

## **3300 Dufferin Street – Official Plan and Zoning Amendment Application – Request for Direction Report**

Date: October 25, 2022

To: North York Community Council

From: Director, Community Planning, North York District

Ward: Ward 8 – Eglinton-Lawrence

**Planning Application Number:** 21 251832 NNY 08 OZ

**Related Application:** 21 251831 NNY 08 SA

### **SUMMARY**

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On January 21, 2022, an Official Plan and Zoning By-law Amendment application was submitted to permit a 28-storey (91.36 metres, excluding mechanical penthouse) mixed-use building with 351 residential dwelling units and retail uses at grade (971 square metres), and 228 parking spaces in three underground levels. Also proposed are 416.9 square metres of Privately-Owned, Publicly Accessible Space ("POPS") at the northeast corner of the site, and 327.48 square metres of on-site parkland dedication on the southern portion of the site.

On July 28, 2022, the Applicant appealed the application to the Ontario Land Tribunal ("OLT") due to Council not making a decision within the 120-day time frame in the Planning Act.

This report recommends that the City Solicitor and appropriate City staff attend the OLT hearing to oppose the application in its current form and to continue discussions with the Applicant to resolve outstanding issues. The matters identified in this report will be further addressed as part of the OLT process and/or through revisions proposed by the applicant.

### **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. City Council direct the City Solicitor and appropriate City staff to attend the Ontario Land Tribunal in opposition to the current Application regarding the Official Plan and Zoning By-law Amendment appeal for the lands at 3300 Dufferin Street 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 authorize the City Solicitor to request that the issuance of any final Orders be withheld until such time as the City Solicitor advises that:

- a) the final form and content of the draft Official Plan Amendment and Zoning By-law Amendment are to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning;
- b) the owner has submitted revised architectural and landscape plans to the satisfaction of the Chief Planner and Executive Director, City Planning;
- c) the owner has submitted revised sun/shadow and wind studies to the satisfaction of the Chief Planner and Executive Director, City Planning;
- d) the owner has addressed all outstanding issues related to the Official Plan and Zoning By-law Amendment application within the Engineering and Construction Services memorandum dated March 10, 2022, or as may be updated, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, and other issues in comments from City staff in other divisions, and external commenting agencies, to the satisfaction of the City and external commenting agencies;
- e) the owner has submitted an updated Urban Transportation Considerations Report to the satisfaction of the General Manager, Transportation Services, and the Chief Planner and Executive Director, City Planning;
- f) the owner has submitted a revised Travel Demand Management (TDM) Plan to the satisfaction of the Chief Planner and Executive Director, City Planning, and the General Manager, Transportation Services, and that such matters be secured if required;
- g) the owner has provided a revised Functional Servicing and Stormwater Management Report 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 proposed development, satisfactory to the Chief Engineer and Executive Director, Engineering and Construction Services, and the General Manager, Toronto Water;
- h) the owner has provided financial securities for any upgrades or required improvements to the existing municipal infrastructure identified in the acceptable Functional Servicing Report and Stormwater Management Report, to support the development, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, and General Manager, Toronto Water, should it be determined that improvements or upgrades are required to support the development. In requiring any off site municipal infrastructure upgrades, the owner is to make satisfactory arrangements with Engineering & Construction Services for Work on the City's Right-of-Way;
- i) the owner has confirmed from the City Solicitor that the implementation of the Functional Servicing Report and Stormwater Management Report accepted by the Chief Engineer and Executive Director, Engineering and Construction

Services, and the General Manager, Transportation Services, does not require changes to the proposed amending Official Plan and Zoning By-law, or any such required changes have been made to the proposed amending Official Plan and Zoning By-law, to the satisfaction of the Chief Planner and Executive Director, City Planning;

- j) the owner has provided space within the development for installation of maintenance access holes and sampling ports on the private side, as close to the property line as possible, for both the storm and sanitary service connections, in accordance with the Sewers By-law Chapter 681.10; and
- k) the owner has addressed any issues resulting from the City's peer review of the Compatibility and Mitigation Studies (air quality, dust, odour, noise) prepared in support of the application by SLR Consulting (Canada) Ltd, dated December 1, 2021, to the satisfaction of the Chief Planner and Executive Director, City Planning.

3. In the event the Ontario Land Tribunal allows the appeal in whole or in part, City Council approve a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the Owner of the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry & Recreation (PFR). The development charge credit shall be in an amount that is the lesser of the cost to the Owner of designing and constructing the Above Base Park Improvements, as approved by the General Manager, PFR, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time.

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

## **FINANCIAL IMPACT**

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

## **DECISION HISTORY**

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A Preliminary Report was adopted by the North York Community Council on May 24, 2022, authorizing staff to conduct a community consultation meeting with an expanded notification area. The decision of the Community Council can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.NY32.10>

## **SITE AND SURROUNDING AREA**

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**Site Description and Dimensions:** The site is located at the southwestern corner of the intersection of Dufferin Street and Bentworth Avenue. It has an irregular shape, with a frontage of 86.57 metres along Dufferin Street, a depth of 64.77 metres along its north property line abutting Bentworth Avenue, a depth of approximately 40.3 metres along its

south property line adjacent to 3280 Dufferin Street, and an approximate site area of 4,341.2 square metres.

**Existing Uses:** The northern portion of the site is occupied by a single storey commercial building that includes Starbucks, Firehouse Subs, and Bar Burrito. The southern portion of the site is occupied by a surface parking lot.

**Surrounding uses include:**

**North:** Immediately north of the site is Bentworth Avenue. Further north across Bentworth Avenue is a one-storey commercial building surrounded on three sides by surface parking. North of this building, abutting McAdam Avenue is another one-storey commercial building surrounded on all sides by surface parking. Across McAdam Avenue is a relatively new 9-storey mixed-use building at 16 McAdam Avenue, with retail at grade and residential uses above.

**East:** Immediately east of the site is Dufferin Street. Further east across Dufferin Street are two, two-storey commercial buildings fronting Dufferin Street. The first is the Blinds to Go building, and the second includes Daisy Nails Spa, Fisherman's, Kuts and Kurls, Burrito Boyz, and others. East of these commercial buildings is a low-density residential neighbourhood with mostly single-detached residential dwellings.

At the northeast corner of the site is the intersection of Dufferin Street and Ranee Avenue.

**South:** Immediately south of the site is an existing one-storey commercial building including restaurants such as Burger's Priest and Pizza Nova at 3280 Dufferin Street, at the southwest corner of the intersection of Dufferin Street and Orfus Road. Further south across Orfus Road is a one-storey commercial building.

The property at 3280 Dufferin Street is part of a proposed 14-storey mixed-use building incorporating 12-16 Orfus Road, and is currently under appeal to the OLT.

**West:** Immediately west of the site are a two-storey autobody shop at 12-16 Orfus Road fronting Orfus Road, and low-density residential buildings fronting Bentworth Avenue. Further west, adjacent to the autobody shop are the Dollarama building at 20 Orfus Road, and the Grand Cheese building at 22 Orfus Road, and the Yorkdale Adult Learning Centre and Yorkdale Secondary School at 38 Orfus Road.

The autobody shop at 12-16 Orfus Road is part of the proposed 14-storey mixed use development under appeal to the OLT (described above).

## **THE APPLICATION**

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### **Description**

The Official Plan and Zoning By-law Amendment application proposes to redevelop the lands at 3300 Dufferin Street with a 28-storey mixed-use building. A residential gross floor area (GFA) of 23,950.8 square metres, and a non-residential gross floor area of 971 square metres are proposed. The total proposed GFA would be 24,921.8.

**Height:** 28 storeys (97.36 metres, inclusive of a 6 metre mechanical penthouse) mixed use building.

**Density (Floor Space Index):** 5.74 times the area of the lot (Gross), 6.59 times the lot area (Net).

**Unit count:** 351 dwelling units (201 one-bedroom units (57%), 112 two-bedroom units (32%) and 35 three-bedroom units (10%), 1 Live-Work (1%).

**Residential Amenity:** 761 square metres (8,197 square feet) of indoor amenity space, and 713 square metres (7,664 square feet) of outdoor amenity space.

**Access, Parking and Loading:** Vehicular access is proposed from Bentworth Avenue via a common private driveway at the northwestern edge of the site, and leads to a drop off area, a Type G loading space, and an underground garage ramp. The common driveway from Bentworth Avenue would lead to Orfus Road by connecting with a common driveway on the adjacent property to the south at 3280 Dufferin Street and 12-16 Orfus Road.

A total of 228 vehicle parking spaces in three levels underground, consisting of 193 resident and 35 visitor/retail spaces are proposed. A total of 278 bicycle parking spaces consisting of 252 long term and 26 short term spaces are also proposed.

**Parks and Open Spaces:** The application proposes an on-site parkland dedication of 327.48 square metres at the southern edge of the site. A POPS of approximately 416.9 square metres is proposed at the northeastern corner of the site.

**Road Widening Dedication:** A total of 232.2 square metres of road widening dedication is proposed along the northern portion of Dufferin Street, and along the entire frontage of Bentworth Avenue.

### **Additional Information**

See Attachments 1-6 of this report for the location map, application data sheet, three dimensional representations of the project in context, a context plan and a site plan of the proposal. Attachments 7 to 15 show the building elevations, policy considerations, the Official Plan land use map, the Dufferin Street Secondary Plan, and By-laws 7625 and 569-2013. The Application Data Sheet contains additional details on the proposal including: site area and dimensions; floor area; unit breakdowns; and parking counts.

