



REPORT FOR ACTION

340-376R Dufferin Street and 2 Melbourne Avenue – Official Plan Amendment and Zoning By-law Amendment Application – Final Report

Date: January 31, 2022

To: Toronto and East York Community Council

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

Ward: 4 - Parkdale-High Park

Planning Application Number: 19 244664 STE 04 OZ

SUMMARY

This application proposes to introduce the site into City of Toronto Zoning By-law 569-2013 and to modify the range of permitted employment uses on the site at 340-376R and 2 Melbourne Avenue. No physical changes to the existing building are proposed.

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

This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-law. The Official Plan Amendment will ensure the Site and Area Specific Policies will authorize the employment uses and ensure that such uses are compatible with the physical context and will not affect nearby *Neighbourhoods* in a manner contrary to the neighbourhood protection policies of the Official Plan, and that the proposed uses do not adversely impact adjacent residential districts.

Currently, the site is regulated by former City of Toronto Zoning By-law 438-86, as amended. Introducing the site into City of Toronto Zoning By-law 569-2013 will ensure the property is regulated by the most current Zoning By-law while expanding the range of permitted office, retail, and service uses to improve access to locally servicing employment uses for the area. The proposed zoning by-law amendments also carry forward some use permissions from the current Industrial (I1 D2) zoning, while removing uses which are incompatible with the surrounding residential context.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan for the lands at 340-376R Dufferin Street and 2 Melbourne Avenue substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 5 to the report from the Director, Community Planning, Toronto and East York District dated January 31, 2022.
2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 340-376R Dufferin Street and 2 Melbourne Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to the report from the Director, Community Planning, Toronto and East York District dated January 31, 2022.
3. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.

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

Minor variance applications for 360-376R Dufferin Street (Files Nos. A1222/TEY and A0284/17TEY) seeking permissions for a retail store and outdoor patio in a craft brewery were refused by the Committee of Adjustment on April 26, 2017. A minor variance application for 370 Dufferin Street (File No. A0616/18TEY) was approved by the Committee of Adjustment on October 24, 2018 to permit a restaurant on the ground floor of the existing building. The approval was conditional on the restaurant being restricted to the ground level and it not exceeding a size of 231 square metres.

A pre-application meeting was held on October 8, 2019. The current application was submitted on November 4, 2019, and deemed complete on December 4, 2019. A Preliminary Report on the application was adopted by Toronto and East York Community Council on June 18, 2020 authorizing staff to conduct a community consultation meeting. City Planning held a virtual Community Consultation Meeting on October 14, 2020. The feedback received at the Community consultation is summarized in the Comments section of this Report.

PROPOSAL

Site and Surrounding Area

The site is rectangular in shape with a 129 metre frontage along Dufferin Street and a depth of 72 metres along Melbourne Avenue, totalling an overall area of 7,445 square metres. The site is bound by Milky Way Lane to the north and the mixed-use properties located along the south side of Queen Street West farther north. Melbourne Avenue abuts the site to the south, and a residential district farther south. The site fronts Dufferin Street to the east, and east of the site are lands designated as *Regeneration Areas* in the Official Plan. To the west is a lane, and the rear yards of the houses fronting the east side of Gwynne Avenue at the north end of the site, and the rear yards of the houses fronting the east side of Melbourne Place towards the south end, along with the side yard of the house located at 4 Melbourne Avenue. The residential district continues farther west.. Refer to Attachment No. 2: Application Data Sheet, and Attachment 7: Site Plan.

The site is comprised of a series of 1-2 storey former industrial buildings which have been re-adapted and leased to various commercial tenants. An internal surface parking area with 28 vehicular parking spaces is located at the centre of the site, with access from Dufferin Street. No alterations are proposed to the existing buildings, on-site parking supply or loading facilities in this application. The application, however, proposes to amend the Official Plan through a Site and Area Specific Policy, and introduce the site into City of Toronto into By-law 569-2013 to modify the range of non-residential use permissions for the site. The current uses on the site consist primarily of government offices, and offices and design studios for new media, architecture, and software development.

Proposal

The application proposes to expand the range of permitted office, retail, and service uses to improve access to locally servicing employment uses for the area. The proposed Zoning By-law Amendment also carries forward select use permissions from the current Industrial (I1 D2) zoning, while removing uses which are incompatible with the surrounding residential context.

Reasons for Application

The Official Plan amendment is required to acknowledge the broader range of employment use permissions being sought within the *Neighbourhoods* designation, noting that not all properties on the site front a major street identified on Map 3 of the Official Plan. The removal of incompatible uses in the proposed site-specific zoning

amendment is necessary to ensure that the proposed development that would be authorized under the Official Plan Amendment and Zoning By-law Amendment would be compatible with its physical context and will not affect nearby *Neighbourhoods* in a manner contrary to the neighbourhood protection policies of the Official Plan.

