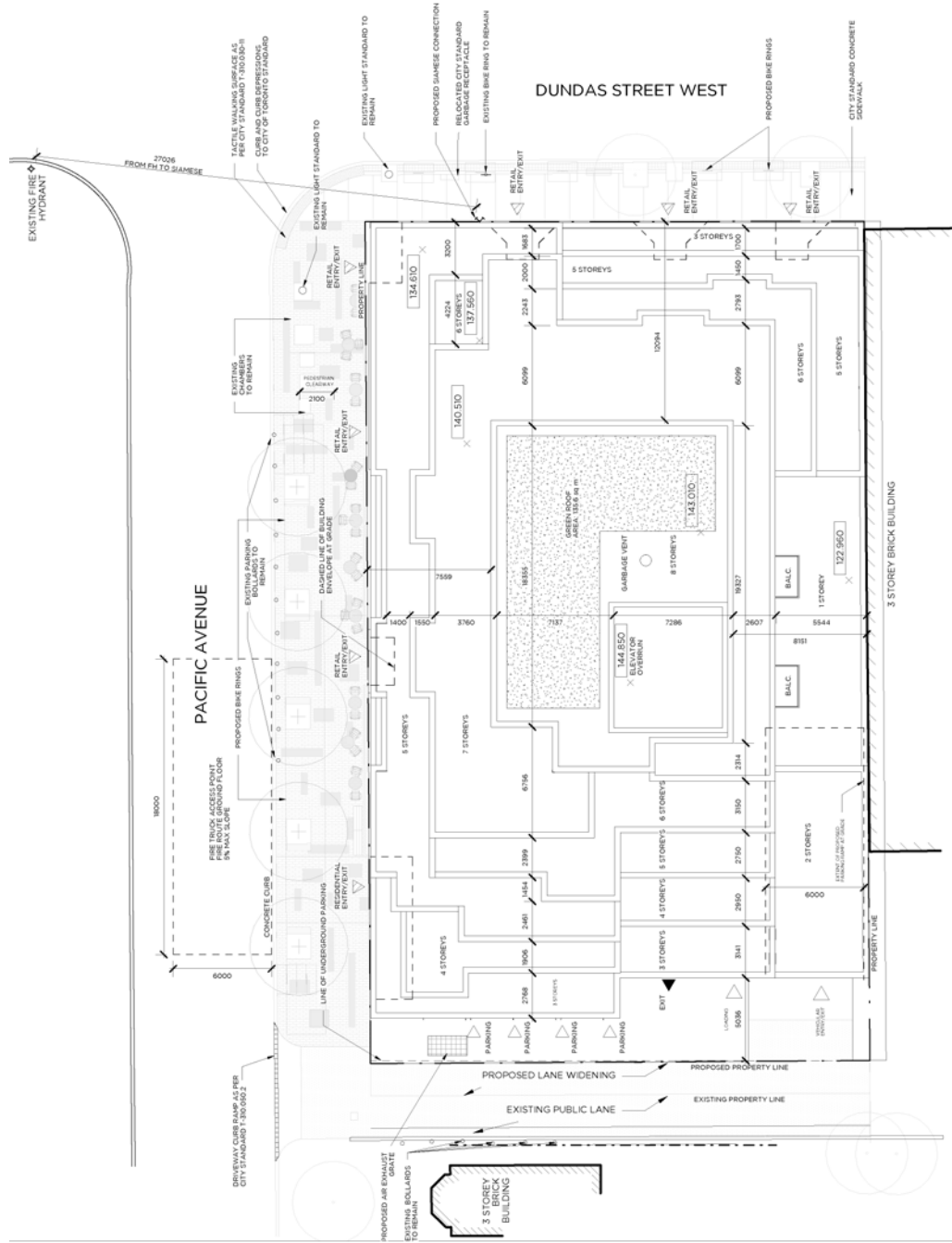
SCHEDULE A
Section 37 Provisions

The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and density of the proposed development on the lands as shown in Diagram 1 in this By-law and secured in an agreement or agreements under Section 37(3) of the Planning Act whereby the owner agrees as follows:

