

2946-2968 Dundas Street West – Zoning By-law Amendment and Rental Housing Demolition Applications – Final Report

Date: January 29, 2021

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Wards: Parkdale-High Park

Planning Application Number: 19 124750 STE 04 OZ

Related Application: 19 124759 STE 04 RH

SUMMARY

This application proposes redevelop the lands at 2946-2968 Dundas Street West. The Zoning By-law Amendment and Rental Housing Demolition applications propose an 8-storey mixed-use building with 120 dwelling units, including 8 rental replacement units, 1,973 square metres of retail space and 1,660 square metres of office space.

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

This report reviews and recommends approval of the application to amend the Zoning By-law. The application proposes a compact built form on a site that is appropriate for intensification, within an Avenue, and includes affordable housing, rental replacement, on site POPS, conservation of heritage resources, while replacing the existing and providing additional retail and office space.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Former City of Toronto Zoning By-law No. 438-86, for the lands at 2946 to 2968 Dundas Street West substantially in accordance with the Draft Zoning By-law Amendment attached as Attachment No. 5 to this report.
2. City Council amend City of Toronto Zoning By-law No. 569-2013, for the lands at 2946 to 2968 Dundas Street West substantially in accordance with the Draft Zoning By-law Amendment attached as Attachment No. 6 to this report.

3. City Council authorize the City Solicitor to make such stylistic and technical changes to the Draft Zoning By-laws as may be required.

4. Before introducing the Bills for the Zoning By-law Amendments to City Council for enactment, City Council require that the owner shall complete the following in relation to heritage matters:

- a) Enter into a Heritage Easement Agreement with the City for the property at 2946 (entrance addresses at 2948, 2950 & 2952) Dundas Street West in accordance with plans and drawings dated November 13, 2020 prepared by Core Architects, and on file with the Senior Manager, Heritage Planning; and the Heritage Impact Assessment, prepared by Goldsmith Borgal & Company Ltd. Architects dated May 28, 2020 and the addendum dated November 13, 2020 and on file with the Senior Manager, Heritage Planning, all subject to and in accordance with a Conservation Plan required in recommendation 4.b) to the satisfaction of the Senior Manager, Heritage Planning, including registration of such agreement to the satisfaction of the City Solicitor.
- b) Provide a detailed Conservation Plan, prepared by a qualified consultant, that is consistent with the conservation strategy set out in the Heritage Impact Assessment prepared by Goldsmith Borgal & Company Ltd. Architects dated May 28, 2020 and the addendum dated November 13, 2020 to the satisfaction of the Senior Manager, Heritage Planning.

5 City Council require, prior to final Site Plan Approval for the property located at 2946 Dundas Street West (entrance addresses at 2948, 2950 & 2952), the owner shall:

- a) Provide final site plan drawings substantially in accordance with the approved Conservation Plan required in Recommendation 4.b) to the satisfaction of the Senior Manager, Heritage Planning.
- b) Have obtained final approval for the necessary Zoning By-law Amendment required for the subject property, such Amendment to have come into full force and effect.
- c) Provide a Heritage Lighting Plan that describes how the exterior of the heritage property will be sensitively illuminated to enhance its heritage character to the satisfaction of the Senior Manager, Heritage Planning and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Planning.
- d) Submit a Signage Plan to the satisfaction of the Senior Manager, Heritage Planning.
- e) Provide an Interpretation Plan for the subject property, to the satisfaction of the Senior Manager, Heritage Planning and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Planning

6. City Council require, prior to the issuance of any permit for all or any part of the property at 2946 Dundas Street West (entrance addresses at 2948, 2950 & 2952), including a heritage permit or a building permit, but excluding permits for repairs and maintenance and usual and minor works for the existing heritage building as are acceptable to the Senior Manager, Heritage Planning, the owner shall:

- a) Provide building permit drawings, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plan required in Recommendation 4.b), including a description of materials and finishes, to be prepared by the project architect and a qualified heritage consultant to the satisfaction of the Senior Manager, Heritage Planning.
- b) Provide a Letter of Credit, including provision for upwards indexing, in a form and amount and from a bank satisfactory to the Senior Manager, Heritage Planning to secure all work included in the approved Conservation Plan, and approved Interpretation Plan.
- c) Provide full documentation of the existing heritage property at 2946 Dundas Street West (entrance addresses at 2948, 2950 & 2952), including two (2) printed sets of archival quality 8" x 10" colour photographs with borders in a glossy or semi-gloss finish and one (1) digital set on a CD in tiff format and 600 dpi resolution keyed to a location map, elevations and measured drawings, and copies of all existing interior floor plans and original drawings as may be available, to the satisfaction of the Senior Manager, Heritage Planning.

7. City Council require, prior to the release of the Letter of Credit required in Recommendation 6.b), the owner shall:

- a) Provide a letter of substantial completion prepared and signed by a qualified heritage consultant confirming that the required conservation work and the required interpretive work has been completed in accordance with the Conservation Plan and Interpretation Plan and that an appropriate standard of conservation has been maintained, all to the satisfaction of the Senior Manager, Heritage Planning.
- b) Provide replacement Heritage Easement Agreement photographs to the satisfaction of the Senior Manager, Heritage Planning.

8. City Council approve the Rental Housing Demolition Application File No. 19 124759 STE 04 RH in accordance with Chapter 667 of the Toronto Municipal Code and pursuant to Section 111 of the City of Toronto Act, 2006 which allows for the demolition of eight (8) existing rental dwelling units located at 2946, 2948, 2950 and 2952 Dundas Street West, subject to the following conditions:

- a) The owner shall provide and maintain eight (8) replacement rental dwelling units on the subject site for a period of at least 20 years beginning from the date that each replacement rental dwelling unit is first occupied and, during which time, no application may be submitted to the City for condominium registration, or for any other conversion to a non-rental housing purpose, or for demolition without

providing for replacement during the, at minimum, aforesaid 20 year period; the eight (8) replacement rental dwelling units shall be comprised of one (1) two-bedroom unit and seven (7) three-bedroom units as generally illustrated in the plans submitted to the City Planning Division dated January 18, 2021. Any revision to these plans shall be to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

- b) The owner shall, as part of the eight (8) replacement rental dwelling units required in Recommendation 8.a above, provide at least one (1) two-bedroom and seven (7) three-bedroom replacement rental units at affordable rents, as currently defined in the City's Official Plan, for a period of at least 10 years beginning from the date of first occupancy of each unit;
- c) The owner shall provide an acceptable tenant relocation and assistance plan for all Eligible Tenants of the eight (8) existing rental dwelling units proposed to be demolished at 2946, 2948, 2950 and 2952 Dundas Street West, addressing the right to return to occupy one of the replacement rental dwelling units at similar rents and other assistance to mitigate hardship. The tenant relocation and assistance plan shall be developed in consultation with, and to the satisfaction of, the Chief Planner and Executive Director, City Planning Division;
- d) The owner shall provide tenants of all eight (8) replacement rental dwelling units with access to, and use of, all indoor and outdoor amenities in the proposed new mixed-use building at no extra charge. Access to, and use of, these amenities shall be on the same terms and conditions as any other resident of the building without the need to pre-book or pay a fee, unless specifically required as a customary practice for private bookings;
- e) The owner shall provide ensuite laundry in each replacement rental dwelling unit within the mixed-use building at no additional cost to tenants;
- f) The owner shall provide central air conditioning in each replacement rental dwelling unit within the proposed mixed-use building;
- g) The owner shall provide tenants of the eight (8) replacement rental dwelling units with access to all bicycle and visitor parking on the same terms and conditions as any other resident of the proposed mixed-use building;
- h) The owner shall enter into, and register on title at 2946, 2948, 2950 and 2952 Dundas Street West, one or more agreement(s), to secure the conditions outlined in Recommendations 8.a. through 8.g. above, including an agreement pursuant to Section 111 of the City of Toronto Act, 2006, all to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning Division.

9. City Council authorize the Chief Planner and Executive Director, City Planning Division, to issue Preliminary Approval of the Rental Housing Demolition Permit under

Chapter 667 of the Toronto Municipal Code for the demolition of the eight (8) existing rental dwelling units located at 2946, 2948, 2950 and 2952 Dundas Street West after all the following have occurred:

- a) All conditions in Recommendation 8 above have been fully satisfied and secured;
- b) The Zoning By-law Amendments have come into full force and effect;
- c) The issuance of the Notice of Approval Conditions for site plan approval by the Chief Planner and Executive Director, City Planning Division or their designate, pursuant to Section 114 of the City of Toronto Act, 2006;
- d) The issuance of excavation and shoring permits (conditional or full permit) for the approved development on the site;
- e) The owner has confirmed, in writing, that all existing rental dwelling units proposed to be demolished are vacant; and
- f) The execution and registration of an agreement pursuant to Section 37 of the Planning Act securing recommendations 8.a through 8.g above.

10. City Council authorize the Chief Building Official and Executive Director, Toronto Building to issue a Rental Housing Demolition Permit under Chapter 667 of the Toronto Municipal Code after the Chief Planner and Executive Director, City Planning Division has given Preliminary Approval referred to in Recommendation 9 above.

11. City Council authorize the Chief Building Official and Executive Director, Toronto Building to issue a Residential Demolition Permit under Section 33 of the Planning Act and Chapter 363 of the Toronto Municipal Code for 2946, 2948, 2950 and 2952 Dundas Street West after the Chief Planner and Executive Director, City Planning Division has given Preliminary Approval referred to in Recommendation 10 above, which may be included in the Rental Housing Demolition Permit under Chapter 667 pursuant to section 6.2 of Chapter 363, on condition that:

- a) The owner removes all debris and rubble from the site immediately after demolition;
- b) The owner erects solid construction hoarding to the satisfaction of the Chief Building Official and Executive Director, Toronto Building;
- c) The owner erects the proposed mixed-use building on site no later than four (4) years from the date that the demolition of such building commences, subject to the timeframe being extended to the discretion of the Chief Planner and Executive Director, City Planning Division; and
- d) Should the owner fail to complete the proposed mixed-use building within the time specified in Recommendation 11.c. above, the City Clerk shall be entitled to enter on the collector's roll, as with municipal property taxes, an amount equal to

the sum of twenty thousand dollars (\$20,000.00) per dwelling unit for which a demolition permit is issued, and that such amount shall, until payment, be a lien or charge upon the land for which the demolition permit is issued.

12. Before introducing the necessary Bills to City Council for enactment, City Council require the owner to enter into an Agreement pursuant to Section 37 of the Planning Act, including provisions for indemnity, insurance, financial security, maintenance, HST and indexing, as applicable, to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor, as follows:

a) The community benefits recommended to be secured in the Section 37 Agreement are as follows:

i. The owner shall design and construct six (6) affordable rental dwelling units comprising at least 464.5 square metres of residential Gross Floor Area within an approved development at 2946-2968 Dundas Street West, substantially in accordance with the Affordable Rental Housing Terms and Conditions, with any amendments to such terms as deemed appropriate by the Chief Planner and Executive Director, City Planning Division, the Executive Director, Housing Secretariat, and the City Solicitor, in consultation with the Ward Councillor;

ii. The six (6) affordable rental dwelling units referenced in 12.a)i above shall be provided and maintained as two (2) one-bedroom units, two (2) two-bedroom units and two (2) two three-bedroom units in the new mixed-use building, as follows:

A. The total Gross Floor Area of the affordable rental dwelling units shall be at least 464.5 square metres.

B. The general configuration, unit size and layout of the six (6) affordable rental dwelling units in the new mixed-use building shall be to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

C. The owner shall provide and maintain the six (6) affordable rental dwelling units as rental dwelling units for a minimum of 99 years, beginning with the date each such unit is first occupied. No affordable rental dwelling unit shall be registered as a condominium or any other form of ownership such as life lease or co-ownership which provide a right to exclusive possession of a dwelling unit, and no application for conversion for non-rental housing purposes, or application to demolish any affordable rental dwelling unit shall be made for at least 99 years from the date of first occupancy. Upon the expiration of the 99 year period, the owner shall continue to provide and maintain the affordable rental dwelling units as rental dwelling units, unless and until such time as the owner has applied for and obtained all approvals necessary to do otherwise.

