

**3621 Dufferin Street - Zoning By-law Amendment
Application - Preliminary Report**

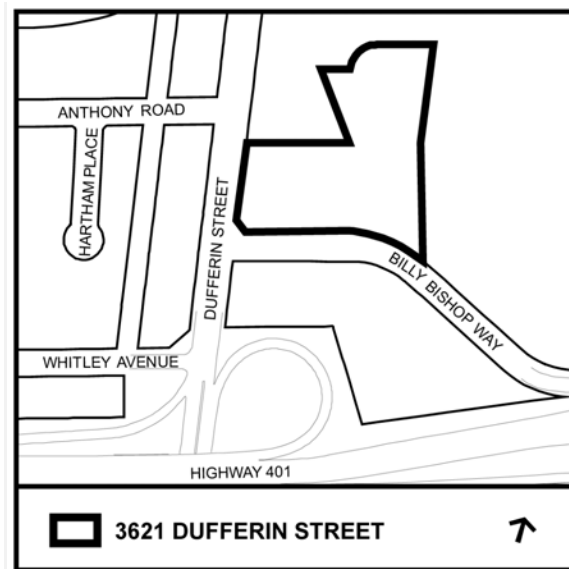
Date:	February 14, 2018
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 9 – York Centre
Reference Number:	17 280210 NNY 09 OZ

SUMMARY

This application proposes to amend the former City of North York Zoning By-law No. 7625 to permit a 9-storey mixed-use development incorporating 141 residential units; ground floor retail; 2nd floor offices; self-storage uses; outdoor and roof-top amenity space; and 559 parking spaces and 164 bicycle parking spaces in a 3-storey below grade garage at 3621 Dufferin Street. A private roadway is also proposed to connect Dufferin Street to a new north-south public road running along the eastern boundary of the site from Billy Bishop Way to a future connection with Wilson Avenue. A new public park is also proposed and would be located on the west side of the future public road.

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

Should the applicant provide any additional required information in a timely manner, it is anticipated the final report will be prepared and a public meeting scheduled under the *Planning Act* provided all outstanding issues are addressed.



RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 3621 Dufferin Street together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the *Planning Act* be given according to the regulations of the *Planning Act*.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

In October 2011, an application was submitted to the City by the owners of 3621 Dufferin Street proposing to amend the Official Plan and Zoning By-law No. 7625 for the former City of North York to permit a mixed use development consisting of an 11-storey mixed-use building located at the southwest corner of the site and six four-storey stacked townhouse blocks for a total of 393 dwelling units. The application proposed to redesignate the subject lands from *Employment Areas* to *Mixed Use Areas* (File #11 259406 NNY 09 OZ). A companion application for Plan of Subdivision also proposed to create a new public road running north from Billy Bishop Way with a temporary cul-de-sac at the north end of the site and a small public park (File #11 259417 NNY 09 SB).

The preliminary staff report on the proposal was considered by Planning and Growth Management Committee on November 8, 2011. The Committee's decision and the staff report can be accessed at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.PG9.3>.

The Official Plan and Zoning amendment applications and Plan of Subdivision applications are dormant and considered inactive, however the applicant has requested that the files not be formally closed.

At its meeting on December 16-18, 2013, City Council adopted Official Plan Amendment (OPA) No. 231 at the conclusion of the Municipal Comprehensive Review of Employment Lands as part of the City's Five Year Official Plan review. OPA 231 brought forward amendments to the Official Plan for economic health and employment lands policies, designations and Site and Area Specific Policies. Through the adoption of OPA 231, lands within the Dufferin-Wilson Study Area, which include the lands subject to this report, were re-designated to Regeneration Areas and Site and Area Specific Policy 388 was adopted to provide additional direction for future change on these lands.

On July 9, 2014, the Minister of Municipal Affairs and Housing (MMAH) approved OPA 231, with minor modifications. The Minister's decision was subsequently appealed to the Ontario Municipal Board. The decision history on OPA 231 and the MMAH decision can be accessed at the following links:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.PG28.2>

<http://www1.toronto.ca/City%20of%20Toronto/City%20Planning/SIPA/Files/pdf/O/ministers%20decision%20on%20opa%20231.pdf>

On June 22, 2015 the OMB issued an order partially approving OPA 231. The partial approval brought into effect the Regeneration Areas designation for the Dufferin-Wilson Study Area, with the exception of the lands at 3621 Dufferin Street. The owner of 3621 and 3625 Dufferin Street and long term lease holder of 3501 Dufferin Street (H&R Real Estate Investment Trust) appealed OPA 231, including SASP 388 to the Ontario Municipal Board (OMB). SASP 388 remains under appeal before the OMB and is not yet in force.

The OMB Order partially approving OPA 231 can be accessed at this link:

[http://www1.toronto.ca/City%20of%20Toronto/City%20Planning/SIPA/Files/pdf/O/PL140860_Signed%20Board%20Order%20\(June%202022%202015\).pdf](http://www1.toronto.ca/City%20of%20Toronto/City%20Planning/SIPA/Files/pdf/O/PL140860_Signed%20Board%20Order%20(June%202022%202015).pdf)

In December 2016, the applicant and potential future owner of 3621 Dufferin Street submitted a Site Plan application to the City proposing a 4-storey self-storage and retail proposal for the lands (File # 16 271500 NNY 09 SA). On May 29, 2017, the applicant of 3621 Dufferin Street filed an appeal of the Site Plan application to the OMB, citing the City's failure to make a decision on the application within the prescribed timeframe of the *Planning Act*.

At its meeting of January 31, 2017, City Council directed City Planning staff to complete the Regeneration Area Study that had been initiated as per the requirements for *Regeneration Areas* set out in OPA No. 231 for the lands bounded by Dufferin Street to the west, Wilson Avenue to the north, the retail centre known as the Downsview Power Centre to the east, Billy Bishop Way and the parcel of land abutting Highway 401 to the south. Together with the Regeneration Area study, staff were also requested to complete the review of the zoning regulations and permitted uses in the Dufferin Wilson Regeneration Area.

At the same meeting, City Council enacted Interim Control By-law 63-2017 to prohibit the following uses: car washing establishment, gasoline station, motor vehicle body repair shop and dealership, manufacturing, contractor's establishment, custom workshop, car rental agency, parking lot, public self-storage warehouse, retail over 5,000 square metres, service station, transportation terminal and warehouse, for a period of one year to study the land use permissions contained within the former City of North York Zoning By-law No. 7625 as they apply to the study area.

City Council's decision can be accessed at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.MM24.40>

On April 11, 2017 the Interim Control By-law was appealed to the Ontario Municipal Board by McCarthy Tetrault LLP and Aird and Berlis LLP, solicitors acting on behalf of the owners and parties with an interest in 3621 Dufferin Street. To date the matter has not been scheduled to be heard at the Ontario Municipal Board.

At its meeting of April 5th, 2017, Planning and Growth Management Committee considered a Directions Report dated March 8, 2017 from the Chief Planner and Executive Director, City Planning. This report presented the results of the Dufferin-Wilson Regeneration Area Study. The report included a draft Official Plan Amendment which would re-designate all the lands from *Regeneration Areas* to other land use designations. Lands east of Dufferin Street, south of Wilson Avenue and north of Billy Bishop Way would be re-designated as *Mixed Use Areas* while the lands south of Billy Bishop Way, east of Dufferin Street and just north of Highway 401 would be re-designated to *Employment Areas (General)*. The Directions Report included detailed information about the study area and surrounding community, the relevant policy framework, the study process, consultation process and the draft Official Plan Amendment. The decision history can be accessed at this link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PG19.3>

Planning and Growth Management Committee held a statutory public meeting as per the *Planning Act* on May 31, 2017. The Committee recommended City Council adopt the recommendations contained in the Reports dated May 9 and 24, 2017 from the Chief Planner and Executive Director and requested that the Chief Planner and Executive Director, City Planning, in consultation with the local Councillor, continue discussions with the representative for 3621 Dufferin Street and report back to City Council with acceptable revisions to the Site Plan Application consistent with the vision of the Dufferin-Wilson Regeneration Area Study as a complete, transit supportive new community, and addressing issues of land-use mix and public road network.