All plans and reports submitted as part of the application can be found on the City's Application Information Centre at:

<https://www.toronto.ca/city-government/planning-development/application-information-centre/>

**Reasons for the Application:** The Official Plan Amendment seeks to add a site-specific amendment to the Dufferin Street Secondary Plan to allow for the proposed 28-storey tall building. A site-specific Zoning By-law Amendment to City of Toronto By-law 569-2013 is required to vary performance standards including the building height, yard setbacks, density, and other standards required to implement the project. The southern portion of the site, which is presently not subject to By-law 569-2013 needs to be

brought under the coverage of the City of Toronto By-law 569-2013. Additional amendments may be identified as part of the application review.

**Site Plan Control:** A Site Plan Control Application (File # 21 251831 NNY 08 SA) has been submitted and is being reviewed concurrently with the Official Plan Amendment and Zoning By-law Amendment application.

## **POLICY CONSIDERATIONS**

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**Official Plan Designation:** The site is designated *Mixed Use Areas* on Land Use Map 17 of the Official Plan, and is located within Block 5 of the Dufferin Street Secondary Plan Area as shown in Map 36-2 (Specific Block Policies) of the Plan.

**Zoning:** The northern portion of the site is subject to Zoning By-law 569-2013. This portion is zoned Commercial Residential Zone CR(c1.0; r1.0) (x2620), with a maximum density requirement of 1 times the area of the lot and a maximum height limit of 10.5 metres. The southern portion of the site is not currently subject to By-law 569-2013. It is zoned Industrial Commercial Holding MC(H) Zone under former City of North York By-law 7625, and will be brought under the coverage of City-wide By-law 569-2013.

**Additional information:** See Attachment 11 for applicable policy documents.

## **COMMUNITY CONSULTATION**

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A Virtual Community Consultation Meeting was hosted by City staff on April 28, 2022. Approximately 29 people participated, as well as the Ward Councillor. Following a presentation by City staff and the Applicant, the following comments and issues were raised:

- The appropriateness of an Official Plan Amendment to permit the proposed 28-storey tall building within the context of a mid-rise building site in the Dufferin Street Secondary Plan;
- The appropriateness of the Zoning By-law Amendment including the proposed density and height;
- The overall fit of the proposed development within its existing context;
- The location and organization of the proposed development relative to streets and open space, including the relationship of the ground floor to the street;
- The location and design of the proposed common private driveway access from Bentworth Avenue which will lead to Orfus Road, and which should be coordinated with the adjacent property to the south;
- The proposed number and location of vehicle and bicycle parking spaces and loading spaces;
- The appropriateness of the proposed building massing including its relationship to the neighbouring developments;
- The proposed building setbacks, stepbacks, street wall and angular planes;
- The shadow impacts on adjacent properties and the public realm, including the proposed public park;
- Privacy, overlook, and access to sunlight and skyview;

- The amount of indoor and outdoor amenity space, as well as the configuration and suitability of the spaces for families with children, and pets;
- The lack of a pet relief area;
- The proposed unit mix and sizes, and their consistency with the City's Growing Up Guidelines;
- The appropriateness of live-work units on Bentworth Avenue;
- The proposed size and configuration of the parkland dedication and POPS with respect to the City's parkland dedication requirements and guidelines for POPS;
- The impact of wind conditions near the proposed POPS, park, public streets and outdoor amenity spaces as a result of the proposed building massing;
- The proposed streetscape including the locations of sidewalks and street trees on Dufferin Street and Bentworth Ave;
- The proposed site landscaping including large growing trees and adequate soil volumes;
- The provision of affordable housing;
- Appropriate Transportation Demand Management (TDM) measures to reduce single occupancy automobile vehicle trips generated by the proposed development;
- The infrastructure capacity (water, sewage, hydro, transportation, community services and facilities, etc) to accommodate the proposed development;
- The applicant is encouraged to use Tier 2, 3 or 4 of the Toronto Green Standard for climate change mitigation and resilience purposes; and,
- In the event the City accepts in-kind benefits from the applicant pursuant to Section 37 of the Planning Act, the City's Fair Wage Policy and Labour Trades Contractual Obligations will apply to such work.

## COMMENTS

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### Provincial Framework

Planning staff have reviewed the application submitted to the City against the policies of the Provincial Policy Statement ("PPS") and the Growth Plan, as described in the Policy Considerations Section in this report. The proposal in its current condition is not consistent with the Provincial Policy Statement, and is not in conformity with the Growth Plan on achieving policy objectives of complete communities, appropriate development standards, appropriate infrastructure to support growth, and a safe and vibrant public realm. 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.

### Land Use

The site is designated *Mixed Use Areas* in the Toronto Official Plan and on Map 36-4 of the Dufferin Street Secondary Plan (DSSP). A mixed-use development is proposed, and may be appropriate subject to the requirements in the Official Plan, the DSSP, the Dufferin Street Urban Design Guidelines, and other applicable guidelines.

### Site Organization

Planning staff have reviewed the proposed site organization, including its block context, access, and setbacks, as further described below.

### Block Context Plan

A Block Context Plan is typically prepared in cooperation with adjacent land owners and shows how the physical form of the proposed development fits within its existing and planned context, and how it conforms to the Official Plan policies. The applicant needs to submit a Block Context Plan that demonstrates the relationship of the proposed development with its surrounding block, including the relationship with the adjacent development to the west and south at 3280 Dufferin Street and 12-16 Orfus Road, and nearby *Mixed Use Areas* and *Neighbourhoods* designated lands.

### Access

Access to the development is proposed at the western edge of the site via a private driveway from Bentworth Avenue. This driveway is proposed to connect with a proposed private driveway on the adjacent development to the south, resulting in a continuous private north-south driveway connection from Bentworth Avenue to Orfus Road. The applicant needs to work with the adjacent property owner to the south to prepare a functional design of a north-south lane between Orfus Road and Bentworth Avenue envisioned in the Secondary Plan, to demonstrate its feasibility.

### Building Setbacks

Building setbacks proposed from the property lines on Dufferin Street and Bentworth Avenue are less than 3 metres, whereas a minimum of 3 metres (measured from the new property lines) are prescribed in Map 36-9 of the DSSP. The applicant needs to revise the drawings in order to meet the required minimum setbacks.

### Built Form

Planning staff have reviewed the proposed built form, including height, massing and transition, against the policies of the Official Plan as well as relevant design guidelines. Overall, the proposal does not conform to a number of the policy requirements in the Dufferin Street Secondary Plan that has recently been approved by the Ontario Municipal Board (now the Ontario Land Tribunal). The secondary plan is consistent with the PPS and the Growth Plan.

### Building Type and Height

The site is located within the Mid-rise Areas in Map 36-10 (Building Type Areas) of the DSSP. The proposed tall building type does not conform with the policy directive for the mid-rise building type in this area. Mid-rise buildings are to be of a maximum height of 9 storeys (30 metres) to achieve a 1:1 ratio with the Dufferin Street right-of-way. The proposed 28 storeys (91.36 metres) building height exceeds the expectation of 9 storeys (30 metres) in the DSSP. Tall buildings are only envisioned in the DSSP at specific locations.

### Density

The proposed Floor Space Index ("FSI") of 5.74 times the lot area exceeds the maximum permitted FSI of 3.5 times the lot area in Map 36-11 (Maximum Density) of the DSSP.



## Angular Plane & Stepbacks

The DSSP requires proposed built form to fit within the required 45% angular plane taken from Dufferin Street, as well as Bentworth Avenue, at heights above grade of 80% of the adjacent street right-of-way.

The Plan also requires a 3 metre stepback on Dufferin Street at a height of no more than 20 metres (approximately 6 storeys), and a stepback of 3 metres on Bentworth Avenue at a height of no more than 16 metres (4-5 storeys) and no less than 10.5 metres (approximately 3 storeys).

## Sun and Shadow

The shadow impacts resulting from the proposal do not conform with Official Plan policies that require limiting shadow impacts on the public realm and surrounding properties, and are not acceptable. A Sun/Shadow Study prepared by TACT Architecture was submitted in support of the application, and shows considerable shadowing on both Dufferin Street and Bentworth Avenue during the Spring and Fall equinoxes. The applicant needs to minimize shadow impacts to both streets. The applicant also needs to demonstrate that the proposed parkland and POPS are not negatively impacted by shadowing. Additional Sun/Shadow studies for the Summer solstice (June 21) and Winter solstice (December 21) may be required to address matters related to shadowing.

## Wind

A Pedestrian Level Wind Study prepared by SLR Consulting was submitted in support of the application, and includes proposed mitigation measures for the POPS at the northeast corner of the site, for Dufferin Street, and for other locations. The application needs to demonstrate that the proposed mitigation measures meet the intent of the Official Plan.

## Streetscape

The DSSP shows a proposed cycling interchange at the intersection of Dufferin Street and Bentworth Avenue, a proposed cycle track on Dufferin Street, and a signed route on Bentworth Avenue.

## Servicing

A Functional Servicing and Stormwater Management Report and associated plans have been submitted for the site and have been reviewed by Engineering and Construction Services(ECS). The applicant must provide revised reports and plans for review and acceptance as outlined in the ECS memo dated March 10, 2022.

