

## **1-9 Oxford Drive – Official Plan and Zoning By-law Amendments Application – Request for Direction Report**

**Date:** January 5, 2023

**To:** Etobicoke York Community Council

**From:** Director, Community Planning, Etobicoke York District

**Wards:** 5 - York South-Weston

**Planning Application Number:** 22 114201 WET 05 OZ

### **SUMMARY**

---

On March 14, 2022, an application to amend the Official Plan, the former City of York Zoning By-law 1-83 and City of Toronto Zoning By-law 569-2013 for the property at 1-9 Oxford Drive was submitted to permit a residential development with a height of 26 storeys (88 metres in height, including mechanical penthouse). The proposal would result in a gross floor area of 18,989 square metres with a total of 278 residential units.

On August 29, 2022, the combined Official Plan and Zoning By-law amendments application was appealed to the Ontario Land Tribunal (OLT) citing City Council's failure to make a decision on the application within the prescribed timelines after the application was deemed complete. At the time this report was written, a Case Management Conference had not yet been scheduled.

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

### **RECOMMENDATIONS**

---

The City Planning Division recommends that:

1. City Council direct the City Solicitor and appropriate City staff to attend the Ontario Land Tribunal hearing in opposition to the current application regarding the Official Plan Amendment and Zoning By-law Amendment appeal for the lands at 1-9 Oxford Drive and to continue discussions with the applicant in an attempt to resolve outstanding issues.

2. In the event that the Ontario Land Tribunal allows the appeal, in whole or in part, City Council direct the City Solicitor to request that the issuance of any final Order(s) be withheld until such time as the City Solicitor advises the Ontario Land Tribunal that:

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

b. The owner has provided a revised Functional Servicing Report and a revised Stormwater Management Report, such reports to be reviewed to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;

c. The owner has provided a revised Transportation Impact Study, to be reviewed to the satisfaction of the General Manager, Transportation Services;

d. The owner has provided a revised Pedestrian Wind Study, such report to be reviewed with recommendations implemented as part of the amending Official Plan policies and Zoning By-laws and/or secured in a Site Plan Agreement, to the satisfaction of the Chief Planner and Executive Director, City Planning;

e. The owner has provided a revised Noise Impact Study and Vibration Study, such reports to be peer reviewed by a third-party consultant on behalf of the City and at the owner's expense, with recommendations to be implemented as part of the amending Zoning By-laws and/or secured in a Site Plan Agreement, to the satisfaction of the Chief Planner and Executive Director, City Planning; and

f. The owner has addressed all outstanding issues raised by Urban Forestry, provided a revised Tree Preservation Plan and a revised Landscape Concept Plan to the satisfaction of the General Manager, Parks, Forestry and Recreation.

3. Should it be determined that upgrades are required to the infrastructure to support the development according to the accepted Functional Servicing Report and/or the Transportation Impact Study, City Council direct the City Solicitor and appropriate City staff to request that a Holding provision (H) be included in the final form of the site-specific Zoning By-law Amendment, not to be lifted until such time as the owner has made satisfactory arrangements, including entering into appropriate agreement(s) with the City for the design and construction of any improvements to the municipal infrastructure and the provision of financial securities to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and General Manager, Transportation Services.

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

## **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**

---

### **City-Initiated Picture Mount Dennis Planning Framework Study and Mount Dennis Secondary Plan**

On March 10, 2016, City Council directed City Planning staff to undertake a review of the current planning framework for the Mount Dennis area including: built form; density; building heights; and public realm. City Council directed staff to consult with the community, landowners and stakeholder groups, and to report back on the findings of the review and to provide recommendations for changes, if necessary, to the planning framework for the study area. The motion can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.EY12.30>

On July 23, 2018, City Council considered a Status Report from City Planning and directed City Planning to undertake a review and update of the planning framework for the Mount Dennis area generally along Weston Road between Jane Street and Humber Boulevard/Black Creek Drive, including those lands between Weston Road and Black Creek Drive fronting Eglinton Avenue West, and including those lands subject to Official Plan Site and Area Specific Policy Nos. 39, 40, 41, 42, 43, 53 and 320. The motion can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.EY32.21>

On January 5, 2022, Etobicoke York Community Council considered a Status Report on the Picture Mount Dennis Planning Framework Study that included the findings, policy recommendations and input received through a comprehensive consultation process of the three phases of the Picture Mount Dennis Study, which was set out in the consultant's final report. The purpose of the status report was to provide an overview of the study process to that date, summarize community and Indigenous engagement input, and make recommendations on the next steps required to bring forward an area-based Official Plan Amendment. Community Council requested, among other matters, that staff make best efforts to bring forward a proposed Official Plan Amendment for the Mount Dennis study area by June of 2022, continue to consult with the community as necessary in the development of the policy framework, and advance for 2023 the supporting implementation tools including the draft zoning by-law amendment and draft urban design guidelines. The decision can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.EY29.2>

On July 19, 2022, City Council adopted Official Plan Amendment (OPA) 571 including the Mount Dennis Secondary Plan. City Council directed staff to use the Mount Dennis Secondary Plan in the evaluation of all current and new development proposals within its boundaries and authorized that development may proceed by site-specific Zoning By-law Amendments that conform to the Mount Dennis Secondary Plan. City Council adopted OPA 571 through By-law No. 975-2022 and requested staff, through a next phase of work, to prepare a zoning by-law amendment, urban design guidelines, and a Community for All Action Plan (including an anti-displacement strategy), and to carry out

related community engagement. The decision and By-law No. 975-2022 can be found here: [Agenda Item History - 2022.EY33.11 \(toronto.ca\)](#)

Between August 9 and August 18, 2022, OPA 571 was appealed to the OLT by multiple parties including the applicant for the subject application citing concerns with the built form policies of the Mount Dennis Secondary Plan. A Case Management Conference was held on December 8, 2022 (OLT Case No. OLT-22-004277). At the Case Management Conference, the parties agreed to request OLT led mediation. Currently, no dates have been scheduled for the mediation.

## **Subject Application**

A pre-application consultation meeting was held on September 2, 2021. The current application was submitted and deemed complete on April 19, 2022. A Preliminary Report has not been considered by Etobicoke York Community Council as this application was appealed prior to one being prepared.