A link to the Planning and Growth Management Committee decision can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PG21.6>

Agreement was arrived at with concerned parties to refine the language in the proposed OPA No. 362 to address the concerns of the parties and resulting in OPA language which would allow a mixed use development containing public storage uses, while also maintaining the vision of the Dufferin-Wilson Regeneration Area Study and SASP Policy #388. The agreement resulted in further modifications to Official Plan Amendment No. 362, which was adopted at City Council's meeting of November 7, 8 and 9, 2017.

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

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PG21.6>

Official Plan Amendment No. 362 has been appealed to the OMB by the applicant of 725 Wilson Avenue, citing concerns over aspects of the policy language and its interpretation.

At its meeting of December 5, 2017, City Council amended Interim Control By-law 63-2017 to extend the period of interim control for a further 12 month period, in order to enable the completion of the review of land use permissions in the Zoning By-law and to ensure their compatibility with the Council approved vision for the Dufferin-Wilson Regeneration Area, which includes the lands at 3621 Dufferin Street.

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

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.MM35.43>

Pre-Application Consultation

Pre-application consultation meetings were held with the applicant, most recently on November 21, 2017, to discuss complete application submission requirements. Issues raised included proposed uses and their compatibility with the Council approved mixed-use vision for the Dufferin-Wilson Regeneration Area, site access and provisions for new public roads, the height, design and animation of the proposed building, pedestrian realm and provisions for a new public park.

ISSUE BACKGROUND

Proposal

The application proposes a 9 storey (39 metre high, excluding the marquee) mixed-use residential building with frontage on Dufferin Street and Billy Bishop Way, containing 141 residential dwelling units and 21,042 square metres of self-storage separated from the residential component with both uses located on the third to ninth floors; 3,583 square metres of ground floor retail, and 5,804 square metres of office space on the entirety of the second floor. The proposed residential use would be located to the west, south and east side of the building and would be comprised of 10 studio units, 98 one bedroom units, 18 two-bedroom units, and 15 three-bedroom units.

The mixed-use building would have a total gross floor area (GFA) of 44,081 square metres and a Floor Space Index (FSI) of 2.6 times the area of the lot. A new public park is also proposed to the north-east of the proposed mixed-use building, as well as a 27 metre wide public street running north-south along the east side of the site.

Three levels of a common underground parking garage are proposed with a total of 559 vehicular parking spaces, of which 8 surface spaces would be used by the retail tenants. The breakdown of the proposed parking between the office, self-storage and residential use is at present undetermined. A total of 164 bicycle parking spaces are proposed to be provided in the underground parking garage of which 127 resident and 15 visitor spaces

would serve the residential units and 8 employee and 14 customer spaces would serve the retail space.

The proposed building would have a minimum 3 metre setback along both Dufferin Street and Billy Bishop Way. A proposed private roadway would connect Dufferin Street easterly to a future north south public roadway and run alongside the north portion of the building. This private roadway would also provide access to the self-storage loading and unloading area at the north-side of the proposed building. The proposed building would rise in height from 7 storeys (31 metres) at the north-east portion of the site to 9 storeys (39 metres) along the Dufferin Street frontage. A marquee element would be positioned between the transition from 7 to 9 storeys at the south-west portion of the proposed building and have a height of 51 metres. Entrances for both residential and office uses would be provided at grade from both Billy Bishop Way and the future north-south public roadway. At-grade retail entrances would also be located along Billy Bishop Way and Dufferin Street. Below grade residential and commercial vehicular parking would be accessed from the future north-south public roadway at the east of the site (Attachment 1: Site Plan).

Indoor and outdoor residential amenity space is proposed to be located on the 8th floor of the building alongside the Billy Bishop Way frontage.

Site Statistics

	Total
Site Area (m ²)	16,982.9
Density	2.60
Lot Coverage (%)	27
Height (m) + marquee	39 + 51
Residential GFA (m ²)	12,420
Retail GFA (m ²)	3,583
Office GFA (m ²)	5,804
Storage GFA (m ²)	21,042
Ground floor height (m)	7
Setbacks (m)	
North (private roadway)	8
South (Billy Bishop Way)	3.5
East (future public road)	3
West (Dufferin Street)	3
Residential Units	
Studio	10 (7%)
1-bedroom	98 (69%)
2-bedroom	18 (13%)
3-bedroom	15 (11%)
Total	141
Loading	3 Type G

Amenity Space (m ²)	
Indoor	282 (2 m ² /unit)
Outdoor	282 (2 m ² /unit)
Total	564
Vehicular Parking Total	559
Residential Parking	To be determined (tbd)
Office Parking	tbd
Retail Parking	tbd / 8 at grade
Bicycle Parking Total	164
Resident	127
Visitor	15
Retail Employee	8
Retail Customer	14

Site and Surrounding Area

The area contains a mix of uses including residential, commercial, institutional, retail and light industrial. The subject site is located within a 3.6 hectare parcel of land that was subject of the Dufferin–Wilson Regeneration Area study and is situated just south of Wilson Avenue at the north-east corner of Dufferin Street and Billy Bishop Way. The lands are flat, with very little vegetation. A portion of the site adjacent to the office building at 3625 Dufferin is presently used for surface parking. This irregular parcel of land has a frontage of approximately 75 metres along Dufferin Street, a flankage of approximately 160 metres along Billy Bishop Way and a depth northward of approximately 180 metres. The subject lands are in an “L” shape configuration along the future north-south public roadway.

North: Vacant lands at 719-725 Wilson Avenue for which a site plan application is presently being reviewed proposing a three-storey commercial development (File # 17 135535 NNY 09 SA); a gas station at the southeast corner of Dufferin Street and Wilson Avenue (3639 Dufferin Street); a vacant parcel (3633 Dufferin Street, which is also part of the proposed development at 719-725 Wilson Avenue); and immediately adjacent is a 5-storey office building (3625 Dufferin Street) and its loading and surface parking area. To the north of Wilson Avenue are located light industrial uses, an automotive dealership and the Downsview Airport operated by Bombardier Aerospace.

South: Immediately across Billy Bishop Way is located a temporary surface parking lot used for an automotive dealership; to the south-east a zoning by-law amendment and site plan application are presently being reviewed for a proposed three-storey automobile dealership (File # 17 214786 NNY 09 OZ and File # 17 214799 NNY 09 SA). Further south is found the Dufferin Street/Highway 401 interchange after which is located Yorkdale Shopping Centre.

East: A retail centre, known as the Downsview Power Centre, which includes a Costco and Best Buy immediately adjacent, a Home Depot, other retail and restaurant

uses in a new commercial centre located at 75 Billy Bishop Way, and the south entrance to the Wilson Avenue Subway Station and William R. Allen Road.

West: to the south-west along Dufferin Street is located a six storey office building (3500 Dufferin Street), semi-detached residential buildings and commercial uses fronting along Dufferin Street; further west are located single family dwellings within a *Neighbourhoods* designation. To the west along the Wilson Avenue frontage is located a mixture of 3 storey residential apartments, a five storey office building, and two storey mixed use commercial strip plazas.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (2014) 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 City of Toronto uses the PPS to guide its official plan and to inform decisions on other planning and development matters. The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council affecting land use planning matters "shall be consistent with" the Provincial Policy Statement.

The Growth Plan for the Greater Golden Horseshoe (2017) provides a strategic framework for managing growth in the Greater Golden Horseshoe region including:

- Setting minimum density targets within settlement 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.

Like other provincial plans, the Growth Plan for the Greater Golden Horseshoe (2017) builds upon the policy foundation provided by the Provincial Policy Statement (2014) 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. All decisions by Council affecting land use planning matters are required by the *Planning Act*, to conform, or not conflict, as the case may be, with the Growth Plan.