In the event that the OLT allows the Official Plan Amendment and Zoning By-law Amendment appeal in whole or in part, the final Order should be withheld pending the confirmation of water, sanitary and stormwater capacity from the Chief Engineer and Executive Director, Engineering and Construction Services, or the determination of whether holding provisions are required in the Official Plan Amendment and/or Zoning By-law amendment.

## **Parkland**

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. The site is in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

The applicant is required to satisfy the parkland dedication requirement through on-site parkland dedication. The applicant's parkland dedication requirement is 398 square metres. The application is proposing a 327.48 square metre on-site parkland dedication at the southern edge of the site. Parks staff will continue to explore how the remaining parkland dedication requirement could be satisfied on-site.

Staff are evaluating the appropriateness of the proposed parkland size, location, configuration, setbacks from buildings in this development and planned neighbouring developments, and shadow impacts that may affect the utilization of the park.

## **Privately-Owned, Publicly Accessible Space (POPS)**

A POPS of approximately 416.9 square metres is proposed at the northeastern corner of the site. Staff will continue to review the POPS and seek opportunities to discuss with the applicant the appropriate mitigation measures against shadowing and wind.

## **Tree Preservation, Soil Volume, and Public Utilities**

The application is subject to the provisions of the City of Toronto Municipal Code. An Arborist Report and Tree Inventory and Preservation Plan were submitted by the applicant. The application proposes to remove three existing Norway Maple trees at the northeast of the site to allow for the construction of the proposed development. The application also proposes new trees. Adequate soil volumes are required for proposed new trees, and a Public Utilities Plan to Quality Level A (QL-A) is required to be submitted to support the application.

The application needs to demonstrate that it is appropriate to remove the existing trees described above, that proposed new trees will have adequate soil volumes to ensure their survival, and that proposed new tree locations will have no conflicts with public utilities.

The Terms of Reference for the Tree Preservation Plan, Soil Volume Plan, and QL-A Plan are available at the following link: <https://www.toronto.ca/city-government/planning-development/application-forms-fees/building-toronto-together-a-development-guide/application-support-material-terms-of-reference/>

## **Indoor/Outdoor Amenity Space**

The application proposes 761 square metres (8,197 square feet) of indoor amenity space and 713 square metres (7,664 square feet) of outdoor amenity space, for a total of 1,474 square metres (15,861 square feet) of amenity space. Zoning By-law 569-2013 requires a combined amenity space of 4.0 square metres per unit, for a total of 1,404 square metres. The proposed total amenity space of 1,474 square metres is appropriate.

## **Parking and Loading**

A total of 228 vehicle parking spaces are proposed in a 3-level below-grade parking garage accessed from Bentworth Avenue. A type-G loading space is proposed at grade, to be located on the west side of the building.

An Urban Transportation Considerations Report was submitted for the site and is currently under review by Transportation Services and Engineering and Construction Services. The applicant needs to demonstrate that the proposed parking and loading is appropriate for this site.

Staff are also reviewing the proposed Transportation Demand Management (TDM) Plan to determine if appropriate TDM measures will be provided to reduce single occupancy auto vehicle trips generated by the proposed development, support the proposed parking reduction, and address the site related transportation issues. The applicant needs to demonstrate that the proposed TDM Plan is appropriate for this site

## **Compatibility/Mitigation**

The City's Official Plan requires that proposed developments identify any existing and potential land use compatibility issues, and identify and evaluate options to achieve appropriate design, buffering and/or separation distances between the proposed sensitive land uses, including residential uses, and nearby Employment Areas and or major facilities. The proposed development is near an Employment Area, and the applicant has submitted a Compatibility/Mitigation Study (the "Study") in support of the application. The Study will be peer reviewed by the City at the cost of the applicant. The applicant will need to demonstrate that the proposal addresses compatibility/mitigation issues.

## **Other Studies**

The application needs to demonstrate that the proposed unit mix, sizes and configuration meet the intent of the Growing Up Guidelines. The application also needs to demonstrate that it meets the intent of the Pet Friendly Guidelines and the Retail Design Manual.

## **Further Issues**

City Planning continues to receive additional information regarding this application as a result of ongoing review by City commenting divisions, materials submitted in support of the proposal, and through deputation made by members of the public to Community Council. 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 Planning 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 application has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), the Official Plan, and applicable City guidelines intended to implement Official Plan policies. As currently proposed, the proposal is not consistent with the PPS and does not conform to the Growth Plan, Official Plan and Dufferin Street Secondary Plan.

This report recommends that the City Solicitor, with appropriate staff, attend the OLT in opposition to the application in its current form, and continue discussions with the applicant in an attempt to resolve outstanding issues. This recommendation is consistent with the PPS and conforms with the Growth Plan.

## **CONTACT**

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## **SIGNATURE**

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David Sit, MCIP, RPP  
Director, Community Planning, North York District

## **ATTACHMENTS**

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Attachment 1: Location Map  
Attachment 2: Application Data Sheet  
Attachment 3: 3D Model of Proposal in Context Looking East  
Attachment 4: 3D Model of Proposal in Context Looking West  
Attachment 5: Context Plan  
Attachment 6: Site Plan  
Attachment 7: East Elevation  
Attachment 8: West Elevation  
Attachment 9: North Elevation  
Attachment 10: South Elevation  
Attachment 11: Policy Considerations  
Attachment 12: Official Plan Land Use Map  
Attachment 13: Dufferin Street Secondary Plan  
Attachment 14: Zoning By-law 7625 Map  
Attachment 15: Zoning By-law 569-2013 Map

## Attachment 1: Location Map



## Attachment 2: Application Data Sheet

**Municipal Address:** 3300 DUFFERIN ST    **Date Received:** January 21, 2022

**Application Number:** 21 251832 NNY 08 OZ

**Application Type:** OPA / Rezoning

**Project Description:** Official Plan and Zoning By-law Amendment Applications to facilitate the redevelopment of the site for a 28-storey mixed-use building having a non-residential gross floor area of 971 square metres, and a residential gross floor area of 23,950.8 square metres. A total of 351 residential dwelling units and 228 parking spaces in three levels underground are proposed. Note related Site Plan Control Application 21 251831 NNY 08 SA

<b>Applicant</b>	<b>Agent</b>	<b>Architect</b>	<b>Owner</b>
MHBC c/o DAVID MCKAY		TACT ARCHITECTURE INC	720443 ONTARIO INC

### EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	N
Zoning:	CR 1.0 (c1.0; r1.0) SS2 (x2620)	Heritage Designation:	N
Height Limit (m):	10.5	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq m):	4,341	Frontage (m):	87	Depth (m):	65
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<b>Building Data</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Ground Floor Area (sq m):	1,301		2,115	2,115
Residential GFA (sq m):			23,950.8	23,950.8
Non-Residential GFA (sq m):	1,301		971.0	971.0
Total GFA (sq m):	1,301		24,921.8	24,921.8
Height - Storeys:	1		28	28
Height - Metres:			90	90

Lot Coverage Ratio (%)	48.71	Floor Space Index:	5.74
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### Floor Area Breakdown Above Grade (sq m)

Residential GFA:	23,950.8
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Retail GFA: 971  
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:			351	<b>351</b>
Other:				
<b>Total Units:</b>			351	<b>351</b>

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

	<b>Rooms</b>	<b>Live/Work</b>	<b>1 Bedroom</b>	<b>2 Bedroom</b>	<b>3+ Bedroom</b>
Retained:					
Proposed:		3	204	112	35
<b>Total Units:</b>		<b>3</b>	<b>204</b>	<b>112</b>	<b>35</b>