D. During the first 99 years of occupancy, increases to initial rents charged to tenants occupying any of the affordable rental dwelling units shall be in

accordance with the Residential Tenancies Act and shall not exceed the Provincial rent guideline.

- b) The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
- i. An acceptable tenant relocation and assistance plan shall be developed and implemented to mitigate hardship for existing tenants of the existing eight (8) rental dwelling units proposed to be demolished. The tenant relocation and assistance plan shall be developed in consultation with, and to the satisfaction of, the Chief Planner and Executive Director, City Planning Division.
 - ii. The owner shall construct and maintain, at its own expense, an area of not less than 85.95 square metres in a plaza on the north east corner of Dundas Street West and Pacific Avenue, for use by the general public as privately owned publicly accessible open space (POPS) with the specific location, configuration and design to be determined and secured in the context of site plan approval to the satisfaction of the Chief Planner and Executive Director, City Planning.
 - iii. Prior to the issuance of the first above-grade building permit, the owner shall prepare all documents and convey, on terms set out in the Section 37 Agreement, an access easement in favour of the City in perpetuity, including support rights as applicable, for public use of the POPS, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.
 - iv. Prior to issuance of the first above-grade building permit, the owner shall prepare all documents and convey, on terms set out in the Section 37 Agreement, a road widening of 0.98 metres along the rear of the property for the laneway to the City across the full width of the site, all to the satisfaction of the Chief Planner and Executive Director, City Planning, the General Manager, Transportation Services and the City Solicitor.
 - v. Prior to issuance of the first above-grade building permit, the owner shall prepare all documents and convey, on terms set out in the Section 37 Agreement, an access easement in favour of the City in perpetuity, including support rights as applicable, for public pedestrian and vehicular use of the rear access having a width of not less than 3.05 metres from the north property boundary at the north east corner of the site and a length of 6.10 metres from the east property boundary to the west then widening to a width of not less than 4.57 metres for the remaining full width of the site, all to the satisfaction of the Chief Planner and Executive Director, City Planning, the General Manager, Transportation Services and the City Solicitor. Such access easement shall include use associated with properties adjacent to the east to provide a pedestrian and vehicular link to Jackson Lane and public connection from Jackson Lane to Pacific Avenue.
 - vi. The owner shall, at its own expense, construct and maintain the rear access lands, referred to in Recommendation 12.b.v. above, to the standard required of a public lane to the satisfaction of the General Manager, Transportation Services,

with the design, details and configuration to be determined and secured in the context of site plan approval.

vii. The owner shall, at its own expense, construct and maintain the rear access lands, referred to in Recommendation 12.b.v. above, to the standard required of a public lane to the satisfaction of the General Manager, Transportation Services, with the design, details and configuration to be determined and secured in the context of site plan approval.

viii. The owner shall pay for and construct any improvements to the municipal infrastructure in connection with the site servicing report, as accepted by the Chief Engineer & Executive Director, Engineering & Construction Services, should it be determined that upgrades to such infrastructure are required to support this development.

ix. The owner shall satisfy applicable signage requirements of the Toronto District School Board and the Toronto Catholic District School Board and shall insert warning clauses in purchase and sale/tenancy agreements as required in connection with student accommodation.

x. The owner shall satisfy the requirements of Metrolinx and Canadian Pacific Railway, particularly regarding noise and vibration attenuation requirements and operational easement requirements, and shall insert any warning clauses in purchase and sale/tenancy agreements as required in connection with noise and vibration.

xi. The conveyance of any easement or fee simple interest of lands to the City as contemplated in this Recommendation 12, shall be at no cost to the City, for nominal consideration and free and clear of encumbrances to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning as well as the General Manager, Transportation Services, as the case may be, and the cost of preparation and deposit of accepted reference plans shall also be at the owner's expense.

xii. The owner shall, at its own expense, address the following matters in any application for site plan approval for the development, which shall be determined and secured in a site plan agreement with the City, as applicable, all to the satisfaction of the Chief Planner and Executive Director, City Planning:

A. Incorporation in the construction of the building of exterior materials shown on 1:50 scale drawings as approved by the Chief Planner and Executive Director and submitted as part of the Site Plan Approval process;

B. Provision of on-site dog-relief facilities, with the location, nature and size of the facilities to be determined through the site plan approval process to the satisfaction of the Chief Planner and Executive Director, City Planning;

C. Reconstruction of the City sidewalks to City standards along the frontages of Dundas Street West and Pacific Avenue Road, to the satisfaction of the General Manager, Transportation Services;

D. Incorporation of signage to identify the proposed privately owned publicly accessible open space (POP) to be located in a plaza on the north and east corner of Dundas Street West and Pacific Avenue; and

E. The construction management plan include on-site contact during the construction process for residents and stakeholders to contact.

13. The Owner will construct and maintain the development of the site in accordance with Tier 1, Toronto Green Standard, and the Owner will be encouraged to achieve Tier 2, Toronto Green Standard, or higher, where appropriate, consistent with the performance standards of Toronto Green Standards applicable at the time of the site plan application for each building on the site.

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

On May 13, 2014, at the Etobicoke York Community Council and Toronto and East York Community Council meetings both the Junction Area west of Keele Street and east of Keele Street were nominated for consideration as Heritage Conservation Districts. Community Council's decisions can be found at the following links:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.TE32.87>; and
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.EY33.39>

On January 31, 2018, City Council directed that the Heritage Conservation District (HCD) study be initiated for The Junction Phase 1 and be expanded westward to Gilmour Avenue. City Council's decision can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.PG25.4>

On July 23, 2018, City Council adopted Zoning By-law Nos. 1263-2018 and 1264-2018 which permit an 8-storey building with 883 m² of retail space at grade and 6,062 square metres of residential gross floor area with 80 residential units at 2978-2982 Dundas Street West and 406-408 Pacific Avenue. City Council's decision can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.EY32.2>

A Preliminary Report (dated June 3, 2019) for this application was adopted by Toronto and East York Community Council on June 25, 2019. The report can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.TE7.51>

SITE AND SURROUNDING AREA

The subject site is located on the northeast corner of Pacific Avenue and Dundas Street West and is bounded by Jackson Lane on the north and two storey existing buildings on the east. The property is generally rectangular in shape, with an irregular rear (north) and west property boundary and a lot area of 3,851 square metres (0.39 hectares). The Dundas Street West frontage is approximately 73 metres along the north side of the street. The depth along Pacific Avenue is 48 metres, separated by the Hallelujah Fellowship Baptist Church, into 41 metres to the south of the place of worship and 3.7 metres to the north. The deepest part of the site is approximately 58.5 metres. The site is an assembly of five parcels and is currently occupied (from east to west) by: 2946-2954 Dundas Street West - a three storey mixed use building containing retail, 8 residential rental units and a rear surface parking lot which is accessible from Jackson Place; 2956-2960 Dundas Street West - three parcels that are used for the seasonal farmers market gazebo and surface parking when not in use for the market; and 2968 Dundas Street West - a three storey commercial building with retail and restaurant uses at grade and office and a fitness centre on the upper storeys.

There are three vehicular access points into the subject site including: access from an existing private laneway from Pacific Avenue; a private laneway to the north of the existing place of worship and a private driveway at the north-east corner of the site that connects to Jackson Place which ties into Vine Avenue to the north.

The site is surrounded by the following uses:

North: of the site is low rise residential along Pacific Avenue and the south side of Vine Avenue. On the north side of Vine Avenue is primarily employment and retail uses, including the Sweet Potato retail store, with Vine parkette to the north west. Further north is the Canadian Pacific Rail line and shunting yard.

East: of the site is also low rise residential to the north east along Jackson Place and the south side of Vine Avenue with retail and commercial uses east along Dundas Street West.

South: of the site along Dundas Street west is retail and commercial uses with residential low-rise further south.

West: of the site is low rise residential along the west side of Pacific Avenue and the south side of Vine Avenue with retail commercial uses along Dundas Street West. Immediately on the northwest corner of Pacific Avenue and Dundas Street West is a recent approval of an eight storey mixed use building.

See Attachment No. 2: Location Map.

APPLICATION BACKGROUND

Proposal

The Zoning By-law Amendment application proposes to redevelop the land for an 8-storey (approximately 28 metres including mechanical penthouse) mixed-use building that would contain retail, office and residential uses. The application proposes to retain the existing 3-storey heritage building known as the Rowntree Block, municipally addressed as 2946-2954 Dundas Street West, and to renovate the interior to incorporate the existing building into the proposed development.

The Rental Housing Demolition Application proposes to demolish the existing eight residential rental dwelling units located within 2946-2954 Dundas Street West and replace them with eight rental dwelling units in the new development.

The total proposed gross floor area (GFA) of the project would be 14,746 square metres, comprised of 1,973 square metres of retail space, 1,660 square metres of office space, and 11,113 square metres of residential space. The proposed density of the development is 3.83 times the area of the lot. The retail uses are proposed on the ground floor of the building fronting Dundas Street West. Office uses are proposed on the second and third floors, and 120 residential units are proposed through the third to eighth floors.

The proposed mix of residential units is: 55 one-bedroom units (46%); 46 two-bedroom units (38%); and 19 three-bedroom units (16%). The applicant is proposing to replace the existing 8 residential rental dwelling units (7 three-bedroom units and 1 two-bedroom unit). All existing residential rental units have affordable rents. One of the 8 units is currently vacant. The replacement rental units are proposed to be distributed on levels three, four and five in the rental part of the building and reflect the current unit mix and size.

The proposed building would have an overall height of 27.9 metres, including mechanical penthouse with a slight pop-up for the elevator overrun. The building is proposed to step back from Dundas Street West as it rises to lessen the visual impact of the upper floors from the public realm and on the existing Rowntree Block. The front face of the new building would be setback 0.9 metres from the front property line with a stepback of the 5th floor of 2.25 metres and a further stepback of the 6th floor of 2.25 metres. There would be stepback of 3.9 metres to the 8th floor which would provide a 9.3 metre setback of the face of the 8th floor from the south property line. The west side of the building would be set back 4.59 metres from the Pacific Avenue frontage to the face of the building to provide for a Privately Owned Publicly Accessible Open Space (POP's) of 85.95 square metres along the Pacific Avenue frontage. North of the POPS would be a 3-storey base rising to 5 storeys then 8 storeys. The 4th floor would stepback 1.89 metres with a further step back of 3.15 metres above the 5th floor.

The proposed new building would stepback from the heritage frontage 5.4 metres on the south side, wrapping around to 5.5 metres on the east side. There are further setbacks at the 8th floor of an additional 3.9 metres on the south side and 6th floor on the east side.

The rear (north side) of the building would be sculpted from west to east to pull the building back from the adjacent Place of Worship with varied terracing along the rear face that steps back and up as the building rises, particularly at the east end. The west and middle part of the north building face would pull back on part of the face at the 4th floor then further at the 7th floor. The east end would provide a series of terraces stepping back at floors 2, 4, 5, 6, and 7 with each terrace 3.35 metres deep. The eighth floor would contain the mechanical penthouse facing north and east and units oriented to the south and west.

The proposal includes a total of 4.13 square metres per unit (495 square metres total) of amenity space including: 2.01 square metres per unit (241 square metres total) of indoor and 2.12 square metres per unit (254 square metres total) of outdoor space. The outdoor amenity space would be on the north and east side of the second level with direct connection to the indoor amenity space, elevators and stairwell to the main level. There is additional indoor amenity space on the third level internal to the building adjacent to a locker space. Lockers would be provided on levels two to six in the middle of the building to provide access for the units on that floor.

The applicant is proposing a green roof on part of the 3rd floor roof on the north side of the building approximately in the middle of the building. There would be an additional green roof on the roof of the seventh floor, also on the north side, and the whole of the roof of the eighth floor. These areas would not be accessible to residents.