Staff will review the proposed development application so it is consistent with the Provincial Policy Statement (2014) and conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe (2017).

Official Plan

OPA 231 brought forward amendments to the Official Plan for economic health and employment lands policies, designations and Site and Area Specific policies. Through the adoption of OPA 231, the subject lands, as part of the Dufferin-Wilson Study Area, were re-designated to *Regeneration Areas* and Area Specific Policy #388 was adopted to provide additional direction for future change on the lands. SASP 388 was appealed to the OMB and is not yet in force.

As mentioned previously in this report, at its meeting of November 7, 8 and 9, 2017, City Council adopted Official Plan Amendment No. 362, and SASP #388 with modifications that redesignated the lands in the Dufferin-Wilson Regeneration Study Area from *Regeneration Areas* to *Mixed Use Areas* and *Employment Uses* south of Billy Bishop Way. The lands at 3621 Dufferin Street, which are the subject of this report, were re-designated as *Mixed Use Areas*.

Mixed Use Areas

The City's Official Plan policies encourage development in *Mixed Use Areas* to:

- create a balance of high quality commercial, residential, institutional and open space uses that reduce automobile dependency and meet the needs of the local community;
- locate and mass new buildings to provide a transition between areas of different development intensity and scale by providing appropriate setbacks and/or stepping down of heights, particularly towards lower scale *Neighbourhoods*;

- locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*;
- locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- take advantage of nearby transit services;
- provide good site access and circulation and an adequate supply of parking for residents and visitors;
- locate and screen services areas, ramps and garbage areas 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.

Avenues Policies

Map 2 of the Official Plan also identifies this segment of Dufferin Street as an Avenue. The growth management strategy for the City steers growth and change to some parts of the City, while protecting neighbourhoods and green spaces from development pressures. Avenues are considered important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities while improving the pedestrian environment, the look of the street, shopping opportunities and transit service for community residents. The Plan recognizes that the Avenues will be transformed incrementally, that each is different and that there is no one size fits all approach to reurbanizing them. Reurbanization of the Avenues is subject to the policies of the Official Plan, including in particular the neighbourhood protection policies.

Section 2.2.3.1 of the Official Plan provides that reurbanizing the Avenues will be achieved through the preparation of Avenue Studies for strategic mixed use segments. Section 2.2.3.3 of the Official Plan provides for development on an Avenue prior to an Avenue Study subject to certain requirements. As development prior to an Avenue Study has the potential to set a precedent for the intensity, form and scale of reurbanization, in addition to addressing the policies of the Plan for Mixed Use Areas, Section 2.2.3.3 requires that proponents of proposals also address the larger context and examine the implications for the segment of the Avenue in which the proposed development is located.

Further, the Plan provides that development requiring a rezoning will not be allowed to proceed prior to completion of an Avenue Study unless the review demonstrates to Council's satisfaction that subsequent development of the entire Avenue segment will have no adverse impacts within the context and parameters of the review. For development within a Mixed Use Area that precedes an Avenue Study, Section 2.2.3.3c) outlines requirements that must be satisfied in addition to all other policies of the Plan including in particular the neighbourhood protection policies.

The Official Plan recognizes that established neighbourhoods can benefit from directing growth to areas such as the Avenue with improved services, amenities and other enhancements while preserving the shape and feel of the neighbourhood. At the boundary

points between the neighbourhoods and the growth areas, development in the Mixed Use Areas will have to demonstrate a transition in height, scale and intensity to ensure that the stability and general amenity of the adjacent residential area are not adversely affected.

Transportation Policies

Chapter 2 of the Official Plan includes policies to develop the City's transportation network. Dufferin Street is identified as a major street in Map 3 of the Official Plan with a planned right-of-way width of 27 metres. Dufferin Street is also identified as a Transit Priority Segment in Map 5 of the Official Plan.

The Public Realm

Section 3.1.1 contains policies that help guide the development of streets, sidewalks, boulevards, and other aspects of the public realm. This includes the creation of new city blocks and development lots and new public parks and open spaces.

Built Form

The Built Form policies in section 3.1.2 of the Official Plan relate to ensuring that new development in the City can fit harmoniously within the existing and/or planned context of the neighbourhood. This includes locating and organizing new development to frame and support adjacent streets, parks and open spaces; locating and organizing vehicle parking, vehicular access, service areas and utilities to minimize their impact on the property and surrounding properties; massing new development and its exterior façade to fit into the existing and/or planned context; massing new development to define the edges of streets, parks and open spaces at good proportion; and providing for amenity for adjacent streets and open spaces.

Section 37 policies

The Official Plan provides for the use of Section 37 of the *Planning Act* to secure the provision of community benefits in return for an increase in height and/or density of a development. The City may require the applicant to enter into an agreement to secure these matters.

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

Official Plan Amendment No. 362

The subject lands are designated *Mixed Use Areas* as amended by OPA No. 362 (see Attachment No. 8, Official Plan Amendment No. 362). A mixture of land uses, pedestrian and cycling connections to transit, and an enhanced open space and public realm is envisioned for the lands within the Dufferin–Wilson Regeneration Area.

Building heights will be predominately of a mid-rise form and a minimum of 3-storeys, with ground floor uses that animate and add vitality to the public realm and with a maximum density of 2.5 times the lot area. Buildings fronting onto Dufferin Street will also be set back a distance of 5 metres to allow for enhanced pedestrian amenities, retail

spill-out space, landscaping and tree planting. A north-south strip along the easterly property line of the lands is also designated as *Parks and Open Space Areas*.

OPA No. 362 and SASP #388 also brought forward site specific policies for the subject lands at 3621 Dufferin Street as follows below:

- a) Notwithstanding Policy 2(b)(iii), a Holding provision will be contained in the zoning by-law with respect to the lands known in 2017 as 3621 Dufferin Street permitting self-storage warehouse uses and residential and/or office uses in contiguous buildings on these lands provided that information is provided demonstrating to Council's satisfaction that:
 - i. The design of the contiguous buildings containing residential uses and/or office uses, and self-storage warehouse uses are to the satisfaction of the Chief Planner and Chief Building Official, including any issues related to compatibility and adverse impact;
 - ii. The land use mix will achieve a minimum of 200 jobs and/or people per hectare;
 - iii. The proposed self-storage uses are located within a Mixed Use building with residential and/or office uses, and ancillary retail uses, and the proposed self-storage uses consist of less than 50% of the gross floor area of the Mixed Use building; and
 - iv. The policies in the Plan and this Site and Area Specific Policy can be achieved, including but not limited to the integration of new public street(s), a new public park and affordable housing.
- b) The City will remove the Holding (H) symbol from all or some of the lands, only as the associated conditions have been satisfied and matters appropriately secured through an agreement or agreements entered into pursuant to the *Planning Act*, including Sections 37, 41, 51 and 53, Section 118 under the *Lands Title Act*, and the *City of Toronto Act*.
- c) Development of this site is to be implemented using the following:
 - i. A zoning by-law amendment, the enactment of which will be dependent on the execution of a subdivision agreement between the owner and the City for the provision of all the appropriate roads, parkland and services. The determination of any triggers for the imposition and removal of any Holding (H) zones will be dependent on environmental and/or compatibility studies for sensitive uses, and lands conveyed to the City, including a record of site condition and servicing requirements identified through the subdivision and zoning amendment application process.
 - i. Subdivision agreements, site plan agreements and Section 37 agreements to secure the services or matters required for the desirable development of the lands and to meet the objectives of this Plan, such as but not limited to, the provision of public infrastructure, pedestrian and cycling infrastructure, appropriate off-site improvements, sanitary and storm sewers, municipal water supply and easements for such

facilities and services identified through the subdivision and zoning amendment application process, and consistent with the vision for the Dufferin-Wilson Area.

