

## **18 - 26 Earlington Avenue and 4161 - 4169 Dundas Street West - Official Plan Amendment and Zoning Amendment Applications - Request for Direction Report**

Date: June 4, 2021

To: Etobicoke York Community Council

From: Acting Director, Community Planning, Etobicoke York District

Ward: 3 – Etobicoke-Lakeshore

**Planning Application Number:** 20 119591 WET 03 OZ

### **SUMMARY**

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On February 26, 2020, an Official Plan and Zoning By-law Amendment application was submitted to permit a 10-storey residential building and four townhouse units at 18 - 26 Earlington Avenue and 4161 - 4169 Dundas Street West.

On November 9, 2020, the applicant appealed the application to the Ontario Land Tribunal ("OLT") (formerly Local Planning Appeal Tribunal) citing City Council's failure to make a decision on the applications within the prescribed timeframe of the *Planning Act*. A Case Management Conference ("CMC") is scheduled for June 9, 2021.

This report recommends that City Council direct the City Solicitor, together with appropriate City staff, to attend the OLT hearing in opposition to the application in its current form and to continue discussions with the applicant to resolve outstanding issues.

### **RECOMMENDATIONS**

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**The City Planning Division recommends that:**

1. City Council direct the City Solicitor, together with appropriate City staff, to attend the Ontario Land Tribunal (OLT) in opposition to the current Application regarding the Official Plan Amendment appeal for 18 - 20 Earlington Avenue and the Zoning By-law Amendment appeal for 18 - 26 Earlington Avenue and 4161 - 4169 Dundas Street West, and to continue discussions with the applicant in an

attempt to resolve the outstanding issues described in the June 4, 2021 Request for Direction Report from the Acting Director, Community Planning, Etobicoke York District

2. In the event that the OLT allows the appeals in whole or in part, City Council authorize the City Solicitor to request that the issuance of any final Orders be withheld until such time as the City Solicitor advises that:

a. The final form and content of the Official Plan and Zoning By-law Amendments are satisfactory to the Chief Planner and Executive Director, City Planning and the City Solicitor;

b. The owner has submitted a revised Functional Servicing Report to determine the stormwater run-off, sanitary flow and water supply demand resulting from the development and whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposed development, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;

c. The owner has provided a revised Traffic Impact Study and a Transportation Demand Management Plan, which addresses parking and loading requirements, satisfactory to the General Manager, Transportation Services and the Chief Planner and Executive Director, City Planning;

d. The owner has made satisfactory arrangements with the City and has entered into the appropriate agreements for the design and construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support the development, according to the accepted Functional Servicing Report and Traffic Impact Study/Transportation Demand Management Plan accepted by the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Transportation Services;

e. The owner has provided parking spaces and accessible parking spaces, as well as drive aisles widths, in accordance with the supply and dimensional requirements of City-wide Zoning By-law 569-2013 to the satisfaction of the General Manager of Transportation Services;

f. The owner has provided a revised Pedestrian Level Wind Study, including wind tunnel test, to the satisfaction of the Chief Planner and Executive Director, City Planning.

g. The owner has provided a revised Arborist Report, Tree Inventory and Preservation Plan and addressed all outstanding issues raised by Urban Forestry, Tree Protection and Plan Review as they relate to the Official Plan and Zoning By-law Amendment applications, to the satisfaction of the Supervisor, Tree Protection and Plan Review;

h. The owner has satisfied the requirements of the Toronto District School Board and the Toronto Catholic District School Board regarding signage;

i. The owner has provided information regarding the current number and type of rental units on the land and, if required, has addressed all rental replacement requirements in accordance with the Official Plan and City standards to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor; and

j. The owner shall prepare all documents and convey, on terms set out in the Section 37 Agreement, a road widening along the frontage of the property on Dundas Street West to achieve a 2.1 metre wide sidewalk entirely within the City Right-of-Way, all to the satisfaction of the Chief Planner and Executive Director, City Planning, the General Manager, Transportation Services and the City Solicitor; and

k. Community benefits and other matters in support of the development have been secured in a Section 37 Agreement executed by the owner, and registered on title, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.

3. City Council authorize the City Solicitor and City staff to take any necessary steps to implement City Council's decision.

4. The City Solicitor and appropriate staff be authorized to continue discussions with the applicant to address the issues outlined in this report and to report back to City Council if a potential resolution has been achieved.

## **FINANCIAL IMPACT**

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

## **DECISION HISTORY**

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A Preliminary Report outlining the initial application was adopted by Etobicoke York Community Council on September 9, 2020 authorizing staff to conduct a community consultation meeting. Community consultation is summarized in the Comments section of this Report. The Preliminary Report can be viewed at:

<https://www.toronto.ca/legdocs/mmis/2020/ey/bgrd/backgroundfile-156119.pdf>

## SITE AND SURROUNDING AREA

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The subject site is located on the southwest corner of Dundas Street West and Earlington Avenue (see Attachment 1: Location Map). The site is rectangular in shape and is approximately 3,430.6 square metres in size. The subject site is a consolidation of 7 parcels occupied by the following: one single-detached dwelling; two vacant lots; and three commercial buildings that are one to two-storeys in height.

Surrounding land uses include:

**North:** On the north side of Dundas Street West are a mix of low-rise commercial uses on properties designated Mixed Use Areas in the City of Toronto Official Plan. Further north is the Humber River.

**East:** On the southeast corner of Dundas Street West and Earlington Avenue is a 6-storey midrise residential building on a property designated Mixed Use Areas in the City of Toronto Official Plan. South of the midrise residential building are single-detached dwellings on a properties designated Neighbourhoods in the City of Toronto Official Plan.

**West:** West of the subject site are thirty-seven 3-storey townhouses on properties designated Mixed Use Areas in the City of Toronto Official Plan. Further west is an 8-storey residential building at the southeast corner of Dundas Street West and Prince Edward Drive on a property designated Mixed Use Areas in the City of Toronto Official Plan.

**South:** Directly south of the subject site are single-detached dwellings that are designated Neighbourhoods in the City of Toronto Official Plan.

## THE APPLICATION

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### Description

The application proposes a 10-storey residential building fronting Dundas Street West containing 134 units and four townhouse units of 4-storeys along the south property line. The total gross floor area proposed would be 13,598 square metres (15,643 square metres including the parking structure), resulting in a Floor Space Index of 4.56 times the area of the lot.

The proposed 10-storey residential building would have a height of 36.55 metres, inclusive of the mechanical penthouse, which occupies the ninth and tenth storeys and includes residential units. The building is proposed to front onto Dundas Street West wrapping around to Earlington Avenue with a street wall height of 28.94 metres. The proposed building is designed as an "L-shape" with the longer part of the building fronting onto Earlington Avenue and the shorter part onto Dundas Street West. A step back of approximately 3.1 metres is proposed for the ninth and tenth storeys on the

north façade of the proposed building. Along the west façade of that northern portion of the building, the ninth and tenth storey setback is approximately 4.1 metres, and 2.6 metres along the south façade. Along the longer portion of the building fronting on Earlington Avenue, the proposed stepbacks at the ninth and tenth storeys would be approximately 2.6 metres along the west façade, approximately 4.1 metres along the east façade, and approximately 5 metres along the south façade.

The west façade of the short portion of the building, fronting on Dundas Street West is proposed to be a blank wall with no windows for a depth of approximately 13.6 metres. The building then pulls back from the west property line with the longer portion of the building to include west facing windows and balconies. The south façade of the building, facing the proposed townhouses, would provide a stepback of 4.2 metres at the 7th storey; 4.6 metres at the eighth storey; and 5 metres at the ninth storey. The proposed residential building would have a separation distance of approximately 6.0 metres from the proposed townhouse units to the south with balconies extending on the second to sixth storey into the 6 metre separation by 2.1 metres.

The north building would be setback: from the north property line 2.1 metres; from the west property line 0.3 metres for the north 13.6 metres of the building then 14.2 metres for the remainder of the building; 19.16 metres from the south property line; and 5.99 metres from the east property line.

The proposed 4-storey back-to-back townhouses would be adjacent to and siding onto the south property line with a maximum height of 13.1 metres. Two townhouse units would front Earlington Avenue and two units would be oriented internal to the site towards the west property line. The proposed townhouses would be setback 1.2 metres from the south property line. Detailed information has not been provided regarding the townhouses on the plans.

A total of 138 residential units are proposed for the site with 134 units in the 10-storey residential building and four back-to-back townhouse units. The proposal would have the following unit composition for the entire site: 33 one-bedroom units (23.9%); 100 two-bedroom units (72.5%); and 5 three-bedroom plus den unit (3.6%).

A total of 218 vehicular parking spaces are proposed, of which 210 would be located within three levels of underground parking. There are 8 parking spaces proposed for the townhouses units with 2 spaces for each unit provided by parking stackers all to be located at grade within the ground floor of the proposed townhouses. Parking for the 10-storey building would be accessed by a private driveway from Earlington Avenue located between the 10-storey residential building and proposed townhouse units with the open ramp on the west side of the building. The parking garage would extend below the whole of the site, including under the proposed townhouses.

The development would provide a total of 101 bicycle parking spaces consisting of 81 resident spaces and 20 visitor spaces. The proposed bicycle parking spaces would be located on level P1 of the parking garage.

There is one Type G and one Type C loading space proposed. The Type G loading area is proposed separate to the building on the west side of the ramp to the parking area. The space is proposed at grade, unenclosed, with a hammer-head design along the west property boundary at the south end of the site. The Type C space is proposed in the southwest corner of the ground floor of the building.

There is a total of 268 square metres of outdoor amenity space (2 square metres per unit) and 268 square metres of indoor amenity space (2 square metres per unit) proposed for the 10-storey residential building. Outdoor amenity space would be located at grade along the west property line and on the rooftop. Indoor amenity space would be within the first floor of the 10-storey residential building.