## **THE SITE**

---

### **Description**

The subject site is located on the southeast side of Oxford Drive, approximately 30 metres north of Weston Road (see Attachment 2: Location Map). The site is generally rectangular in shape and is the consolidation of five properties. The site is approximately 1,569 square metres in area, with a frontage of approximately 45 metres on Oxford Drive.

### **Existing Use**

The site is currently occupied by four detached dwellings and one semi-detached dwelling ranging from one to two storeys in height.

## **THE APPLICATION**

---

### **Proposed Uses**

The site is designated *Mixed Use Areas* and the application proposes one new residential building.

### **Height**

The proposed building would be 26 storeys tall (88 metres, including mechanical penthouse) with a six-storey base building.

### **Density (Floor Space Index)**

The site would have a density of 12.1 times the area of the lot.

## **Unit Breakdown**

There would be 278 dwelling units, of which 19 would be studio units (6 percent), 151 would be one-bedroom units (54 percent), 71 would be two-bedroom units (26 percent) and 37 would be three-bedroom units (13 percent).

## **Parking**

There would be three levels of underground parking with a total of 95 spaces including 15 visitor parking spaces.

There would be 280 bicycle parking spaces including 252 long-term spaces and 28 short-term spaces.

## **Loading**

The proposal includes one Type 'G' loading space to be accessed from the drive aisle on the north side of the building.

## **Amenity Space**

The proposal would include 610 square metres of indoor amenity space (2.19 square metres per unit) and 511 square metres of outdoor amenity space (1.83 square metres per unit).

## **Additional Information**

See Attachments 1-7 of this report for a location map, project data information, three-dimensional representations of the project in context and a site plan of the proposal. Detailed project information including all plans and reports submitted as part of the application can be found on the City's Application Information Centre at: <http://app.toronto.ca/AIC/index.do?folderRsn=wRud%2FNRqFCT%2BLe6yNOWBZQ%3D%3D>

## **Reasons for Application**

Amendments to the Official Plan, former City of York Zoning By-law 1-83 and city-wide Zoning By-law 569-2013 are required to exempt the lands from Site and Area Specific Policy (SASP) 39 and SASP 53, establish site-specific policies to address the proposed scale of development, and create site-specific zoning provisions to permit the proposed building type, density, building height, setbacks, lot coverage and other development standards as necessary to accommodate the proposal.

## **Site Plan Control**

The proposal would be subject to Site Plan Control. A Site Plan Control application has not yet been submitted.

## **POLICY CONSIDERATIONS**

---

### **Provincial Land-Use Policies**

All decisions of City Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement (PPS), and shall conform to provincial plans.

### **Official Plan and Secondary Plan**

The Official Plan designates the subject site as *Mixed Use Areas*, which are meant to accommodate most of the anticipated increase in retail, office and service employment, and much of the new housing.

The subject site is located in the Mount Dennis Secondary Plan Area. The Mount Dennis Secondary Plan was adopted by City Council on July 19, 2022 and provides a framework for the area to grow as an inclusive complete community that is shaped through diversity, affordability and cultural heritage. The Secondary Plan sets the policy framework to assist in the implementation of the urban structure and growth management objectives of the City. Secondary Plan Map 2 – Districts Plan identifies the subject site within District 5: Mixed-Use Growth which will accommodate the majority of new growth in the Plan Area. Priorities for new development will include the provision of new public spaces, residential density to support the Weston Road commercial main street, and may hold potential as a possible location for a post-secondary campus or satellite facility.

Staff note that although the Mount Dennis Secondary Plan has been appealed to the OLT, staff have been directed by City Council to use the Mount Dennis Secondary Plan in the evaluation of all current and new development proposals within its boundaries and Council has authorized that development may proceed by site-specific Zoning By-law Amendments that conform to the Mount Dennis Secondary Plan.

The site is within a major transit station area (MTSA) generally defined by The Growth Plan (2020) as the area within an approximately 500 to 800-metre radius of a transit station. The Growth Plan requires that, at the time of the next municipal comprehensive review (MCR), the City update its Official Plan to delineate MTSA boundaries. The Secondary Plan is centred on the under-construction Mount Dennis Station with access from Eglinton Avenue West near Weston Road. Following on a City Council motion recommending inclusion of the area around Mount Dennis Station as a PMTSA, City Planning staff are undertaking additional market analysis in the area through the City's Inclusionary Zoning Policy Study.

The site is subject to Site and Area Specific Policy No. 39 (SASP 39) and Site and Area Specific Policy No. 53 (SASP 53). SASP 39 applies to lands bounded by Ray Avenue, Denarda Street, Oxford Drive and Locust Street (see Attachment 5: Local SASPs). SASP 53 applies to the Mount Dennis Area defined as being bounded by Rutherford Avenue in the north, the rail corridor to the east, Bushey Avenue to the south and Fergy Brown Park to the west (see Attachment 5: Local SASPs). Staff note that the Mount Dennis Area defined by SASP 53 does not correspond directly to the Mount Dennis Secondary Plan, which covers a larger area.

## **Zoning**

Under city-wide Zoning By-law 569-2013, the site is zoned Commercial Residential (CR) (c2.0; r2.0) (SS2), with the exception of 9 Oxford Drive which is zoned Residential Apartment Commercial (RAC) (u428)(x140). The site is also zoned Local Commercial Residential (LCR) under the former City of York By-law 1-83, with the exception of 9 Oxford Drive which is zoned Residential Multiple (RM1) S16 (237).

The CR zone permits a height limit of 15 metres and five storeys, a maximum residential density of 2.0 times the area of the lot, a non-residential density of 2.0 times the area of the lot, and is subject to Development Standard Set 2. The CR zone permits apartment buildings, mixed use buildings and townhouses, with conditions.

## **Design Guidelines**

The following design guidelines are relevant in the consideration of the proposal: Tall Building Design Guidelines; Growing Up: Planning for Children in New Vertical Communities; Draft Urban Design Guidelines for Privately-Owned Publicly Accessible Spaces; and Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings. Design guidelines can be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

## **Toronto Green Standard**

The Toronto Green Standard (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. The TGS can be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/toronto-green-standard/>

## **COMMUNITY CONSULTATION**

---

A Community Consultation Meeting was not held for this application as the application was appealed before one could be scheduled.

## **COMMENTS**

---

### **Provincial Framework**

Staff's review of this application has regard for the relevant matters of provincial interest set out in the *Planning Act*. Staff have reviewed the current proposal for consistency with the Provincial Policy Statement (PPS), and conformity with the Growth Plan. Staff do not find the proposal to be consistent with the PPS and does not conform with the Growth Plan.