The site is currently zoned Industrial (I1D2) by former City of Toronto Zoning By-law 438-86, as amended, with permissions limited to light industrial uses and manufacturing. As noted above, the amending Zoning By-law will introduce the site into City of Toronto Zoning By-law 569-2013, and will remove specific use permissions which are considered incompatible due to the potential for adverse impacts including, but not limited to, noise, overlook/privacy, vibration and odour on adjacent residential properties. Introducing the site into the EO (Employment Industrial Office) zoning classification of City of Toronto Zoning By-law 569-2013 will provide for a broader range of commercial and service uses than what is currently permitted in the EO zone, and will add office, retail, and service use permissions into the site-specific Zoning By-law.

APPLICATION BACKGROUND

Application Submission Requirements

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

- Architectural Plans
- On-site Groundwater Letter
- Tree Preservation Plan
- Landscape and Lighting Plan
- Noise Impact Study
- Planning rationale
- Private Water Discharge System Letter
- Public Consultation Strategy
- Servicing Report
- Stormwater Management Report
- Transportation Impact Study

These and other related materials can be found on the City's Application Information Centre website at: <https://www.toronto.ca/city-government/planning-development/application-information-centre/>.

Agency Circulation Outcomes

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 Official Plan amendments and Zoning By-law standards.

Statutory Public Meeting Comments

In making their decision with regard to this application, Council members will have had an opportunity to view the oral submissions made at the statutory public meeting held by the Toronto and East York Community Council for this application, as these submissions are broadcast live over the internet and recorded for review.

POLICY CONSIDERATIONS

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

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

The Provincial Policy Statement (2020)

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

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

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

The PPS is issued under Section 3 of the [Planning Act](#), and all decisions of 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 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 4.6 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 to 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 to 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 to the Growth Plan (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform to the Growth Plan (2020).

Staff have reviewed the proposed development for consistency with the PPS (2020) and for conformity to the Growth Plan (2020). The outcome of staff analysis and review are summarized in the Comments section of the Report.

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan as follows:

Chapter 2 - Shaping the City

Healthy Neighbourhoods Policy 2.3.1.1 states that *Neighbourhoods* are low-rise and low density residential areas that are considered to be physically stable. Development in *Neighbourhoods* will be consistent with this objective, and will respect and reinforce the existing physical character of buildings, streetscapes, and open space patterns in these areas.

Chapter 3 - Building a Successful City

Policy 3.5.1.h) discusses creating a strong and diverse civic economy by stating that Toronto's economy will be nurtured and expanded to provide for the future employment needs of Torontonians and the fiscal health of the City by providing incubation space for new start-up firms to establish themselves and grow.

Chapter 4- Land Use Designations

The subject lands are designated *Neighbourhoods* on Map 18 - Land Use Plan of the Official Plan.

Policy 4.1.1 states that *Neighbourhoods* are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes, and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys.

Parks, low scale local institutions, home occupations, cultural and recreational facilities, and small-scale retail, service, and office uses are also provided for in *Neighbourhoods*. Low scale local institutions play an important role in the rhythm of daily life in *Neighbourhoods* and include such uses as schools, places of worship, community

centres, libraries, day nurseries and private home daycare, seniors and nursing homes, and long-term care facilities, public transit facilities, utility and telecommunications installations, and public services and facilities provided by the local, provincial, and federal governments.

Policy 4.1.3 states that small-scale retail, service, and office uses are permitted on properties in *Neighbourhoods* that legally contained such uses prior to the approval date of this Official Plan. New small-scale retail, service, and office uses that are incidental to, and support, *Neighbourhoods*, and that are compatible with the area and do not adversely impact adjacent residences may be permitted through an amendment to the Zoning By-law, where required, on major streets shown on Map 3, with the exception of portions of streets which have reversed lot frontages. To maintain the residential amenity of *Neighbourhoods*, new small-scale retail, service, and office uses will:

- serve the needs of area residents and potentially reduce local automobile trips;
- have minimal noise, parking or other adverse impacts upon adjacent or nearby residents; and
- have a physical form that is compatible with, and integrated into, the *Neighbourhood*.

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

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

Zoning

The site is currently zoned Industrial (I1D2) by former City of Toronto Zoning By-law 438-86, as amended which allows for light industrial uses, a height of 14 metres and a density of 2.0 times the area. As noted above, the site is not currently regulated by City of Toronto Zoning By-law 569-2013. The Industrial (I1D2) permits non-residential uses such as industrial, warehousing, and manufacturing uses as well as some commercial uses. Commercial schools, day nurseries, clinics, banks, personal grooming establishments, designer, artist, photographer and performing arts studios, custom workshops, and software design and development establishments are also permitted. Office use is not permitted within the Industrial (I1D2) zoning classification unless it is a government office.