Detailed project information is found on the City's Application Information Centre at: <https://www.toronto.ca/city-government/planning-development/Application-information-centre/>

See Attachments 1 - 6 of this report, for Location Map, Application Data Sheet, Official Plan Land Use Map, Existing Zoning By-law Map, Site Plan, and Elevations.

## **Reasons for the Application**

An amendment to the Official Plan is being sought to redesignate the lands at 18-20 Earlington Avenue from *Neighbourhoods* to *Mixed Use Areas* to permit the south portion of the proposed 10-storey building and the below grade parking structure utilized by that building. An amendment to the provisions of Site and Area Specific Policy (SASP) 277 would also be required for the proposed development. Amendments to the former City of Etobicoke Zoning Code and City-wide Zoning By-law No. 569-2013 for the lands at 4161-4169 Dundas Street West and 18-26 Earlington Avenue are required to create site specific zoning provisions to permit the proposed building type, density, building height, setbacks, lot coverage and other development standards that may be identified through the review process to provide for the proposed development, as well as to remove the "H" Holding Symbol from the lands at 4161-4169 Dundas Street West and 24-26 Earlington Avenue.

## **Site Plan Control**

The proposal is subject to Site Plan Control. A Site Plan Control Application has not been submitted.

## **POLICY CONSIDERATIONS**

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The site is partially located within Area 1 of the Dundas Street West Avenue Study and within Site and Area Specific Policy (SASP) 277. The site is surrounded by *Mixed Use Areas* to the north, east, and west, and *Neighbourhoods* to the south, southeast, and southwest.

There are two Official Plan land use designations that currently apply to different portions of the site: Mixed Use Areas and Neighbourhoods. The lands at 24-26 Earlington Avenue and 4161-4169 Dundas Street West are designated Mixed Use Areas and are within Area 1 of the Dundas Street West Avenue Study. The two lots at 18-20 Earlington Avenue are designated Neighbourhoods and are not within the Dundas Street West Avenue Study. The proposal is requesting to change the Official Plan designation of the 18-20 Earlington Avenue properties from Neighbourhoods to Mixed Use Areas in the Official Plan.

The Dundas Street West Avenue Study is also implemented by Zoning By-law No. 717-2006 which zones the site General Commercial – Avenues – Holding (CG-AV-H). The two lots at 18-20 Earlington Avenue properties are zoned RD within City-wide By-law 569-2013.

The Dundas Street West Urban Design Guidelines contained within SASP 277 are also applicable to the lands within the Dundas Street West Avenue Study.

Other Guidelines that are relevant in the consideration of the proposal include: Avenues and Mid-rise Buildings Study and Performance Standards; Growing Up: Planning for Children in New Vertical Communities; Townhouse and Low-Rise Apartments Guidelines; Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings.

Information on applicable policy documents can be found in Attachment 7: Policy Considerations.

## **COMMUNITY CONSULTATION**

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A Virtual Community Consultation Meeting was hosted by City staff on April 21, 2021. Approximately 45 people participated, as well as the Chief of Staff for the Ward Councillor. Following a presentation by City staff and the applicant, the following issues for the proposed development were raised by community members:

- Appropriateness of the proposed height, density and massing;
- Compatibility and fit with adjacent residential areas (particularly the Brownstone Lane townhomes), including building type, height, transition, adjacency, setbacks, built form and streetscape;
- Potential overlook and privacy issues with adjacent properties;
- Shadow impacts on adjacent buildings;
- Conformity with the Dundas Street West Avenue Study in terms of policy, zoning and urban design guidelines;
- Conformity with the Official Plan policies regarding adjacency and transition;
- Impact on community infrastructure including schools;
- Impact of development on water infrastructure and overland flooding;
- Traffic implications on Earlington Avenue and Dundas Street West;

- Preservation of existing mature trees;
- Construction impacts;
- Impact on parking availability in the neighbourhood;
- Precedent for other sites on the south side of Dundas Street West;
- Impact on transit capacity;
- Request that the west side setback and stepbacks be increased;
- Request that development be limited to five storeys; and
- Request that the applicant consider only townhomes on the site

Planning staff received many emails from community members with the same or similar concerns as those listed above.

## COMMENTS

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### Planning Act

Planning Staff have reviewed the application having regard for the relevant matters of provincial interest set out under Section 2 of the Planning Act. The application does not have sufficient regard to: Section 2(h), which speaks to the orderly development of safe and healthy communities; Section 2(j), which speaks to the adequate provision of a full range of housing, including affordable housing; Section 2(p) which speaks to the appropriate location of growth and development; and Section 2(r) which speaks to the promotion of a built form that is well designed, encourages a sense of place and provides places that are of high quality, and are safe, accessible, attractive and vibrant.

### Provincial Policy Statement

Planning Staff have reviewed the application against the policies of the Provincial Policy Statement 2020's ("PPS 2020") and find that the proposal in its current form is not consistent with the PPS 2020 long-term economic prosperity policies.

The PPS 2020 directs that long-term economic prosperity should be supported by encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and a range of housing options for a diverse workforce. The proposal in its current form does not provide for an appropriate range of housing options. It does not provide a sufficient number of three-bedroom units, nor does it provide commercial uses to contribute towards the economic well-being of the area as called for in the Guiding Principles of the Dundas Street West Avenue Study.

While the PPS 2020 encourages intensification and efficient development, it recognizes the existing local context is important and that well-designed built form contributes to overall long-term economic prosperity. Through its Official Plan, the City has identified appropriate locations and opportunities for intensification. While intensification is anticipated along *Avenues* and in *Mixed Use Areas*, the proposed development fails to account for the appropriate context in which it is situated to appropriately define the level of intensification permitted. The Official Plan policies and the Dundas Street West



Avenue Study call for a building limited to 6-storeys that satisfies the intensification goals of the PPS 2020.

PPS 2020 establishes that the Official Plan is the most important vehicle for implementation of the PPS 2020, and the level of intensification proposed through the 10-storey building combined with the proposed density and massing of the current proposal are not in conformity with the *Avenues*, *Mixed Use Areas* and Built Form policies of the Official Plan or the Dundas Street West Avenue Study. As such, it is staff's opinion that the proposed development is not consistent with the PPS 2020 as the proposed building is contrary to the built form established for this site by the municipal policies and guidelines.

A decision by City Council to refuse the current proposal given the inconsistency with long term economic prosperity policies and non-conformity with Official Plan policies, as described below, will be consistent with the PPS 2020.

### **Growth Plan (2020)**

Planning Staff have reviewed the application against the A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2020 ("Growth Plan 2020") and find that the proposal in its current form does not conform Growth Plan 2020's managing growth and housing policies.

The Growth Plan 2020 guiding principles includes supporting a range and mix of housing options, including additional residential units and affordable housing, to serve all sizes, incomes, and ages of households, and Growth Plan 2020 policies support the achievement of complete communities providing a diverse range of housing options for all household sizes and a mix of land uses. The proposal in its current form does not provide an appropriate range and mix of units. It also does not include the employment uses envisioned by the Dundas Street West Avenue Study.

The proposed development is out of scale with the existing and planned context of The Dundas Street West Avenue; the proposal is not in a location with existing or planned higher order transit; and does not include a well-designed built form to promote a sense of place to support economic prosperity.

Further, the proposal does not include an appropriate mix of units to support complete communities. The proportion of proposed three-bedroom units do not adequately support the unit mix objectives of the Growing Up Guidelines or Growth Plan 2020 policies to accommodate within new development a broad range of households, including families with children.

A decision by City Council to oppose the current proposal given the non-conformity with matters that support the achievement of a complete community and a range and mix of housing options and non-conformity with Official Plan policies, as described below, will conform with the Growth Plan 2020.

## Land Use

The application has been reviewed against the Official Plan policies and the Dundas Street West Avenue Study and Urban Design Guidelines described in Attachment 7: Policy Considerations. Given the existing and planned context for the subject property and the surrounding area, the land use redesignation as proposed cannot be supported by staff.

There is a split Official Plan designation on this site. The front portion of the site along Dundas Street West is designated *Mixed Use Areas* (24 – 26 Earlington Avenue and 4161 – 4169 Dundas Street West) and the rear portion of the site fronting Earlington Avenue is designated *Neighbourhoods* (18 – 20 Earlington Ave). Both *Neighbourhoods* and *Mixed Use Areas* contemplate residential development, however, given the existing and planned context for the subject property and the surrounding area, the proposed designation change for 18-20 Earlington Avenue, and the proposed density, height, and massing for 24-26 Earlington Avenue and 4161-4169 Dundas Street West in its current form cannot be supported by staff.

### *Boundaries and Transition*

Official Plan policies and the Dundas Street West Avenue Study provide direction on how to manage boundary situations and requires development to provide good transition in scale between areas of different building heights and/or intensity of use in consideration of both the existing and planned contexts of neighbouring properties and the public realm

The proposed development fails to conform to those policies with regard to the transition to both the existing townhouses to the west and the proposed townhouses to the south. The west side setback of the 10-storey building would be as little as 0.3 metres at the closest point for the first 13.6 metres in depth, with no stepback until the 9<sup>th</sup> storey, providing essentially no transition to the lower form of housing immediately adjacent to the site. The main part of the proposed 10-storey building would be separated from the proposed townhouses by 6 metres - 6.45 metres to the face of the building. Balconies would project 2 metres into this space. The angular plane as shown on the current proposal is taken from an incorrect location. The angular plane should be applied from the existing boundary of the *Neighbourhoods* designation which is the north side of 20 Earlington Avenue. This would include approximately a third of the proposed 10-storey building intruding into the angular plane.

In addition, the Official Plan provides that Avenue studies set out contextually appropriate zoning and other regulations to establish permitted uses and maximum density and height limits; appropriate massing, scale, siting and organization of buildings; and ensuring an appropriate transition to adjacent areas.