## Land Use

The Official Plan identifies *Mixed Use Areas* as being made up of a broad range of residential, commercial and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities. Official Plan Policy 4.5.2 requires development to locate and mass new buildings provide a transition between areas of different development intensity and scale by providing appropriate setbacks and/or stepping down of heights, to locate and mass new buildings to frame the edges of streets with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces. The proposed setbacks are insufficient to provide an appropriate scale and transition to the surrounding area.

Secondary Plan policies encourage development to support the economic function of Mount Dennis by achieving a balance of residential and job growth. District 5: Mixed-Use Growth is identified as the district which will accommodate the majority of new growth in the Mount Dennis Secondary Plan area and will include the provision of new public spaces and residential density. Although residential uses are a priority for District 5, offices are also strongly encouraged within development that is within walking distance (500 to 800 metres) of Mount Dennis Station within *Mixed Use Areas*. Staff strongly encourage the applicant to include office uses in the building.

## Existing and Planned Context of the Mount Dennis Area

The Built Form policies of the Official Plan direct new development to fit harmoniously into its existing and/or planned context by creating appropriate transitions in scale to existing and/or planned buildings. Further, development in *Mixed Use Areas* will locate and mass new buildings to provide appropriate transition towards areas of different intensity and scale.

The Mount Dennis Secondary Plan identifies District 5: Mixed-Use Growth as accommodating buildings up to 45 storeys with a height peak near Mount Dennis Station. Priorities for new development will include the provision of new public spaces and residential density to support the Weston Road main street.

The existing built form in District 5: Mixed-Use Growth, north of Eglinton Avenue West, includes buildings with varying heights including: a 35-storey apartment building recently approved by the OLT and currently being reviewed through the Site Plan Control process (8-16 Locust Street and 15 Oxford Drive), a 10-storey apartment building (15 Oxford Drive); 15-storey apartment building (30 Denarda Street); and one to two-storey detached dwellings and semi-detached dwellings on Hollis Street, Locust Street and Oxford Drive. Weston Road is a major commercial main street in proximity of the site and is identified with District 4: Mixed-Use Main Street in the Secondary Plan.

The Official Plan *Mixed Use Areas* designation and the Mount Dennis Secondary Plan envision the redevelopment of the existing one to two-storey detached and semi-detached dwelling stock within District 5.



## **Built Form**

### Base Building Massing and Streetwall

The Mount Dennis Secondary Plan requires tall buildings to include a base building that is generally no higher than four storeys and includes a tower stepback of approximately five metres or greater. Additionally, the Tall Buildings Design Guidelines identify parameters for building placement within an existing and planned context, including the direction to maintain the character of existing soft landscaped streetscapes by providing generous setbacks for trees and plantings, as well as high-quality, grade-related landscaped open space for at least 25 percent of total site area. The Mount Dennis Secondary Plan contains numerous policies that emphasize development set with a landscape of open spaces that are interconnected from block-to-block to support mature tree planting, environmental sustainability and continuous pedestrian movements throughout the community.

The application proposes a base building of six storeys in height. The base building is proposed to have a front yard setback of zero metres fronting Oxford Drive, a northern side yard setback of zero metres, southern side yard setback of zero metres and a rear yard setback of 1.2 metres. In addition, the application proposes a blank wall along the southern property line towards Weston Road.

The proposed base building portion does not exhibit an appropriate height or appropriate setbacks. In its current form, the base building does not fit harmoniously with the existing or planned context of Oxford Drive, does not conform with the policies of the Official Plan, Mount Dennis Secondary Plan and does not follow the direction of the Tall Buildings Design Guidelines.

### Tower Height and Massing

City Planning staff have reviewed the proposed built form, including height, massing and transition, against the policies of the Official Plan, including the Mount Dennis Secondary Plan; Tall Building Design Guidelines; as well as other relevant guidelines.

The proposed height of 27 storeys is in keeping with the direction of the Mount Dennis Secondary Plan to accommodate buildings with a maximum height of approximately 45 storeys surrounding Mount Dennis Station and the rail corridor and transitioning down in height as distance from the station increases.

Official Plan policies within Section 3.1.3 – Building Types require the limiting and shaping of tower floor plates above base buildings in order to fit within existing and planned context, allow for design criteria set out in policy to be met as relate to the liveability of the public realm, and to provide access to daylight and protect privacy of interior spaces. While the overall building height is in keeping with the planned context, the proposed building setbacks, tower stepbacks and separation distances are not sufficient to accommodate a tall building. The Mount Dennis Secondary Plan requires development to incorporate good transition in scale to the existing and planned context. The Mount Dennis Secondary Plan identifies tall to tall built form transition as being achieved through the application of separation distance, orientation of the tower portions of the buildings and building setbacks. The Plan identifies a minimum tower

separation distance of between 25 metres to 30 metres, requiring minimum tower setbacks of between 12.5 metres to 15 metres.

Although the timing of redevelopment of any adjacent property is presently unknown, development potential must be protected for the long-term. "First-to-the-post" development, where the development potential on adjacent properties is negatively impacted or limited due to a proposal failing to provide adequate setbacks, separation distances or other such built form requirements on-site to meet City policies and standards, does not represent good planning.

The application proposes tower setbacks that are inadequate on all four sides, with a tower setback of only 1.5 metres from the front property line, four metres from the north property line, 4.5 metres from the south property line, 1.2 metres for almost half of the east property line and 11.07 metres for the remainder of the east property line.

Although the site location is planned for mid-rise to tall buildings, this particular site does not have sufficient space to accommodate a tall building that would be compliant with all applicable policies, guidelines and requirements. The Tall Building Design Guidelines indicate that sites that cannot provide the minimum tower setbacks and stepbacks may not be appropriate for tall buildings.

### **Sun, Shadow, Wind**

This application has been reviewed against the Official Plan policies and design guidelines described in the Policy Considerations section of the report. The Official Plan requires new development to locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces. The Secondary Plan further requires tall building proposals to minimize the negative shadows on adjacent streets and neighbouring private properties. The Shadow Impact Study shows shadows cast on properties to the north, including Flora Voisey Park, and west of the subject site during the spring and fall.

The wind study has identified various areas with significant and dangerous wind conditions that would require serious mitigation measures through revisions to the building massing and entrance reconfigurations.

