

2451 Dufferin Street – Zoning By-Law Amendment Application – Appeal Report

Date: March 3, 2023

To: North York Community Council

From: Director, Community Planning, North York District

Wards: Ward 8 - Eglinton-Lawrence

Planning Application Number: 21 252235 NNY 08 OZ

Related Planning Application: 21 252234 NNY 08 SA

SUMMARY

On December 31, 2021, a Zoning By-law Amendment application was submitted to permit a 20-storey mixed use building (65.3 metres, including 5.5 metre mechanical penthouse) containing 462 dwelling units and 706 square metres of commercial space on the ground floor. It was deemed complete on January 31, 2022.

On November 14, 2022, the Applicant appealed the application to the Ontario Land Tribunal ("OLT") due to Council not making a decision within the 90-day time frame in the Planning Act. The first OLT Case Management Conference occurred on February 22, 2023. The appellant provided notice of the Case Management Conference in accordance with the OLT's directions. A second Case Management Conference has been scheduled for May 31, 2023.

This report recommends that the City Solicitor with the 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.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor and appropriate City staff to attend the Ontario Land Tribunal ("OLT") in opposition to the current Application regarding the Zoning By-law Amendment appeal for the lands at 2451 Dufferin Street and to continue discussions with the Applicant in an attempt to resolve outstanding issues.
2. In the event that the OLT allows the appeals in whole or in part, City Council authorize the City Solicitor to request that the issuance of any final Order(s) be withheld until such time as the City Solicitor advises that:

- a) the final form and content of the draft Zoning By-law are to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning;
- b) the owner has satisfactorily addressed the matters in the Engineering and Construction Services Memorandum dated February 23, 2022, and the Transportation Services Memorandum dated February 25, 2022, and any outstanding issues arising from the ongoing technical review (including provision of acceptable reports and studies), as they relate to the Zoning By-law Amendment application to the satisfaction of the General Manager, Transportation Services, and Chief Engineer and Executive Director, Engineering and Construction Services;
- c) the owner has submitted a Functional Servicing 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, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
- d) the owner has made satisfactory arrangements with Engineering and Construction Services and entered into the appropriate agreement with the City for the design and construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support this development, according to the Functional Servicing Report accepted by the Chief Engineer and Executive Director, Engineering and Construction Services;
- e) 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;
- f) 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, where it has been 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;
- g) the owner has submitted architectural and landscape plans, revised sun/shadow and wind studies reflecting the proposal as approved in whole or in part, to the satisfaction of the Chief Planner and Executive Director, City Planning;

- h) the owner has, at its sole cost and expense facilitated the City undertaking a peer review of the submitted Noise and Vibration Assessment, and secured any recommended mitigation measures in the amending by-law, all to the satisfaction of the Chief Planner and Executive Director, City Planning;
- i) the owner has submitted a revised Travel Demand Management Plan acceptable to, and to the satisfaction of, the Chief Planner and Executive Director, City Planning and the General Manager, Transportation Services;
- j) the owner has submitted a methane gas investigation report and associated certified letter regarding the investigation of subsurface methane gas acceptable to, and to the satisfaction of the General Manager, Solid Waste Management Services;
- k) the owner has addressed all outstanding issues raised by Urban Forestry and Tree Protection and Plan Review as they relate to the Zoning By-law Amendment application, to the satisfaction of the General Manager, Parks, Forestry and Recreation;
- l) the owner has submitted an updated complete Toronto Green Standards (TGS) Checklist and Statistics Template, to the satisfaction of the Chief Planner and Executive Director, City Planning;

3. City Council authorizes the City Solicitor and 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

The application was submitted on December 31, 2021 and deemed complete on January 31, 2022. The application was circulated to relevant departments and agencies for comments and the issues raised have been summarized in this report.

A Preliminary Report was adopted by North York Community Council on February 23, 2022 authorizing staff to conduct a community consultation meeting with an expanded notification area. The decision of the North York Community Council can be found here: [Agenda Item History - 2022.NY30.11 \(toronto.ca\)](#)

SITE AND SURROUNDING AREA

Site Description and Dimensions: The site is located at 2451 Dufferin Street, and is bounded by Dufferin Street, Castlefield Avenue and Roselawn Avenue. The irregular triangle shaped site is 6,300 square metres in size, has a frontage of approximately 65 metres on Dufferin Street, approximately 145 metres on Castlefield Avenue, and approximately 100 metres on Roselawn Avenue. The site is located approximately 100 metres outside of the draft delineated Protected Major Transit Station Area of the future Fairbank Crosstown Light Rail Station at Eglinton Avenue West and Dufferin Street.