ii. The submission of a Block Plan indicating the relationship of proposed land uses and buildings, structures and open spaces to adjacent development and development sites, public spaces, roadways and pedestrian routes is required and will demonstrate how the above policies will be achieved in the context of the vision and objectives of this Plan. More specifically, the Block Plan will demonstrate to Council's satisfaction the:

1. Proposed massing of buildings, including heights, setbacks, distribution of density, and appropriate separation distances to Employment Areas and/or transportation corridors, and compatibility with the Downsview Airport.
2. Proposed land use mix will achieve a minimum of 200 jobs and/or people per hectare.
3. Location, dimension and character of privately accessible public open spaces, pedestrian and cycling routes, showing their continuity and complementary relationship to adjacent planned and existing public spaces, pedestrian routes and streets.
4. General location, size and treatment of surface parking facilities and vehicular access points in sufficient detail to identify locations where parking amongst different building sites or uses may be shared and to assess the effect of these facilities on public spaces, parks, public sidewalks and pedestrian routes.
5. Location of street-related uses and principal pedestrian entrances to buildings and the relationship of such uses and entrances to street frontages to ensure that the role of the public street, pedestrian and cycling movement along the street is supported, protected and safe.

iii. A Phasing Strategy and Implementation Plan that addresses phasing to ensure that development does not outpace the provision of infrastructure, facilities and amenities needed to support the creation of a complete community. The Phasing Strategy will:

1. set out a residential unit count and non-residential floor area, as may be applicable, for the lands for each phase and/or block of development and outline physical infrastructure improvements

and community services and facilities required to be implemented prior to/or concurrently with the completion of any phase of development to support the development in each phase and/or block; and

2. provide for the development of residential and/or office uses that proceeds, or is concurrent with, development of the self-storage uses.
- iv. The term '*Contiguous*' shall mean having contact with, connected to, or sharing, all or most of a common wall, both vertically and horizontally;
- v. A '*Mixed Use building*' for the purposes of a(iii) above means a single building that includes more than one type of use, and also two contiguous buildings that collectively include more than one type of use, that includes at a minimum residential and/or office uses, and may include ancillary retail.

OPA No. 362 has been appealed to the OMB. A link to OPA No. 362, adopted at City Council's meeting of November 7, 8 and 9, 2017, and the Dufferin-Wilson Regeneration Study Final Report can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PG21.6>.

Zoning

Under the former City of North York Zoning By-law #7625, the subject lands are zoned MC(H), Industrial-Commercial Zone, which permits a variety of manufacturing, commercial and retail uses, including motor vehicle dealerships and related uses, and allows for a maximum floor space index (FSI) of 1.0 times the lot area. The Holding (H) provision restricts retail stores, personal service shops and office uses to a maximum of 5,000m² or 0.5 F.S.I.

The easterly portion of the lands north to south are also zoned Airport Hazard Area Zone (A). Section 35.2 of former City of North York By-law No. 7625 deems any land included within an Airport Zone which is not under the ownership or jurisdiction of a public authority, to be subject to the provisions of the By-law that applies to the opposite side of the nearest public street, which in this case would be the MC (H) zone.

The lands are also subject to the height restrictions related to the former Downsview Airport, now operated by Bombardier Aerospace, and imposed by Schedule "D" (Airport Hazard Map). The Schedule imposes a maximum building and structure height restriction of 15.24 metres for the southwesterly portion of the lands.

City of Toronto Zoning By-law #569-2013 does not apply to the subject lands.

Interim Control By-law

As mentioned above, on January 31, 2017 City Council enacted Interim Control By-law 63-2017 and temporarily suspended within the Dufferin-Wilson Regeneration Area, permission for manufacturing, automotive-related and self-storage uses for the study area lands, and in particular: car washing establishment, gasoline station, motor vehicle body repair shop and dealership, manufacturing, contractor's establishment, custom workshop, car rental agency, parking lot, public self-storage warehouse, retail over 5,000 square metres, service station, transportation terminal and warehouse uses.

On December 5, 2017, City Council extended the period of interim control for a further 12 month period to allow for fulsome review of the land use permissions in the Zoning By-law and ensure their compatibility with the vision for the Dufferin-Wilson Regeneration Area, including the subject lands at 3621 Dufferin Street.

The link to the City Council decision and staff report can be found here:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.MM35.43>

Tree Preservation

The submitted Arborist Report indicates that the subject lands are currently an open grassed field. There is one tree identified on the west boundary of the site that will be subject to the City's Tree Protection By-law. The applicant is proposing to plant a large number of new trees on the site as part of the landscaping proposal. The Arborist Report and proposed tree planting plan is under review by Urban Forestry.

Site Plan Control

The proposal is subject to Site Plan Control. A Site Plan application was submitted to the City in December 2016 for a previous 4-storey self-storage and retail proposal. That application (File # 16 271500 NNY 09 SA) has been revised to reflect the current proposal and is being reviewed concurrently with this application.

Mid-Rise Building Guidelines

Toronto City Council, at its meeting of July 8, 2010, adopted the recommendations contained in the staff report prepared by City Planning entitled "Avenues and Mid-Rise Buildings Study", with modifications. The main objective of the Avenues and Mid-Rise Buildings Study is to encourage future intensification along Toronto's Avenues that is compatible with the adjacent neighbourhoods through appropriately scaled and designed mid-rise buildings. Mid-Rise Building Guidelines identifies a list of best practices, categorizes the Avenues based on historic, cultural and built form characteristics, establishes a set of performance standards for new mid-rise buildings, and identifies areas where the performance standards should be applied.

Mid-Rise Building Performance Standards Addendum

In June 2016, City Council approved the Mid-Rise Building Performance Standards Addendum. The Addendum is to be used by City Staff together with the 2010 approved Mid-Rise Building Performance Standards during the evaluation of development applications where mid-rise buildings are proposed and the Performance Standards are

applicable. The Performance Standards and Addendum may also be used to help inform the preparation or review of area studies and policies involving mid-rise buildings. The Addendum is approved as an interim supplement to the 2010 Performance Standards until such time as Council considers and adopts updated Mid-Rise Building Design Guidelines. Council's decision can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7>

Mid-Rise Building Performance Standards Addendum may be found here:

<http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>

Growing Up Draft Urban Design Guidelines

In July 2017, Toronto City Council adopted the Growing Up Draft Urban Design Guidelines, and directed City Planning staff to apply the "Growing Up Guidelines" in the evaluation of new and under review multi-unit residential development proposals. The objective of the Growing Up Draft Urban Design Guidelines is that developments deliver tangible outcomes to increase liveability for larger households, including families with children at the neighbourhood, building and unit scale.

Reasons for the Application

An application is required to amend the former City of North York Zoning By-law No. 7625 to permit the proposed uses and building type, and to address height, density, building setbacks, access and parking, and to develop appropriate development standards for the proposal.

COMMENTS

Application Submission

The following reports/studies were submitted with the application and circulated for review:

- Planning Cover Letter;
- Architectural Plans;
- Arborist Report and Tree Preservation Plan;
- Stormwater Management Report;
- Geotechnical Investigation;
- Landscape Plans;
- Civil and Utilities Plans;
- Survey Plans;
- Site Grading and Servicing Plans;
- Sun/Shadow Study; and
- Transportation Impact, Parking and Loading Study.

A Notification of Incomplete Application issued on January 21, 2018 identifies the outstanding material required for a complete application submission as follows:

- Confirmation of site statistics, including area of public right-of-way, total and individual break-down of gross floor area; building heights;

- Energy Efficiency (Energy Strategy) Report;
- Toronto Green Standards Checklist (TGS); and
- TGS statistics on plans as required.