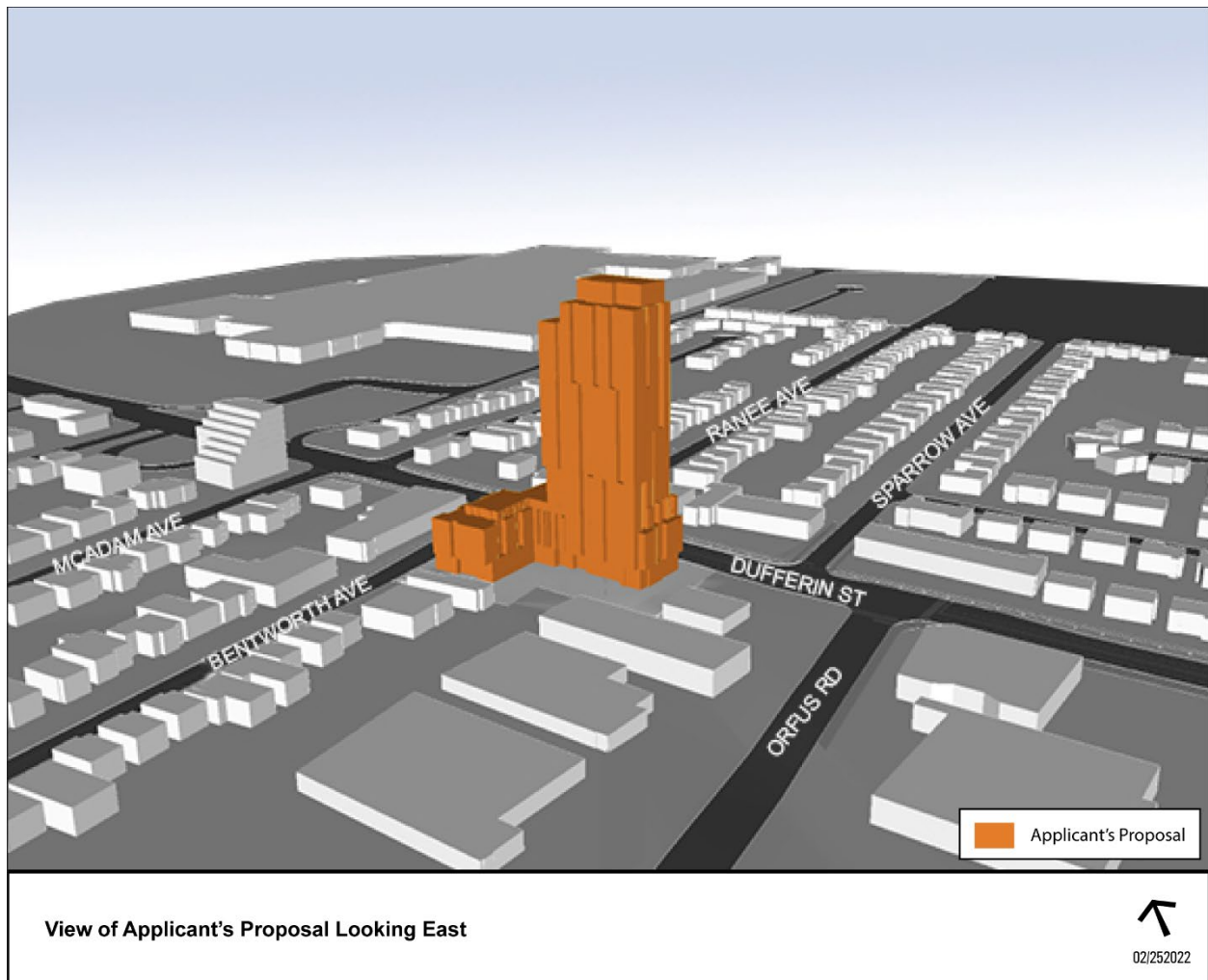
#### **Parking and Loading**

Parking Spaces: 228      Bicycle Parking Spaces: 278      Loading Docks: 1

#### **CONTACT:**

Eno Rebecca Udoh-Orok, Senior Planner  
416-392-5474  
Eno.Udoh-Orok@toronto.ca

### Attachment 3: 3D Model of Proposal in Context Looking East

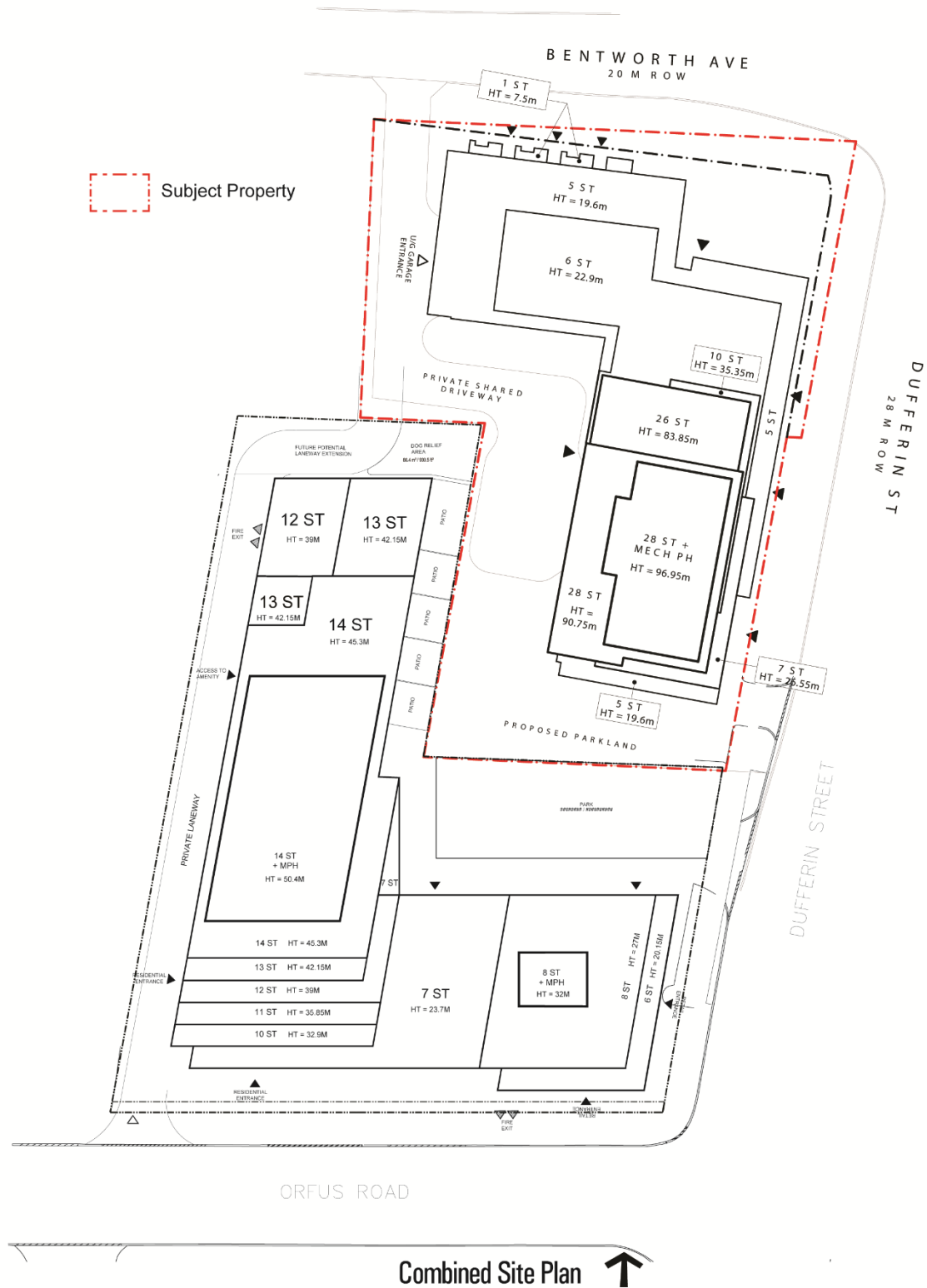




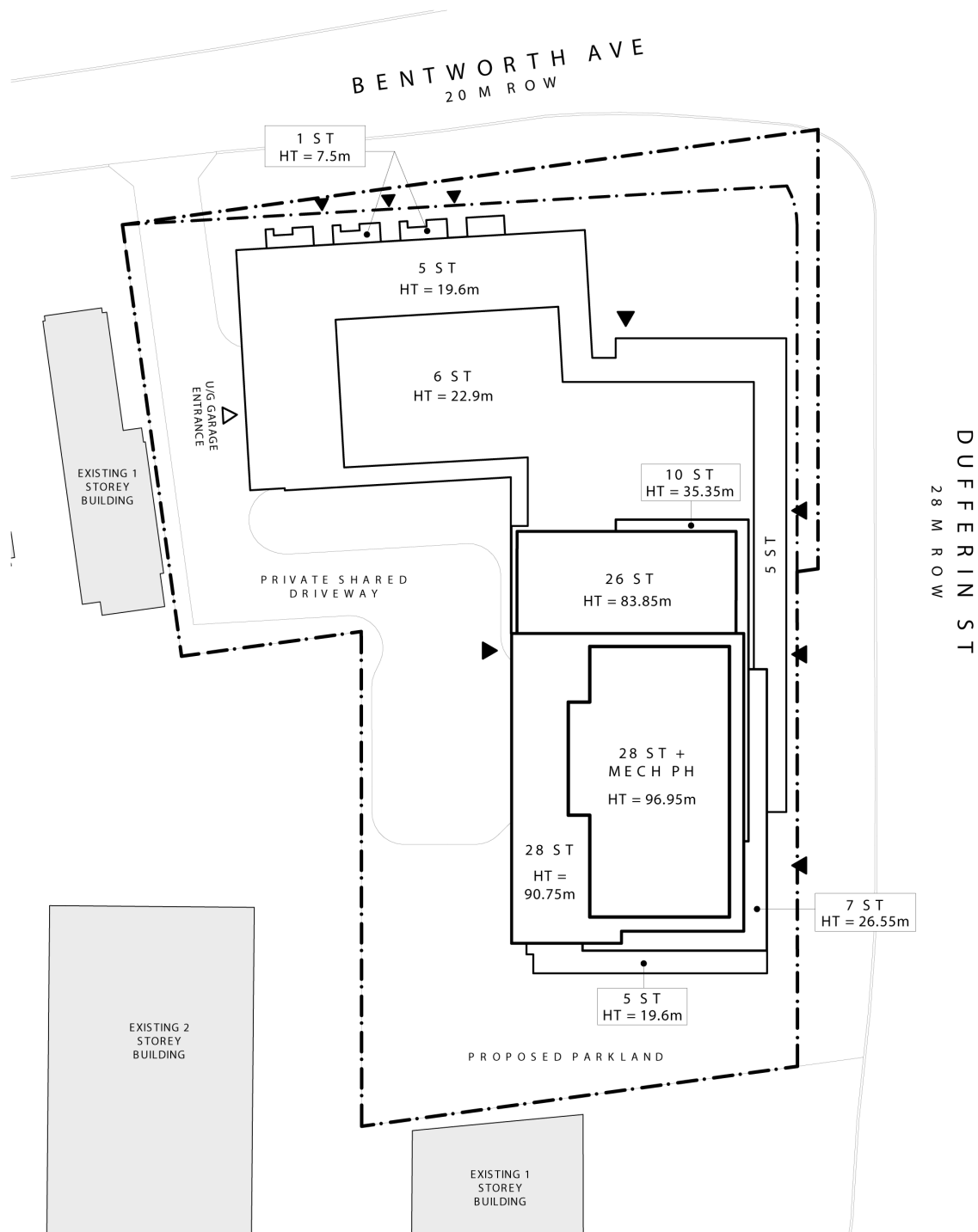
#### Attachment 4: 3D Model of Proposal in Context Looking West