The proposal includes a restaurant in the south east corner on the fourth level with a terrace on the overlooking Dundas Street West

A total of 119 parking spaces located in three levels of underground parking are proposed to serve the development; with 24 parking spaces proposed for the retail use, 20 parking spaces for the office use and 75 parking spaces for the residential units. Visitor parking of 18 spaces is proposed to be shared between the residential visitor and commercial parking. Vehicular access to the site would be provided from Pacific Avenue with a new in/out bound driveway to the south of the place of worship and an existing one-way outbound lane to the north of the place of worship. Access to the underground parking garage would be located at the rear of the building at the north east corner. One Type G and one Type B loading space are proposed to service the development. The loading spaces are proposed at the rear of the building and would be accessed from Pacific Avenue. A total of 144 bicycle parking spaces are proposed, consisting of 120 for residential, 13 for retail and 11 for office commercial long and short term spaces.

The applicant has worked with staff to revise the built form and massing of the proposal by sculpting and shaping the building, pulling it back from the north, east and south property lines, providing more defined setbacks as the building rises, lowering the building at the southwest corner, breaking up the façades, particularly the west and south façade, to resemble individual elements and provide visual interest. As a result, the proposal has reduced in gross floor area by almost 3,000 square metres; revised the proportions of gross floor area by increasing the amount of residential and reducing the amount of non-residential area; decreasing the FSI from 4.58 to 3.83 times the area of the lot; increasing the residential units from 102 to 120 and reducing the height of the

building from 31.9 metres to 27.9 metres. The number of storeys proposed remains at eight as the mechanical space has been combined with a residential floor. The applicant has also provided for a POPS (privately owned publicly accessible space) at the south west corner of the site, fronting onto Dundas Street West and Pacific Avenue.

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 Attachment No. 1 for Application Data Sheet, Attachment No. 7 for the site plan, and Attachment 8 for the building elevations.

Reasons for Application

An amendment to the Zoning By-law is required to consolidate the zoning provisions that apply to the site and provide performance measures to address the site specific requirements of this proposal. This includes increasing the maximum height from 14 metres to 28 metres, increasing the maximum floor space index (density) permitted on the site from 2.5 to 3.83 times the lot area, and provide side yard setbacks and step backs that address the proposed built form. A Zoning By-law amendment is therefore required for non-compliance with these and a number of other performance measures in both Zoning By-laws.

A Rental Housing Demolition and Conversion Permit pursuant to Chapter 667 of the City of Toronto Municipal Code is required for the demolition of the existing residential rental properties. The subject lands contain 6 or more residential dwelling units, of which at least one is rental.

APPLICATION BACKGROUND

Application Submission Requirements

The following reports/studies were submitted in support of the application and circulated to all appropriate agencies and City divisions:

- Survey Plan;
- Architectural Plans;
- Elevations and Sections;
- Landscape Plans;
- Tree Preservation Plan;
- Civil Plans;
- Planning Rationale;
- Sun/Shadow Study;
- Arborist Report;
- Functional Servicing and Stormwater Management Report;
- Hydrogeological Review;
- Hydrological Study;
- Geotechnical Study;

- Transportation Impact Study;
- Draft Zoning By-law Amendments;
- Toronto Green Development Standards Checklist;
- Digital copy of the Building Massing Model;
- Energy Efficiency Report; and
- Housing Issues Report.

The above materials are available online at the Application Information Centre (AIC) and may be found at the following link: <https://www.toronto.ca/city-government/planning-development/application-information-centre/>

Agency Circulation

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Zoning By-law standards.

Statutory Public Meeting Comments

In making their decision with regard to the Zoning By-law Amendment application, City Council members will have been given an opportunity to consider the submissions received prior to and at the statutory public meeting held by the Toronto and East York Community Council for the application. Oral submissions made at the meeting will be broadcast live and recorded for review.

POLICY CONSIDERATIONS

Planning Act

Section 2 of the Planning Act sets out matters of provincial interest which City Council shall have regard to in carrying out its responsibilities. The outcome of staff analysis and review of relevant matters of provincial interest are summarized in the Comments Section of this report.

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

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

The Provincial Policy Statement (2020)

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

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

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

The PPS is issued under Section 3 of the *Planning Act* and all decisions of City Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by City Council shall also be consistent with the PPS.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

Provincial Plans

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

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

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

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

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

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space, and better connected transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan (2020), builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan (2020), take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. In accordance with Section 3 of the Planning Act all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2020).

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan which includes the following applicable policy direction. Land Use Map 17 of the Official Plan designates the site as *Mixed Use Areas*.

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

Avenues

The site is located on an Avenue on Map 2 - Urban Structure in the Toronto Official Plan. 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 2 - Shaping the City

Section 2.3.1 Healthy Neighbourhoods

Toronto's neighbourhoods are an important asset in the city and a cornerstone policy is to ensure that the new development in neighbourhoods respects and reinforces the existing physical character of the area in terms of buildings, streetscapes and open space patterns.

The Healthy Neighbourhoods policies of the Official Plan address the relationship between Neighbourhoods and areas with other Official Plan designations in order to ensure development is sensitive to the physically stable areas within the Neighbourhoods designation. The policies require development in Mixed Use Areas adjacent or close to Neighbourhoods to be: compatible with the Neighbourhoods; provide a gradual transition of scale and density, as necessary to achieve the objectives of the Plan through the stepping down of buildings towards and setbacks from those Neighbourhoods; and, maintain adequate light and privacy for residents in those Neighbourhoods.

Chapter 3 – Building a Successful City

Section 3.1.2 Built Form

New development in Toronto will be located and organized to fit with its existing and/or planned context. It will do this by: generally locating buildings parallel to the street or along the edge of a park or open space, having a consistent front yard setback, acknowledging the prominence of corner sites, locating entrances so they are clearly visible and providing ground floor uses that have views into and access from streets.

New development will also locate and organize vehicle parking and vehicular access to minimize their impacts on the public realm. Furthermore, new development will create appropriate transitions in scale to neighbouring existing and/or planned buildings, limit shadowing on streets, properties and open spaces, and minimize any additional shadowing and uncomfortable wind conditions on neighbouring parks to preserve their utility.

New development will be massed to define the edges of streets, parks and open spaces to ensure adequate access to sky view for the proposed and future uses. New development will also provide public amenity, enhance the public realm through streetscape improvements and ensure that significant new multi-unit residential development provides indoor and outdoor amenity space for its residents.

Section 3.1.5 Heritage Conservation

The site is subject to Official Plan Heritage Policies in Section 3.1.5. This section addresses the conservation of heritage resources and includes policies that state that Heritage Impact Assessments will evaluate the impact of a proposed alteration to a property on the Heritage Register, and/or to properties adjacent to a property on the Heritage Register, to the satisfaction of the City. Policy 26 identifies that new construction on, or adjacent to, a property on the Heritage Register will be designed to conserve the cultural heritage values, attributes and character of that property and to

mitigate visual and physical impacts on it. Policy 33 states that Heritage Conservation Districts should be managed and conserved by approving only those alterations, additions, new development, demolitions, removals and public works in accordance with respective Heritage Conservation District plans.

Section 3.2.1 Housing

Policy 3.2.1.6 states that new development that would result in the loss of six or more rental housing units will not be approved unless all of rental housing units have rents that exceed mid-range rents at the time of application, or in cases where planning approvals other than site plan are sought, the following will be secured:

- at least the same number, size and type of rental housing units are replaced and maintained with similar rents to those in effect at the time the redevelopment application was made;
- for a period of at least 10 years, rents for replacement units will be the rent at first occupancy, increased annually by not more than the Provincial Rent Increase Guideline or a similar guideline as Council may approve from time to time; and
- an acceptable tenant relocation and assistance plan addressing the right to return to occupy one of the replacement rental units at similar rent, the provision of alternative accommodation at similar rents and other assistance to lessen the hardship of relocation.

This application identifies 8 rental units that will be demolished and replaced within the proposed development.

Chapter 4 – Land Use Designations

The proposal is located on a site which is designated *Mixed Use Areas* designation.

Section 4.5 Mixed Use Areas

Mixed Use Areas are distinguished from low-rise Neighbourhoods because a greater scale of buildings is permitted and different scale-related criteria guide development. Not all Mixed Use Areas will experience the same scale or intensity of development. Development along the Avenues will generally be at a much lower scale than in the Downtown and most often at a lower scale than in the Centres. Development proposals in Mixed Use Areas are evaluated to: locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Plan, through setbacks and stepping down of heights towards, lower scale Neighbourhoods;

- locate and mass new buildings to adequately limit shadow impacts on properties in adjacent lower scale *Neighbourhoods* particularly during the spring and fall equinoxes;
- locate and mass new buildings to frame the edge of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the

Plan, through setbacks and stepping down of heights towards, lower scale *Neighbourhoods*;

- provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development; and,
- provide ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces.

Rental Housing Demolition and Conversion By-law

Section 111 of the City of Toronto Act, 2006 authorizes City Council to regulate the demolition and conversion of residential rental properties in the City. By-law No. 885 2007 (also known as the Rental Housing Demolition and Conversion By-law) established Chapter 667 of the Toronto Municipal Code and implements Section 111. The By-law prohibits the demolition or conversion of rental housing units in buildings containing six or more residential dwelling units, of which at least one unit is rental, without obtaining a permit from the City and requires a decision by either City Council or the Chief Planner and Executive Director, City Planning. Applications which propose to reduce the number of rental dwelling units to below six require a decision by City Council.

City Council may refuse an application, or approve the demolition with conditions that must be satisfied before a demolition permit is issued. Decisions made by City Council under By-law 885-2007 are not appealable to the Local Planning Appeal Tribunal.

On March 12, 2019, the applicant submitted an application for a Rental Housing Demolition Permit pursuant to Chapter 667 of the Toronto Municipal Code. As per Chapter 667-14, a tenant consultation meeting will be held to review the impact of the proposal on tenants of the residential rental property and matters under Section 111 of the City of Toronto Act. After a further review of the rental housing tenant matter, City Planning staff will report to City Council.

Chapter 5 - Implementation

Policy 5.1.1 Height and/or Density Incentives, refers to Section 37 of the Planning Act and establishes the provisions under which Section 37 may be used.

Section 5.6 provides guidance as to the understanding and interpretation of the Official Plan. Policy 1 indicates the Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making. Further, Section 1.5 – "How to Read the Plan" indicates the Official Plan is a comprehensive and cohesive whole. This proposal has been reviewed against the policies described above as well as the policies of the Official Plan as a whole.

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

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

Zoning

The majority of the site fronting Dundas Street West is zoned MCR T2.5 C1.0 R2.0 in the former City of Toronto Zoning By-law No. 438-86. This zoning permits a range of commercial and residential uses. A maximum combined density of 2.5 times the area of the lot is permitted, with a maximum commercial density of 1 times the area of the lot and a maximum residential density of 2 times the area of the lot. The maximum permitted building height is 14 m.

A small portion of the rear of the site is zoned R2 Z0.6 in the former City of Toronto Zoning By-law No. 438-86. This zoning permits a range of institutional uses and dwelling units. Dwelling units are permitted in a range of low-scale residential building types. The maximum permitted density is 0.6 times the area of the lot. The maximum permitted building height is 10 m.

The rear of the site is also zoned I1 D2 under the former City of Toronto Zoning By-law No. 438-86. The zoning permits a range of commercial and industrial uses. The maximum permitted non-residential density is 2 times the area of the lot. The maximum permitted building height is 14 m.

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

A small portion of the site at the rear is zoned R (d0.6) (x778) in the City of Toronto Zoning By-law No. 569-2013. This zoning permits a range of institutional uses and dwelling units. The zoning permits dwelling units in a detached house, semi-detached house, townhouse, duplex, triplex, fourplex and an apartment building. The maximum permitted density is 0.6 times the area of the lot. The maximum permitted building height is 10 m.