Issues to be Resolved

On a preliminary basis, the following issues have been identified:

- Conformity with the City's Official Plan polices;
- Resolution and/or withdrawal of the appeals of Official Plan Amendment No. 231 and Official Plan Amendment No. 362;
- Conformity with the policies and vision established by City Council for the Wilson-Dufferin Regeneration Area as expressed in Official Plan Amendment No. 362;
- Conformity with height and density limits in Official Plan Amendment No. 362;
- Assessment of appropriate community benefits under Section 37 of the *Planning Act*;
- Proposed height and massing given location of Downsview Airport flight-path;
- Clarification of site area, land ownership and existing above or below grade encumbrances with the property to the north at 3625 Dufferin Street;
- Compatibility with existing surrounding employment uses, and future uses, including setbacks, built form; streetscape, public realm and future park space;
- Appropriateness of the location, size and configuration of the proposed public park;
- Orientation of the proposed building's north façade abutting the future city park;
- Provision and configuration of the future north-south public roadway along the east side of the site;
- The proposed design of the east-west private roadway;
- Site servicing and stormwater management and provision of public infrastructure within the future public roadway;
- Orientation and organization of the building and site including service areas, building entrances and ground floor uses; site access and circulation;
- Height and design of the Marquee element for the proposed building;
- The appropriate supply of vehicular parking given the close proximity to the Wilson TTC subway station and bus transit on Dufferin Street and Wilson Avenue;
- The appropriate allocation of vehicular and bicycle parking spaces to the residential, commercial and retail uses of the development;
- Determining the compatibility of self-storage uses adjacent to residential uses within the proposed development;
- Location and adequacy of the proposed indoor and outdoor residential amenity space;
- Residential unit mix and design that is family and pet friendly;
- Adequacy of weather protection along Dufferin Street and Billy Bishop Way;
- Storage and location of curbside garbage pick-up;
- Submission of a Block Plan in accordance with OPA No. 362; and
- Requirement for a Draft Plan of Subdivision application in order to provide for appropriate public road configuration, the required public parkland dedication and site servicing provisions.

The TGS Checklist has not been submitted by the applicant and is required for review by City staff for compliance with the Tier 1 performance measures.

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

CONTACT

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E-mail: Ben.DiRaimo@toronto.ca