A revised wind assessment and shadow impact study would be required should the design of the building be altered from the proposal in its current form.

### **Unit Mix and Housing**

The Growth Plan (2020) recognizes the importance of planning for a range and mix of uses on lands near existing and planned frequent transit, including second units and affordable housing to support existing and planned transit service levels. The building is proposed to be rental and no affordable housing units are being proposed.

The proposal provides for a total of 278 residential units, consisting of: 19 studio units (6 percent), 151 (54 percent) one-bedroom units; 71 (26 percent) two-bedroom units; and

37 (13 percent) three-bedroom units. The proposed percentage of two- and three-bedroom units is only slightly below the Mount Dennis Secondary Plan requirement that a minimum 40 percent of units be two- and three-bedroom units. Staff recommend a minor increase in two- and three-bedroom units to fully comply with the targets set out in the Secondary Plan.

The Growing Up Guidelines also recommend ideal unit sizes for two-bedroom units (90 square metres) and three-bedroom units (106 square metres). The Mount Dennis Secondary Plan provides direction for residential units to include, where appropriate: storage space; operable windows; bedrooms that contain closets and an operable window on an exterior wall; and the provision of balconies or terraces. The proposed unit sizes generally meet the intent of the recommended unit size range articulated in the Growing Up Guidelines. Providing some larger residential unit sizes would better accommodate a diverse range of household sizes and incomes.

### **Amenity Space**

The Official Plan indicates that amenity spaces are encouraged to be high quality and well-designed and states that outdoor amenity spaces should have access to daylight and direct sunlight, and have comfortable wind, shadow, and noise conditions, and promote use in all seasons.

The proposal provides for 511 square metres outdoor amenity space (1.83 square metres per dwelling unit) and 610 square metres of new indoor amenity space (2.19 square metre per dwelling unit). Required increases in setbacks and open space at grade to meet the relevant policies and guidelines could be utilized to contribute towards an increase in outdoor amenity area.

The Mount Dennis Secondary Plan requires development in District 5: Mixed-Use Growth to provide open space at grade, taking the form of forecourts, urban gardens, plazas, or courtyards. Guideline 4.1.1 of the Pet Friendly Guidelines indicates that 10 percent of amenity space should be allocated as pet friendly spaces – including pet relief areas, wash stations, and off-leash areas. A pet relief area is required for the site as part of the outdoor amenity space.

In its current form, the proposal splits the outdoor amenity space between the second and seventh floors. Staff recommend that the portion of outdoor amenity space on the second storey be moved to the ground floor level by replacing the former vehicle access with an outdoor amenity and pet relief zone to create a more comfortable outdoor amenity area.

### **Traffic Impact, Access, Parking**

A Transportation Impact Study, prepared by WSP, dated January 24, 2022, was submitted assessing the traffic impacts of the proposal. The TIS report estimated that the revised development proposal would generate approximately 53 and 64 vehicle trips during the weekday morning and afternoon peak hours, respectively. The consultant concludes that the traffic impacts of the development proposal on the boundary road network are minimal and the auto trip generation can be readily accommodated by the

study road network. Transportation Planning accepts the trip generation and trip distribution conditions as presented.

The development is proposed to be serviced by a driveway connection to Oxford Drive, acting as the primary entrance for both underground parking at the southwest corner of the building and loading at the northwest. The proposed development would provide one Type 'G' loading space which would satisfy the minimum loading requirements according to Zoning By-law 569-2013.

The proposed development would provide a total of 95 vehicular parking spaces, including 80 spaces for residents and 15 for visitors, forming a combined parking rate of 0.34 spaces per unit. Six of these spaces are proposed to be accessible. The Transportation Impact Study concludes that the proposed parking supply ratios are adequate relative to the City's change towards removal of minimum parking rates and the site context. Transportation Services accepts these parking provisions as presented.

A total of 280 bicycle parking spaces, including 28 short-term and 252 long-term spaces, are provided as part of the development. This supply satisfies the City's bicycle parking requirements for the proposed development. The applicant should consider pavement treatment on parking levels with bicycle parking to indicate where cyclists will be expected and consider equipping all stairwells with bicycle ramps as well as the use of pavement markings and mirrors to ensure ease of access for cyclists. Given the site's location and proximity to planned and existing higher order transit, the applicant should consider contributions to and/or on-site provision of a Bike Share Toronto facility.

## **Streetscape**

The Official Plan requires that new development enhance the existing streetscape by massing new development to define the edges of streets with good proportion. The Official Plan also requires that attention be given to the streetscape by ensuring that these areas are attractive, comfortable and function for pedestrians through landscaping and setbacks and create attractive transitions from the public to private realms.

The Public Realm policies of the Official Plan and the Mount Dennis Secondary Plan recognize that a well-designed public realm is developed by creating comfortable, inviting, safe and accessible streets, parks and open spaces, which are vital elements in creating a vibrant city.

The proposed inadequate building setbacks, grade-related open space and landscaping do not support a comfortable public realm and do not achieve the environmental sustainability and pedestrian connectivity objectives of the applicable policies and guidelines.

## **Servicing and Stormwater Management**

The applicant submitted a Functional Servicing Report and a Stormwater Management Report, both dated January 28, 2022 and prepared by WSP. The Functional Servicing Report concludes that the existing municipal infrastructure for water distribution, sanitary sewers and storm sewers can adequately accommodate the proposal with no

adverse impacts to the system. Engineering and Construction Services staff have identified a number of revisions required to the Functional Servicing and Stormwater Management Report.

A revised Functional Servicing and Stormwater Management Report is required to be submitted to Engineering and Construction Services, for review and acceptance, to determine the storm water runoff, sanitary flow, and water supply demand resulting from this development and whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposal. Further, the applicant would also be required to make satisfactory arrangements with Engineering and Construction Services and enter into the appropriate agreement with the City for the design and construction of any improvements to the municipal infrastructure to support the development in accordance with an accepted Functional Servicing Report accepted by the Chief Engineer and Executive Director of Engineering and Construction Services.

### **Noise Impact Study**

A Noise Feasibility Study, dated January 28, 2022, was prepared by J. E. Coulter Associates Ltd. and submitted by the applicant in support of the application. The predominant sources of transportation noise with the potential to affect the proposed development were identified as road traffic from Weston Road and Eglinton Avenue, the Metrolinx Weston/Mactier Subdivision and the Eglinton LRT Maintenance Storage Facility. The study recommended that air conditioning be installed in all suites to allow for windows to remain closed as well as noise mitigation measures including the use of upgraded glazing and a noise barrier on the proposed seventh floor outdoor amenity area on the east side of the building. Also recommended were the inclusion of noise warning clauses in Purchase and Sale Agreements related to transportation noise in outdoor amenity spaces and certain indoor areas.