The City's 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/>

Design Guidelines

Avenues and Mid-rise Buildings Study and Performance Standards

City Council adopted the Avenues and Mid-rise Buildings Study and an addendum containing performance standards for mid-rise buildings. They identify a list of best practices and establish a set of performance standards for new mid-rise buildings. Key issues addressed include maximum allowable building heights, setbacks and 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/bqrd/backgroundfile-92537.pdf>.

Growing Up Urban Design Guidelines

On July 28, 2020, City Council adopted the updated Growing Up: Planning for Children in New Vertical Communities Urban Design Guidelines ("Growing Up Guidelines"). The update was based on the continued review and assessment from the draft guidelines adopted by Council in July 2017. The objective of the Growing Up 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 Growing Up Design Guidelines was considered in the review of this revised proposal. The guidelines can be found here: <https://www.toronto.ca/citygovernment/planning-development/planning-studies-initiatives/growing-up-planning-forchildren-in-new-vertical-communities/>

Retail Design Manual

The Retail Design Manual is anticipated to be on a future Planning and Housing Committee agenda with an anticipated recommendation that the Retail Design Manual be applied in the evaluation of proposals with a retail presence. The Retail Design Manual is a collection of best practices and is intended to provide guidance on developing ground floor retail spaces. The Guidelines can be found here: <https://www.toronto.ca/wpcontent/uploads/2020/01/960d-Toronto-Retail-Design-Manual-December-2019.pdf>

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 Guidelines can be found here: <https://www.toronto.ca/wpcontent/uploads/2019/12/94d3-CityPlanning-Pet-Friendly-Guidelines.pdf>

Site Plan Control

The subject site is under Site Plan Control. A Site Plan application was submitted (File No. 20 152214 STE 04 SA), and is being reviewed concurrently with this Zoning By-law Amendment application.

COMMUNITY CONSULTATION

A community consultation meeting was held on June 11, 2019 which was attended by approximately 41 members of the public. At the meeting City staff and the applicant's team gave presentations on the site and surrounding area, the existing planning framework, and the proposed development. Following the presentations, City staff led a town hall format question and answer period. Specific comments related to the zoning amendment component of the development were:

- Concerns regarding traffic impact on Dundas Street West, Keele Street and the surrounding area, particularly on Pacific Avenue and Vine Avenue;
- Concern about current pedestrian safety in the area and the impact of additional traffic to future safety of pedestrians;
- Should provide for more bikes on site and less cars;
- Could the amount of parking required be reduced;
- Concern that the small businesses currently on the site would move away and that they should be maintained on site;
- Concern about affordability of the proposed retail and office areas and viability of those if they are priced too high;
- Request for a dog relief station on site to relieve the pressure on Vine Park;
- What are the shadow impacts on the low rise area to the north;
- Concerns regarding the overall height and density relative to the surrounding area; and
- What is the impact to the heritage building on the site and the heritage character in the area.

The issues and concerns noted above have been considered through the review of the application and responses are addressed in the comments section below.

COMMENTS

City Planning staff are recommending approval of an amendment to the Zoning By-laws to permit the proposed development which represents good planning.

Planning Act

It is staff's opinion the current application has regard to relevant matters of Provincial Interest, and key matters include:

2 (f) The adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;

2(h) The orderly development of safe and healthy communities;

2(j) The adequate provision of a full range of housing, including affordable housing;

2(p) The appropriate location of growth and development; and

2(r) The promotion of a built form that:

(i) Is well designed;

(ii) Encourages a sense of place; and

(iii) Provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

The proposal is in an appropriate location for development; is supportive of current and future transit along Dundas Street West; represents an appropriate built form that provides a range of uses and mix of housing including family sized and affordable rental units; provides for commercial space on the main street and office/employment area within the site; includes a POPS; secures a public easement on a rear laneway; encourages a sense of place; and promotes a vibrant public realm/streetscape. These Provincial Interests are further articulated through the PPS (2020) and the Growth Plan (2020).

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS (2020) and the Growth Plan (2020).

Provincial Policy Statement (2020)

The PPS came into effect on May 1, 2020 and provides policy direction on matters of provincial interest related to land use planning and development. City Council's planning decisions are required to be consistent with the PPS.

The PPS is to be read in its entirety. The PPS contains minimum standards and municipalities can go beyond these standards unless doing so would conflict with other policies of the PPS.

Key policies applicable to this application include:

Policy 1.1.1 states that healthy, livable and safe communities are sustained by: promoting efficient development and land use patterns; and accommodating an appropriate range and mix of residential uses, including second units, affordable housing and housing for older persons.

Policy 1.1.3.1 states that settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.

Policy 1.1.3.2 states that land use patterns within settlement areas shall be based on densities and a mix of land uses which: efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available; support active transportation; and are transit-supportive.

Policy 1.1.3.3 states that planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment.

Policy 1.1.3.4 states that development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

Policy 1.1.3.6 states that new development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

Policy 1.4.3 directs planning authorities to provide a range of housing types and densities to meet projected requirements of current and future residents. This policy directs planning authorities to permit and facilitate all forms of housing required to meet the social, health and well-being requirements of current and future residents, and all forms of residential intensification and redevelopment where existing or planned infrastructure can accommodate projected needs. This policy further directs planning authorities to promote densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed. Planning authorities are also directed to establish development standards for residential intensification which minimize the cost of housing and facilitate compact form.

Policy 1.6.6.1 states that planning for sewage and water services shall: accommodate forecast growth in a manner that promotes efficient use and optimization of existing municipal sewage services; ensure that these systems are provided in a manner that can be sustained, prepares for the impacts of a changing climate, is feasible and financially viable over their lifecycle; and protects human health and safety, and the natural environment.

Policy 1.6.6.7 provides that planning for stormwater management shall: be integrated with planning for sewage and water services; minimize or prevent contaminants; minimize erosion and changes in water balance; mitigate risks to human health, safety and the environment; maximize the extent and function of vegetative and pervious surfaces; and promote stormwater management best practices.

Policy 1.6.7.4 promotes a land use pattern, density and mix of uses that minimizes the length and number of vehicle trips and supports current and future use of transit and active transportation.

Policy 4.6 states that the official plan is the most important vehicle for implementation of the PPS and that official plans shall identify provincial interests, as identified in Section 2 of the *Planning Act*, which includes the promotion of a well-designed built form.

The proposal is located on the Dundas Street West bus line and is in close proximity to the Keele Street bus line. The proposed mixed use building would promote intensification through a compact urban form, would result in both a variety of residential unit types (ranging from one to three bedroom units) and non-residential uses that utilize existing services within an existing built-up area, and represents an efficient land use pattern that would minimize land consumption. Based on the analysis of the

policies, it is Planning staff's opinion that the application and the amending Zoning By-laws are consistent with the PPS (2020) and address all the above noted policies.

The Growth Plan (2020)

The Growth Plan provides a framework for managing growth in the Greater Golden Horseshoe. City Council's planning decisions are required to conform with the Growth Plan.

The key Growth Plan policies applicable to this application are:

Policy 2.2.1.3 c) directs municipalities to undertake integrated planning to manage forecasted growth which will provide for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact built form.

Policy 2.2.1.4 c), d) and e) state that applying the policies of the Growth Plan will support the achievement of complete communities that: provide a diverse range and mix of housing options to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes; expand convenient access to transportation options and open space; and provide for a more compact built form and a vibrant public realm.

Policy 2.2.2.3 c) states that all municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will encourage intensification generally throughout the delineated built-up area.

Policy 2.2.6.3 states that to support the achievement of complete communities, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.

Policy 3.2.6.1 states that municipalities will generate sufficient revenue to recover the full costs of providing and maintaining municipal water and wastewater systems.

Policy 4.2.7.1 states that Cultural Heritage Resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas.

The proposed development conforms with the above noted policies by: promoting intensification within a built-up area; contributing to a range of housing options; providing a compact built form in close proximity to public transit; providing public realm improvements; protecting heritage resources; and contributing to the overall achievement of a complete community.

Based on the analysis of the Growth Plan (2020) policies, it is Planning staff's opinion that the application and amending Zoning By-laws conform to the Growth Plan (2020).

Land Use

This application has been reviewed against the Official Plan policies described in the Policy Consideration Section of the Report as well as the policies of the Toronto Official Plan as a whole. The *Mixed Use Areas* Official Plan designation permits and supports the proposed mixed use building having commercial uses at grade and office and residential uses above. The proposal fits within the planned context for the area and is in keeping with the policy direction of the Official Plan. Planning staff are therefore of the opinion the proposed land use is appropriate for the subject site and can be supported.

Density, Height, Massing

The proposed density, height and massing have been assessed by applying the relevant Official Plan policies and relevant design guidelines referenced in the Policy Consideration Section of this report. Section 3.1.2 Built Form was recently updated through Official Plan Amendment 480 and came into effect on September 21, 2020. The previous version of Section 3.1.2, which still applies to the proposed development because it was in effect at the time the application was deemed complete, has also been used in the evaluation.

Massing and Height:

The subject site is a consolidation of several properties which has resulted in a large site spanning a frontage of 73 metres along Dundas Street West and 48 metres along Pacific Avenue, separated by the Hallelujah Fellowship Baptist Church. Staff have worked with the applicant to reduce the form and massing of the site so it retreats from the frontages of the site and presents a street presence that is pedestrian friendly and in keeping with the existing context and heritage character of the area. Both frontages have been revised to break up the architectural elements so it would seem that there are separate buildings adjacent to each other rather than a unified building façade. The building has been shaped at the rear (north) side to pull back and reduce the number of terraces so the building mass would be reduced as the building rises, thereby protecting the adjacent low-rise area north of the site from shadow impacts, overlook and protecting their privacy. The proposed building has also been pulled back from the place of worship.

The proposed height of 27.9 metres and 8-storeys on the main portion of the building, including a mechanical penthouse, is an appropriate height for a mid-rise building and is in keeping with other similar developments in the area. This includes:

- 2706 to 2730 Dundas Street West - height of 9 storeys, 30.7 metres including mechanical penthouse (excluding elevator over-run);
- 2789 and 2803 Dundas Street West - 7 storeys, 26.13 metres including mechanical penthouse;
- 2978 to 2988 Dundas Street West and 406 to 408 Pacific Avenue - 8-storeys, 26.2 metres including mechanical penthouse; and
- 3385 Dundas Street West - 7 storeys, 25 metres including mechanical penthouse.

The site is designated *Mixed Use Areas* and located on an *Avenue* which identifies the area as a focus for intensification in keeping with the existing and planned context. The

Avenues and Mid-Rise Buildings Study and Performance Standards for Character Areas provides for a maximum building height of 80 percent of the right-of-way width (20 metres) which would equate to 16 metres. The terracing of the building along Dundas Street West provides a streetwall height ranging from 11.3 metres (3-storeys) at the east end of the site where the retained part of the heritage building is located, to 14.55 metres (4-storeys) in the middle of the site which is just over the existing zoning requirement of 14 metres to 17.6 metres (5-storeys) toward the corner of Dundas Street West and Pacific Avenue. The additional height of the streetwall at the southwest corner is to provide a focus, identity and balance for this corner of the intersection given the prominence of James Hall (2975 Dundas Street West) on the south side of Dundas Street and the height of 15.9 stepping to 18.9 metres at the on the north west corner of Dundas Street West and Pacific Avenue for the approved development (unbuilt) at 2978 to 2988 Dundas Street West and 406 to 408 Pacific Avenue. The stepping of the height at the east end of the site transitions down to the lower buildings adjacent to the east.

The building provides two floors of commercial retail and office space which has a higher floor to ceiling ratio than a strictly residential building. This would add to the metre height of the building but not to the number of floors. The provision of retail and office space on an *Avenue* is a priority in new development to help create a complete community, provide for a mix of uses and animate the street frontage.