- (1) The owner shall provide the following to support the development of the lands:
 - i. The owner shall provide and maintain not less than 7 replacement rental dwelling units, comprised of 1 bachelor unit, 2 one-bedroom units, 3 two-bedroom units and 1 three-bedroom unit, at 2978-2988 Dundas Street West and 406-408 Pacific Avenue for a period of at least 20 years, as generally shown on the plans submitted to the City Planning Division dated January 8, 2018. Any revision to these plans must be to the satisfaction of the Chief Planner and Executive Director, City Planning.
 - ii. The owner shall provide at least 1 bachelor, 2 one-bedroom, and 1 two-bedroom replacement rental dwelling units at affordable rents, at least 2 two-bedroom and 1 three-bedroom replacement rental dwelling units at mid-range rents for a period of at least 10 years, beginning from the date of first occupancy.
 - iii. The owner shall provide ensuite laundry in all replacement rental dwelling units.
 - iv. The owner shall make available storage lockers to tenants of the replacement rental dwelling units on the same basis as the occupants of the remainder of the building.
 - v. The owner shall provide tenants of the replacement rental dwelling units access to all the same amenity spaces indoors and outdoors on the same terms and conditions as the occupants of the remainder of the building.
 - vi. The owner shall provide tenants of the replacement rental dwelling units with access to both vehicle parking spaces and bicycle parking spaces on the same basis as the occupants of the remainder of the building.
 - vii. The owner shall provide tenant relocation and assistance to each eligible tenant within the existing rental buildings, including an extended notice period, financial compensation beyond the minimum requirements set out in the *Residential Tenancies Act*, and the right to return to a replacement rental dwelling unit for all of the tenants (the "Tenant Relocation and Assistance Plan"), all of which shall be to the satisfaction of the Chief Planner and Executive Director, City Planning.

- viii. The owner shall enter into, and register on title, one or more Agreement(s) to secure the conditions outlined in i. to vii. above and as detailed in the Draft Zoning By-law Amendments (Attachment Nos. 4 and 5) to the report from the Director, Community Planning, Etobicoke York District dated 15 June, 2018, to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning Division.
- ix. The owner shall enter into and register on title, a Section 118 Restriction under the *Land Titles Act*, to the satisfaction of the City Solicitor, agreeing not to transfer or charge those parts of the lands comprising the 7 replacement rental dwelling units, without the written consent of the Chief Planner and Executive Director, City Planning or his designate, to assist with the securing the Section 111 Agreement against future owners and encumbrances of the lands until such time as the City Solicitor determines that its registration on title is no longer required to secure the provisions of the Section 111 Agreement.
- x. The owner shall erect a sign to the Toronto District School Board's specifications and satisfaction prior to issuance of any building permit.
- xi. The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of item PG32.3 of the Planning and Growth Committee, as further amended by City Council from time to time.