Existing Use: a two-storey car dealership (Mazda York-Dufferin) and associated surface parking.

Surrounding uses include:

North of the site along Dufferin Street are low rise mixed use commercial plazas with residential units on the second floor. On the north side of Castlefield Avenue opposite the site are four and five storey apartment buildings.

East of the site also on the north side of Castlefield Avenue are four and five storey apartment buildings.

South of the site are two-storey single detached houses organized around cul-de-sac streets perpendicular to and taking access from Roselawn Avenue (Prado Court and Anastacia Court).

West on Dufferin Street there are a mix of low rise commercial plazas and associated surface parking areas, some with residential units on the upper floors.

THE APPLICATION

Description

Height: 20-storey (65.3 metres plus a 5.5 metre mechanical penthouse) mixed use building with retail on the ground floor. The base building is 10 storeys high and a further 10 storey tower portion is proposed on top of this base building at the northwest corner of Dufferin Street and Castlefield Avenue.

Uses: A residential building with retail/commercial space on the ground floor. The residential gross floor area (GFA) is 35,287 square metres and there is 706 square metres of retail GFA on the ground floor. An on-site parkland dedication of 600 square metres is proposed at the east end of the site abutting Roselawn Avenue and Castlefield Avenue.

Density (Floor Space Index): 5.85 times the area of the lot.

Unit count: 462 dwelling units (10 studio units (2%), 223 one-bedroom units (48%), 181 two-bedroom units (39%), and 48 three-bedroom units (10%).

Additional Information

See Attachments 1-5 of this report for a location map, Application Data sheet, three dimensional representations of the project in context and a site plan of the proposal. 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 Application

The Zoning By-law Amendment Application proposes to amend Zoning By-laws 569-2013 and Former City of York By-law 1-83 to vary performance standards including gross floor area, floor space index, building height, building setbacks, amenity space, vehicular and bicycle parking space requirements. Additional amendments to the Zoning By-law may be identified as part of the ongoing application review.

Site Plan Control

The proposal is subject to Site Plan Control. A Site Plan Control application has been submitted (File no. 21 252234 NNY 08 SA) and was deemed complete on February 1, 2022. This application has not been appealed and is held in abeyance pending the outcome of this appeal.

POLICY CONSIDERATIONS

Official Plan Designation: The site is identified as *Avenues* on Map 2 of the Official Plan. The site is designated *Mixed Use Areas* as shown on Map 17 of the Official Plan.

Zoning: The site is subject to Zoning By-law 569-2013. It is zoned Commercial Residential (CR 2.0 (c2.0; r2.0) SS2) with a maximum permitted density of 2.0 times the area of the lot and a maximum permitted height of 15 metres (5 storeys). The site is located within Policy Area 4.

Additional information:

See Attachment 6 for applicable policy documents.

COMMUNITY CONSULTATION

A Virtual Community Consultation Meeting was hosted by City staff on April 14, 2022. Approximately 25 people participated, as well as the Ward Councillor. Following a presentation by City staff and the Applicant, the following comments and issues were raised:

- additional noise in the area, not only from construction of the building but also the development itself (cars, trucks, going in and out);
- lack of parking in the area;
- increased traffic congestion;
- lack of privacy resulting from the height of the tower as compared to the low rise buildings on the south side of Roselawn; and,
- lack of fit with neighbouring low rise area, stating the proposal will stick out and be an eyesore.

COMMENTS

Provincial Framework

Staff's review of this application has had regard for the relevant matters of provincial interest set out in the Planning Act. Staff has reviewed the current proposal for consistency with the Provincial Policy Statement, and conformity with the Growth Plan. Staff find the proposal in its current form is not consistent with the PPS and does not conform to 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. Policy 4.6 of the PPS states that, "The official plan is the most important vehicle for implementation of this PPS. Comprehensive, integrated and long-term planning is best achieved through official plans." The application does not conform to the Official Plan as further discussed below. 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.

Built Form and Site Organization

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.