Section 4.5 of the Official Plan sets out criteria to evaluate development within the *Mixed Use Areas* designation. All new development in *Mixed Use Areas* is required to locate and mass new buildings to frame the edge of the streets, maintain sunlight and comfortable wind conditions and provide a transition between areas of different development intensity and scale. These objectives are addressed by ensuring that developments provide appropriate setbacks and/or stepping down of heights between areas of different development intensity and scale. The proposed building would be in keeping with the existing setbacks along Dundas Street West and provide commercial entrances consistent with the rhythm of entrances in this commercial area. The proposed building would also provide appropriate transition to the lower scale area to the north of the site.

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

The proposed building would be set back 4.59 metres at grade at the south west corner of the site to provide for a 85.95 square metre POPs open space area at the corner of Dundas Street West and Pacific Avenue façades. North of the POPs the building steps back at the third and fifth storey. Additional stepbacks are proposed along both the Dundas Street West and Pacific Avenue façades above the fifth, sixth and seventh storeys. The north side has also been pulled back where it is adjacent to the Hallelujah Fellowship Baptist Church to provide a 7.55 metre setback at grade to the property line whereas the original proposal had a zero setback. The setbacks and shaping of the

building provides "breathing room" at constrained points around the building, transition to the existing development adjacent to the east and north and frames the street edge.

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

The 45 degree angular plane is measured from the north side of the laneway. The building is required to be set back 7.5 m from the north lot line. The building has been designed to fall within the angular plane with no projections. The building would be setback from the north side of the lane 9.25 metres at the closest point on the 2nd floor. The ground floor would be set back 11.9 metres. The building meets the requirements of the 45 degree angular plane.

Density:

The majority of the site is zoned CR 2.5 (c1.0; r2.0) SS2 (x2220) in City wide By-law No. 569-2013. This permits a height limit of 14 metres. The zoning designation permits a variety of mixed uses including residential. The zoning permits a maximum non-residential density of 1 times the area of the lot, and a maximum residential density of 2.5 times the area of the lot. The site is also subject to former City of Toronto By-law No. 438-86 which zones the site MCR T2.5 C1.0 R2.0 and permits the same height and density standards.

The proposed density of the applicant's proposal is 3.83 times the area of the lot based on the overall lot area. The density of developments in the area include:

- 2706 to 2730 Dundas Street West - 6.8 times the area of the lot
- 2789 and 2803 Dundas Street West - 5.0 times the area of the lot
- 2978 to 2988 Dundas Street West and 406 to 408 Pacific Avenue - 4.3 times the area of the lot; and
- 3385 Dundas Street West - 3.95 times the area of the lot;

The density of the proposed development is in keeping with the range of other similar mid-rise mixed use developments in the area. The site has transit service along Dundas Street West and Keele Street and will contain supportive retail and office uses as well as a range of housing options including affordable units. Staff are of the opinion that the density of the development is appropriate for this site, particularly given its location on an *Avenue*.

Staff are of the opinion that the proposed mid-rise development is appropriate in terms of height, density and massing for this site, particularly given the size of the site and the location on an *Avenue*. The proposal demonstrates a comprehensive and integrated site design and context.

Sun, Shadow, Wind

This application has been reviewed against the Official Plan policies and Avenues and Mid-Rise Buildings Study and Performance Standards described in the Issue Background section of this report as well as the policies of the Toronto Official Plan as a whole.

The applicant provided a shadow study illustrating the shadow movements associated with the development during the spring and fall equinoxes. The proposed 8- storey building would not cast shadow on the low-rise area to the north. The shadow would remain on the subject site. Planning staff are of the opinion the shadow impacts created by the new building are acceptable.

Traffic Impact, Access, Parking

The Traffic Impact and Parking Assessment dated March 8 2020, Transportation Response Letter dated May 28, 2020 and Transportation Impact Study Update Letter dated November 13, 2020 by LEA Consulting Limited were submitted for the development assessing the traffic impacts of the proposal. The study estimates the proposed development would generate approximately 69 and 93 new two-way trips during the AM and PM Peak hours, respectively. Given this estimate, the study concluded that the site would have minimal impacts on the adjacent road system.

Given the concerns in the area regarding traffic, staff required a minimum of three sets of traffic data be used for derivation of growth rated for Keele Street and Dundas Street West. The applicant has provided five sets of traffic data and the results have been found acceptable. The applicant was also required to provide more detailed analysis of the intersections of Keele Street and Vine Avenue. This information has been provided and is found acceptable. The consultant concluded that under future total traffic conditions, all intersections are expected to operate at similar levels of service. All signalized intersections are expected to operate at levels of Service C or better according to the traffic analysis.

Transportation Services staff are of the opinion that the findings of the Transportation Impact Assessment and addendums are acceptable.

Road Widening

In order to satisfy the Official Plan requirement of a 0.98 metres wide strip of land is required along the rear of the subject property in order to satisfy the Official Plan requirement of a 5-metre wide right-of-way for the public laneway.

The site plan has been revised to illustrate the revised limit of the public laneway site frontage with the future property line set back by 0.98-metre from the current property line along the public laneway site frontage. This is acceptable.

The applicant must convey the required land for a nominal sum to the City at the site plan approval stage. This is included in the recommendations of this report to be secured in the Section 37 Agreement under other matters to be secured.

Parking and Loading

A total of 75 residential parking spaces and 44 parking spaces for commercial (office and retail) and 18 spaces to be shared between residential visitors and commercial space is proposed within a two-level underground parking garage, which meets the minimum parking requirements in City-wide Zoning By-law No. 569-2013 Policy Area '4' rates. The applicant proposes a total of 6 accessible parking spaces, which comply with the accessible parking space supply and dimensional requirements. The following is the required parking ratios:

Provide parking spaces for the proposed residential and non-residential uses in accordance with the minimum parking rates below:

- 0.50 spaces for each bachelor and one-bedroom dwelling unit;
- 0.75 spaces for each dwelling unit with two or more bedrooms;
- 0.06 visitor parking spaces for each dwelling unit;
- 1.0 space per 100 m² for retail use;
- 1.0 space per 100 m² for office use.

The applicant proposes a deficiency of 1 Type B loading space when compared to the governing by-law. The applicant proposes to apply the sharing provisions contained in City-wide Zoning By-law No. 569-2013 for Policy Area 1 and 2 to the site to permit the sharing of loading spaces between residential and retail uses. The consultant states in their study that non-residential uses will be permitted to use the Type G space provided that a collection from City Waste is not also scheduled on the same day. The applicant has also demonstrated that the turning radii requirements can be met on-site for the vehicles to be accommodated. This is acceptable.

These findings are found to be acceptable to staff and have been incorporated into the draft zoning by-laws.

Bicycle Parking

Official Plan policies encourage reduced automobile dependency and promote alternative modes of transportation. The policies attempt to increase the opportunities for better walking and cycling conditions for residents.

A total of 144 bicycle parking spaces are proposed, including: 8 long-term and 16 short-term bicycle parking spaces for non-residential and 108 long-term and 12 short-term for residential use. The long-term residential and non-residential spaces are located on the P1 parking level adjacent to the residential and non-residential elevators and all provided in stackers. Shower and change rooms have also been provided next to the non-residential spaces. The short term spaces are found at grade on the Pacific Avenue frontage.

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

in Attachment 5. Details with respect to the location, design and layout for the bicycle parking would be reviewed and secured through the Site Plan review process for this development.

Servicing

The applicant submitted a Functional Servicing Report including Servicing Groundwater Study, Hydrogeological Assessment and Stormwater Management Report. Engineering and Construction Services has reviewed the reports and advises that there are no issues related to the zoning component of this application. They do however require, as a condition of approval, that the owner pay for and construct any improvements to the municipal infrastructure in connection with the site servicing report, as accepted by the Chief Engineer & Executive Director, Engineering & Construction Services, should it be determined that upgrades to such infrastructure are required to support this development.

Housing Issues

The building is proposed to contain 120 dwelling units, composed of a mix of condominium, market rental dwelling units, and replacement rental dwelling units. The provision of 45 two-bedroom units (40.2%) and 12 three-bedroom units (10.7%) supports the unit mix objectives of the Growing Up guidelines, Official Plan 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.

Affordable Housing

The applicant has agreed to provide six new affordable rental dwelling units, in addition to the eight replacement rental dwelling units, to be secured by the City through a Section 37 agreement as a community benefit. The new affordable rental units will be comprised of the following:

- Two (2) one-bedroom units, with an average unit size of approximately 56 square metres;
- Two (2) two-bedroom units, with an average unit size of approximately 80 square metres; and
- Two (2) three-bedroom units, with an average unit size of approximately 97 square metres.

All six units will have affordable rents secured for a period of at least 99 years, beginning from the date that each of the new secured rental dwelling units is first occupied and until the owner obtains approvals for a Zoning By-law Amendment removing the requirement for the new affordable rental dwelling units to be maintained as rental units. Affordable rent is defined as rents where the total monthly shelter costs (gross monthly rent inclusive of heat, electricity, gas and water, but excluding vehicle parking, storage lockers, internet, telephone and cable television charges) is at or below the average City of Toronto rent, by unit type (number of bedrooms), as reported annually by the Canada Mortgage and Housing Corporation in its Fall Update Rental

Market Report for the City of Toronto. The owner will work with the City to ensure the units are made available to households in need of affordable housing upon initial rent-up and turn-over of the units during the 99 year affordability period.

Replacement Rental Dwelling Units

The applicant proposes to provide 8 replacement rental dwelling units within the new mixed-use building, consisting of 1 two-bedroom unit and 7 three-bedroom units. Upon completion, the total Gross Floor Area for the 8 replacement rental dwelling units would be equal to the total Gross Floor Area of the existing rental dwelling units. The replacement rental dwelling units would each have ensuite laundry and central air-conditioning, at no extra cost to the tenants. Tenants of the replacement rental dwelling units would have access to all indoor and outdoor amenity space within the building. Tenants will also have access to a bicycle parking space, on the same terms and conditions as other residents of the building.

The applicant has agreed to provide the 8 replacement rental dwelling units within the mixed-use building for a period of at least 20 years, beginning from the date that each replacement rental dwelling unit is first occupied. At the time of the application, all existing rental dwelling units had affordable rents. The applicant has agreed to secure the rents of all 8 affordable replacement rental dwelling units for at least 10 years.

Staff are satisfied with the proposed tenure and rents for the replacement rental dwelling units. One or more Agreements pursuant to the Planning Act and City of Toronto Act, 2006 will secure all details regarding the replacement rental housing, including the number of replacement units, minimum unit sizes, and future tenants' access to all facilities and amenities.

Tenant Relocation and Assistance Plan

The owner has agreed to provide tenant relocation and assistance to all tenant households deemed eligible, all of which would be to the satisfaction of the Chief Planner and Executive Director, City Planning. This would be secured through the Section 37 and Section 111 Agreements with the City. The Tenant Relocation and Assistance Plan will assist affected tenants to obtain alternative accommodations while the replacement rental dwelling units are being constructed. As part of this plan, all eligible tenants would receive:

- At least 6 months' notice of the date that they must vacate their rental unit;
- The right to return to a replacement rental unit in the new building;
- Compensation equal to 3 month's rent pursuant to the Residential Tenancies Act;
- A move-out moving allowance and a move-back moving allowance if they exercise their right to return to a replacement rental dwelling unit;
- Additional compensation based on length of tenure and rent paid; and
- Special needs compensation as determined by the Chief Planner and Executive Director, City Planning.

Staff are satisfied with the applicant's proposed Tenant Relocation and Assistance Plan as it is in line with the City's standard practices.

Rental Housing Demolition and Conversion By-law

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

Pursuant to Chapter 667, City Council may refuse an application, or approve the demolition and may impose conditions, including conditions that must be satisfied before a demolition permit is issued. These conditions further the intent of the City's Official Plan policies protecting rental housing.

Pursuant to the City's Residential Demolition Control By-law Chapter 363 of the Toronto Municipal Code, City Council approval of the demolition of residential dwelling units under Section 33 of the Planning Act is also required where six or more residential dwelling units are proposed for demolition, before the Chief Building Official can issue a permit for demolition under the Building Code Act.