Attachment 6: Figure 6: Site Plan

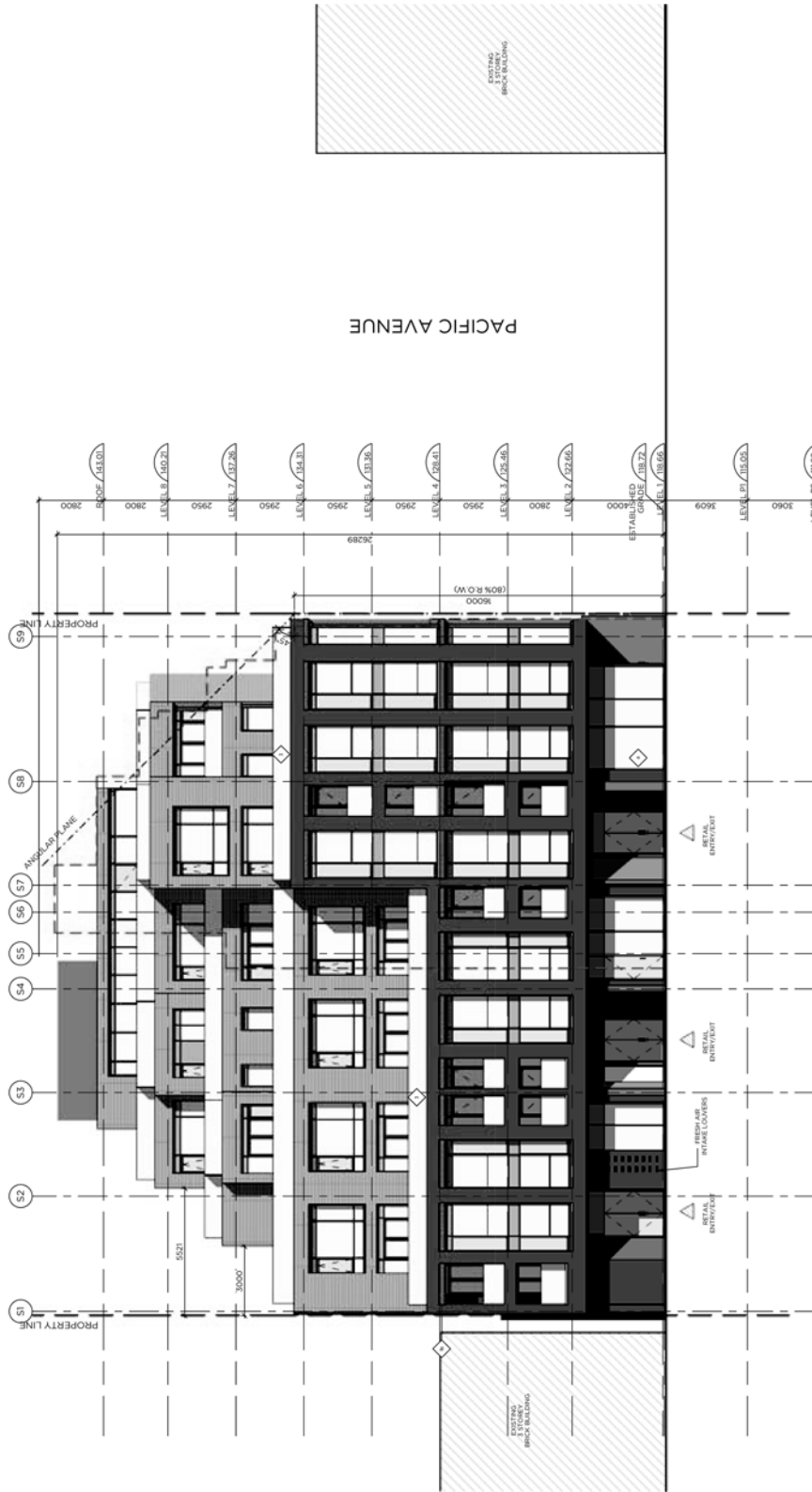


**2978 - 2988 Dundas Street West &
406 - 408 Pacific Avenue**
File # 16 137330 WET 13 0Z

Site Plan
Applicant's Submitted Drawing
Not to Scale
05/10/2018



Attachment 7: Figure 7: South Elevation

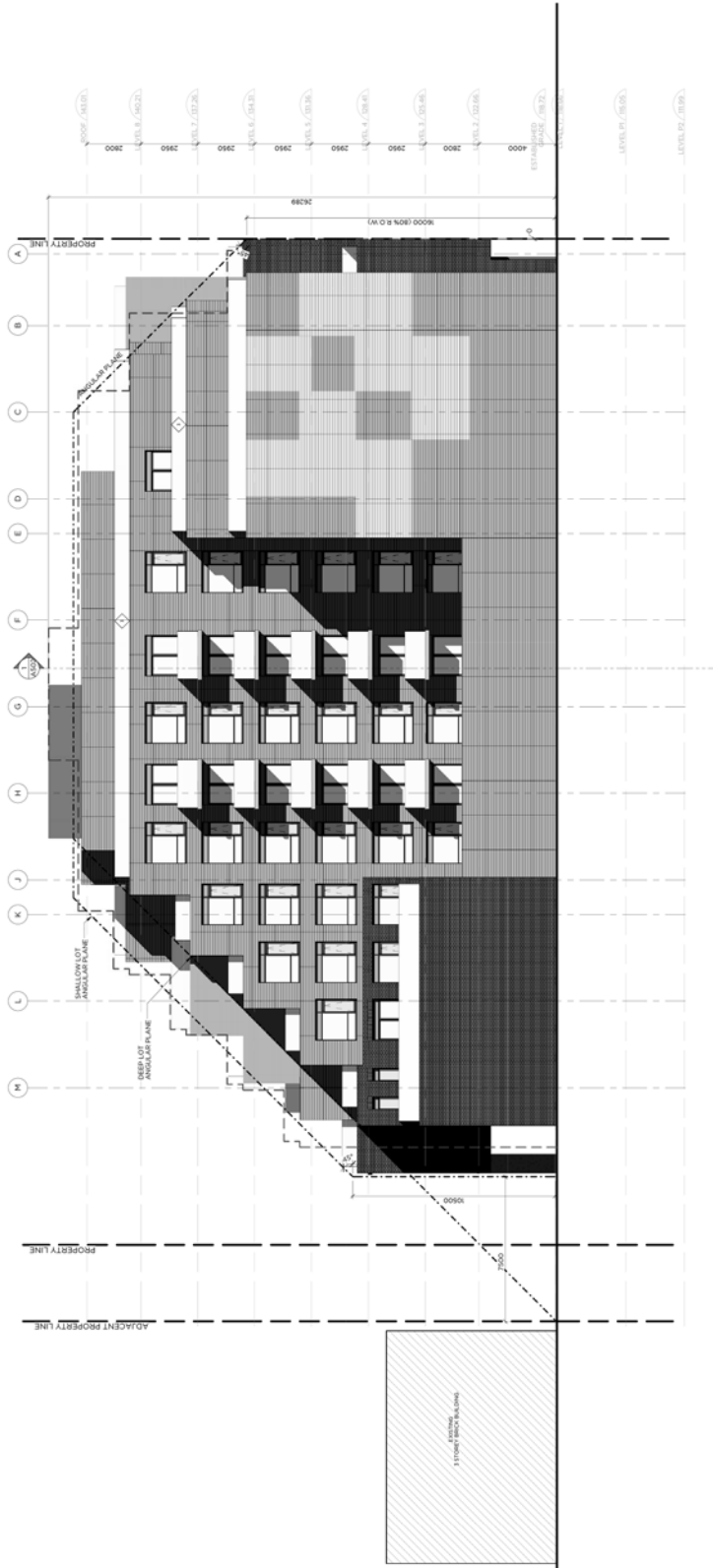


South Elevation