City staff will retain a third-party consultant to undertake a peer review of this study, at the cost of the applicant. The review may be undertaken later in the review process once the design of the building and site are further evolved.

### **Open Space/Parkland**

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the owner will be required to satisfy the parkland dedication requirement through cash-in-lieu. The residential component of this proposal would be subject to a cap of 10 percent parkland dedication. The value of the cash-in-lieu of parkland dedication is to be appraised through Real Estate Services and payment would be required prior to the issuance of the first above grade permit.

### **Tree Preservation**

An Arborist Report, a Tree Preservation Plan and a Landscape Concept Plan were submitted in support of the proposal. The proposal indicates two privately owned trees are to be removed. In regards to tree planting, no information has been provided by the applicant regarding tree species, tree size, the quantity of tree species and soil volume amount on the submitted Landscape Plans. Further, the proposed Landscape Plans do

not provide adequate well-located amenity areas, with the soil volume only meeting 33 percent of the minimum requirements for the site. The proposed 0.6-metre wide planters lining the driveway access and the three proposed street trees are insufficient.

Staff advise that the submitted Landscape Plans are not acceptable and request significant revisions be made to address the City's Official Plan and Council's objectives to increase tree canopy cover.

### **Toronto Green Standard**

The applicant is required to meet Tier 1 of the TGS and 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.

### **School Boards**

The Toronto District School Board (TDSB) advised that there is sufficient capacity anticipated at the local schools to accommodate the new development.

The Toronto Catholic District School Board (TCDSB) advised that the local elementary school is operating close to capacity and may not be able to accommodate additional students. Therefore, the projected accommodation levels at its local schools as a result of this development would require a TCDSB warning clause in future offers of residential purchase agreements, and the posting of signs on the site to advise residents that students may be accommodated in schools outside of the immediate area.

### **Further Issues**

City Planning continues to receive additional information regarding this application as a result of ongoing review by City commenting divisions and materials submitted in response to the proposal. City Planning staff may also be required to evaluate supplementary or revised plans and supporting materials submitted by the applicant after the date of this report. As a result, staff may continue to identify further issues or supplement the reasons provided in this report. Where substantive changes to the proposal are made by the applicant, staff may report back to City Council as necessary.

## **CONCLUSION**

---

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), the Toronto Official Plan, the Mount Dennis Secondary Plan (OPA 571), the City-Wide Tall Building Design Guidelines and other city-wide guidelines. The current proposal is not supportable until issues related to the streetwall height, building setbacks and open space, tower setbacks and separation distances are revised to better fit with and complement the existing and planned context of the area, among other matters identified in this report.

## **CONTACT**

---

Emilia Sasso, Planner, Community Planning  
Tel. No.: 416-394-2615  
E-mail: [Emilia.Sasso@toronto.ca](mailto:Emilia.Sasso@toronto.ca)

## **SIGNATURE**

---

Michael Mizzi, MCIP, RPP  
Director, Community Planning  
Etobicoke York District

## **ATTACHMENTS**

---

Attachment 1: Location Map  
Attachment 2: Application Data Sheet  
Attachment 3: 3D Model of Proposal in Context Looking Southwest  
Attachment 4: 3D Model of Proposal in Context Looking Northeast  
Attachment 5: Site Plan  
Attachment 6: Official Plan Land Use Map  
Attachment 7: Existing Zoning By-law Map

## Attachment 1: Location Map





**APPLICATION DATA SHEET****Municipal Address:** 9 OXFORD DR **Date Received:** February 14, 2022**Application Number:** 22 114201 WET 05 OZ**Application Type:** OPA / Rezoning, OPA & Rezoning

**Project Description:** The proposed development will have a podium element with ground-level units. The podium will rise to four storeys as the street wall height, with the 5th and 6th storeys stepped back from the street. The tower portion will step back further and sit atop the podium and rise to 26 storeys. The building will have three levels of underground parking with a vehicle access from Oxford Drive on the south side of the site. Service vehicles will access from Oxford Drive on the north side of the site.

<b>Applicant</b>	<b>Agent</b>	<b>Architect</b>	<b>Owner</b>
TROLLEYBUS URBAN DEVELOPMENT INC			FLAMBO AGASEN

**EXISTING PLANNING CONTROLS**

Official Plan Designation:

Site Specific Provision:

Zoning:

Heritage Designation:

Height Limit (m):

Site Plan Control Area:

**PROJECT INFORMATION**

Site Area (sq m):	1,569	Frontage (m):	45	Depth (m):	38
-------------------	-------	---------------	----	------------	----

<b>Building Data</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Ground Floor Area (sq m):	473		1,491	<b>1,491</b>
Residential GFA (sq m):	681		18,989	<b>18,989</b>
Non-Residential GFA (sq m):				
<b>Total GFA (sq m):</b>	<b>681</b>		<b>18,989</b>	<b>18,989</b>
Height - Storeys:			28	<b>28</b>
Height - Metres:			88	<b>88</b>
Lot Coverage Ratio (%):	95.03	Floor Space Index:	12.1	

<b>Floor Area Breakdown</b>	<b>Above Grade (sq m)</b>	<b>Below Grade (sq m)</b>
Residential GFA:	18,989	
Retail GFA:		
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

<b>Residential Units by Tenure</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Rental:				
Freehold:				
Condominium:			278	278
Other:				
<b>Total Units:</b>			<b>278</b>	<b>278</b>

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

	<b>Rooms</b>	<b>Bachelor</b>	<b>1 Bedroom</b>	<b>2 Bedroom</b>	<b>3+ Bedroom</b>
Retained:					
Proposed:		19	151	80	28
<b>Total Units:</b>		<b>19</b>	<b>151</b>	<b>80</b>	<b>28</b>