Where an application for rezoning triggers an application under Chapter 667 for rental demolition or conversion and an application under Chapter 363 for residential demolition control, City Council typically considers both applications at the same time. Unlike Planning Act applications, decisions made by City Council under Chapter 667 are not appealable to the Local Planning Appeal Tribunal (LPAT).

On [March 12, 2019](#), the applicant made an application for a Rental Housing Demolition Permit pursuant to Chapter 667 of the Toronto Municipal Code.

Open Space/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. The lands which are the subject of this application are in an area with 0 to 0.42 hectares of local parkland per 1,000 people. The site is in the lowest quintile of current provision of parkland. The site is in a parkland priority area, as per Chapter 415, Article III, of the Toronto Municipal Code.

In accordance with [Chapter 415, Article III of the Toronto Municipal Code](#), the applicant is required to satisfy the parkland dedication requirement through a cash-in-lieu payment. The non-residential component of this proposal is subject to a 2% parkland dedication while the residential component is subject to a cap of 10% parkland dedication.

The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. The appraisal will be conducted upon the submission of an application for the first above ground building permit and is valid for six months. Payment will be required prior to the issuance of said permit.

The City of Toronto [Parkland Strategy](#) is a 20-year strategic city-wide plan that guides long-term planning for new parks, park expansions and improvements, and improved access to existing parks. The Strategy includes a new methodology to measure and assess parkland provision, using the baseline of residential population against the area of parkland available across the city. According to the Strategy's methodology, the development site is currently in an area with 4 -12 m² of parkland per person, which is below the city-wide average provision of 28 m² of parkland per person.

Further, given the current rise in dog-owning populations, Parks staff strongly encourage the proposal to provide dog amenities on-site with appropriate disposal facilities such as dog relief stations to accommodate their future residents' needs and alleviate pressure on neighbourhood parks. A dog wash station is shown on the plans and is being included in the calculation of indoor amenity space.

Staff recommend that the obligation to provide a dog relief area be secured in the Section 37 Agreement and its location and design be secured through the Site Plan application review process.

Privately-Owned Publicly Accessible Open Space (POPS)

Privately-owned publicly accessible open space (POPS) of approximately 85.95 square meters is being proposed at the south west corner of the site. The area would be adjacent to the retail area proposed on the ground floor of the building, fronting on both Dundas Street West and Pacific Avenue. The design of the POPS would be through the site plan approval process. Staff consider the proposed POPS to be a positive element of the proposal. It will [provide opportunity for significant public realm enhancements for this prominent corner](#). Staff recommend that the POPS be secured in the Section 37 Agreement and its final design be secured through the Site Plan Control approval process.

Heritage Impact & Conservation Strategy

Heritage Official Plan Policy 3.1.5.2 states that properties of potential cultural heritage value or interest will be identified and evaluated to determine their heritage value or interest and Policy 3.1.5.3 says that properties that are of cultural heritage value or interest and are publically know will be protected by being designated under the Ontario Heritage Act and/or included on the City's Heritage Register. Policy 3.1.5.26 affirms that construction on or adjacent to a property on the Heritage Register will be designed to conserve the cultural heritage values, attributes and character of the property.

This development site includes 2946-2954 Dundas Street West are subject to a forthcoming recommendation to designate under Part IV, section 29 of the Ontario Heritage Act. The project is also adjacent to 437 Pacific Avenue and 2928 Dundas Street West which are listed properties on the Heritage Register. The applicant

submitted a Heritage Impact Assessment. Heritage staff reviewed this report in conjunction with the proposed built form and subsequently intend to report to Toronto Preservation Board on February 17, 2021 to recommend that Toronto City Council designate the properties at 2946-2954 Dundas Street West under Part IV, Section 29 of the Ontario Heritage Act. Additionally, the report is intended to recommend approval of the proposed alterations to the heritage properties and a requirement to enter into a Heritage Easement Agreement and provide a detailed Conservation Plan. The report can be viewed here when the agenda for February 17, 2021 is released: <http://app.toronto.ca/tmmis/decisionBodyProfile.do?function=doPrepare&decisionBodyId=1899#Meeting-2021.PB21>

Tree Preservation

The applicant submitted an Arborist Report dated January 2019, revised May 28, 2020 prepared by Kuntz Forestry Consulting Inc. The report found that the removal of trees would not be required to accommodate the development. The report has been reviewed by staff and found that no conditions are required through the rezoning application but the applicant will be required to provide further details through the site plan approval process to address construction mitigation measures for the trees on the site.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement.

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.

Toronto Catholic District School Board

The Toronto Catholic District School Board (TCDSB) provided comments for this site. They have noted that this development falls within the fixed attendance boundary of St. Cecilia Elementary School and that the closest Secondary schools serving the area include Bishop Marrocco/Thomas Merton Catholic Secondary School and St. Oscar Romero Catholic Secondary School.

It is noted, at this time, that the local elementary school is operating at capacity and cannot accommodate students from the development as proposed. However, sufficient space exists within the local secondary schools to accommodate additional students. Due to the concerns associated with school accommodation, the TCDSB requests the following warning clauses be included as part of the conditions of approval:

1. As part of the site plan approval process, that the developer/applicant erect and maintain a sign on the site advising the following:

"The Toronto Catholic District School Board has plans to accommodate students from this development. If the elementary and secondary schools which serve this area are oversubscribed, students from this development may need to be accommodated in portable classrooms or may have to be redirected to a school located outside the area."

2. That the applicant is to provide the TCDSB with an on-site photograph of the aforementioned sign as an assurance of its proper display.

3. That the following clause is included in agreements of purchase and sale for the units proposed in this plan:

"Whereas, despite the best efforts of the Toronto Catholic District School Board, sufficient accommodation may not be available for all anticipated students at local school, you are hereby notified that it may be necessary for Elementary and/or Secondary students from this development to be accommodated in facilities outside of the community depending on availability of space."

Staff recommend that the warning clauses and requirements of the TCDSB be secured in the Section 37 Agreement and through the Site Plan Control approval process.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the Planning Act. While the proposed development exceeds the height and density limits of the existing Zoning By-law, the application is consistent with the objectives and policies of the Official Plan, and thus constitutes good planning.

1. Before introducing the necessary Bills to City Council for enactment, City Council require the owner to enter into an Agreement pursuant to Section 37 of the Planning Act, including provisions for indemnity, insurance, financial security, maintenance, HST and indexing, as applicable, to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor, as follows:

a) The community benefits recommended to be secured in the Section 37 Agreement are as follows:

i. The owner shall design and construct six (6) affordable rental dwelling units comprising at least 464.5 square metres of residential Gross Floor Area within an approved development at 2946-2968 Dundas Street West, substantially in accordance with the Affordable Rental Housing Terms and Conditions, with any amendments to such terms as deemed appropriate by the Chief Planner and Executive Director, City Planning Division, the Executive Director, Housing Secretariat, and the City Solicitor, in consultation with the Ward Councillor;

ii. The six (6) affordable rental dwelling units referenced in 1.a)i above shall be provided and maintained as two (2) one-bedroom units, two (2) two-bedroom units and two (2) two three-bedroom units in the new mixed-use building, as follows:

A. The total Gross Floor Area of the affordable rental dwelling units shall be at least 464.5 square metres.

B. The general configuration, unit size and layout of the six (6) affordable rental dwelling units in the new mixed-use building shall be to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

C. The owner shall provide and maintain the six (6) affordable rental dwelling units as rental dwelling units for a minimum of 99 years, beginning with the date each such unit is first occupied. No affordable rental dwelling unit shall be registered as a condominium or any other form of ownership such as life lease or co-ownership which provide a right to exclusive possession of a dwelling unit, and no application for conversion for non-rental housing purposes, or application to demolish any affordable rental dwelling unit shall be made for at least 99 years from the date of first occupancy. Upon the expiration of the 99 year period, the owner shall continue to provide and maintain the affordable rental dwelling units as rental dwelling units, unless and until such time as the owner has applied for and obtained all approvals necessary to do otherwise.

D. During the first 99 years of occupancy, increases to initial rents charged to tenants occupying any of the affordable rental dwelling units shall be in accordance with the Residential Tenancies Act and shall not exceed the Provincial rent guideline.

b) The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

i. An acceptable tenant relocation and assistance plan shall be developed and implemented to mitigate hardship for existing tenants of the existing eight (8) rental dwelling units proposed to be demolished. The tenant relocation and assistance plan shall be developed in consultation with, and to the satisfaction of, the Chief Planner and Executive Director, City Planning Division.

ii. The owner shall construct and maintain, at its own expense, an area of not less than 85.95 square metres in a plaza on the north east corner of Dundas Street West and Pacific Avenue, for use by the general public as privately owned publicly accessible open space (POPS) with the specific location, configuration and design to be determined and secured in the context of site plan approval to the satisfaction of the Chief Planner and Executive Director, City Planning.

iii. Prior to the issuance of the first above-grade building permit, the owner shall prepare all documents and convey, on terms set out in the Section 37 Agreement, an access easement in favour of the City in perpetuity, including

support rights as applicable, for public use of the POPS, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.

iv. Prior to issuance of the first above-grade building permit, the owner shall prepare all documents and convey, on terms set out in the Section 37 Agreement, a road widening of 0.98 metres along the rear of the property for the laneway to the City across the full width of the site, all to the satisfaction of the Chief Planner and Executive Director, City Planning, the General Manager, Transportation Services and the City Solicitor.

v. Prior to issuance of the first above-grade building permit, the owner shall prepare all documents and convey, on terms set out in the Section 37 Agreement, an access easement in favour of the City in perpetuity, including support rights as applicable, for public pedestrian and vehicular use of the rear access having a width of not less than 3.05 metres from the north property boundary at the north east corner of the site and a length of 6.10 metres from the east property boundary to the west then widening to a width of not less than 4.57 metres for the remaining full width of the site, all to the satisfaction of the Chief Planner and Executive Director, City Planning, the General Manager, Transportation Services and the City Solicitor. Such access easement shall include use associated with properties adjacent to the east to provide a pedestrian and vehicular link to Jackson Lane and public connection from Jackson Lane to Pacific Avenue.

vi. The owner shall, at its own expense, construct and maintain the rear access lands, referred to in Recommendation 1.b.v. above, to the standard required of a public lane to the satisfaction of the General Manager, Transportation Services, with the design, details and configuration to be determined and secured in the context of site plan approval.

vii. The owner shall, at its own expense, construct and maintain the rear access lands, referred to in Recommendation 1.b.v. above, to the standard required of a public lane to the satisfaction of the General Manager, Transportation Services, with the design, details and configuration to be determined and secured in the context of site plan approval.

viii. The owner shall pay for and construct any improvements to the municipal infrastructure in connection with the site servicing report, as accepted by the Chief Engineer & Executive Director, Engineering & Construction Services, should it be determined that upgrades to such infrastructure are required to support this development.

ix. The owner shall satisfy applicable signage requirements of the Toronto District School Board and the Toronto Catholic District School Board and shall insert warning clauses in purchase and sale/tenancy agreements as required in connection with student accommodation.

x. The owner shall satisfy the requirements of Metrolinx and Canadian Pacific Railway, particularly regarding noise and vibration attenuation requirements and

operational easement requirements, and shall insert any warning clauses in purchase and sale/tenancy agreements as required in connection with noise and vibration.

xi. The conveyance of any easement or fee simple interest of lands to the City as contemplated in this Recommendation 1, shall be at no cost to the City, for nominal consideration and free and clear of encumbrances to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning as well as the General Manager, Transportation Services, as the case may be, and the cost of preparation and deposit of accepted reference plans shall also be at the owner's expense.

xii. The owner shall, at its own expense, address the following matters in any application for site plan approval for the development, which shall be determined and secured in a site plan agreement with the City, as applicable, all to the satisfaction of the Chief Planner and Executive Director, City Planning:

A. Incorporation in the construction of the building of exterior materials shown on 1:50 scale drawings as approved by the Chief Planner and Executive Director and submitted as part of the Site Plan Approval process;

B. Provision of on-site dog-relief facilities, with the location, nature and size of the facilities to be determined through the site plan approval process to the satisfaction of the Chief Planner and Executive Director, City Planning;

C. Reconstruction of the City sidewalks to City standards along the frontages of Dundas Street West and Pacific Avenue Road, to the satisfaction of the General Manager, Transportation Services;

D. Incorporation of signage to identify the proposed privately owned publicly accessible open space (POP) to be located in a plaza on the north and east corner of Dundas Street West and Pacific Avenue; and

E. The construction management plan include on-site contact during the construction process for residents and stakeholders to contact.