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

Elevations
Applicant's Submitted Drawing
Not to Scale
05/10/2018

Attachment 8: Figure 8: West Elevation

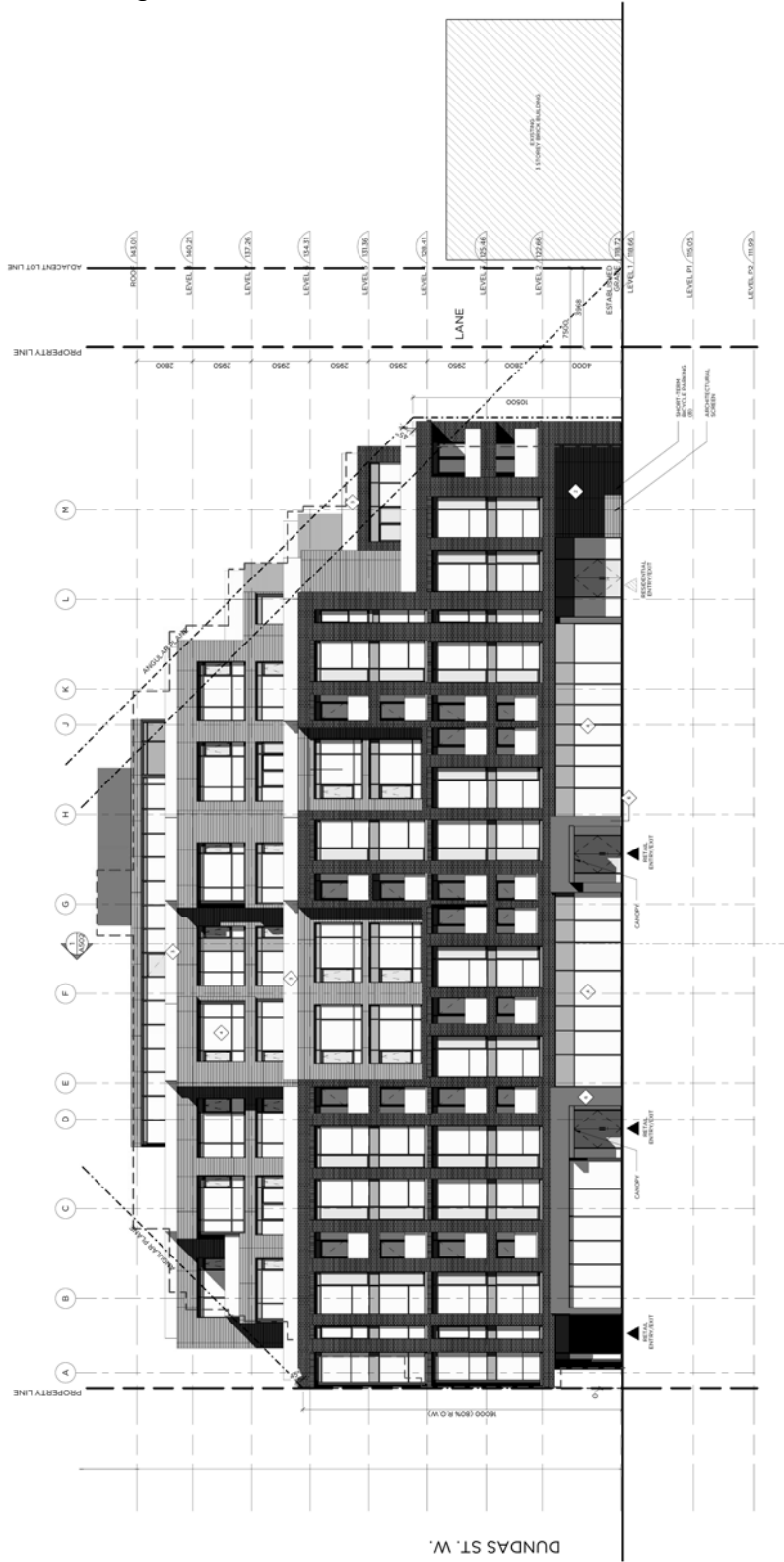


West Elevation

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

Elevations
Applicant's Submitted Drawing
Not to Scale
05/10/2018

Attachment 9: Figure 9: East Elevation



East Elevation

**2978 - 2988 Dundas Street West &
406 - 408 Pacific Avenue**
File # 16 137330 WET 13.0Z

Elevations
Applicant's Submitted Drawing
Not to Scale
05/10/2018

Attachment 10: Figure 10: North Elevation



**2978 - 2988 Dundas Street West &
406 - 408 Pacific Avenue**
File # 16 137330 WET 13.0Z

Elevations
Applicant's Submitted Drawing
Not to Scale
05/10/2018