While 18-20 Earlington Avenue is not within the Dundas Street West Avenue Study area, the Study identifies improving the transition to abutting residential areas as a key priority, and characterizes the lands south of Dundas Street as a low-rise residential neighbourhood, to be protected by a 45 degree angular plane perpendicular to the rear

property line of each Dundas Street lot and a minimum 7.5 metre rear yard setback with a 3 metre landscape buffer. By re-designating 18-20 Earlington Avenue as *Mixed Use Area*, the requirement for transition measures would be measured further into the existing *Neighbourhood*, having an effect of encroaching larger scale development into the *Neighbourhood* and disregarding the recommended transition measures from the proposed 10-storey building to the proposed townhouses.

#### *18 – 20 Earlington Ave*

Currently, the Official Plan designates 18-20 Earlington Avenue as *Neighbourhoods*. Townhouses are permitted within the *Neighbourhoods* designation up to a height of 4-storeys. The Dundas Street West Avenue Study does not permit townhouses within 60 metres of the Dundas Street West frontage. The proposal seeks to consolidate these two lots with the lands at 24-26 Earlington Avenue and 4161-4169 Dundas Street West as part of the development. The applicant is proposing to change the designation for 18-20 Earlington Avenue to accommodate the below grade parking that would service the 10-storey building proposed in the area designated *Mixed Use Areas* and located within the Dundas Street West Avenue Study. The primary reason for this is the underground parking proposed to serve the 10-storey building extends beneath the proposed townhouses, thereby pulling the *Mixed Use Areas* into the *Neighbourhoods*. This is an unacceptable use within lands designated as *Neighbourhoods*.

Staff are of the opinion that the proposed OPA in its current form does not conform to the policy directions of the Official Plan. Staff do not object to townhouses on 18-20 Earlington Avenue (as townhouses do not necessitate a re-designation), if the underground parking is removed, and the location, massing, and height of the proposed 10-storey building on 24-26 Earlington Avenue and 4161-4169 Dundas Street West are modified to allow for appropriate transition to the proposed townhouses including complying with the angular plane and providing an appropriate setback.

#### *24 – 26 Earlington Avenue and 4161 – 4169 Dundas Street West*

The lands at 24-26 Earlington Avenue and 4161-4169 Dundas Street West are designated Mixed Use Areas in the Official Plan. One of the Guiding Principles of the Dundas Street West Avenue Study is to encourage a diversity of uses, in particular "commercial and retail uses should be encouraged along with residential development, to create a mixed-use area where people can live, work, and shop." Further, the Dundas Street West Urban Design Guidelines call for a "diversity of active ground floor uses such as retail, office and community services that generate pedestrian activity." While the subject site falls into the part of the Avenue Study area that is indicated to be "mainly residential", staff are of the opinion that an entirely residential development building does not meet the land use objectives of the Dundas Street West Avenue Study.

## **Height, Built Form, Massing, and Density**

The application has been reviewed against the Official Plan Policies and the Dundas Street West Avenue Study and Urban Design Guidelines described in Attachment 7: Policy Considerations. Given the existing and planned context for the subject property and the surrounding area, the proposed built form in its current form cannot be supported by staff.

### *Height*

The proposed 10-storey building is a tall building in accordance with the direction for Tall Buildings in the Official Plan and the Tall Building Design Guidelines. Tall buildings are defined by the City as any buildings generally taller than the width of the adjacent right-of-way. The Dundas Street West right-of-way is 27 metres adjacent to the proposed development site. Any building taller than 27 metres is considered a tall building within this context. This direction was contained in the Official Plan prior to OPA 480 and was explicitly recognized in the Tall Building Design Guidelines and Mid-Rise Performance Standards. OPA 480 further clarifies and reinforces this direction by including these definitions of mid-rise and tall buildings in Policy as previously outlined in this report.

There is no indication in the Tall Building Design Guidelines or the City's Official Plan that a tall building is planned for or appropriate on this site. The Dundas Street Avenue Study By-law and Design Guidelines identify the appropriate built form and design standards for the site. The Mid-Rise Building Study and the Mid-Rise Performance Standards can supplement The Dundas Street West Avenue Study but do not override the intent of the Dundas Street West Avenue Study, By-law and Design Guidelines. As such, staff are of the opinion that the height of the building should be reduced to a mid-rise building as planned for in the Dundas Street West Urban Design Guidelines and Dundas Street West Avenue Zoning By-law No. 717-2006, both of which provide the prevailing direction for this area.

The proposed height of the development at 10-storeys (36.55 metres) is significantly higher than the existing heights and far exceeds the planned context as established by the Dundas Street West Avenue Study. The height limit in the planned context of the Avenue Study is 6-storeys or 20 metres. The Dundas Street West Urban Design Guidelines recommends a maximum building height of 6-storeys (18.5 metres) along Dundas Street West. While the Dundas Street West Avenue Study contemplates increased heights on certain sites on the north side of Dundas away from low rise residential, it does not do so on the south side where the subject site is located. While *Avenues* are identified as areas for intensification, the Official Plan requires this to be achieved through the preparation of Avenue Studies to take into account and provide direction in keeping with the context of the area. The height limit of 6-storeys was established through the Dundas Street West Avenue Study, and development on the south side of Dundas generally aligns with the planned context of the Avenue Study.

Furthermore, the proposed building height of 10-storeys and 36.55 metres is almost double the permitted height, exceeding the maximum permitted 6-storey (18.5 metre)

height limit in the Dundas Street West Avenue Zoning By-law No. 717-2006, by 18 metres, as well as the planned context of approved and completed development.

The proposed height would create adverse shadow impacts during the morning and afternoon hours during the March and September equinoxes, limiting access to the sunlight on the sidewalks along Dundas Avenue and Earlington Ave and properties in the *Neighbourhoods* to the east.

The proposed 10-storey building would represent a significant departure from the mid-rise buildings which characterize this area and help achieve a compatible relationship with the surrounding lower-scale built form. Staff are of the opinion that the height of the development should be revised to be more reflective of its existing and planned mid-rise building context. The proposed height is not in keeping with the vision of The Dundas Street West Avenue Study and The Dundas Street West Design Guidelines or the existing character of the area. The proposal for a 10-storey tall building would set an unacceptable negative precedent for heights and massing on the south side of Dundas Street West in this area of the Avenue Study area contrary to the Official Plan.

### *Built Form and Massing*

Built Form Policies in the Official Plan emphasize the importance of ensuring that new development fits within its existing and/or planned context, while limiting impacts on neighbouring streets, parks and open spaces. New buildings are required to provide appropriate massing and transition in scale that will respect the character of the surrounding area and its exterior façade designed to fit harmoniously into its existing and/or planned context.

The application proposes a tall building in a location appropriate for a mid-rise building. The tall building would be seen and experienced from the public realm and neighbouring low rise residential areas creating a visual impact. In staff's opinion, the 10-storey building proposal would not improve the public realm experience but would rather overwhelm the public realm and pedestrian experience visually and physically. A lower building height which does not exceed the street proportion would be less imposing and provide appropriate access to sunlight and sky views.

In addition, the *Mixed Use Areas* Development Criteria of the Official Plan require that new development be located and massed to provide a transition between areas of different development intensity and scale; frame the edges of streets with good proportion; and create an attractive and comfortable pedestrian environment. With a setback of 0.3 metres from the 10-storey building to existing townhouses to the west, inadequate separation distance between the proposed 10-storey building and the proposed townhouses, and no step backs (other than at the rear) until the 9<sup>th</sup> storey, the proposal does not conform to these Official Plan policies.

The existing development within the Dundas Street West Study Area was identified as lacking character so high quality architecture for any new development is encouraged. The current repetitive articulation in the proposed building, dominated by the same

punched windows and balconies in single large planes of the building's wall, result in a visually monotonous, massive and out of proportion building that does not fit the existing context. The design of the building needs to be revised.

In addition to lowering the height of the building, the massing of the building should be mitigated to better relate contextually to the adjacent low rise townhouse buildings. This can be achieved by breaking the building massing with a well-defined streetwall and pedestrian perception created through stepbacks. The proposal shows only two projecting bays along one of the façades facing Earlington Avenue which is not sufficient to break the massing and provide meaningful pedestrian perception along this street. The pedestrian perception should be provided along both streets by introducing a 3 storey streetwall massing that would provide transition to the adjacent low rise building types. The articulation of the building should be diversified and create cohesive design composition complemented with high quality finish materials.

### *Angular Plane and Transition*

The Dundas Street West Urban Design Guidelines contained in SASP 277 state that "Any proposed building on sites abutting the existing R2 Zoning in the Kingsway neighbourhood should not project beyond the 45 degree angular plane drawn perpendicular to the rear property line." The areas referred to in the Avenue Study as R2 are now zoned RD in City-wide Zoning By-law No. 569-2013. The Dundas Street West Avenue Study also calls for protecting low-rise residential through the use of the 45 degree angular plane perpendicular to the rear property line of each Dundas Street lot.

The applicant has measured the angular plane from the south side of 18 Earlington Avenue in order to assert that they come close to meeting the SASP and Avenue Study requirements. However, the lands at 18 and 20 Earlington Avenue are designated *Neighbourhoods* and zoned as RD. Furthermore, the applicant's proposed use for this portion of the site is low-rise residential. These factors mean that the angular plane should be applied from the north side of 20 Earlington Avenue. The built form of the 10 storey building would need to be reduced in order to meet this requirement. The parking and loading infrastructure proposed also encroach on the *Neighbourhoods* designated lands of 18-20 Earlington Avenue. Reducing the massing and scale of the building to achieve the correct angular plane requirements would also facilitate removing the footprint of this infrastructure from 18-20 Earlington Avenue, bringing the development in line with the Avenue Study.

