

1200 Dundas Street West – Zoning By-law Amendment Application – Request for Directions Report

Date: December 10, 2021

To: City Council

From: Chief Planner and Executive Director, City Planning Division

Wards: Ward 9 - Davenport

Planning Application Number: 17 181165 STE 19 OZ

SUMMARY

Dundas Ossington Developments Limited (the "Applicant") is the owner of the property municipally known as 1200 Dundas Street West (the "Subject Property"). In 2017, the Applicant applied for zoning by-law amendment in order to facilitate a proposed redevelopment of the Subject Property to construct an eight-storey mixed use building, containing 76 dwelling units, 605 square metres of retail space on the ground floor and a total of 59 parking spaces within an underground garage. It would have a total gross floor area of 6,348 square metres (the "Application"). The Applicant appealed the Application to the then, Local Planning Appeal Tribunal (the "LPAT") due to City Council's failure to make a decision. The Applicant submitted a without prejudice settlement offer dated May 6, 2019 (the "Settlement Offer").

At its meeting on May 14-15, 2019, City Council adopted Item CC7.11, containing confidential recommendations in the Request for Directions Regarding Local Planning Appeal Tribunal Hearing Report ("Request for Directions Report") for the Application.

The confidential recommendations adopted by City Council (Item CC7.11), subsequently made public, included a recommendation to accept the Settlement Offer dated May 6, 2019 from the Applicant; to authorize the City Solicitor and appropriate City Staff to attend the LPAT hearing on the matter in support of the revised proposed development as set out in the Settlement Offer; to instruct the City Solicitor to request that the LPAT withhold its Order on the Zoning By-law Amendment Application until the LPAT had been advised by the City Solicitor that a number of conditions had been satisfied; and to authorize the City Solicitor and any other City staff to take such actions as necessary to give effect to City Council's decision.

These conditions include that the proposed Zoning By-law Amendment is in a form satisfactory to the Chief Planner and Executive Director, City Planning, and the City Solicitor; all outstanding engineering matters are addressed to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services; and Site Plan pre-approval conditions have been finalized or other satisfactory arrangements have been made to secure a number of additional Site Plan matters

related to building design, landscaping and construction of the proposal to the satisfaction of Chief Planner and Executive Directory, City Planning, and the City Solicitor. On June 24, 2019, the LPAT, issued an Order on the matter (PL171337), approving the application in principle, and generally in accordance with the Settlement Plans provided, subject to the conditions outlined above.

Through the Site Plan Control process, revisions and modifications were made to the built form and design of the proposal, which satisfied City Staff, but which resulted in approximately 312 square metres of additional residential gross floor area ("GFA") and 100 square metres less non-residential GFA than what was supported by Council through the adoption of Item CC7.11, including the Settlement Offer and corresponding revised plans from the Applicant attached to the Request for Directions Report dated May 14, 2019 from the City Solicitor.

This report recommends that City Council authorize the City Solicitor and appropriate City Staff to support the built form changes and resultant increase in GFA set out in this report from the Chief Planner and Executive Director, City Planning before the Ontario Land Tribunal ("OLT") on the matter of 1200 Dundas Street West.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council authorize the City Solicitor and appropriate City Staff to support the built form changes and increase in Gross Floor Area set out in this Report and as shown on the Revised Plans before the Ontario Land Tribunal ("OLT") on the matter of 1200 Dundas Street West (PL171337).

FINANCIAL IMPACT

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

DECISION HISTORY

The Zoning By-law Amendment Application was received by the City on June 15, 2017 and deemed complete on July 25, 2017. A Preliminary Report on the Application identifying preliminary issues to be addressed and authorizing staff to conduct a community consultation meeting was adopted by Toronto and East York Community Council on November 8, 2017.

The preliminary report can be viewed at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.TE28.39>

On November 19, 2017, the Applicant appealed the site specific Zoning By-law Amendment application to the LPAT, citing Council's failure to make a decision on the application within the time period prescribed by the Planning Act.

The Applicant submitted a Settlement Offer including revised plans in an attempt to resolve its appeal, which was endorsed by City Council, subject to conditions, through its adoption of Item CC7.11 at its meeting on May 14-15, 2019.

The Request for Directions Report can be viewed at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.CC7.11>

On June 24, 2019, the LPAT, issued a decision, approving the revised application as set out in the Settlement Offer generally in accordance with the plans provided, and withholding the final order subject to the conditions set out in Item CC7.11.

COMMENTS

On November 20, 2019 the owner submitted an application for Site Plan Control for the Subject Property. The Settlement Offer accepted by City Council through adoption of Item CC7.11 included specific conditions that were required to be addressed through the Site Plan approval process. These conditions include:

- Screening the loading area and the mechanical chiller;
- Ensuring bicycle spaces are in a usable and accessible location;
- Satisfactory dimensions and programming of outdoor amenity space;
- Satisfactory materiality of the base building;
- Rounding of the built form at the corner of Dundas Street West and Lakeview Avenue;
- Satisfactory design of the streetscape/boulevard landscaping, including the replacement of the existing seating wall; and
- A satisfactory Construction Management Plan.

Through the Site Plan process, the Applicant worked with City Staff and the local community through a Councillor-led Working Group, to ensure that all the conditions of settlement were addressed. Staff are now of the opinion that all of the above noted conditions have been satisfactorily addressed. While working through the Site Plan Control application, changes to the built form of the proposal have also been made that result in minor differences from the residential and non-residential GFA that were approved in the LPAT settlement.

The increase of 312 square metres of additional residential GFA can be attributed to minor reductions in the length of the light well on the northeast elevation of the building, though minor reductions in the floor to ceiling heights and through the addition of the mezzanine-like bicycle parking room on Level 1 above the parking ramp, which is also related to one of the seven conditions to be addressed during Site Plan approval.

The changes made to non-residential GFA are the result of the reduction of 100 square metres of GFA from the retail component of the building and reallocating it to the residential amenity off of the residential lobby of the building. Staff are of the opinion that these changes will not impact the functionality or ability to accommodate retail that is appropriate and supportive of the surrounding area.

The Settlement Offer that was endorsed by City Council had overall GFA of 6,390 square metres. Based on the changes outlined in this report, the revised proposal now has an overall GFA of 6,602 square metres. The proposed changes in built form to accommodate this additional GFA will not result in any additional overall building height or changes to the building setbacks and stepbacks that were endorsed by City Council through the endorsement of the Settlement Offer. Based on this, City Planning is of the opinion that the proposed changes in built form and resultant GFA are minor in nature, constitute good planning and represent an appropriate built form for the site. Staff are also of the opinion that the changes made to the proposal through the Site Plan process respect the planned and existing context of the area and will not have an adverse impact on adjacent properties or the surrounding community.

This report recommends that City Council authorize the City Solicitor and appropriate City Staff to support the built form changes and increase in GFA set out in this Report and as shown on the Revised Plans attached to this report dated December, 8, 2021 from the Chief Planner and Executive Director, City Planning before the OLT on the matter of 1200 Dundas Street West.

CONTACT

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SIGNATURE

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Chief Planner & Executive Director
City Planning

ATTACHMENTS

Attachment 1: Architectural Plans