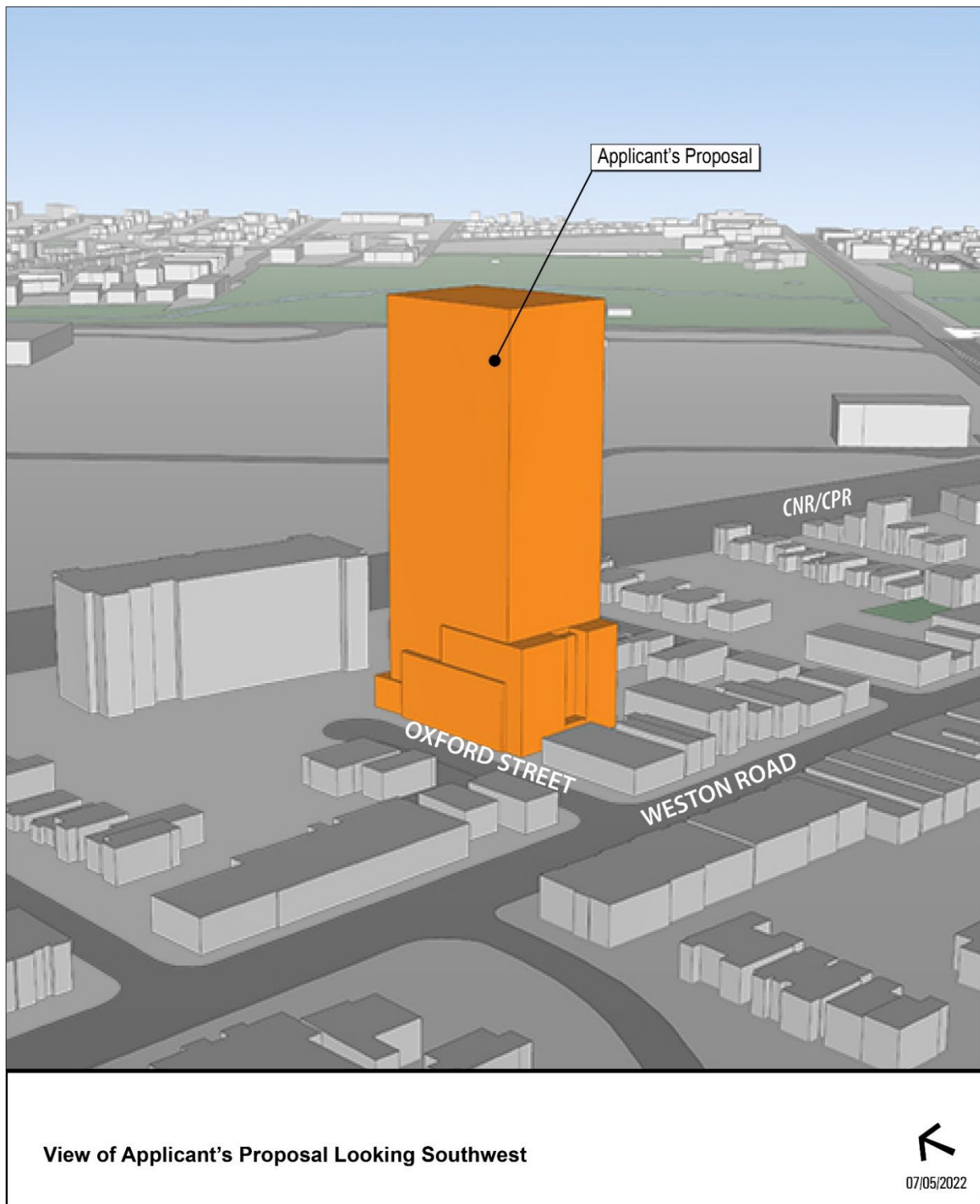
#### **Parking and Loading**

Parking Spaces: 95      Bicycle Parking Spaces: 280      Loading Docks: 1

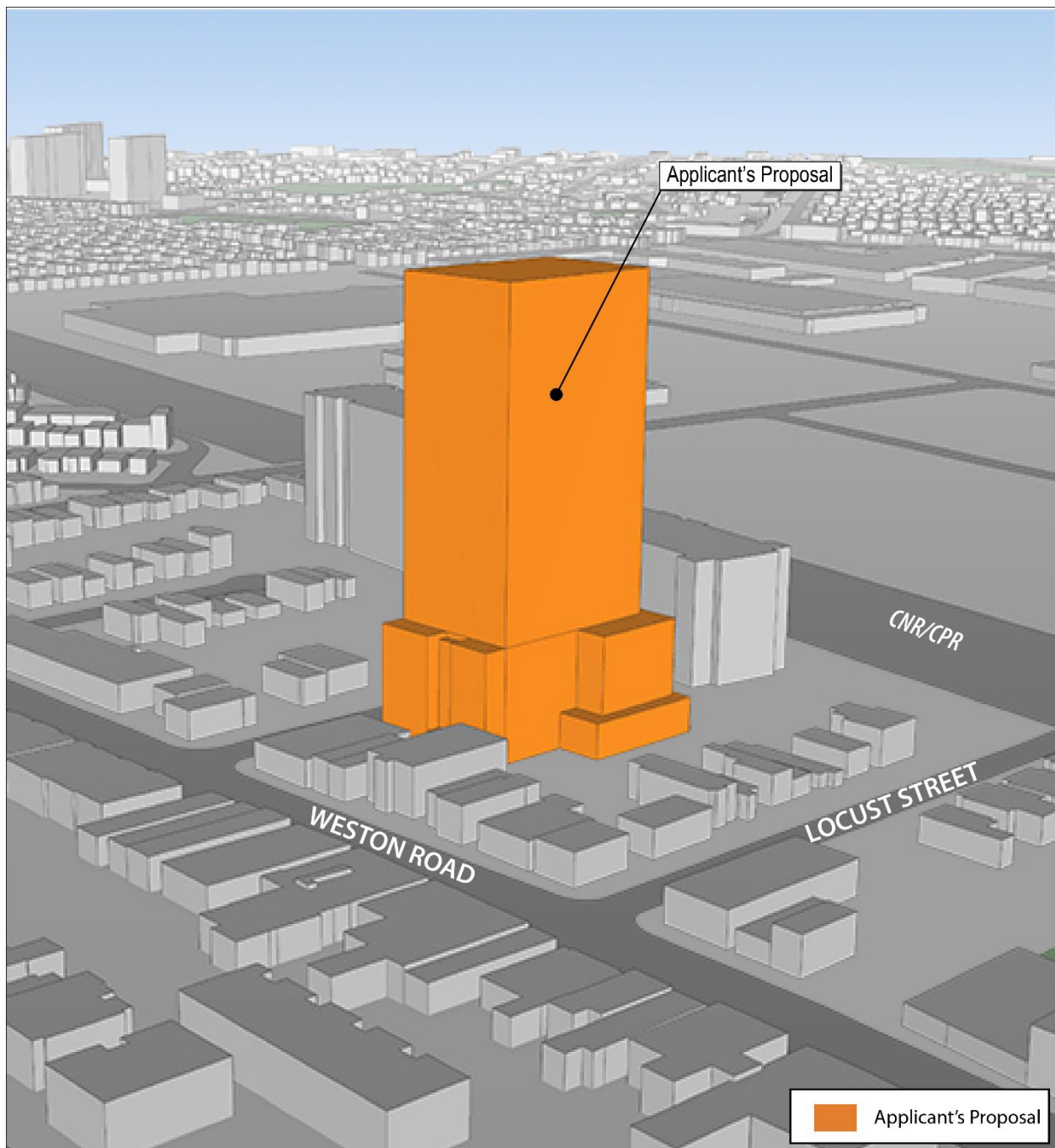
#### **CONTACT:**

Emilia Sasso, Planner  
416-394-2615  
Emilia.Sasso@toronto.ca

Attachment 3: 3D Model of Proposal in Context, Looking Southwest



#### Attachment 4: 3D Model of Proposal in Context, Looking Northeast

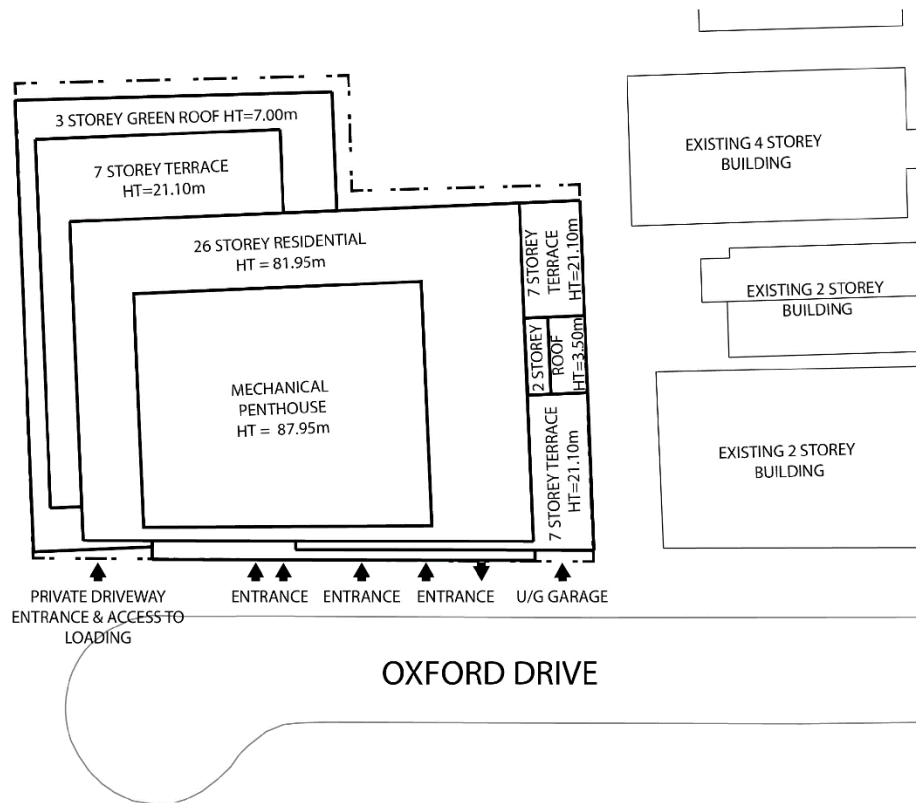