2. The Owner will construct and maintain the development of the site in accordance with Tier 1, Toronto Green Standard, and the Owner will be encouraged to achieve Tier 2, Toronto Green Standard, or higher, where appropriate, consistent with the performance standards of Toronto Green Standards applicable at the time of the site plan application for each building on the site. The Owner shall construct and maintain the development in accordance with Tier 1.

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020) and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2020) and does not conflict with the Growth Plan (2020). Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan,

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

Staff also recommend that City Council approve the demolition of the 8 rental dwelling units at 2946 to 2968 Dundas Street West on the condition that the applicant provide for the replacement rental housing and tenant assistance as outlined in this report and enter into a Section 111 Agreement to the satisfaction of the Chief Planner and Executive Director, City Planning to secure these conditions.

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SIGNATURE

Lynda H. Macdonald, MCIP, RPP, OALA, FCSLA,
Director Community Planning
Toronto and East York District

ATTACHMENTS

City of Toronto Data/Drawings
Attachment 1: Application Data Sheet
Attachment 2: Location Map
Attachment 3: Official Plan Land Use Map
Attachment 4: Existing Zoning By-law Map
Attachment 5: Draft Zoning By-law Amendment 438-86
Attachment 6: Draft Zoning By-law Amendment 569-2013

Applicant Submitted Drawings

Attachment 7: Site Plan
Attachment 8: Elevations

Attachment 1: Application Data Sheet

APPLICATION DATA SHEET

Municipal Address: 2946 DUNDAS ST W Date Received: March 12, 2019

Application Number: 19 124750 STE 04 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: Zoning By-Law Amendment application to permit an 8-storey mixed-use building, consisting of residential and office uses, and street related retail. The proposal will have 92 dwelling units.

| | | | |
|----------------|-------|-----------|---------------------------|
| Applicant | Agent | Architect | Owner |
| BOUSFIELDS INC | | | DUNDAS AND PACIFIC LTD |

EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision:

| | | |
|---------|--|-----------------------|
| Zoning: | Commercial Residential CR 2.5 (c1.0; r2.0) SS2 (x222) | Heritage Designation: |
|---------|--|-----------------------|

Height Limit (m): Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 3,849 Frontage (m): 73 Depth (m): 58

| Building Data | Existing | Retained | Proposed | Total |
|-----------------------------|----------|----------|----------|--------|
| Ground Floor Area (sq m): | 1,584 | | 2,144 | 2,144 |
| Residential GFA (sq m): | 728 | | 11,113 | 11,113 |
| Non-Residential GFA (sq m): | 3,896 | | 3,633 | 3,633 |
| Total GFA (sq m): | 4,624 | | 14,746 | 14,746 |
| Height - Storeys: | 3 | | 8 | 8 |
| Height - Metres: | 13 | | 28 | 28 |

| | | | |
|------------------------|-------|--------------------|------|
| Lot Coverage Ratio (%) | 55.68 | Floor Space Index: | 3.83 |
|------------------------|-------|--------------------|------|

| | | |
|----------------------|--------------------|--------------------|
| Floor Area Breakdown | Above Grade (sq m) | Below Grade (sq m) |
|----------------------|--------------------|--------------------|

Residential GFA: 11,113
 Retail GFA: 1,973
 Office GFA: 1,660
 Industrial GFA:
 Institutional/Other GFA:

| Residential Units by Tenure | Existing | Retained | Proposed | Total |
|-----------------------------|----------|----------|------------|------------|
| Rental: | 8 | | 8 | 8 |
| Freehold: | | | | |
| Condominium: | | | 112 | 112 |
| Other: | | | | |
| Total Units: | 8 | | 120 | 120 |

Total Residential Units by Size

| | Rooms | Bachelor | 1 Bedroom | 2 Bedroom | 3+ Bedroom |
|---------------------|-------|----------|-----------|-----------|------------|
| Retained: | | | | 8 | |
| Proposed: | | | 55 | 38 | 19 |
| Total Units: | | | 55 | 46 | 19 |

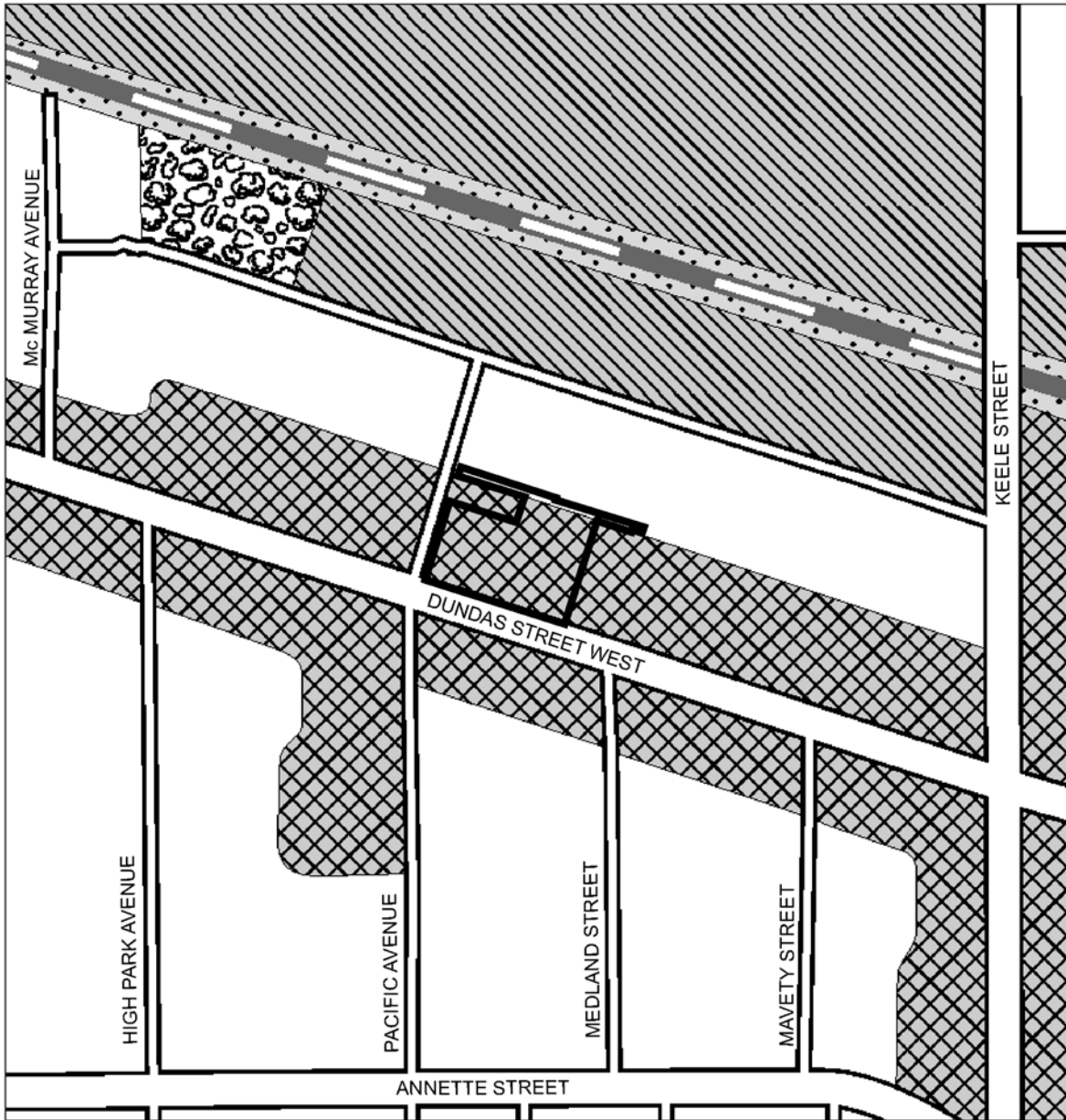
Parking and Loading

Parking Spaces: 119 Bicycle Parking Spaces: 144 Loading Docks: 3

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #18

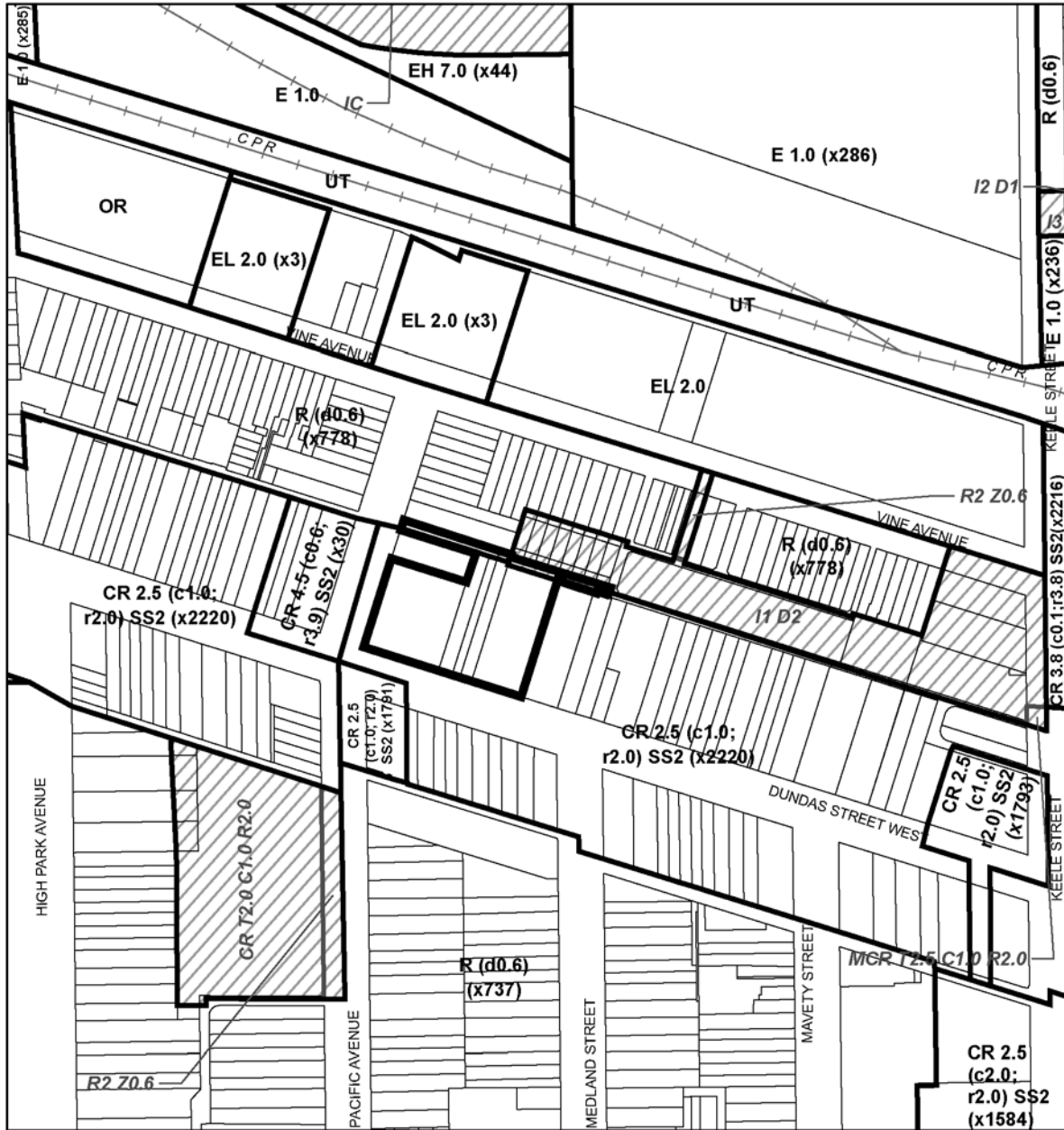
2946-2968 Dundas Street West

File # 19 124750 STE 04 0Z

- | | | |
|-------------------------|--------------------------|-------------------|
| Location of Application | Parks & Open Space Areas | Employment Areas |
| Neighbourhoods | Parks | Utility Corridors |
| Mixed Use Areas | | |