Site Plan Control

There is no development proposed in this application as defined in Section 41 of the Planning Act. Therefore, a Site Plan Control application is not required.

Community Consultation

The local Councillor hosted a pre-application community meeting on October 8, 2019 at the Parkdale Library to introduce the proposal to local residents prior to an application being submitted. City Planning Staff and members of the applicant's team were in attendance. City Planning held a virtual Community Consultation Meeting on October 14, 2020 with the local Councillor, the applicant, and residents. The main concern from residents at both of these meetings was the proposed patio use, its size, and the potential for adverse impacts on the abutting residential districts related to noise and odour. Another concern raised was that existing tenants were hosting events that were causing disturbances. Recommended noise mitigation measures are discussed below.

COMMENTS

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

Policy 1.2.6.1 of the PPS discusses land use compatibility stating that major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise, and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards, and procedures.

The Zoning By-law has been drafted such that the permitted uses found in the Industrial (I1D2) zoning classification that are incompatible with the residential district have been removed, while the uses from the EO (Employment Industrial Office) zoning classification will provide for a broader range of commercial and service uses than what is currently permitted in the EO zone, and will add office, retail, and service use permissions into the site-specific Zoning By-law. These amendments to permitted uses, will ensure the uses are more compatible with the adjacent residential district than the uses currently permitted, and avoid potential land use conflicts.

PPS Policy 1.3.1 states that planning authorities shall promote economic development and competitiveness by: a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs; b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses; and e) ensuring the necessary infrastructure is provided to support current and projected needs. The proposed Official Plan Amendment and Zoning By-law

Amendment will recognize the existing diverse mix of non-residential uses on a site located on a Major Street that is not in an *Employment*-designated area.

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

A Place to Grow Policy 2.2.1.4.a) discusses growth and the need to support the achievement of complete communities that feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities.

The site is located on Dufferin Street which is designated a *Neighbourhoods Area*, and is located in close proximity to a *Mixed-Use Area* along Queen Street West, and a *Regeneration Area* on the east side of Dufferin. Amending the Official Plan and the Zoning By-law to scope the permitted non-residential uses such that they are compatible with the adjacent residential districts will support the goal of achieving a complete community with diverse land uses.

Staff have determined that the proposal is consistent with the PPS, and conforms 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 above, as well as the policies of the Toronto Official Plan as a whole.

Official Plan Policy 2.3.1.1 states that *Neighbourhoods* are low-rise and low density residential areas that are considered to be physically stable. Development in *Neighbourhoods* will be consistent with this objective, and will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas. The cluster of one-and-two-storey former industrial buildings located on the subject site make up the character of the Dufferin Street frontage south of Queen Street West. Because development is not being proposed, there will not be physical changes to the built form of the buildings as part of this application. Therefore, the buildings will continue to respect, reinforce, and contribute to the physical character of buildings in the area.

Policy 4.1.1 discusses non-residential uses within *Neighbourhoods*, stating that parks, low-scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service, and office uses are provided for in *Neighbourhoods*. Low-scale local institutions play an important role in the rhythm of daily life in *Neighbourhoods*, and include such uses as schools, places of worship, community centres, libraries, day nurseries and private home daycare, seniors and nursing homes and long-term care facilities, public transit facilities, utility and telecommunications installations, and public services and facilities provided by the local, provincial and federal governments.

Official Plan Policy 4.1.3 further discusses non-residential uses, stating that small-scale retail, service, and office uses are permitted on properties in *Neighbourhoods* that legally contained such uses prior to the approval date of this Official Plan. New small-scale retail, service and office uses that are incidental to, and support, *Neighbourhoods*, and that are compatible with the area and do not adversely impact adjacent residences may be permitted through an amendment to the Zoning By-law, where required, on major streets shown on Map 3, with the exception of portions of streets which have reversed lot frontages.

The site's Industrial (I1D2) zoning classification, and the associated historical industrial uses, have preceded the approval date of the Official Plan, and do not appropriately implement the *Neighbourhoods* policies. Creating a Site and Area Specific Policy and introducing the site into the Employment Industrial Office (EO) zoning category of City of Toronto Zoning By-law 569-2013 will enable a restriction of the permitted industrial uses such as drive through facilities, vehicle fuel stations, and sheet metal shops that are not compatible with the adjacent residential districts, while carrying forward permitted uses such as design, architectural and production studios, as well as government offices. The Zoning By-law Amendment would also broaden the permitted uses in the Employment Industrial Office (EO) zoning classification to include uses such as office, retail, art gallery, hotel, courier service, restaurant, and animal hospital, as well as permission for an outdoor patio space.

Given the existing and the planned context for the subject property and the surrounding area, the mix of uses proposed by the applicant is appropriate.