**View of Applicant's Proposal Looking Northeast**



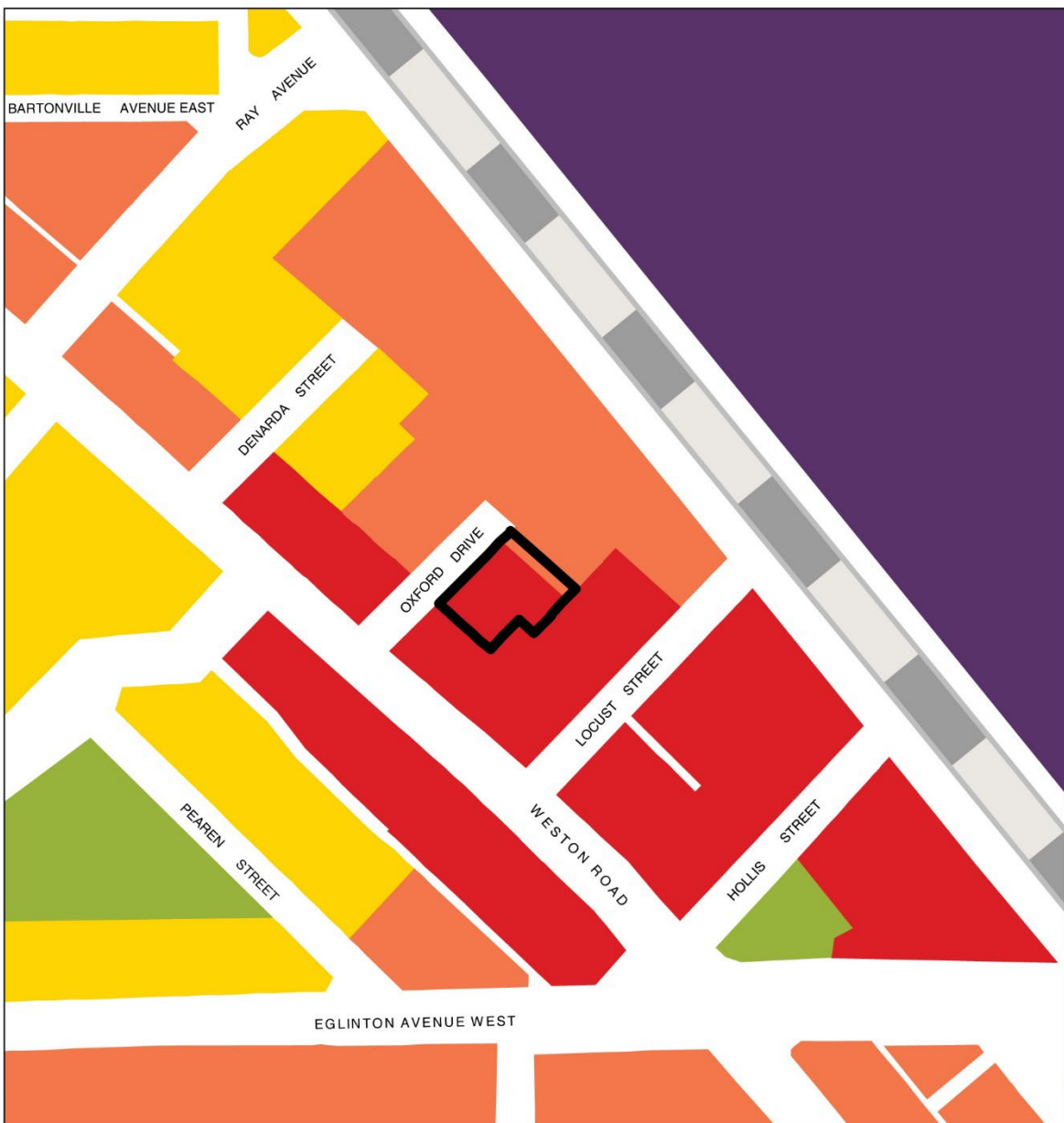
07/05/2022

## Attachment 5: Site Plan



Site Plan

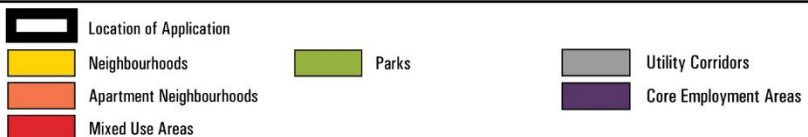
## Attachment 6: Official Plan Land Use Map



Official Plan Land Use Map #14

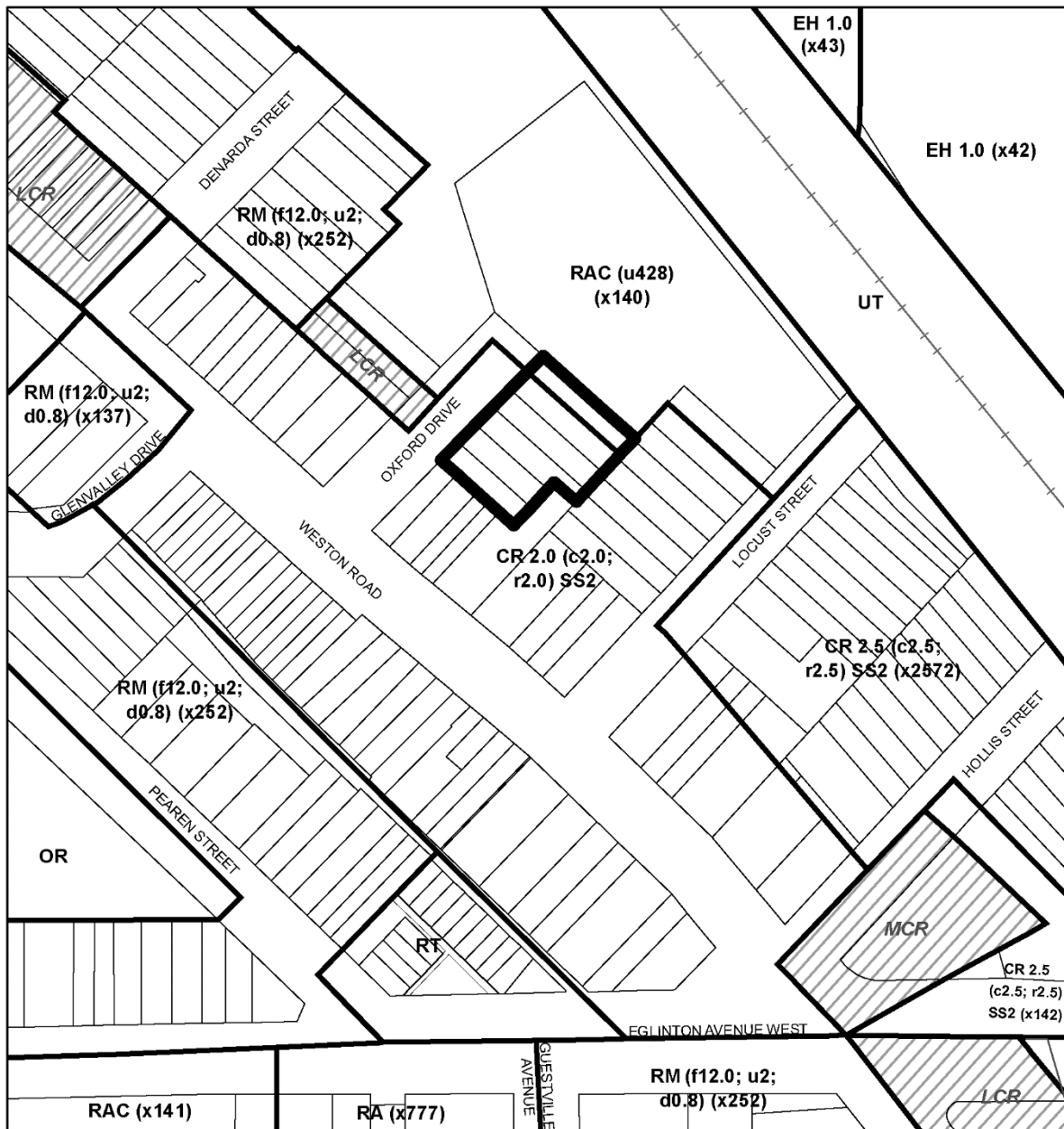
1 - 9 Oxford Drive

File # 22 114201 WET 05 0Z



  
 Not to Scale  
 Extracted: 02/22/2022

# Attachment 7: Existing Zoning By-law Map



Zoning By-law 569-2013

1 - 9 Oxford Drive

File # 22 114201 WET 05 02



Location of Application

RT Residential Townhouse  
RM Residential Multiple  
RA Residential Apartment  
RAC Residential Apartment Commercial

CR Commercial Residential  
EH Employment Heavy Industrial  
OR Open Space Recreation  
UT Utility and Transportation

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

LCR Local Commercial Residential Zone  
MCR Mixed Commercial Residential Zone



Not to Scale  
Extracted: 05/09/2022