↑
Not to Scale
04/09/2019

Attachment 4: Existing Zoning By-law Map



Zoning By-law No. 569-2013

2946 - 2968 Dundas Street West

File # 19 124750 STE 04 OZ

Location of Application

R Residential
CR Commercial Residential
EL Employment Light Industrial

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



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

R2 Residential District
CR Mixed-Use District
MCR Mixed-Use District
I1 Industrial District
I2 Industrial District
I3 Industrial District
IC Industrial District

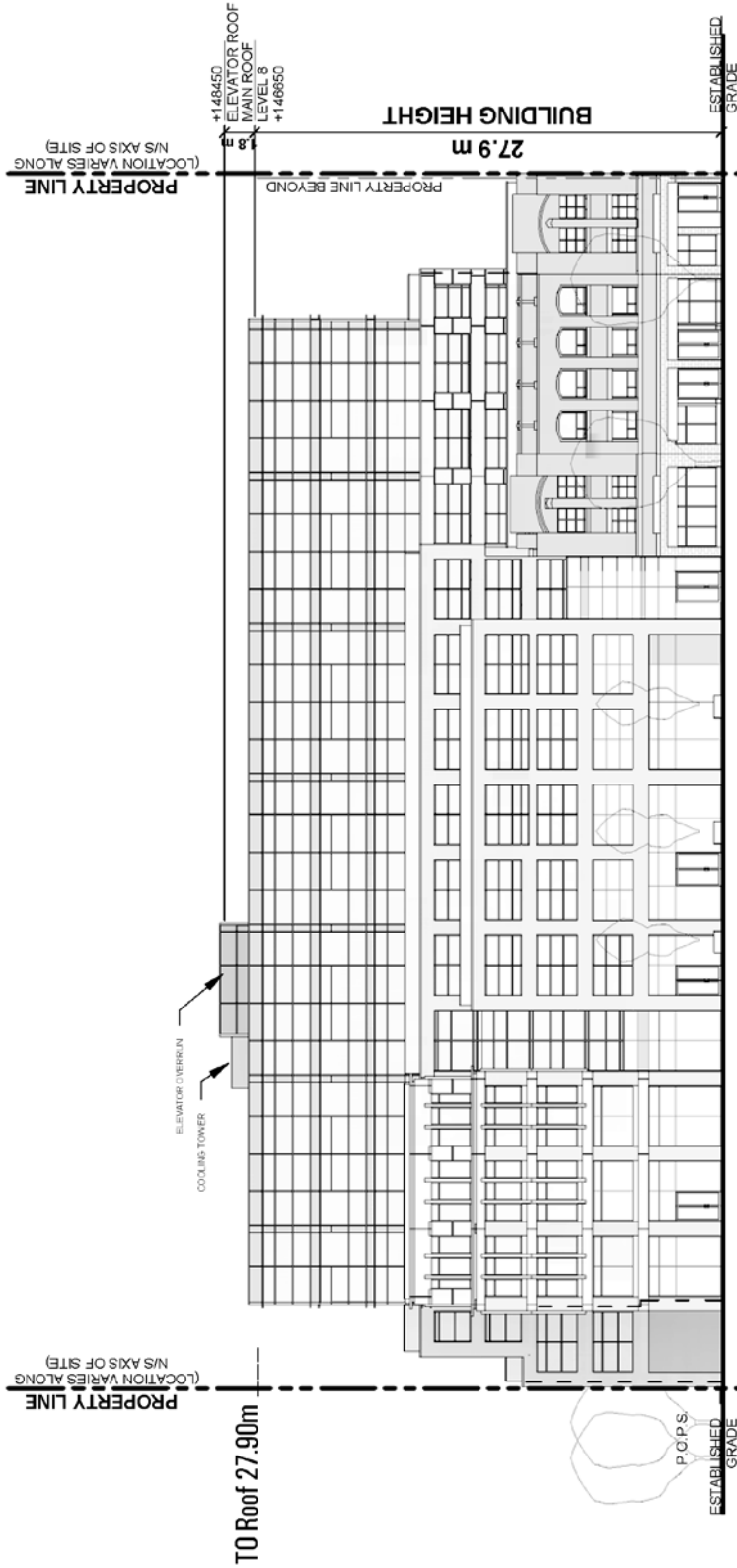


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Extracted: 05/21/2019

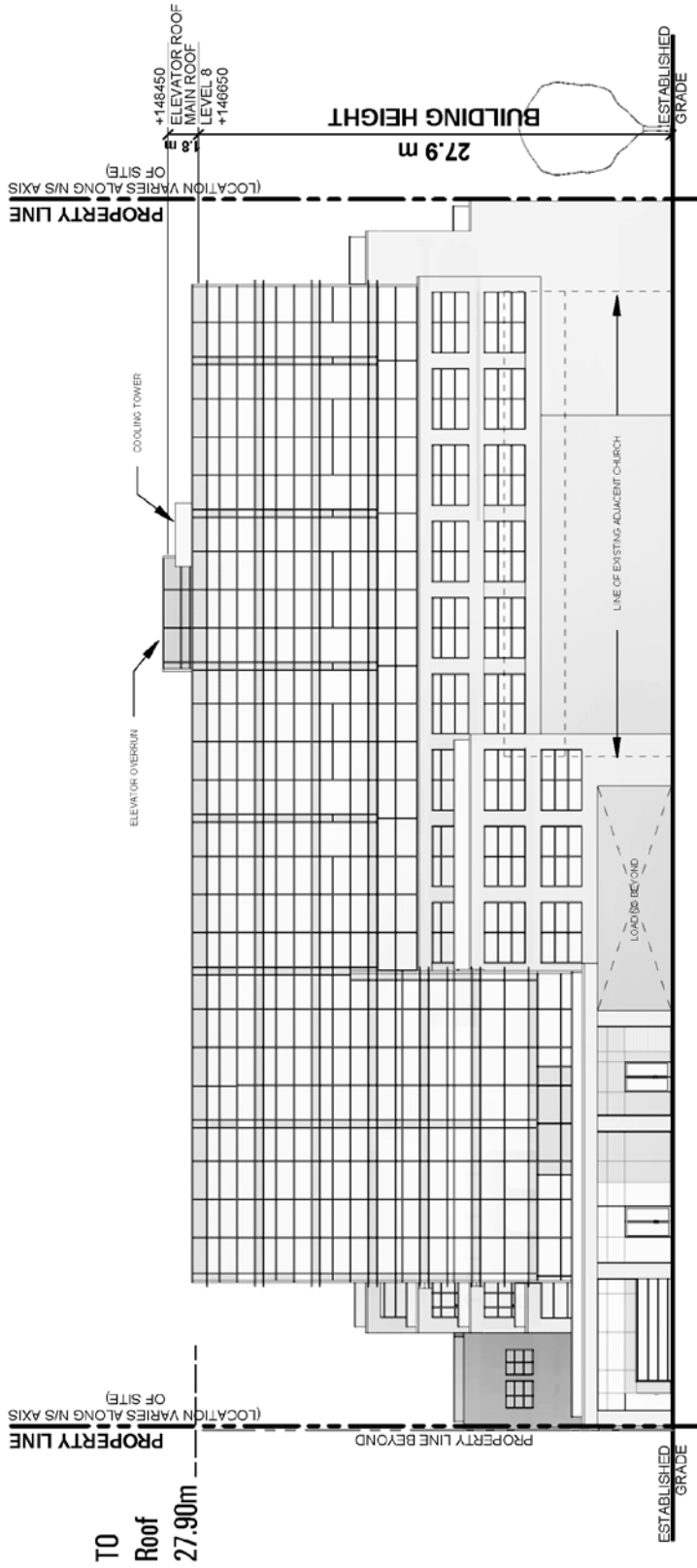
Attachment 5: Draft Zoning By-law Amendment 438-86

Attachment 6: Draft Zoning By-law Amendment 569-2013

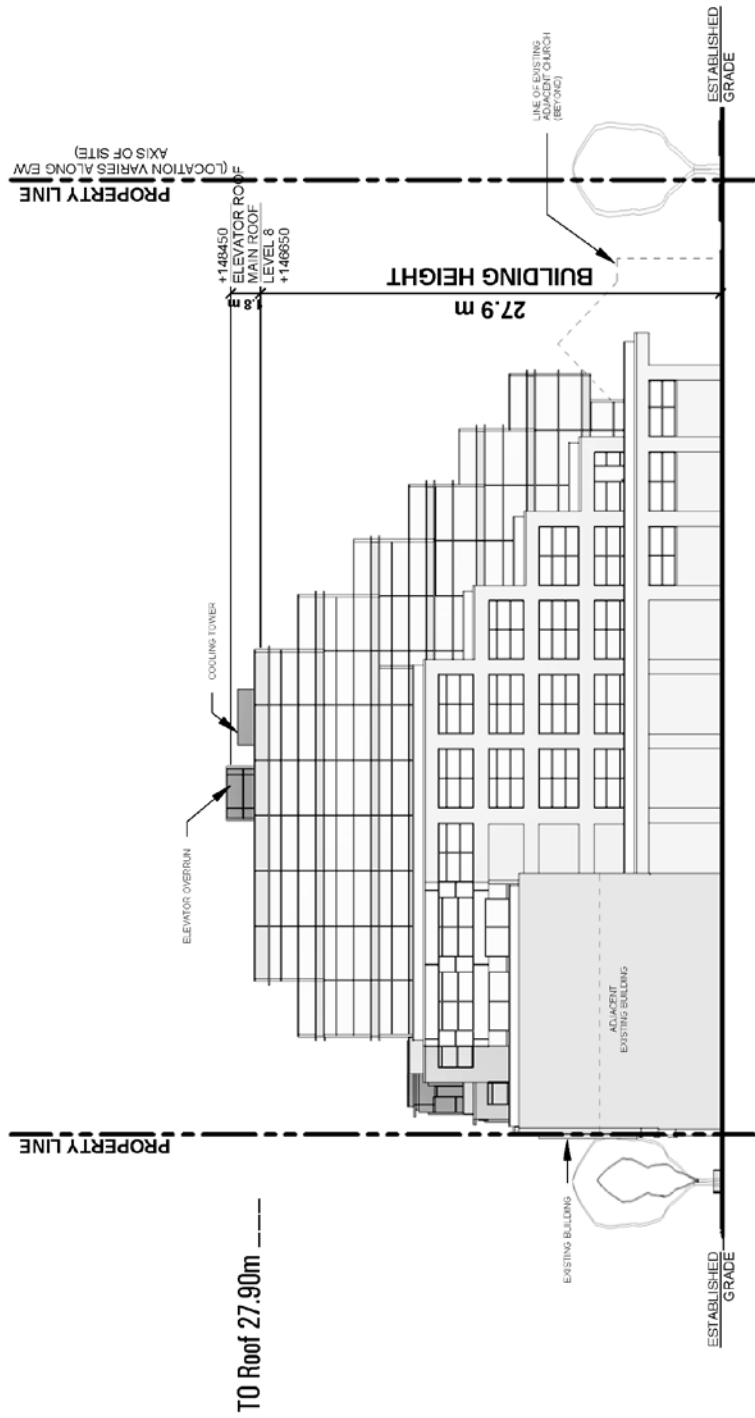
Attachment 8: Elevations



South Elevation



North Elevation



East Elevation