Density, Height, and Massing

There are no proposed changes to the built form of the existing buildings. The density, height, and massing will continue to contribute to the existing surrounding context, and will not adversely impact the adjacent residential districts.

Sun, Shadow, Wind

Given the application is not proposing physical changes to the existing buildings, there will be no new sun, shadow or wind impacts on neighbouring properties or the public realm.

Traffic Impact, Access, Parking

As noted above, there are no proposed changes to the access, loading, and parking from the existing condition. Transportation Services has accepted the Transportation Impact Study submitted in support of the application, noting that should any future redevelopment occur, the site will be required to provide and maintain a loading supply according to the rates and provisions contemplated in City of Toronto Zoning By-law 569-2013

Servicing

Engineering & Construction Services has accepted the servicing report for the purposes of the Zoning By-law Amendment application, noting that should any future development be proposed on the site, a detailed Stormwater Management Report will be required for review through the Site Plan Approval process, at which time acceptance of stormwater management will be provided.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced, and expanded. This application does not require parkland dedication as it does not propose any development as defined by Chapter 415, Article III, Section 415-21 of the Toronto Municipal Code.

Heritage Impact & Conservation Strategy

The existing buildings on site are not currently listed or designated on the City's Heritage Registry, and this application does not propose physical changes to the existing buildings. Should an application proposing alterations or demolition of the existing buildings be submitted in the future, Heritage Planning will review it and provide further comment, including the potential heritage value of the properties, and any potential impact on adjacent listed buildings on Melbourne Place.

Tree Preservation

There are no privately-owned trees or City-owned trees on-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 or Registered Plan of Subdivision.

There are no physical changes proposed as part of this application. Therefore, the Toronto Green Standards do not apply. Should there be development proposed in the future, TGS requirements will apply.

Noise Mitigation

A Noise Impact Study was submitted in support of the previous Committee of Adjustment application requesting variances to the By-law for a retail store and associated ground level outdoor patio in the internal courtyard at 360-376R Dufferin

Street (Files Nos. A1222/TEY and A0284/17TEY). The same Noise Impact Study was submitted in support of this Official Plan and Zoning By-law Amendment application.

City Planning initiated a Request for Quotations process to secure a Noise and Vibration expert to review the findings of the submitted Noise Study. Once selected, the successful peer reviewer requested information and clarification in addition to the submitted Noise Impact Study, which was provided. The peer review accepted the findings of the Noise Study which included the measures listed below to mitigate any potential noise impact:

- Any sound system installed should be relatively small, without significant “bass” sound, and should remain quieter than patron speech to avoid the Lombard, or “cocktail party” effect. To ensure this, speakers should not exceed a sound level of 62 dBA / 72 dBC at a distance of one metre from each speaker.
- The patio should be positioned within the northern most section of the courtyard, and not farther south, or atop any of the building roofs.
- The maximum patio capacity should be 120 people or less.
- If the patio will have a capacity of between 90 and 120 people, installation of acoustically absorptive panelling should be included in the patio design, to absorb and attenuate the reverberated/reflected sound within the patio area. The panelling should have a minimum NRC rating of 0.7 or greater (such as the Sound Silencer product from Acoustical Surfaces Inc.), and should be installed to the sides of the patio, with a combined (total) surface area of 33 m². If the capacity of the patio will be 90 people or less, absorptive panels will not be needed to meet the assessment criteria.
- Controls and procedures should be implemented by management to ensure that patrons remain respectful of the neighbouring residences and do not become overly boisterous. Management must also limit the volume of music and should not increase the sound levels above those listed above. These controls, along with the inclusion of acoustically absorptive panels to minimize reverberation, will prevent the Lombard effect, and mitigate the potential for disturbance due to the operation of a sound system along with patron conversation.

While the impact of mechanical equipment has not been assessed, the proponent should design the associated mechanical systems to meet the limits in the City of Toronto Noise By-Law, and any other relevant noise regulations

Community Consultation

As noted above, there have been two community consultation meetings regarding this application. The main concern from residents is the potential negative impact an outdoor patio could have on the adjacent residential properties. In response to this concern, the Zoning By-law Amendment was drafted to limit the size of any outdoor patio, and its location will be restricted to the ground floor. Furthermore, the results of the peer review of the Noise Impact Study concluded that there would be no adverse impact of an outdoor, ground-level patio on the adjacent residential district, and

recommended further noise mitigation strategies. It should also be noted that the internal courtyard is completely buffered from the residential districts to the south and west by the existing one-and-two-storey buildings themselves.

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 proposed Zoning By-law Amendment conforms to the Toronto Official Plan, as amended by the proposed Official Plan Amendment, particularly as the proposed uses would be compatible with the provisions of the *Neighbourhoods* policies, while the removal of certain permitted industrial uses would be more in conformity with the *Neighbourhoods* designation. Staff worked with the applicant to address and mitigate the potential impact of an outdoor patio on the adjacent residential districts.