SIGNATURE

Joe Nanos, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: West Elevation

Attachment 3: North Elevation

Attachment 4: East Elevation

Attachment 5: South Elevation

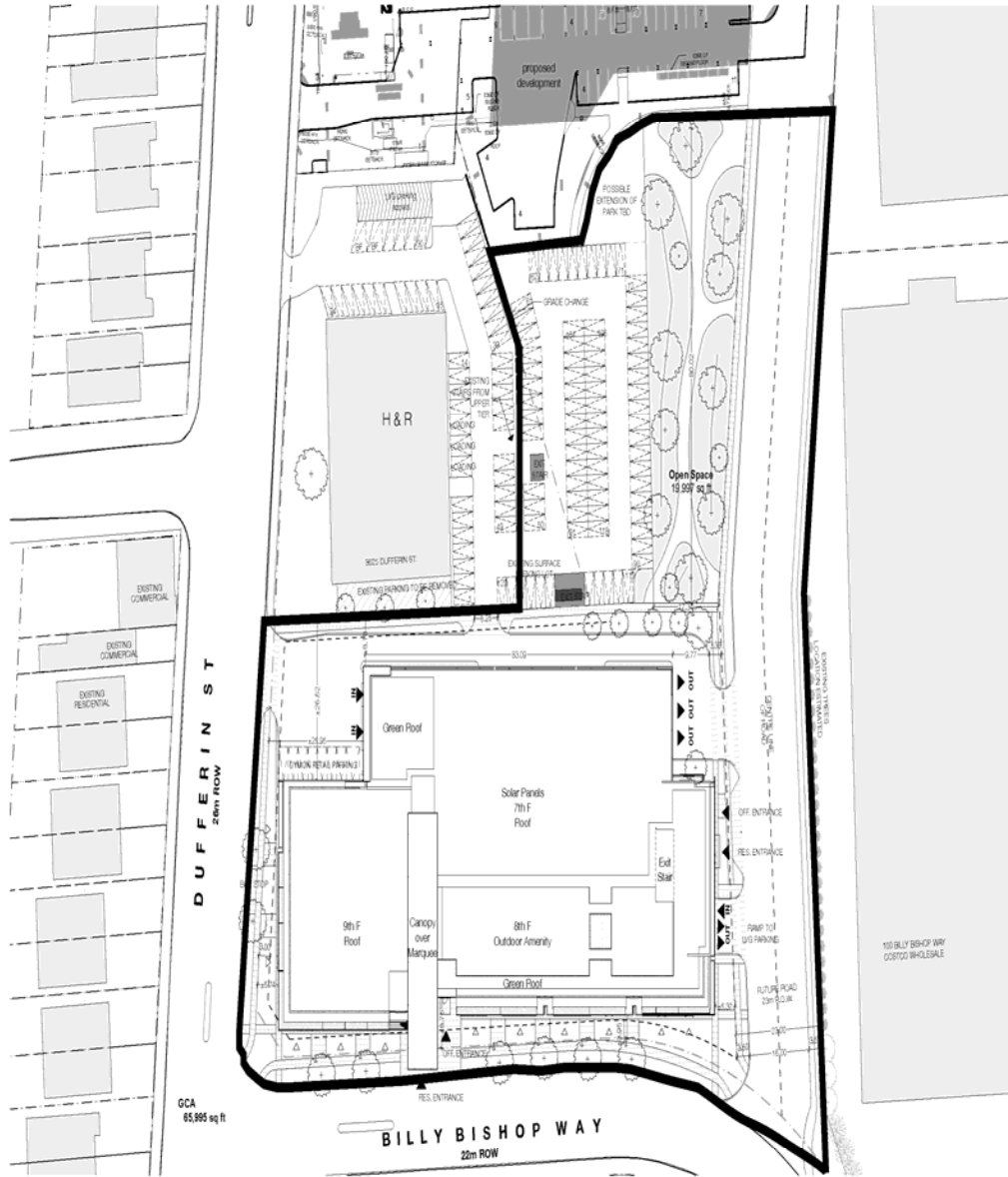
Attachment 6: Zoning By-law 569-2013

Attachment 7: Official Plan Amendment No. 231

Attachment 8: Official Plan Amendment No. 362

Attachment 9: Application Data Sheet

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

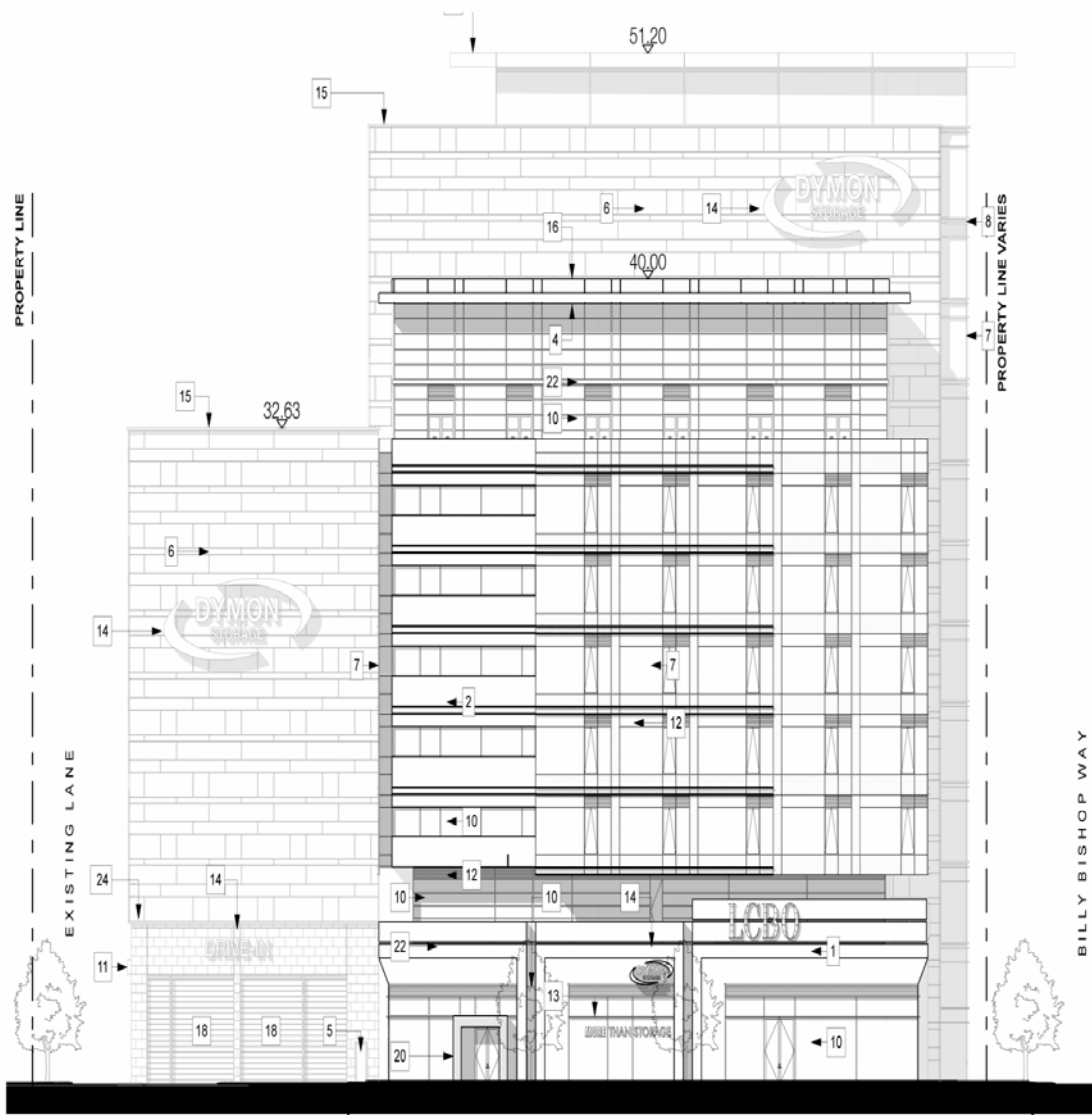
Not to Scale
02/14/2018



3621 Dufferin Street

File # 17 280210 NNY 09 0Z

Attachment 2: West Elevation



West Elevation

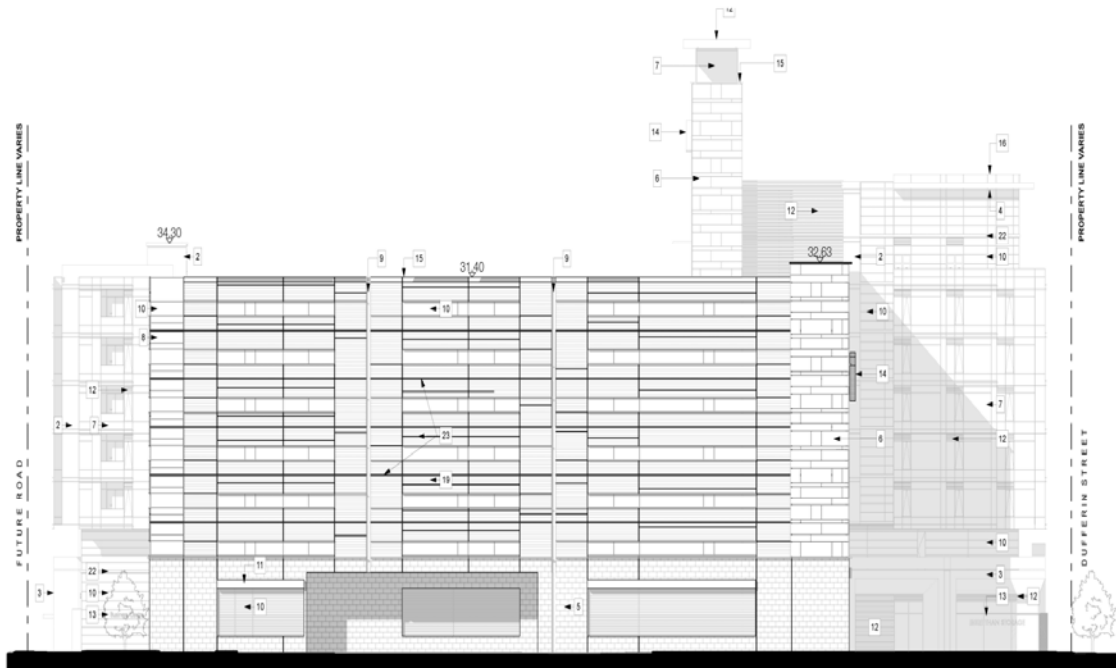
3621 Dufferin Street

Applicant's Submitted Drawing

Not to Scale
01/04/2018

File # 17 280210 NNY 09 02

Attachment 3: North Elevation



North Elevation