## Attachment 5: Context Plan



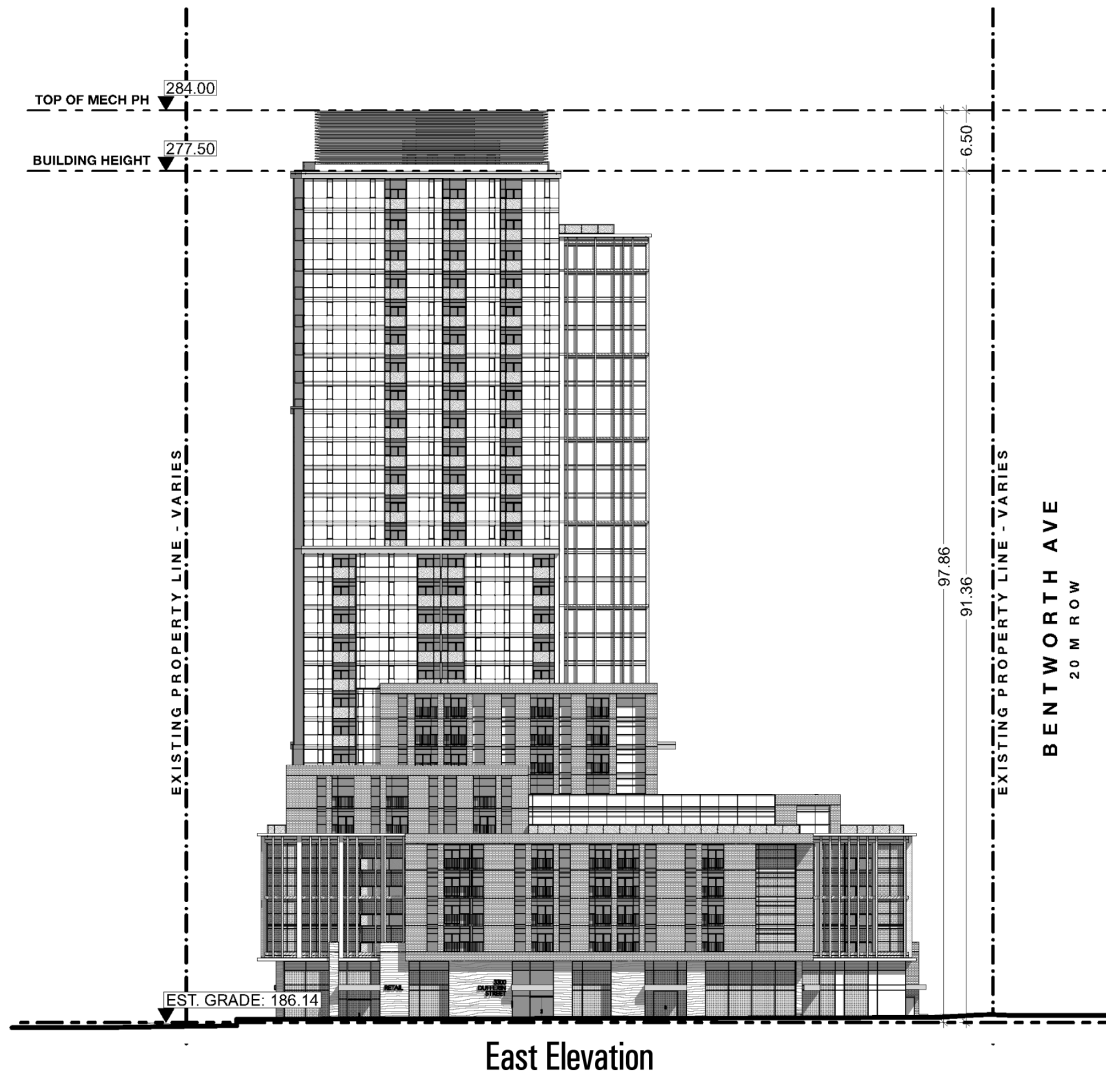
## Attachment 6: Site Plan



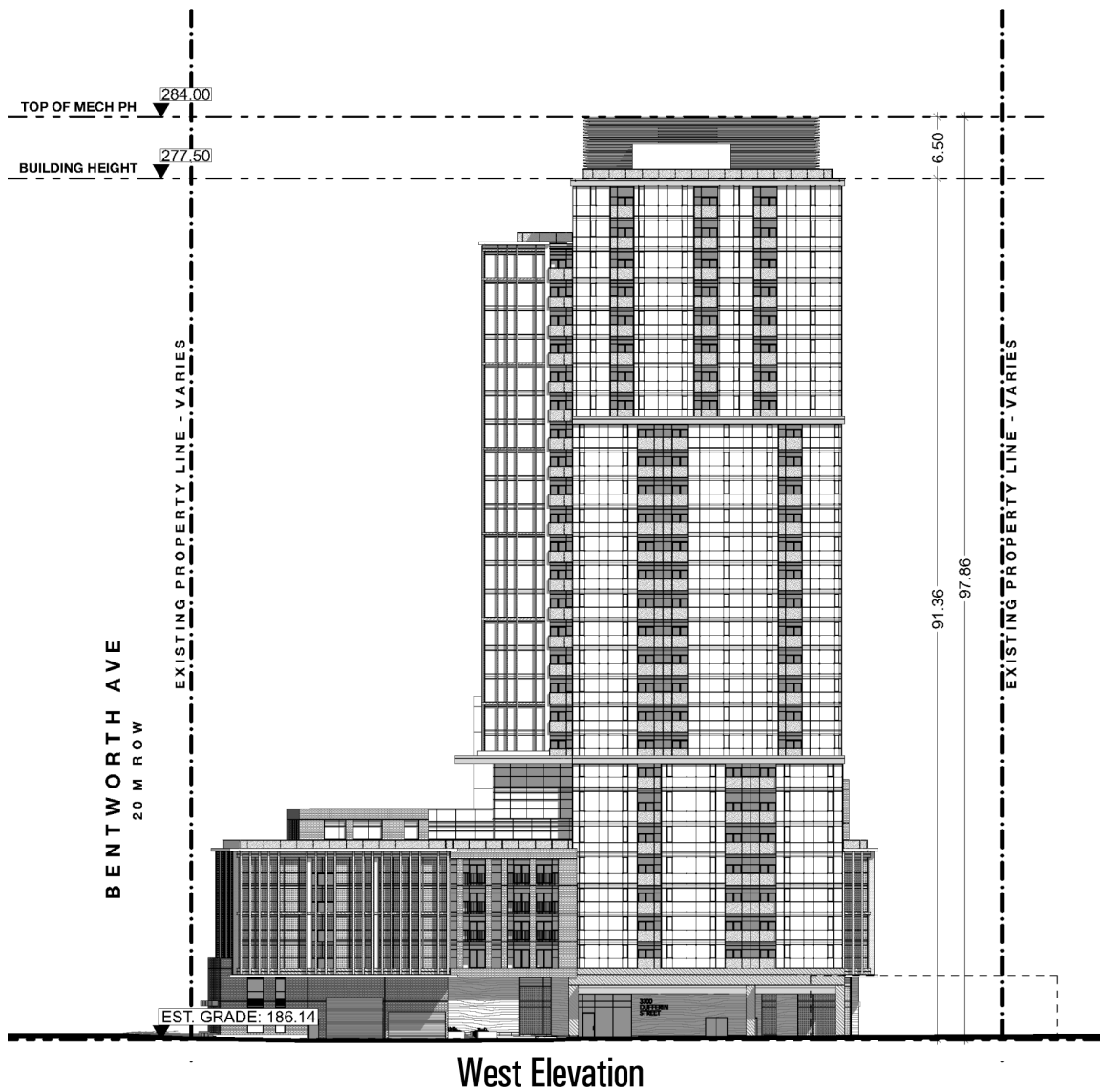
Site Plan



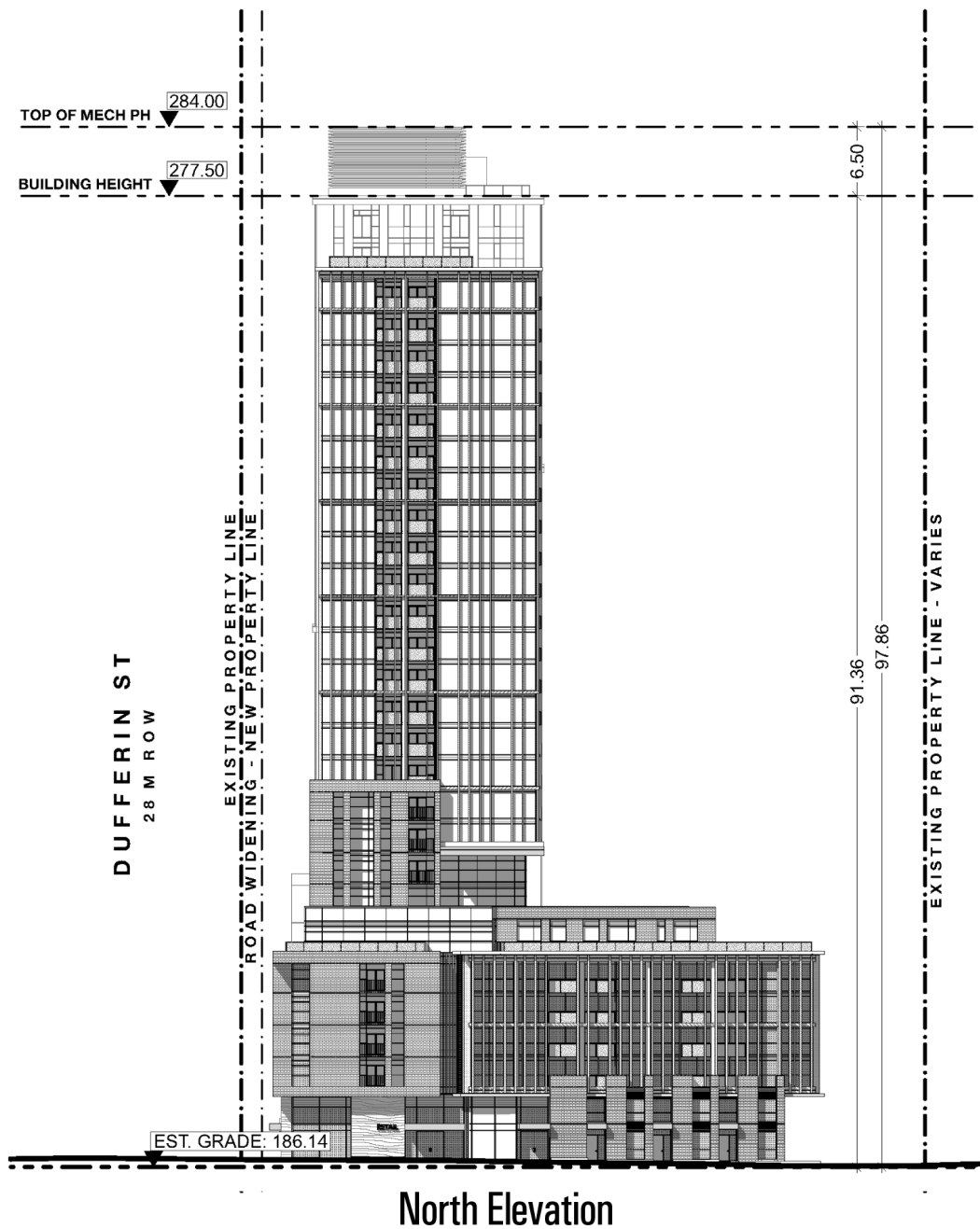
## Attachment 7: East Elevation



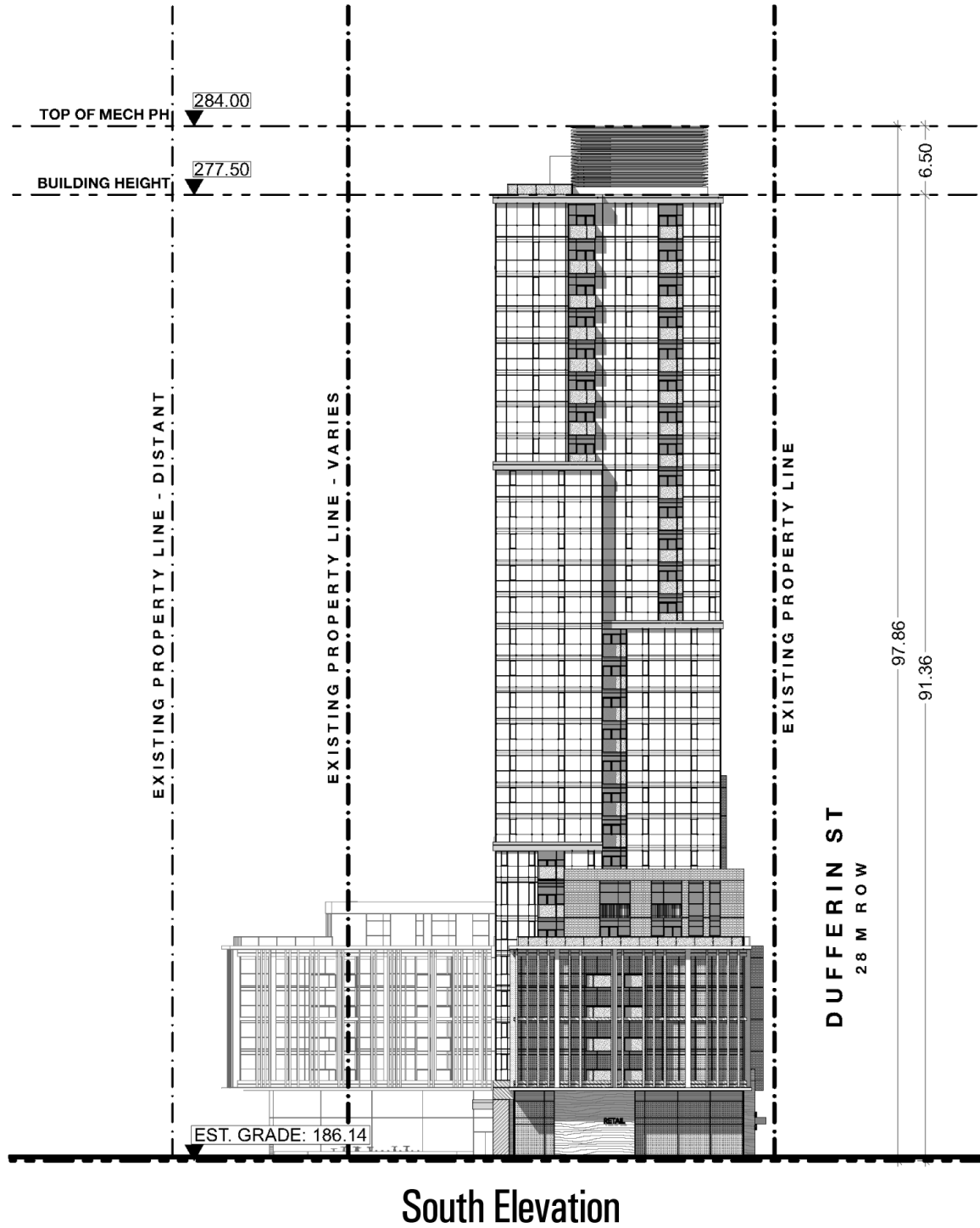
## Attachment 8: West Elevation



## Attachment 9: North Elevation



# Attachment 10: South Elevation



## **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:

- Encouraging a sense of place, by promoting well-designed built form;
- 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 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.



## **Growth Plan for the Greater Golden Horseshoe (2020)**

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

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

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

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

### **Planning for Major Transit Station Areas**

The Growth Plan (2020) as amended contains policies pertaining to population and employment densities that should be planned for in major transit station areas (MTSAs) along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan (2020) requires that, at the time of the next municipal comprehensive review (MCR), the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs are planned for the prescribed densities. At its Meeting on July 19 – 22, 2022, City Council adopted the recommended

MTSA and PMTSA Official Plan Amendments (OPA 540, OPA 544, OPA 570 and OPA 575), which would amend Chapter 8 of the Official Plan pursuant to Sections 16(15) and 26 of the Planning Act. These OPAs add a combined total of 115 MTSA and PMTSAs to Chapter 8 of the Official Plan. These OPAs will now be submitted to the Minister of Municipal Affairs and Housing for final approval.

### **Toronto Official Plan Policies and Planning Studies**

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from The Planning Act of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application. Toronto Official Plan policies may be found here:

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

The application is located on lands identified as *Avenues* on Map 2 of the Official Plan and *Mixed Use Areas* in Land Use Map 17 of the Official Plan. Refer to Attachment 12: Official Plan Land Use Map. *Avenues* are important corridors along major streets where urbanization is anticipated and encouraged to create new housing and employment opportunities while improving the pedestrian environment, the look of the street, shopping opportunities, and transit service for community residents.

*Mixed Use Areas* are made up of a broad range of commercial, residential, and institutional uses, in single use or mixed use buildings, as well as parks and open spaces, and utilities. Policy 4.5.2 provides that development in *Mixed Use Areas* will, amongst other matters:

- Create a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;
- Locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of this Plan, through means such as providing setbacks and/or a stepping down of heights, particularly towards lower scale Neighbourhoods;
- Locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- Provide an attractive, comfortable and safe pedestrian environment;
- Provide good site access and circulation and an adequate supply of parking for residents and visitors;
- Locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- Provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

## **Official Plan Amendment 479 – Public Realm and Official Plan Amendments 480 (Built Form)**

On September 11, 2020, Official Plan Amendments 479 (Public Realm) and 480 (Built Form) came into force. These OPAs introduced new or revised policies regarding building types, building design and massing, parks, POPs (privately owned, publicly accessible spaces), and trees and natural areas, among other policies. OPA No. 479 also introduced the Block Context Plan requirement for some applications that shows how the physical form of the proposed development fits within the existing and planned context.