The Official Plan Amendment and Zoning By-law Amendment will permit a wider range of office, retail, and service uses on the site that are more compatible with the adjacent residential districts than the current permissions allow for, generate job opportunities, and continue to encourage the adaptive re-use of the existing buildings on the subject site.

Staff recommend that Council support approval of the application.

CONTACT

Kirk Hatcher, Senior Planner
Tel. No. (416) 392-0481
E-mail: Kirk.Hatcher@toronto.ca

SIGNATURE

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

ATTACHMENTS

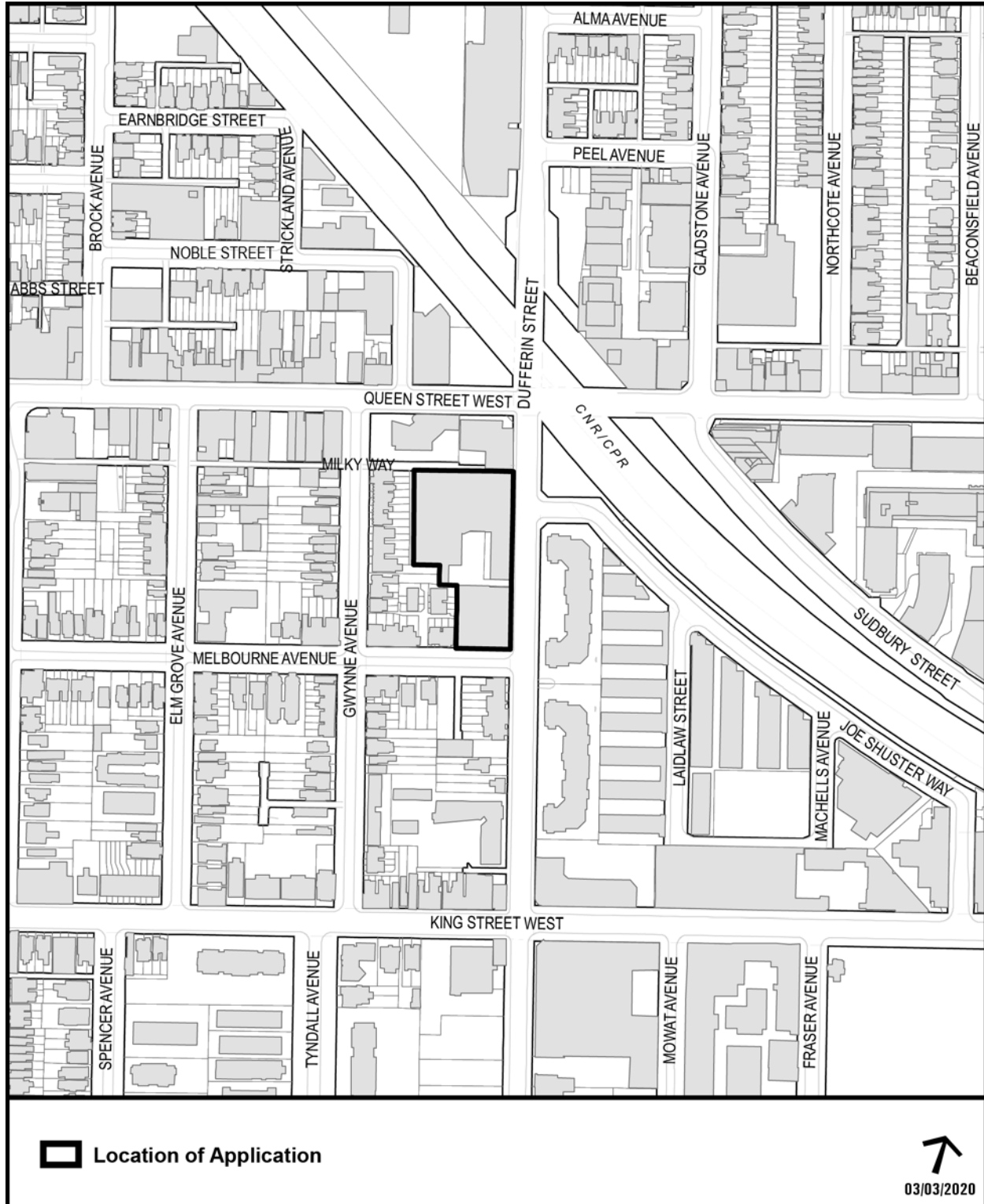
City of Toronto Data/Drawings

- Attachment 1: Location Map
- Attachment 2: Application Data Sheet
- Attachment 3: Official Plan Land Use Map
- Attachment 4: Existing Zoning By-law Map
- Attachment 5: Draft Official Plan Amendment
- Attachment 6: Draft Zoning By-law Amendment

Applicant Submitted Drawings

- Attachment 7: Site Plan

Attachment 1: Location Map



Attachment 2: Application Data Sheet

Municipal Address: 340-376R DUFFERIN STREET AND 2 MELBOURNE AVENUE Date Received: November 4, 2019

Application Number: 19 244664 STE 04 OZ

Application Type: OPA / Rezoning, OPA & Rezoning

Project Description: Official Plan and Zoning By-law Amendment application introduce the site into By-law 569-2013, and to modify the range of permitted employment uses on the site.