However, even if the OLT were to decide that the applicant's proposed change in policy and zoning for 18-20 Earlington Avenue is appropriate, the proposed development would still abut an existing R2 zoning to the south and still projects beyond the 45-degree angular plane. The submitted Planning Rationale states that the proposed development maintains a 45-degree angular plane and is in keeping with the SASP 277 Design Guidelines, whereas the submitted architectural plans and sketch in the Planning Rationale show penetrations on the 10th, 8th, 7th, and 6th storey. Fitting within the 45-degree angular plane is important to mitigating light, view and privacy concerns,

and providing appropriate transition, which are objectives of Official Plan policies and the Dundas Street West Avenue Study. New development should be consistent with the policies of SASP 277, in particular, the relationship to neighbouring low-rise residential uses.

The proposed scale and massing of the development should fit in with the surrounding context and provide adequate transition in height to the surrounding properties, particularly to the townhouses to the west, and the proposed townhouses and existing detached dwellings on lands designated *Neighbourhoods* to the south. Additional increases in building setbacks/stepbacks are required, particularly at the rear (south side of the building) where the proposed distance between the two buildings is shown (inconsistently) to be either 6.42 metres, 6.45 metres, 6.35 metres, and 6.0 metres. New setbacks and stepbacks from the west property line are required, particularly near the front of the building where the building is setback only 0.3 metres from the backyard of the abutting townhouses.

The combination of inadequate setbacks from the front west side lot line and no stepbacks (except from the rear) until the 9<sup>th</sup> storey, limits skyview, access to sunlight and results in a bulky overwhelming massing and poor transition and fit to the surrounding context.

As such, Planning staff are of the opinion that a decreased overall building height and mitigating massing by providing a greater building articulation, through greater and increasing setbacks and stepbacks are required to reduce visual impact and provide adequate transition, fit, sunlight, comfort and privacy. Staff are of the opinion the proposal should be substantially redesigned to conform to the Official Plan and fit within the existing and planned context of Dundas Street West as follows:

- The angular plane should be correctly positioned at the existing edge of the R2 zone and *Neighbourhoods* designation boundary;
- The built form should be modified to a mid-rise building limited to 6 storeys;
- The rear setback should be expanded to a minimum of 7.5 metres (up from 6 metres) from the proposed townhomes with appropriate stepbacks to achieve the 45 degree angular plane requirements;
- The 14 metres west side setback should be applied the whole length of the building, and should include stepbacks to provide appropriate transition from the townhouses to the west;
- Dimensioned elevations and site sections are required which include the angular plane taken from the north, east and west; and
- Mitigating the shadow impact on surrounding areas.

### *Density*

The application proposes an FSI of 4.56 times the area of the lot which is 52% more than the maximum Floor Space Index permitted in Dundas Street West Avenue Zoning By-law No. 717-2006 applicable to the site. The proposed density is also not in keeping with the existing densities for recently approved development on similar sites, which

generally range from 2.13 to 3.9 times the area of the lot for developments within the Dundas Street West Avenue Study area. With a floor space index (FSI) of 4.56, the proposed development by the applicant is of a higher density than any of the approved or proposed developments on this segment of Dundas Street West.

Staff are of the opinion the combination of the proposed density and height creates a bulky visual impact which does not fit in with or provide appropriate transition to the character and the existing and planned context of development on the Avenue in the Dundas Street West Avenue Study area or the surrounding low density residential area.

## **Transportation**

The site is subject to a Holding (H) symbol until such time as Council is satisfied as to the availability of all road improvements, infrastructure, servicing, and school capacity. It must be demonstrated that transportation infrastructure capacity is sufficient before the hold is lifted.

### *Traffic Impact*

The Applicant submitted in support of the proposal, a Transportation Impact Study (TIS) report prepared by LEA Consulting Ltd., dated February 2020. In general, Transportation Services accepts the methodology and estimated trip generation outlined in the TIS report. In principle, the traffic impact generated by the site is acceptable.

### *Driveway Access and Site Circulation*

Vehicular access to the parking ramp and loading area would be provided via a 6.4 metre wide full-moves driveway along Earlington Avenue. Transportation Services considers this to be acceptable.

### *Parking*

Parking for the site is subject to the former City of Etobicoke Zoning Code as amended by Avenue Zoning By-law No. 717-2006, and City-wide Zoning By-law No. 569-2013 (All Other Areas). The applicant proposes to supply 190 residential parking spaces and 28 visitor parking spaces within a three-level underground parking garage, which meets the minimum parking requirements.

The minimum number of parking spaces required on-site would be 163 parking spaces and 6 accessible parking spaces. The applicant proposes a total of 4 accessible parking spaces which is less than the number required. This is not acceptable.

### *Loading and Servicing*

The site plan shows the provision of one Type G loading space at grade for the development and one Type C space in the rear (south) of the 10-storey building. The Type G loading space provision satisfies the minimum loading requirement according to



the Zoning By-law. However, the proposed loading space is not enclosed and is located adjacent to the proposed outdoor amenity space, adjacent to the rear yard of the adjacent townhouses, adjacent the proposed units on the site and is located away from any building entrances. The location of the loading space would be problematic as it is not adjacent to areas where loading is required such as the garbage room or moving room so would not function appropriately through the seasons, and could render the outdoor amenity space unsafe and cause noise impacts for the future residents of the building and the surrounding properties.

## **Tree Preservation**

The 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 and Tree Inventory and Preservation Plan in support of the application. The applicant proposes to remove 22 privately-owned trees regulated by the Private Tree By-law, and five privately-owned trees on adjacent properties or on shared boundary lines.

Urban Forestry has reviewed the application and has concerns with the proposal including: the extent of the proposed tree removal; the scale of development limits and restricted tree planting opportunities on site to compensate for the loss of the existing tree canopy; and discrepancy between the Civil plans and the Site Plan on the location of the proposed retaining wall along the west property line; and the proposed soil depths and volumes. Revisions and further information have been requested as outlined in the Memorandum from Urban Forestry dated April 20, 2020.

The current proposal of the underground garage footprint does not provide the required soil depth. To support tree planting and mature tree growth, a minimum soil depth of 1.5 metres below grade, which is free of any building or structures, is to be secured for all street frontages, open spaces and other landscaped areas throughout the site. At least 1.5 metre clearance is to be provided above the parking garage structure to accommodate an uncompacted soil volume to support healthy tree planting. In addition, the upper slab above the parking is to be partially lowered to provide a minimum 1.5 metre soil depth for the trees.

## **Housing and Growing Up Guidelines**

The proposal in its current form does not support the City's unit mix objectives and housing policies, and the Growth Plan's growth management and housing policies to accommodate within new development a broad range of households, including families with children.

The proportion of proposed three-bedroom units does not adequately support the unit size objectives of the Growing Up Guidelines to accommodate within new development a broad range of households, including families with children.

The planning rationale supplied with the development application has not confirmed if any existing Rental Units or Dwelling Rooms within the subject lands would be lost due to the development proposal, per Official Plan policy.

## **Public Realm and Streetscape**

The current design has an appropriate setback along Earlington Ave, but the proposed setback of 2.1 metres along Dundas Street West is inadequate, as the 5 metre pedestrian zone set by the Dundas Street West Avenue Study and Urban Design Guidelines should not contain overhangs or projections in order to accommodate street tree planting. Dundas Street is a 4-lane street with busy vehicular movement and anticipated higher volumes of pedestrian traffic, therefore every effort should be made to ensure a proper transition between public and private space.

It is not clear if the front setback along Dundas Street West will be able to accommodate healthy and mature trees as the applicant has not provided dimensions of the patios, landscape buffers and planters along the streets and within the site to ensure that appropriate soil volumes can be provided and do not conflict with projecting balconies and exiting utilities including lamp poles.

It appears from the site plan drawing that a section of the proposed 2.1 metre wide sidewalk at the intersection of Dundas Street West and Earlington Avenue is located on the site property, which is unacceptable. The applicant is required to convey to the City at a nominal sum, the lands required to achieve a 2.1 metre wide sidewalk entirely within the City Right-of-Way. The conveyed lands must be clearly delineated on the site plan and landscape plan.

The west facing townhouse entrances and walkways are not acceptable and undermine the objectives of Section 2(h) of the *Planning Act* which states that the orderly development of safe and healthy communities is a matter of provincial interest, as the proposal does not include a pedestrian walkway to Earlington Avenue and the shared driveway and would result in conflicts between vehicles and pedestrians. Further, the townhouses would face the loading vehicle path and the rear of townhouses located on Brownstone Lane.

## **Sun/Shadow and Wind**

The application has been reviewed against the Official Plan Policies and the Dundas Street West Avenue Study and Urban Design Guidelines described in Attachment 7: Policy Considerations. Given the existing and the planned context for the subject property and the surrounding area, the built form context, including the sun, shadow and wind impacts cannot be supported by staff.

The submitted shadow impact analysis demonstrates limited access to sunlight on Dundas Street West in the morning and early afternoon on March 21 and September 21 (there is less than 5 hours of sunlight on the sidewalk on the opposite side of the street). The building also creates long shadows on the lands designated as *Neighbourhood* to the east for 1 hour in a late afternoon on March 21 and September 21. The building limits access to sunlight on the residential area of Brownstone Lane to the west in the

morning on March 21, June 21, and September 21. Reduction of the building height and/or massing is required to minimize the shadow impact on the public realm and surrounding properties.

The submitted Wind Impact Study indicates that the “prominent westerly winds may tend to accelerate along the Dundas Street West corridor” and the wind speeds would be comfortable for standing or walking on the sidewalk. However, given that there are a number of proposed patios located at grade as well as a number of projecting balconies above, the wind study for seating conditions in these spaces would need to be provided for further evaluation.

The rooftop outdoor amenity should be comfortable for sitting in the summer extending to the spring and fall. Modifications to the building massing, projections, recesses, canopies and landscape elements are required in order to improve wind conditions, for the terrace to allow for comfortable sitting condition in spring, summer and fall.