### **Dufferin Street Secondary Plan**

The site is within the Dufferin Street Secondary Plan area (OPA 294). Map 36-2 (Specific Block Plan Policies) identifies the site to be within Block 5 of the Secondary Plan. Map 36-6 (Public Streets Plan) and Map 36-7a (Pedestrian Connections) identify a Potential Access Lane and a Pedestrian Route at the western edge of the site, and a High Order Pedestrian Zone at the Dufferin Street / Bentworth Avenue intersection. Map 36-7b (Cycling Connections) shows Proposed Cycle Tracks along Dufferin Street, and a Proposed Cycling Interchange at the Dufferin Street / Bentworth Avenue intersection. Map 36-9 (Minimum Setback Plan) shows a building setback of 3 metres from *Avenues* such as Dufferin Street, and a 3 metre setback from Bentworth Avenue. Map 36-10 (Building Type Areas) identifies the lands as being within the Mid-rise Areas within Block 5.

### **Dufferin Street Urban Design Guidelines**

The Dufferin Street Urban Design Guidelines provide a context for coordinated development and will be used as a tool to ensure appropriate development consistent with the Official Plan, and Dufferin Street Secondary Plan. OPA No. 294 directs development within the Secondary Plan Area to be consistent with the Dufferin Street Urban Design Guidelines.

### **Zoning By-laws**

The site is zoned Commercial Residential Zone CR(c1.0; r1.0) (x2620) at its northern portion, with a height limit of 10.5 metres under City of Toronto By-law 569-2013. While the southern portion of the site is not subject to City-wide Zoning By-law No. 569-2013, as amended, a draft zoning by-law amendment with site-specific provisions has been submitted in order to bring the site into Zoning By-law No. 569-2013. The City's Zoning By-law 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/>

### **City-Wide Tall Building Design Guidelines**

In May 2013, Toronto City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure that they fit within their context and minimize their local impacts.

Urban Design guidelines specifically are intended "to provide a more detailed framework for built form and public improvements in growth areas." The Tall Building Design Guidelines serve this policy intent, helping to implement Chapter 3.1, The Built

Environment, and other policies within the Official Plan related to the design and development of tall buildings in Toronto. The City-Wide Tall Building Design Guidelines are available at: <https://www.toronto.ca/wp-content/uploads/2018/01/96ea-cityplanning-tall-buildings-may2013-final-AODA.pdf>

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

In July 28, 2020, Toronto City Council adopted the Growing Up Urban Design Guidelines, which is applicable to the proposed development. The guidelines seek to integrate family oriented design into the new multi-unit developments. One of the objectives of the guidelines is to ensure that new developments have a variety of housing to meet the needs of people in all stages of life. The Growing Up Guidelines can be found at: <https://www.toronto.ca/citygovernment/planning-development/planningstudiesinitiatives/growing-up-planning-for-children-in-new-vertical-communities/>

### **Avenues and Mid-rise Buildings Study and Performance Standards**

City Council adopted the Avenues and Mid-rise Buildings Study and an addendum containing performance standards for mid-rise buildings. They identify a list of best practices and establish a set of performance standards for new mid-rise buildings. Key issues addressed include maximum allowable building heights, setbacks and step backs, sunlight and skyview, pedestrian realm conditions, transition to Neighbourhoods and Parks and Open Space Areas and corner sites. The link to the guidelines is here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/mid-rise-buildings/>

City Council also adopted a revised Mid-Rise Building Performance Standards Addendum, for staff to use together with the 2010 approved Mid-Rise Building Performance Standards in the preparation of area studies or during the evaluation of development applications, where mid-rise buildings are proposed and Performance Standards are applicable, until such time as City Council adopts updated Mid-Rise Building Design Guidelines. Council's decision is here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7> and <http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>.

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

The purpose of the Pet Friendly Design Guidelines 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 pet amenities for high density residential communities. The Pet Friendly Design Guidelines can be found at: <https://www.toronto.ca/wpcontent/uploads/2019/12/94d3-CityPlanning-PetFriendlyGuidelines.pdf>

### **Retail Design Manual**

On October 27, 2020, City Council adopted the Retail Design Manual. The Retail Design Manual supports the objectives of complete communities and vibrant streets which are closely tied to the provision of successful, resilient and dynamic retail uses. The Retail Design Manual is a collection of best practices and is intended to provide guidance on developing successful ground floor retail spaces by providing aspirational retail design best practices to inform, guide, inspire and educate those involved in the

design and development of retail uses. The Retail Design Manual can be found here: <https://www.toronto.ca/legdocs/mmis/2020/ph/bgrd/backgroundfile-157291.pdf>

### **Urban Forest/Ravines/Environment**

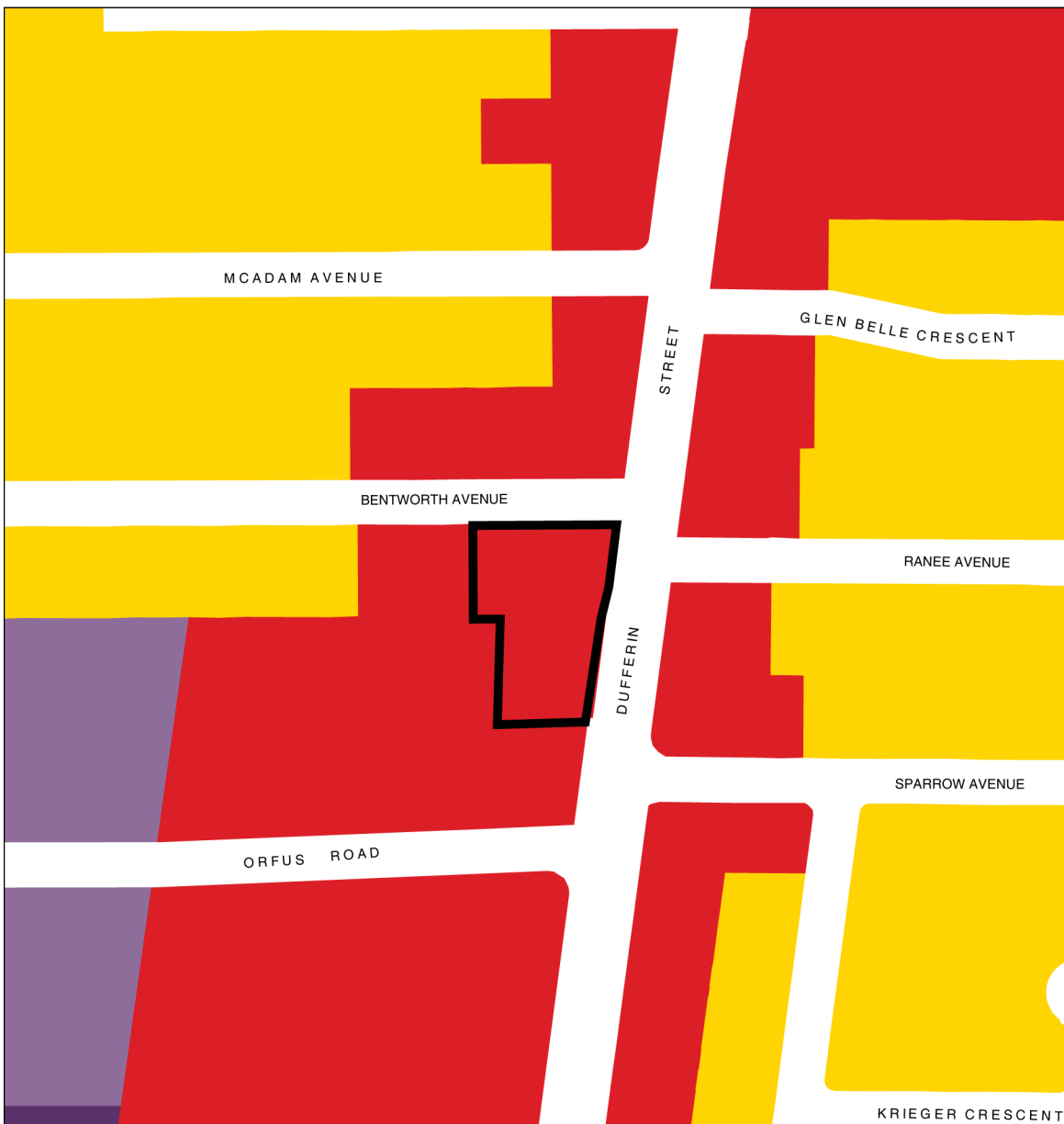
The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law).

### **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 intended to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. Tier 1 performance measures are secured on site plan drawing and through a Site Plan Agreement or Registered Plan of Subdivision.