Applicant	Agent	Architect	Owner
HULLMARK DEVELOPMENTS LTD	CHRISTINA GLASS		HULLMARK SUN LIFE (340 DUFFERIN) LTD.

EXISTING PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:
Zoning:	I1 D2	Heritage Designation: N/A
Height Limit (m):	14	Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m):	7,445	Frontage (m):	129	Depth (m):	72
-------------------	-------	---------------	-----	------------	----

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	5,953	5,953		5,953
Residential GFA (sq m):				
Non-Residential GFA (sq m):	7,709	7,709		7,709
Total GFA (sq m):	7,709	7,709		7,709
Height - Storeys:	2	2		2
Height - Metres:				

Lot Coverage Ratio (%) 79.96 Floor Space Index: 1.04

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

Residential GFA:

Retail GFA:

Office GFA:

Industrial GFA:

Institutional/Other GFA: 7,709

Residential Units by Tenure	Existing	Retained	Proposed	Total
-----------------------------	----------	----------	----------	-------

Rental:

Freehold:

Condominium:

Other:

Total Units:

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
--	-------	----------	-----------	-----------	------------

Retained:

Proposed:

Total Units:

Parking and Loading

Parking Spaces:	41	Bicycle Parking Spaces:	22	Loading Docks:
-----------------	----	-------------------------	----	----------------

CONTACT:

Kirk Hatcher, Senior Planner

(416) 392-0481

Kirk.Hatcher@toronto.ca

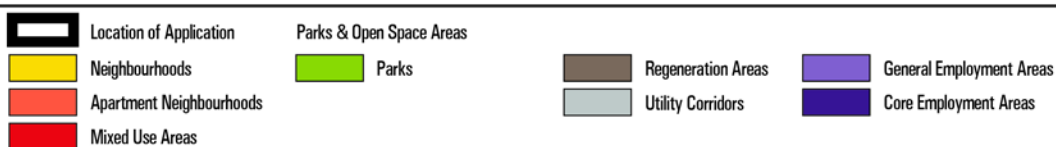
Attachment 3: Official Plan Land Use Map