## **Servicing**

A Functional Servicing and Stormwater Management Report and associated plans have been submitted as part of the applications. A number of amendments to the report and revisions to plans have been identified.

The site is subject to a Holding (H) symbol until such time as Council is satisfied as to the availability of all road improvements, infrastructure, servicing, and school capacity. It must be demonstrated that servicing infrastructure capacity is sufficient before the hold is lifted.

In the event that the OLT allows the Official Plan and Zoning By-law Amendment application appeal in whole or in part, the final Order should be withheld pending the confirmation the Functional Servicing and Stormwater Management Report has been revised to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and it is demonstrated that the municipal water, sanitary and storm sewer systems can support the proposed development and whether upgrades or improvements of the existing municipal infrastructure are required.

## **Parkland**

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the City of Toronto Official Plan shows local parkland provisions across the City. According to the City's Parkland Strategy methodology, the development site is currently in an area with 12 - 28 square metres of parkland per person, which is less than the city-wide average provision of 28 square metres of parkland per person in 2016.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The residential component of this proposal is subject to a cap of 10% parkland dedication.

## **Amenity Areas**

Official Plan states that every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the new development. Dundas Street West Avenue Zoning By-law No. 717-2006 and City-wide Zoning By-law No. 569-2013 which respectively require a minimum of 2 square metres of indoor and 2 square metres of outdoor amenity space for each unit; and a minimum of 4 square metres of amenity space for each unit.

The proposal provides for a total of 536 square metres of amenity space which represents the required 2 square metres per residential unit of both indoor and outdoor amenity space.

As currently designed, however, the proposed ground floor outdoor amenity space is inappropriate and unsafe for future residents using the space. The tracking diagram on the site plan drawing shows the loading vehicle backing onto the outdoor amenity space. The outdoor amenity space is to have no conflicts with vehicles and site servicing.

Staff are unable to determine what amenity spaces will be provided for the townhouses. The plans only demonstrate two proposed patios adjacent to the rear townhouse units. No floor plans, roof plans, or elevations were provided for the townhouses. Further information and details are required.

Given the current rise in dog-owning populations, the applicant should provide on-site dog amenities with proper disposal facilities such as dog relief stations within the building to accommodate future residents' needs. This will also help alleviate pressure on existing parks.

## **Toronto Green Standard**

The Applicant is required to meet Tier 1 of the TGS. The Applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. Some performance measures for the Tier 1 development features are secured in the site-specific zoning by-law and others through the Site Plan Control application.

## **Community Services Assessment**

Community Services and Facilities (CS and F) are an essential part of vibrant, strong and complete communities. CS and F are the lands, buildings and structures for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions, such as recreation, libraries, childcare, schools, public health, human services, cultural services and employment services.

The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible

neighbourhoods. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

Should the OLT approve the application, the following potential CS and F contributions should be considered as part of any Section 37 Agreement:

- Non-profit and affordable child care space;
- Contribution towards the construction of the library at the new Etobicoke Civic Centre;
- Contribution towards the replacement of the Wedgewood Outdoor Pool; and
- Contribution to the new Community Recreation Centre at the new Etobicoke Civic Centre.

## **Local Schools**

The Toronto District School Board (TDSB) identified concern regarding current local elementary school capacity to accommodate students anticipated from this development. The TDSB also advised that children from the proposed development would not displace existing students at local schools. As such, the TDSB has requested that as a condition of approval, the proponent be required to erect notice signs and that warning clauses be included in all purchase, 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 and if bussing is provided by the TDSB that students will not be bussed home to school but will meet the bus at designated locations in or outside of the area.

The Toronto Catholic District School Board identified similar concerns and requested that as a condition of approval the proponent be required to erect notice signs that if schools are oversubscribed students may need to be accommodated in portable classrooms or be redirected to a school located outside the area and that warning clauses be included in all agreements of purchase and sale.

## **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*. The proposal in its current form would be subject to Section 37 contributions under the *Planning Act*. Planning staff has not met with the applicant regarding Section 37 contributions because the application in its current form is not acceptable. Should the OLT approve the application, an acceptable Section 37 contribution would need to be secured.

## **Conclusion**

The application has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), the Official Plan, including SASP 277 and applicable City guidelines intended to implement Official Plan policies. As currently proposed, the application does

not conform to the Official Plan and Guidelines, particularly as it relates to Healthy Neighbourhoods, Built Form, *Mixed Use Areas* and *Neighbourhood* policies and development criteria. The application in its current form is also inconsistent with the PPS (2020) long-term economic development policies and Growth Plan (2020) managing growth and housing policies.

The current proposal is not appropriate as the proposed development represents overdevelopment of the site with a building which is not in keeping with the existing or planned mid-rise context of the area established by the Dundas Street West Avenue Study. The proposal would establish an undesirable precedent within the Dundas Street West Avenue Study area, does not represent good planning and is not in the public interest in its current form.

Development on this site could be supported, should it provide an appropriate height, density, massing, transition of scale including addressing angular planes, limit shadowing on the public realm, reduce visual impact as directed in the Official Plan, the Dundas Street West Avenue Study and the Dundas Street West Design Guidelines, and address the safety concerns identified as directed in the *Planning Act*. This report recommends that the City Solicitor, with appropriate staff, attend the OLT in opposition to the Application in its current form and to continue discussions with the applicant in an attempt to resolve outstanding issues.

## **CONTACT**

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E-mail: [Ira.Banks@toronto.ca](mailto:Ira.Banks@toronto.ca)

## **SIGNATURE**

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Angela Stea, Acting Director  
Community Planning, Etobicoke York District

## **ATTACHMENTS**

Attachment 1:	Location Map
Attachment 2:	Application Data Sheet
Attachment 3:	Official Plan Land Use Map
Attachment 4:	Existing Zoning By-law Map
Attachment 5:	Site Plan
Attachment 6:	Elevations
Attachment 7:	Policy Considerations

## Attachment 1: Location Map



## Attachment 2: Application Data Sheet

**Municipal Address:** 26 EARLINGTON AVE  
**Date Received:** February 26, 2020  
**Application Number:** 20 119591 WET 03 OZ  
**Application Type:** OPA / Rezoning, OPA and Rezoning  
**Project Description:** An Official Plan Amendment and Zoning By-law Amendment application to permit a proposed 10-storey (36.55 m) residential building on the northern portion of the site and four 4-storey (13.1 m) back-to-back townhouse units on the southern portion of the site.

<b>Applicant</b>	<b>Agent</b>	<b>Architect</b>	<b>Owner</b>
AMELIA BISHOP			1742875 ONTARIO INC

### EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision:  
Zoning: CG-Av-H and RD(f13.5,a510,d)) (x35) Heritage Designation:  
Height Limit (m): Site Plan Control Area:

### PROJECT INFORMATION

Site Area (sq m): 3,431 Frontage (m): 46 Depth (m): 75

<b>Building Data</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Ground Floor Area (sq m):	864		1,339	<b>1,339</b>
Residential GFA (sq m):	185		15,643	<b>15,643</b>
Non-Residential GFA (sq m):	810			
<b>Total GFA (sq m):</b>	<b>995</b>		<b>15,643</b>	<b>15,643</b>
Height - Storeys:			10	<b>10</b>
Height - M:			37	<b>37</b>

Lot Coverage Ratio (%): 39.03 Floor Space Index: 4.56



<b>Floor Area Breakdown</b>	<b>Above Grade (sq m)</b>	<b>Below Grade (sq m)</b>
Residential GFA:	15,643	
Retail GFA:		
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

<b>Residential Units by Tenure</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Rental:	1			
Freehold:				
Condominium:			138	<b>138</b>
Other:				
<b>Total Units:</b>	<b>1</b>		<b>138</b>	<b>138</b>

#### **Total Residential Units by Size**

	<b>Rooms</b>	<b>Bachelor</b>	<b>1 Bedroom</b>	<b>2 Bedroom</b>	<b>3+ Bedroom</b>
Retained:					
Proposed:			34	100	5
<b>Total Units:</b>			<b>34</b>	<b>100</b>	<b>5</b>

#### **Parking and Loading**

Parking Spaces: 218      Bicycle Parking Spaces: 101      Loading Docks:

#### **CONTACT:**






Ira Banks, Planner  
(416) 394-8878  
Ira.Banks@toronto.ca

### Attachment 3: Official Plan Land Use Map



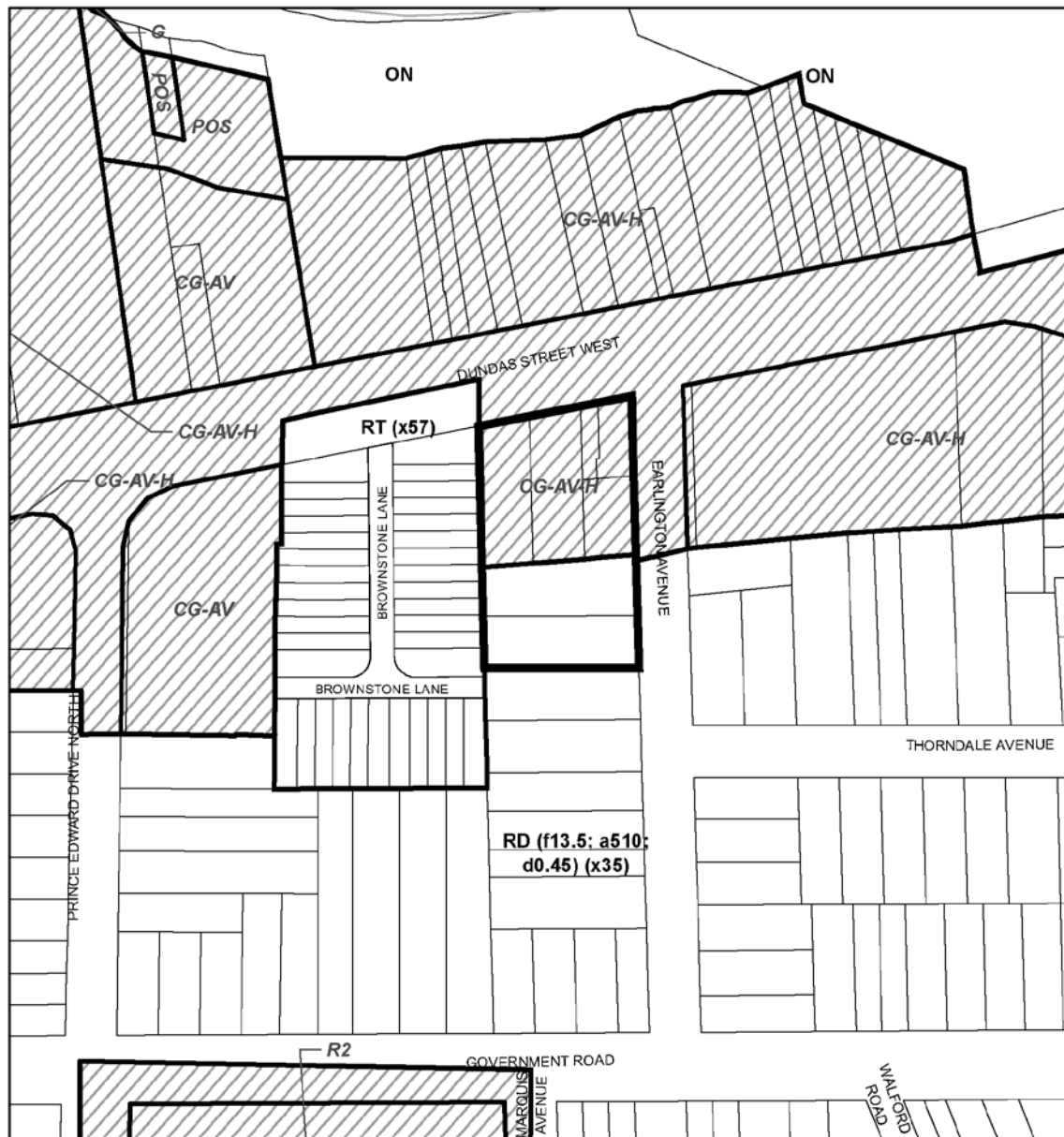
#### Official Plan Land Use Map #14

4161-4169 Dundas Street West  
and 18-26 Earlington Avenue  
File # 20 119591 WET 03 02

	Location of Application		Parks & Open Space Areas
	Neighbourhoods		Natural Areas
	Mixed Use Areas		

↑  
Not to Scale  
07/29/2020

## Attachment 4: Existing Zoning By-law Map



**Zoning By-law 569-2013**

**4161-4169 Dundas Street West  
and 18-26 Earlington Avenue**  
File # 20 119591 WET 03 02

Location of Application

RD Residential Detached RT Residential Townhouse  
ON Open Space Natural

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

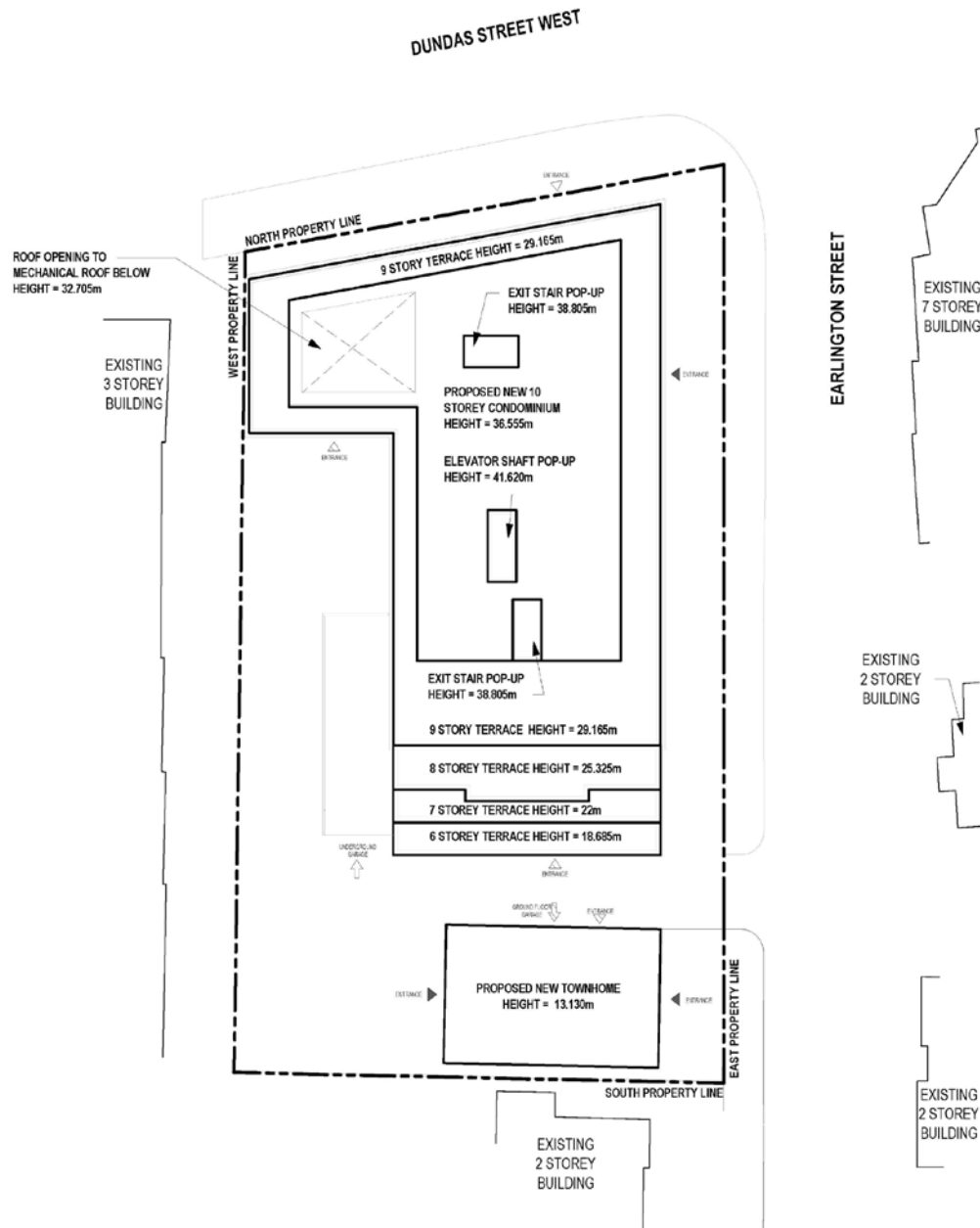
R2 Second Density Residential Zone  
POS Private Open Space Zone  
CG-AV General Commercial-Avenues Zone

See Former City of York By-law No. 1-83

G Green Open Space Zone

Not to Scale  
Extracted: 07/23/2020

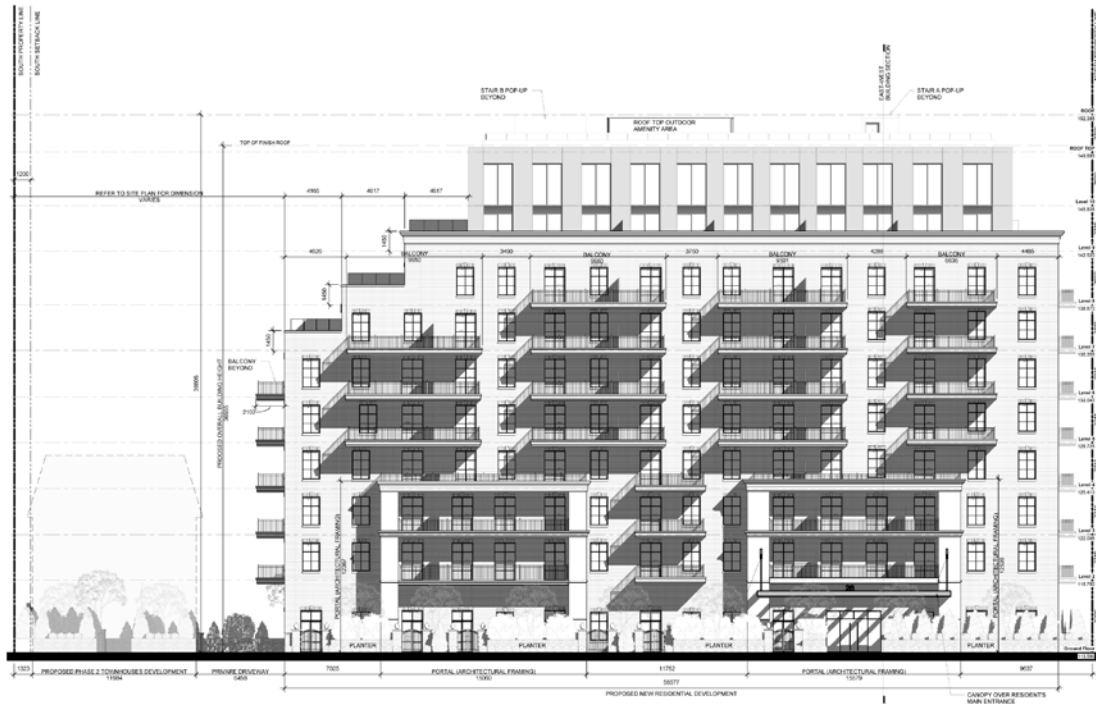
## Attachment 5: Site Plan



Site Plan



## Attachment 6: Elevations



East Elevation



North Elevation



South Elevation



West Elevation

## **Attachment 7: Policy Considerations**

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

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

#### **The Provincial Policy Statement (2020)**

The Provincial Policy Statement (2020) (the "PPS") provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

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

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

The PPS encourages new development that has a compact form and allows the efficient use of land and infrastructure while avoiding safety concerns. It further directs that healthy, active communities should be promoted by planning public streets and spaces to be safe, and meet the needs of pedestrians.