Applications must use the documentation required for the version of the Toronto Green Standard in effect at the time of the initial application. TGS Version 1.0 is no longer in effect. Older applications must be upgraded. TGS Version 2.0 is for new applications received between January 1, 2010 and April 30, 2018. TGS Version 3.0 is for new applications received on or after May 1, 2018. Visit <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/toronto-green-standard/tier-1-planning-application-requirements/>

## Attachment 12: Official Plan Land Use Map



Official Plan Land Use Map #17

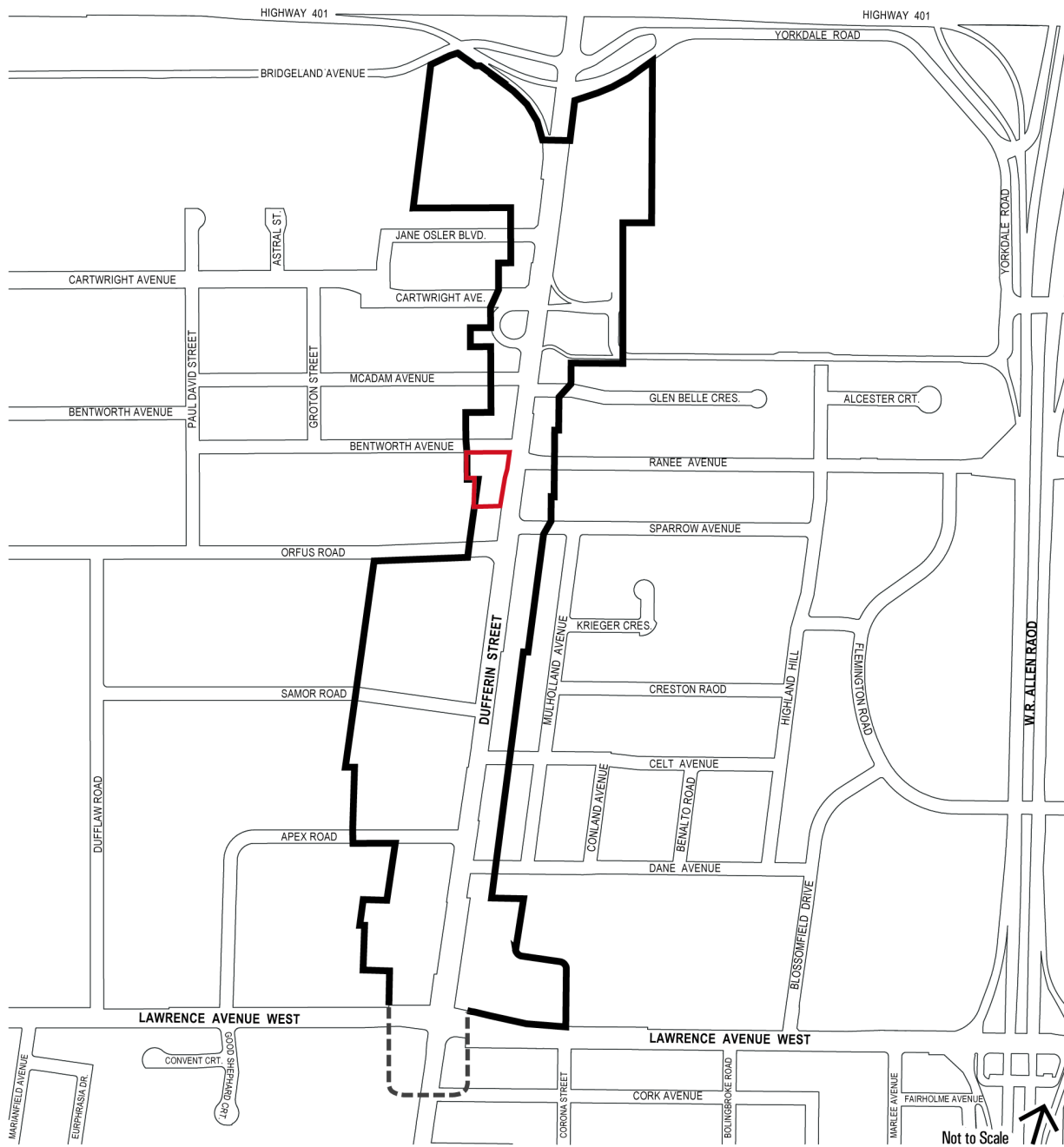
3300 Dufferin Street

File # 21 251832 NNY 08 0Z



↑  
Not to Scale  
Extracted: 01/04/2022

## Attachment 13: Dufferin Street Secondary Plan



## Dufferin Street Secondary Plan

MAP 36-1 Secondary Plan Area

- Location of Application
- Secondary Plan Area Boundary
- Blocks South of Lawrence

October 2015

# Attachment 14: Zoning By-law 7625 Map



Zoning By-law 7625

3300 Dufferin Street

File # 21 251832 NNY 08 0Z



Location of Application

R4 One-Family Detached Dwelling Fourth Density Zone  
R5 One-Family Detached Dwelling Fifth Density Zone  
R6 One-Family Detached Dwelling Sixth Density Zone  
RM2 Multiple-Family Dwellings Second Density Zone  
RM6 Multiple-Family Dwellings Sixth Density Zone  
C1 General Commercial Zone

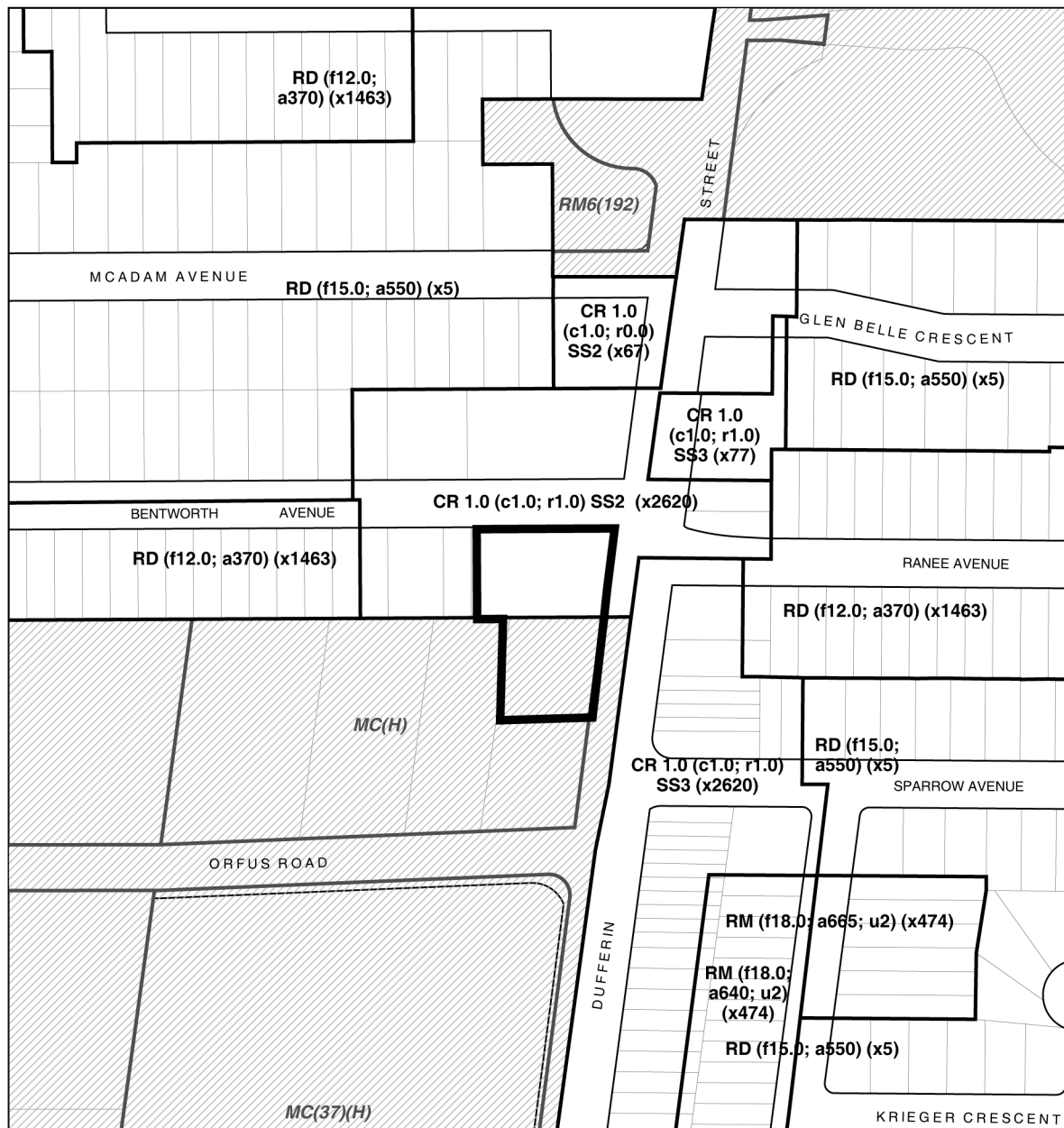
C3 District Shopping Centre Zone  
M1 Industrial Zone One  
MC Industrial-Commercial Zone



Not to Scale  
Extracted: 01/04/2022



# Attachment 15: Zoning By-law 569-2013 Map



**Zoning By-law 569-2013**

**3300 Dufferin Street**

**File # 21 251832 NNY 08 02**



Location of Application

**RD** Residential Detached  
**RM** Residential Multiple  
**CR** Commercial Residential  
**OR** Open Space Recreation



See Former City of North York By-law No. 7625

**RM6** Multiple-Family Dwellings Sixth Density Zone  
**C3** District Shopping Centre Zone  
**M1** Industrial Zone One  
**MC** Industrial-Commercial Zone



Not to Scale  
Extracted: 01/04/2022