340-376R Dufferin Street and 2 Melbourne Avenue

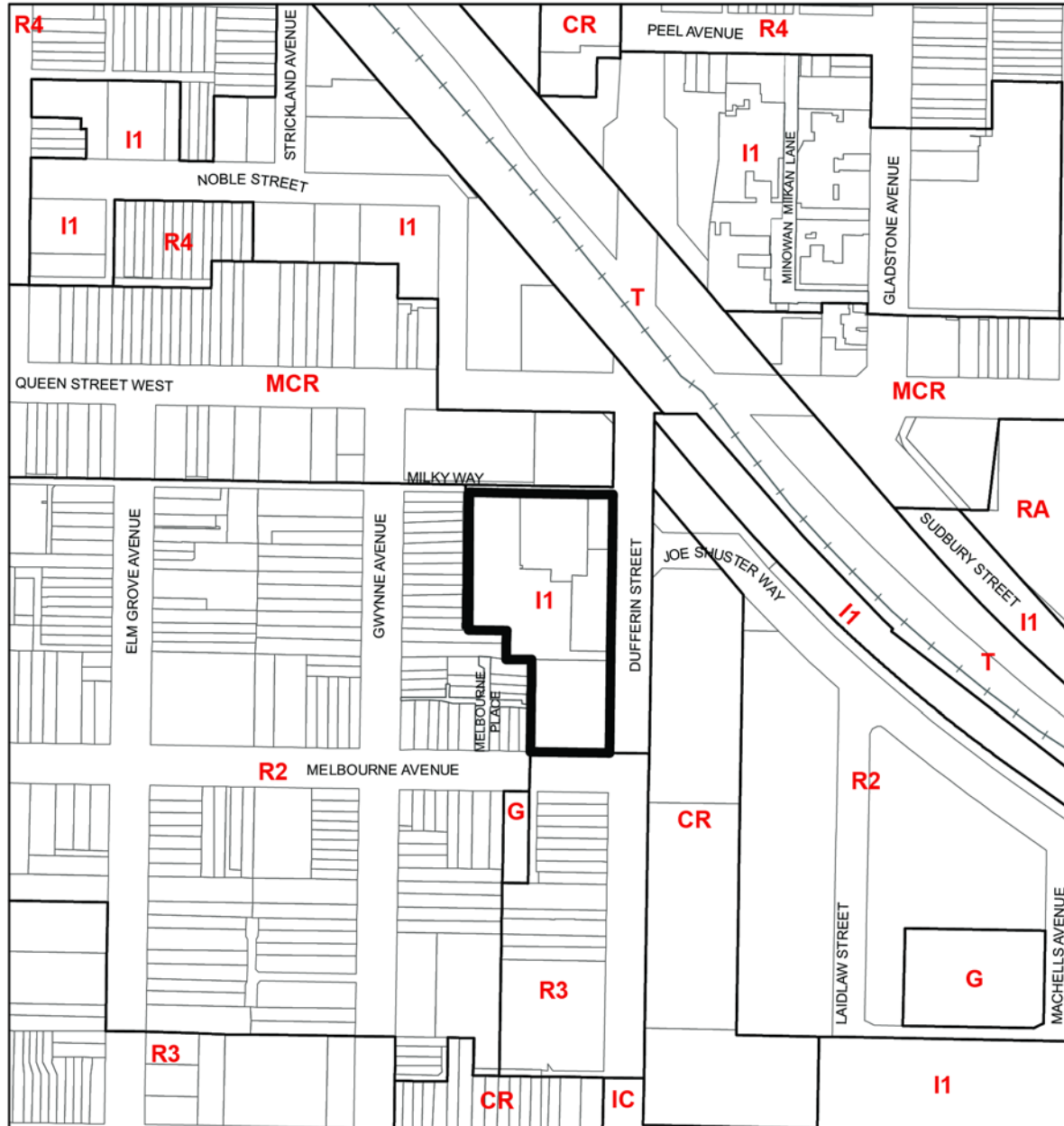
Official Plan Land Use Map

File # 19 244664 STE 04 02



Not to Scale
03/03/2020

Attachment 4: Existing Zoning By-law Map



340-376R Dufferin Street and 2 Melbourne Avenue

Zoning By-law 438-86

File # 19 244664 STE 04 0Z



Location of Application

R2	Residential	G	Open Space	T	Employment Industrial
R3	Residential	I1	Employment Industrial	CR	Commercial
R4	Residential	IC	Employment Industrial	MCR	Commercial
				RA	Commercial



Not to Scale
Extracted: 03/11/2020

Attachment 5: Draft Official Plan Amendment

Authority: Toronto and East York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO
Bill XXX
BY-LAW XXX

To adopt an amendment to the Official Plan for the City of Toronto respecting the lands known municipally in the year 2021, as
340-376R Dufferin Street and 2 Melbourne Avenue

Whereas authority is given to Council under the Planning Act, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act;

The Council of the City of Toronto enacts:

1. The attached Amendment No. 569 to the Official Plan is hereby adopted pursuant to the Planning Act, as amended.

Enacted and Passed this ~ day of ~, A.D. 20~.

Frances Nunziata, ULLI S. WATKISS,
Speaker City Clerk

(Seal of the City)

AMENDMENT NO. 569 TO THE OFFICIAL PLAN

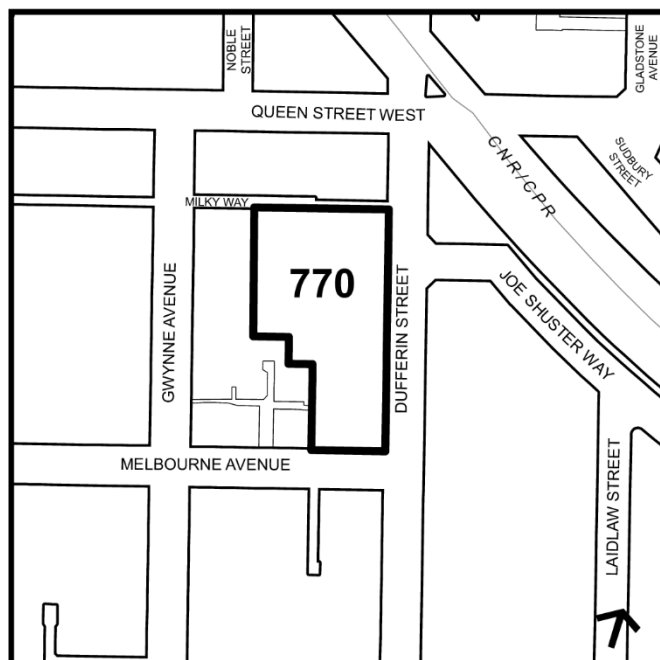
LANDS MUNICIPALLY KNOWN IN THE YEAR 2021 AS
340-376R DUFFERIN STREET AND 2 MELBOURNE AVENUE

The Official Plan of the City of Toronto is amended as follows:

1. Chapter 7, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy No. 770 for the lands known municipally in 2021 as 340-376R Dufferin Street and 2 Melbourne Avenue as follows:

770. 340-376R Dufferin Street and 2 Melbourne Avenue

Non-residential uses, including small-scale retail, service, restaurants, and offices, are permitted provided that they are compatible with the area and do not adversely impact adjacent residential uses.