The PPS states that efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.

The PPS encourages the support of energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which

promote design and orientation which considers the mitigating effects of vegetation and green infrastructure and maximize vegetation within settlement areas.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. 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 PPS is issued under Section 3 of the *Planning Act* and all decisions of Council in respect of the exercise of any authority and comments, submissions or advice affecting a planning matter shall be consistent with the PPS.

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

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

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

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

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

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;



- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space, and better connected transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan (2020), builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan (2020), take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

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

The guiding principles of the Growth Plan supports the achievement of complete communities that are designed to support healthy and active living and meet people's daily needs throughout an entire lifetime. It supports the prioritization of intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability.

Policies of the Growth Plan are to be applied to support the achievement of complete communities that feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities; provide a diverse range and mix of housing options to accommodate people at all stages of life; to accommodate the needs of all household sizes and incomes; and ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards.

## Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan.

Key policies include:

### Chapter 2 – Shaping the City

Part of the site, 24 – 26 Earlington Avenue and 4161 – 4169 Dundas Street West, is located within an Avenue as shown on Map 2 – Urban Structure of the Official Plan.

#### *Avenues*

Section 2.2.3, Avenues: Reurbanizing Arterial Roads, states that *Avenues* are important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities while improving the pedestrian environment, the look of the street, shopping opportunities and transit service for community residents. A framework for change is to be tailored to the situation of each *Avenue* through a local *Avenue* Study that includes community consultation to establish a vision and implementation plan for: how the streetscape and pedestrian environment can be improved; where public open space can be created and existing parks improved; where trees should be planted; and how use of the road allowance can be optimized and transit service enhanced. Policies 2.2.3.1 and 2.2.3.2 require reurbanization of Avenues to be achieved through the preparation of Avenue Studies, and that these studies must engage the local community.

### *Chapter 3 - Building a Successful City*

Section 3.1.1, The Public Realm, states that the public realm is the fundamental organizing element of the city and its neighbourhoods and plays an important role in supporting population and employment growth, health, liveability, social equity and overall quality of life. Policy 3.1.1.1 identifies that the public realm is comprised of all public and private spaces to which the public has access including streets and lanes, parks and open spaces, and the parts of private and public buildings that the public is invited into. 3.1.1.2 requires the public realm to provide the organizing framework and setting for development; foster complete, well-connected walkable communities and employment areas that meet the daily needs of people and support a mix of activities; support active transportation and public transit use; provide a comfortable, attractive and vibrant, safe and accessible setting for civic life and daily social interaction; contribute to the identity and physical character of the City and its neighbourhoods; provide opportunities for passive and active recreation; be functional and fit within a larger network; and contribute to the City's climate resilience. Policy 3.1.1.3

provides that the City, together with its partners, will seek opportunities to expand and enhance the public realm.

Policy 3.1.1.13 requires sidewalks to be designed to provide safe, attractive, interesting and comfortable spaces for users of all ages and abilities. Further,

Policy 3.1.1.14 requires that design measures which promote pedestrian safety and security will be applied to streetscapes, lanes, parks, other public and private open spaces, and all new and renovated buildings.

Policy 3.1.1.16 states the preservation, long-term growth and increase in the amount of healthy trees will be a priority for all development. Development proposals will demonstrate how the protection, provision and maintenance of trees and their growing spaces above and below ground will be achieved. Policy 3.1.1.17 requires access and enjoyment of the natural features of the City, such as ravines and valley lands, will be enhanced and protected by: improving physical and visual access from adjacent public streets, parks and open spaces and designing these into a comprehensive public realm network; ensuring that adjacent development, including new streets, parks and open spaces, building location, height, massing and organization, will preserve and enhance access, views and vistas between these natural features and the public realm; providing for public access along, into and through these natural open spaces, where appropriate; and minimizing shadows on natural features to preserve their utility and ecological health.

Policy 3.1.1.18 requires new open spaces to be located and designed to: connect and extend, wherever possible, to existing parks, natural areas, and other open spaces such as school yards; consider opportunities for future expansion of the park or open space onto adjacent sites with redevelopment potential; provide a comfortable setting with wind and sunlight conditions that promote use and enjoyment of the space for community events and by users of all ages and abilities; provide appropriate spaces for a variety of active and passive recreation, as well as productive recreation such as community gardening; and emphasize and improve unique aspects of the community's identity and character, including natural and human-made heritage.

Section 3.1.2, Built Form, is based on principles on key relationships of the location and organization of development, its massing and appropriate amenity within the existing and planned context to inform the built form and ensure each new building will promote and achieve the overall objectives of the Official Plan.

Policy 3.1.2.1 requires development be located and organized to fit with its existing and planned context. Development is to frame and support adjacent streets, lanes, parks and open spaces to promote civic life and the use of the public realm, and to improve the safety, pedestrian comfort, interest and experience, and casual views to these spaces from the development. Policy

3.1.2.2 prioritizes the provision of accessible open space in locations that have access to direct sunlight and daylight and policy 3.1.2.3 requires development to protect privacy within adjacent buildings by providing setbacks and separation distances from neighbouring properties and adjacent building walls containing windows.

Policy 3.1.2.4 requires that development locate and organize vehicle parking and vehicular access, servicing, storage areas and utilities to minimize their impact and improve the safety and attractiveness of the public realm, the site and surrounding properties.

Policy 3.1.2.5 requires development to be located and massed to fit within the existing and planned context, define and frame the edges of the public realm with good street proportion, fit with the character, and ensure access to direct sunlight and daylight on the public realm by providing streetwall heights and setbacks that fit harmoniously with the existing and/or planned context; and stepping back building mass and reducing building foot prints above the streetwall height.

Policy 3.1.2.6 requires development to provide good transition in scale between areas of different building heights and/or intensity of use in consideration of both the existing and planned contexts of neighbouring properties and the public realm. Policies 3.1.2.7 and 3.1.2.8 require transition in scale to be provided within the development site and be measured from shared and adjacent properties lines and where development includes, or is adjacent to, a park or open space, the buildings should be designed to provide good transition in scale to the parks or open spaces to provide access to direct sunlight or daylight.

Policies 3.1.2.9 and 3.1.2.10 require the design of new building facades visible from the public realm to consider the scale, proportion, materiality and rhythm of the façade and development to promote civic life and provide amenity for pedestrians in the public realm to make areas adjacent to streets, parks and open spaces attractive, interesting, comfortable and functional.

Policies 3.1.2.11, 3.1.2.12 and 3.1.2.13 encourage new indoor and outdoor amenity spaces be provided in multi-unit residential development, and that it be high quality, well designed and consider the needs of all ages and abilities over time and throughout the year. Outdoor amenity spaces should be located above grade, have access to daylight, direct access to sunlight, provide comfortable wind, shadow and noise conditions, be located away from and physically separated from loading and servicing areas, have generous well designed landscaped areas to offer privacy and an interface with the public realm, accommodate mature trees and promote use in all seasons.

Section 3.1.3, Built Form - Building Types, states that there are three scales of building types. The built form relationships and design of these building types is informed by citywide urban design guidelines that help to ensure the appropriate

form and fit with the existing and planned context. Mid-rise buildings are a transit supportive of development that provides a level of intensification at a scale between low-rise and tall building forms. Mid-rise building heights are contextual and are informed by the width of the right-of-way onto which they front. In Toronto, where streets vary in width from 16.5 metres to over 40 metres, mid-rise buildings may vary in height between four and 11 storeys for residential uses, or fewer for office uses, dependent on the adjacent right-of-way width. Mid-rise buildings help establish and reinforce an urban environment through a development form that is repeatable, moderate in scale, has good, predictable street proportion, allows for access to midday sunlight in the spring and autumn, has open views to the sky from the street, and that can support high-quality, accessible open spaces in the block. Mid-rise buildings provide good transition in scale that has predictable impacts on adjacent low-scale uses.

Policy 3.1.3.4 requires mid-rise buildings to be designed to have heights generally no greater than the width of the right-of-way that it fronts onto; maintain street proportion and open views of the sky from the public realm by stepping back building massing generally at a height equivalent to 80% of the adjacent right-of-way width; and allow for daylight and privacy on occupied ground floor units by providing appropriate facing distances, building heights, angular planes and step-backs. Further policy 3.1.3.5 states that mid-rise buildings on corner sites with different right-of-way widths will have building heights along each street edge that relate to their corresponding right-of-way width, and policy 3.1.3.6 states that mid-rise buildings on deep sites should be designed to provide and frame accessible and well-proportioned open spaces that have access to sunlight and daylight.

#### *Chapter 4 Land Use designations*

The Official Plan designates the Dundas Street frontage properties at 4161-4169 Dundas Street West as well as 24-26 Earlington Avenue as *Mixed Use Areas*; and the portion of the site located at 18-20 Earlington Avenue as *Neighbourhoods*, as shown on Map 14 - Land Use of the Official Plan (see Attachment 3: Official Plan Land Use Map).

#### *Mixed Use Areas*

Section 4.5 of the Plan indicates that the *Mixed Use Areas* designation provides for a range of residential, commercial and institutional uses, and provides criteria to direct the form and quality of development. 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.

Policy 4.5.2 includes criterion that directs the form and quality of development in this land use designation. It is the intent that development in *Mixed Use Areas* will:

- 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*, particularly during the spring and fall equinoxes;
- 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;
- provide an attractive, comfortable and safe pedestrian environment;
- 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 service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences;
- provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development; and
- provide opportunities for green infrastructure including tree planting, stormwater management systems and green roofs.