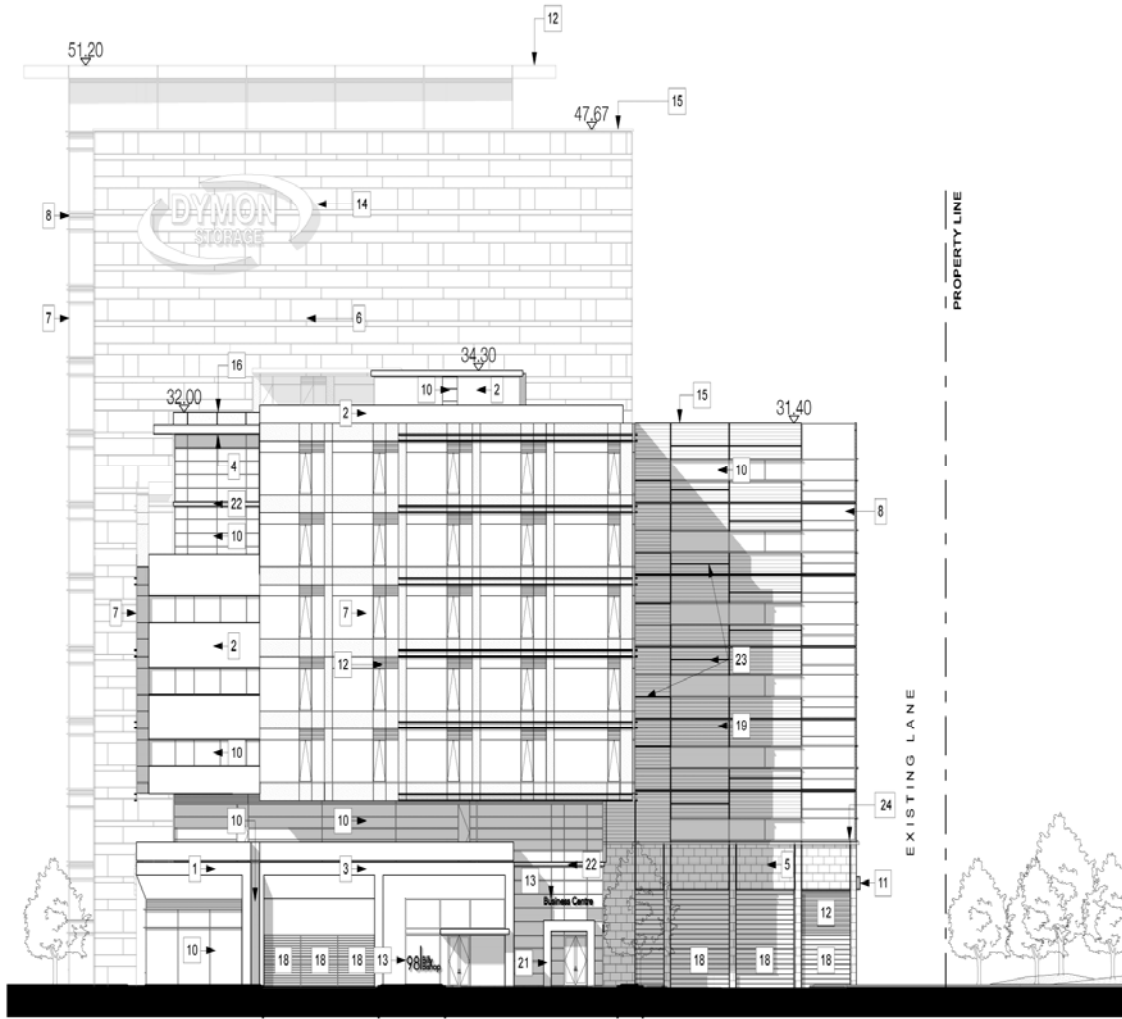
Applicant's Submitted Drawing

Not to Scale
01/04/2018

3621 Dufferin Street

File # 17 280210 NNY 09 02

Attachment 4: East Elevation



East Elevation

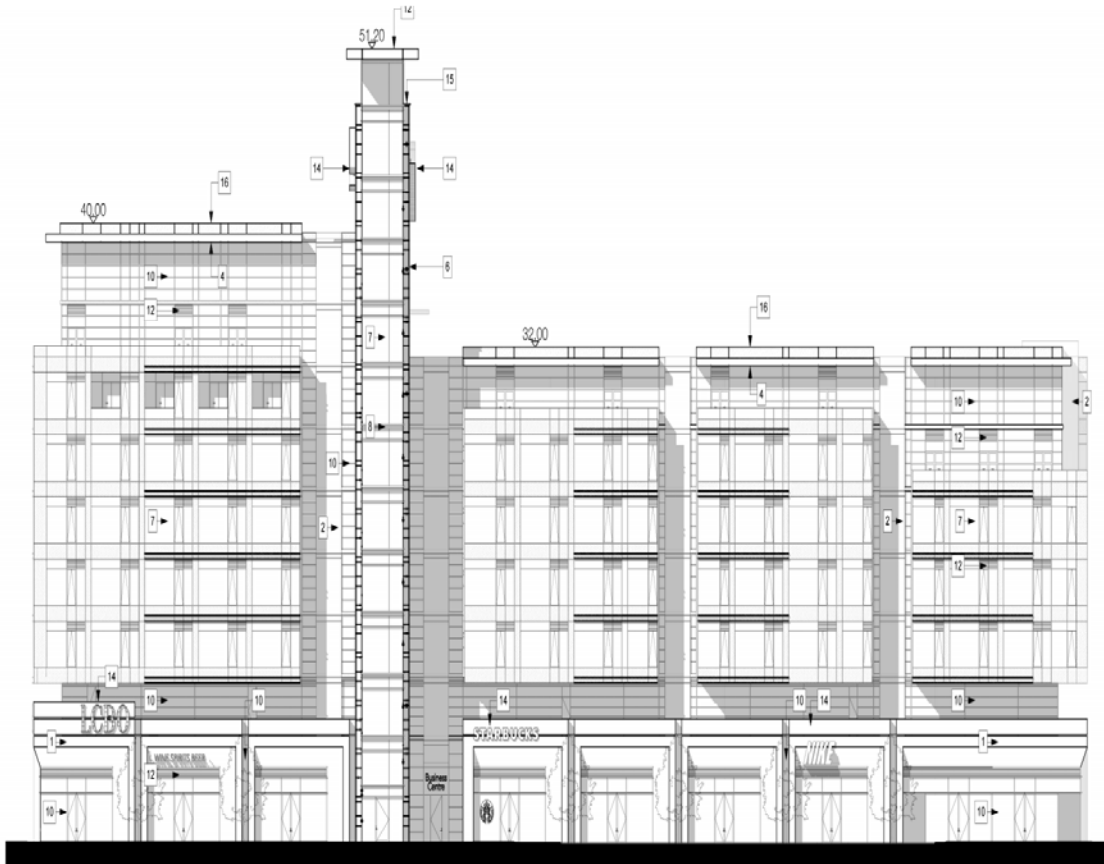
3621 Dufferin Street

Applicant's Submitted Drawing

Not to Scale
01/04/2018

File # 17 280210 NNY 09 02

Attachment 5: South Elevation



South Elevation

Applicant's Submitted Drawing

Not to Scale
01/04/2018

3621 Dufferin Street

File # 17 280210 NNY 09 02

Attachment 6: Zoning By-law 569-2013



Zoning By-Law No. 569-2013

3621 Dufferin Street

File # 17 280210 NNY 09 02



Location of Application

RD Residential Detached CR Commercial Residential
 RM Residential Multiple UT Utility and Transportation



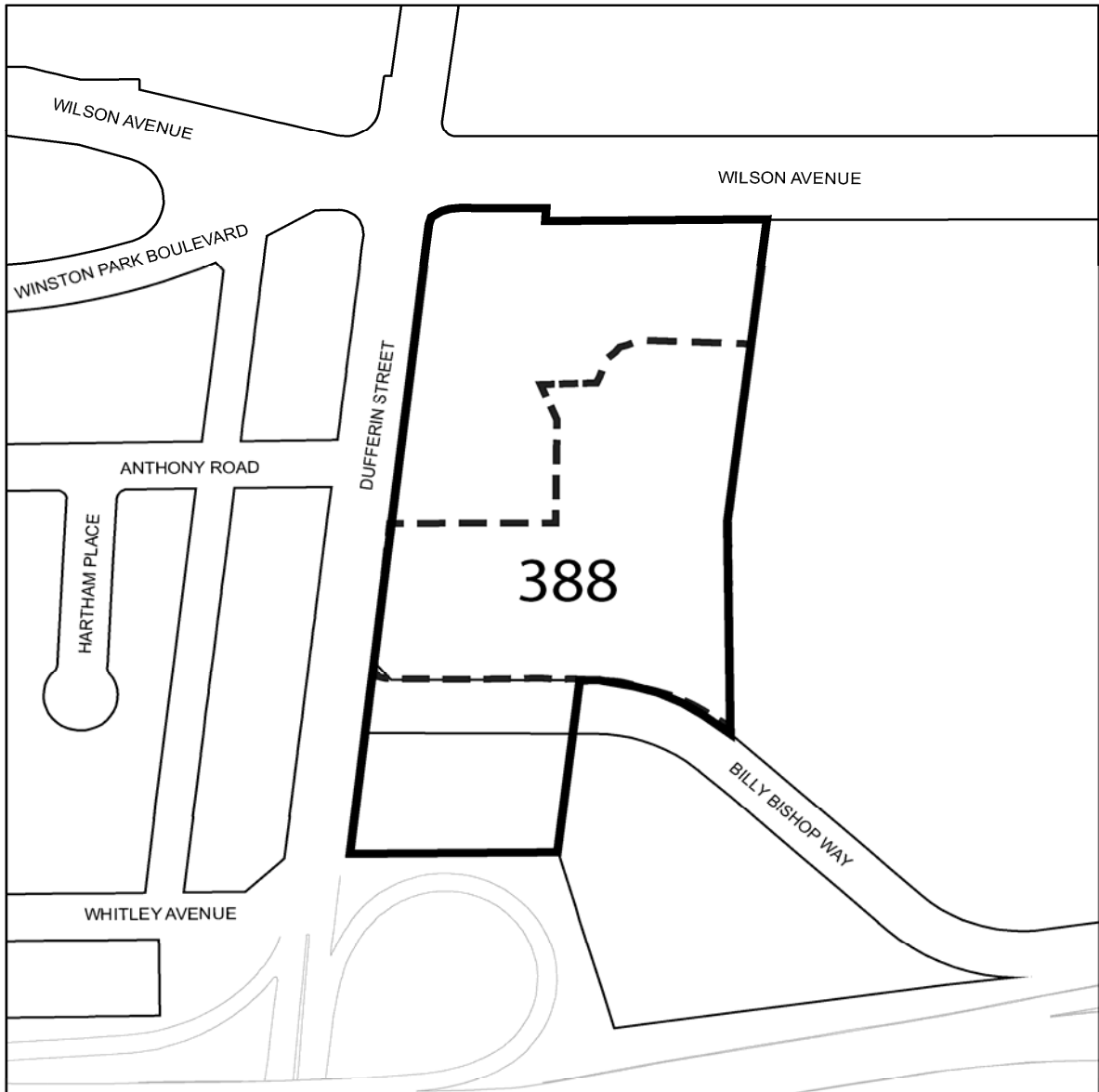
See Former City of North York By-Law No. 7625