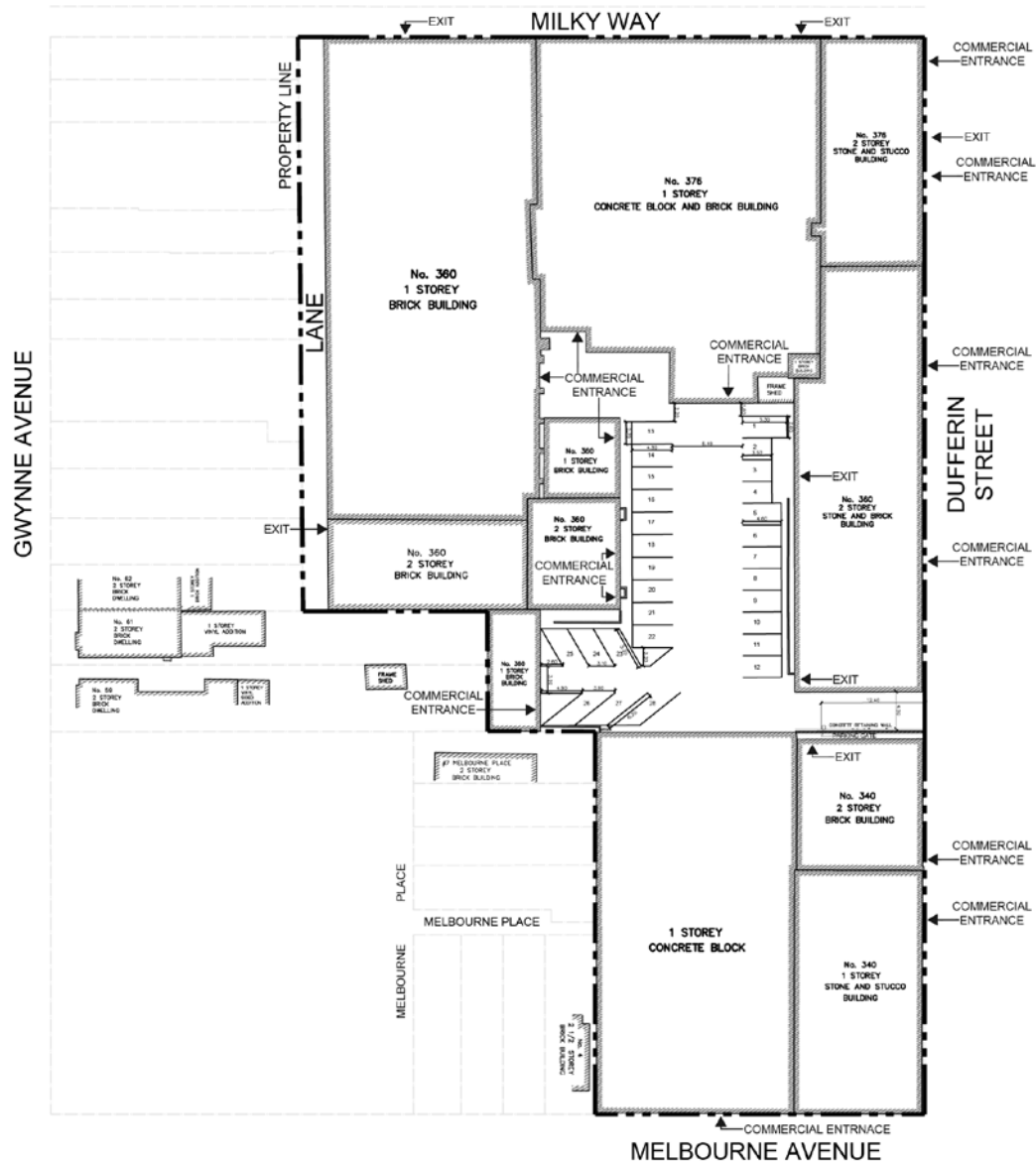


2. Chapter 7, Map 29, Site and Area Specific Policies, is revised to add the lands known municipally in 2021 as 340-376R Dufferin Street and 2 Melbourne Avenue as shown on the map above as Site and Area Specific Policy No. 770.

Attachment 6: Draft Zoning By-law Amendment City of Toronto Zoning By-law 569-2013

To be available at the February 16, 2022 Toronto and East York Community Council Meeting

Attachment 7: Site Plan



Site Plan