Further guidance for *Mixed Use Areas* that are adjacent or close to *Neighbourhoods* is found within the Healthy Neighbourhood policies (Policy 2.3.1.2) of the Official Plan. Policy 2.3.1.2 states that development 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*;
- c) Maintain adequate light and privacy for residents in those *Neighbourhoods*; and
- d) orient and screen lighting and amenity areas so as to minimize impacts on adjacent land in those *Neighbourhoods* ;
- e) locate and screen service areas, any surface parking and access to underground and structured parking so as to minimize impacts on adjacent land in those *Neighbourhoods*, and enclose service and access areas where distancing and screening do not sufficiently mitigate visual, noise and odour impacts upon adjacent land in those *Neighbourhoods*; and

- f) Attenuate resulting traffic and parking impacts on adjacent neighbourhood streets so as not to significantly diminish the residential amenity of those *Neighbourhoods*.

The Healthy Neighbourhoods section of the Official Plan further states:  
"At the boundary points between the neighbourhoods and the growth area, development in the mixed use area will have to demonstrate a transition in height, scale and intensity as necessary to ensure that the stability and general amenity of adjacent residential area are not adversely affected".

### *Neighbourhoods*

The portion of the site located at 18-20 Earlington Avenue is designated *Neighbourhoods* on Map 14- Land Use Plan. Section 4.1 in the Official Plan states that *Neighbourhoods* are considered physically stable areas, which include residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes, townhouses and walk-up apartments. Parks, local institutions, home occupations, cultural and recreational facilities and small scale retail service and office uses are also provided for in *Neighbourhoods*. Local institutions include uses such as seniors and nursing homes and long term care facilities. The Official Plan also states that no changes will be made through rezoning that are out of keeping with the physical character of the neighbourhood. In addition, physical changes to established *Neighbourhoods* must be sensitive and fit its existing context and physical character.

Policy 4.1.5 of the Official Plan requires development in established *Neighbourhoods* to respect and reinforce the existing physical character of the neighbourhood, including in particular:

- Size and configuration of lots;
- Heights, massing, scale and dwelling type of nearby residential properties;
- Prevailing building type(s);
- Setbacks of buildings from the street or streets;
- Continuation of special landscape or built-form features that contribute to the unique physical character of a neighbourhood; and
- Prevailing patterns of rear and side yard setbacks and landscaped open space.

### Chapter 5 -Implementation: Making Things Happen

Policy 5.1.1 of the Official Plan allows for an increase in height and/or density in return for the provision of community benefits for a proposed development, in accordance with Section 37 of the *Planning Act*.

The Official Plan also includes policies for City-building that provide for more detailed oriented action plans, programs and strategies needed to implement the Plan and to adapt to changing circumstances and challenges over the life of the Plan. Policy 5.3.2.1 states that "Implementation plans, strategies and guidelines will be adopted to advance the vision, objectives and policies of this Plan." Though the policy goes on to acknowledge these plans, strategies and guidelines are not Official Plan policy unless added by amendment to the Plan, they do advance the vision, policies and objectives of the Plan. Urban design guidelines specifically are intended "to provide a more detailed framework for built form and public improvements in growth areas".

Map 3 - Right-of-Way Widths Associated with Existing Major Streets of the Official Plan identifies the portion of Dundas Street West fronting the site as an existing major street having a 27 metre right-of-way width.

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

## **Zoning By-law**

4161-4169 Dundas Street West and 24-26 Earlington Avenue is subject to the former City of Etobicoke Zoning Code, as amended by Avenue By-law No. 717-2006 which is the implementing Zoning By-law for the Dundas Street West Avenue Study. The properties are zoned General Commercial – Avenues – Holding (CG-AV-H) (see Attachment 4: Existing Zoning-By-law Map).

The CG-AV-H zone permits a limited range of residential uses, including apartment houses, dwelling units above business or retail uses and live-work units. Townhouses are not permitted on the north side of Dundas Street West and in the first 60 metres of depth on the south side of Dundas Street West. Permitted uses include stores, banks, restaurants, hotels, business and professional offices, service stations and public garages, health centres and athletic clubs.

By-law No. 717-2006 contains 5 development areas, each with varying development standards related to building setbacks and yard requirements. The subject site is located in Area 1 (A1). The maximum permitted floor space index in a CG-AV-H zone is 2.5 and the maximum building height is 14 metres and 5-storeys. However, the Zoning By-law permits a development to exceed these provisions to a maximum height of 18.5 metres and 6-storeys and a maximum floor space index of 3.0 provided that the owner enters into a satisfactory Section 37 Agreement with the City to secure the provision of parkland and streetscape improvements abutting and beyond the development site, including trees, planters, benches, pedestrian level street lighting, walkways, landscaped medians and public art.



The CG-AV-H zone includes an "H" Holding Symbol that applies to the subject site. The "H" symbol may be removed by City Council subject to the satisfactory availability of any road, infrastructure, servicing and school capacity improvements necessary to accommodate the proposed development. Upon fulfillment of these criteria, the "H" symbol can be removed, in whole or in part.

Under City-wide Zoning By-law No. 569-2013, 18-20 Earlington Avenue is zoned Residential Detached (RD) (f13.5; a510; d0.45)(x35) which permits single-detached dwellings as a permitted building type. The zoning further permits a range of institutional uses and public utility uses with conditions. The zoning requires the site to have a minimum lot frontage of 13.5 m, a minimum lot area of 510 m<sup>2</sup> and a maximum Floor Space Index of 0.45 times the area of the lot. 18-20 Earlington Avenue is zoned as R2 under the former City of Etobicoke Zoning Code.

Etobicoke Zoning By-law 717-2006 may be found here:  
<https://www.toronto.ca/legdocs/bylaws/2006/law0717.pdf>

The City-wide Zoning By-law No. 569-2013 may be found here:  
<https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

See Attachment 4: Existing Zoning By-law Map.

## **Design Guidelines**

The following design guidelines were used in the evaluation of this Application:

- Dundas Street West Urban Design Guidelines
- Mid-Rise Performance Standards
- Growing Up Guidelines: Planning for Children in New Vertical Communities
- Pet Friendly Design Guidelines

The City's Design Guidelines may be found here:  
<https://www.toronto.ca/citygovernment/planning-development/official-guidelines/design-guidelines>

## **The Dundas Street West Avenue Study and Urban Design Guidelines**

The Dundas Street West Avenue Study was completed and adopted by City Council in 2006 and was implemented through Official Plan Amendment No. 277 that created Site and Area Specific Policy No. 277 (SASP 277) and Zoning By-law No. 717-2006. The guiding principles of the study, intended to inform urban design guidelines and zoning are:

1. Create a safe and enjoyable pedestrian environment
2. Encourage a diversity of uses
3. Select an appropriate building scale and density for the street width and neighbourhood context
4. Encourage high quality architecture and diversity of building form.
5. Enable efficient vehicle moving and ease of transit and cyclist access
6. Encourage opportunities for new open space and improve access to existing open space
7. Protect the natural environment and enhance its enjoyment
8. Transform the area with a new, distinctive identity

These principles led to the following key priorities:

- Improve the pedestrian environment
- Add more street trees and enhance the streetscape
- Manage existing and future traffic flow and volumes effectively
- Look at opportunities for reducing the amount of vehicular pavement at the street edge
- Encourage building frontages at or near the street edge, facing the street
- Propose an appropriate scale of buildings
- Improve the transition to abutting residential areas
- Maintain and enhance shopping opportunities
- Create a distinctive identity and long-term vision for this area
- Manage potential future impacts from redevelopment on traffic in the Kingsway neighbourhood and the Lambton Kingsway Junior Middle School
- Propose Controls for height and density.

The Study identifies the properties at 24-26 Earlington Avenue and 4161-4169 Dundas Street West as part of Area 1. Area 1 is characterized by a mix of residential and commercial uses which back onto a low-rise residential neighbourhood and is intended to be protected by setback and stepback requirements.

These priorities are pursued through SASP 277 includes the Dundas Street West Urban Design Guidelines. The guidelines provide direction with respect to the location and organization of development relative to streets and open spaces, building massing, landscape elements and pedestrian amenities. Provisions of the Urban Design Guidelines include directions that new buildings provide appropriate transition of height and stepback, that they should not project beyond the 45 degree angular plane if abutting the existing R2 Zoning, that building height should be limited to 6-storeys or 18.5 metres, and that a 5 metre pedestrian zone at the curb should be provided.

The Dundas Street West Urban Design Guidelines may be found here:

<https://www.toronto.ca/wp-content/uploads/2017/11/9832-city-planning-official-plan-chapter-7-saps.pdf>

## **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 step backs, 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.

Council's 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>.

The Performance Standards give guidance about the size, shape and quality of mid-rise buildings and are intended to reinforce the Built Form Policies of the Official Plan.

The Dundas Street West Avenue Study was completed and as such is the prevailing policy document. However, the Mid-Rise Building Performance Standards continue to represent good principles of urban design and can be used to augment local guidelines, particularly to address aspects of new development that were not addressed in previously developed local guidelines.

## **Growing Up: Planning for Children in New Vertical Communities**

In July 2020, City Council adopted updated Growing Up 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 greater than 20 residential units and future city-wide and area-based planning frameworks. The objective of the Growing Up 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.

The link to the Growing Up Guidelines may be found here:

<https://www.toronto.ca/citygovernment/planning-development/planning-studies-initiatives/growing-up-planning-forchildren-in-new-vertical-communities/>

## **Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings**

The City of Toronto has completed the Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings. The purpose of this document is to guide new developments in a direction that is more supportive of a growing pet population, considering opportunities to reduce the current burden on the public realm, and provide needed pet amenities for high density residential communities.

The link to the guidelines may be found here:

<https://www.toronto.ca/city-government/planning-development/planning-studies-initiatives/pet-friendly-design-guidelines-for-high-density-communities/>