R4 One-Family Detached Dwelling Fourth Density Zone
 AV-MU Avenue Mixed Use
 MC Industrial-Commercial Zone
 A Airport Hazard Area Zone



Not to Scale
 Extracted: 02/14/2018

Attachment 7: Official Plan Amendment No. 231



Official Plan Amendment 231
Site and Area Specific Policy 388

3621 Dufferin Street
File # 17 280210 NNY 09 02

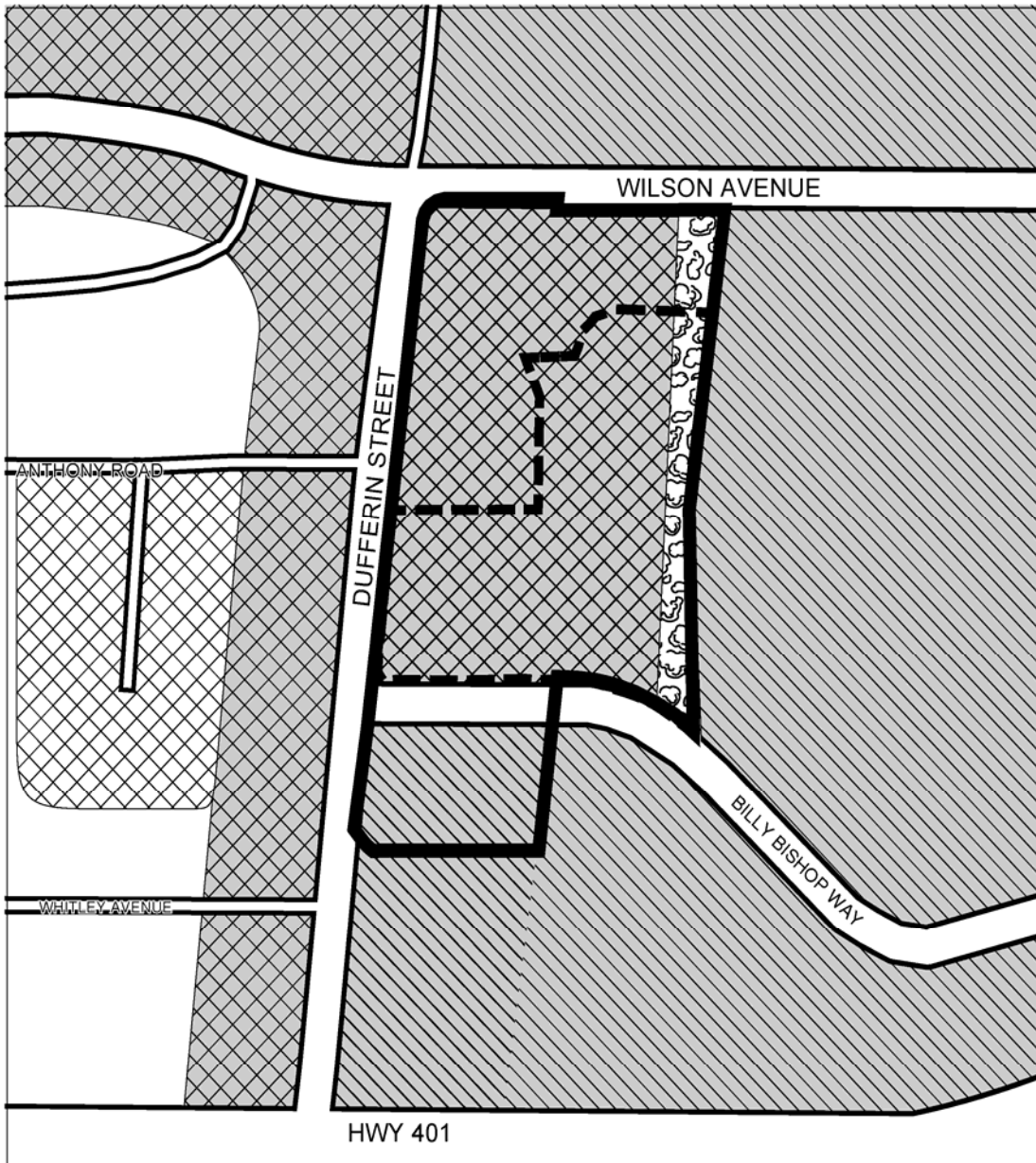


Site Location
3621 Dufferin Street



Not to Scale
Extracted: 02/14/2018

Attachment 8: Official Plan Amendment No. 362



Dufferin Wilson Regeneration Study

Official Plan Amendment 362

File # 15 152614 NNY 16 0Z

Revisions to Land Use Map 16 to Redesignate lands from Regeneration Areas to Mixed Use Areas, Employment Areas and Open Space Areas

Site Location	Mixed Use Areas	Regeneration Areas
3621 Dufferin Street	Parks & Open Spaces Areas	General Employment Areas
Neighbourhoods	Parks / Open Space Areas	
Apartment Neighbourhoods		

↑
Not to Scale
02/14/2018

Attachment 9: Application Data Sheet

Application Type	Rezoning	Application Number:	17 280210 NNY 09 OZ
Details	Rezoning, Standard	Application Date:	December 29, 2017

Municipal Address: 3621 DUFFERIN STREET

Location Description: PLAN 3191 PT LOTS 13 91 TO 96 111 PT LANE PT DELANEY DR PT CHURCHILL PK BLVD PT PARKS AND GARDENS RP 66R25499 PT PART 1 **GRID N0906

Project Description: Proposed 9-storey mixed-use development incorporating 141 residential units (floors 3 to 9); ground floor retail; 2nd floor office; and self-storage (floors 3 to 9); outdoor amenity space (floor 8); and 559 parking spaces and 164 bicycle parking spaces in a 3-storey below grade garage. Site is within the Dufferin-Wilson Regeneration Study area and City Council approved Official Plan Amendment 362. Concurrent Site Plan Application.

Applicant:	Agent:	Architect:	Owner:
Dymon Capital Corp. c/o Bliss Edwards 1830 Walkley Road, Ottawa, ON K1H 8K3		TACT Architecture 660R College Street, Toronto, ON M6G 1B8	Dufferin (Billy Bishop) Portfolio Inc. 3625 Dufferin Street, Toronto, ON M3K 1N4

PLANNING CONTROLS

Official Plan Designation:	Employment Areas	Site Specific Provision:	Y
Zoning:	MC(H) and Airport Hazard	Historical Status:	N
Height Limit (m):	15.24 m	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	16983	Height:	Storeys:	9
Frontage (m):	70		Metres:	39
Depth (m):	128			
Total Ground Floor Area (sq. m):	6131			Total
Total Residential GFA (sq. m):	12420		Parking Spaces:	559
Total Non-Residential GFA (sq. m):	31661		Loading Docks	3
Total GFA (sq. m):	44081			
Lot Coverage Ratio (%):	36.1			
Floor Space Index:	2.6			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:				
Studio:	10 (7%)	Residential GFA (sq. m):	12420	0
1 Bedroom:	98 (69%)	Retail GFA (sq. m):	3583	0
2 Bedroom:	18 (13%)	Office GFA (sq. m):	5804	0
3 + Bedroom:	15 (11%)	Industrial GFA (sq. m):	21042	0
Total Units:	141	Institutional/Other GFA (sq. m):	1233	0

CONTACT:	PLANNER NAME:	Ben DiRaimo, Senior Planner, Community Planning
	TELEPHONE:	(416) 395-7119; email: Bdiraimo@toronto.ca