The proposed built form of a ten storey base building with a ten storey tower on top does not meet the City's urban design guidelines or the typology for either a midrise building or a tall building. The height of the base building is not consistent with the adjacent context or with the City's urban design guidelines. It does not create an appropriate pedestrian scale or reduce the visual impact of the tower portion of the building. The base building has a 1.5 metre setback on Dufferin Street and 2.0 metres along the segment of Castlefield Avenue that intersects with Dufferin Street, however the upper floor balconies project into the 1.5 metre setback and do not provide an

adequate pedestrian scale as perceived from the street and may be attributing to the wind issues discussed further below. The setback is also required in order to provide additional space for pedestrian, streetscape amenities and tree planting.

The site organization should be revised to increase the setbacks to the streets (Dufferin, Castlefield and Roselawn) and to improve the transition to the low-rise residential neighbourhood to the south. Revisions to the massing of the building are also required in order to provide a transition to the low-rise residential neighbourhood to the south.

The proposed development, should clarify the type of built form that it is seeking. If a tall building is considered, the proposed building would need to provide a lower and defined base facing Castlefield, with a tower and a top. The base building should be distinguished with greater setbacks which would place the taller portion of the building away from the public realm to create an appropriate scale for pedestrians as well as to provide skyview and sunlight and reduce the visual impact of a tower and mitigate wind impacts.

The proposed height of the tower right on the corner of Dufferin and Castlefield does not achieve the policies of the Official Plan or the relevant design guidelines regarding height and transition and improving pedestrian comfort. The tower portion of the building should be directed away from Dufferin Street. The application also needs to provide clarification that the tall building has a maximum gross floor plate size of 750 square metres, consistent with the Tall Building Guidelines.

Sun and Shadow

The applicant has submitted a Sun/Shadow Study which is under review by staff. The study shows that there is shadow being cast on the opposite side of Castlefield Avenue during the March and September equinoxes from 12:18 p.m. - 6:18 p.m. and there does not appear to be 5 hours of continuous sunlight on the adjacent street as per the City's urban design guidelines. The shadow should be mitigated by revising the massing of the building.

Wind

Staff have reviewed the Pedestrian Level Wind Study prepared by Gradient Wind dated December 20, 2021. The study shows that some areas in the adjacent public realm including the proposed park and some of the outdoor amenity areas may have issues with regards to the intended comfort level of these areas. The wind impacts should be mitigated through revisions to the built form and massing such as building orientation, setbacks and setbacks of the proposed building. A revised wind study will be required to demonstrate that any revisions to the built form achieves such mitigations.

Streetscape

The TTC has advised that the TTC northbound nearside bus stop #2025 on Dufferin Street at Castlefield Avenue is located on the Dufferin frontage of the site. To provide adequate room to operate the accessible ramp on the buses, and to accommodate both standard and articulated buses, the applicant is required to provide a level concrete platform that is at least 16 metres in length and 2.4 metres in width from the curb. The applicant should also ensure that there is adequate space for the existing bus shelter at this stop location. The submitted plans do not depict this request and staff are unable to determine any impacts to the public right of way and the proposed development, however additional setbacks to the proposed development may be required to accommodate the bus shelter. Additionally, road widenings are also required on Dufferin Street, and the corner of Dufferin Street and Castlefield which are not demonstrated on the plans. Transportation Services has also requested a widening on Roselawn Avenue.

Servicing

A Functional Servicing and Stormwater Management Report, a Hydrogeological Investigation Report, a Geotechnical Investigation Report, a Transportation Impact Study and associated engineering plans have been submitted for the application. Engineering and Construction Services Staff have reviewed the submitted materials in support of the zoning by-law amendment application and have requested revisions to the reports and plans and have requested additional information which has not been provided to date.

A revised Functional Servicing 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, submitted for review and acceptance to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services is required.

Should it be determined that upgrades are required to the infrastructure to support this development, according to the accepted Functional Servicing Report accepted by the Chief Engineer and Executive Director of Engineering and Construction Services; the owner is also 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, as well as to provide 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.

In the event that the OLT allows the 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 Zoning By-law amendment.

Solid Waste Management Services

Solid Waste Management Services has advised that a portion of the property where the development is proposed lies within 250 metres of a closed municipal landfill. The owner is required to retain a qualified person to conduct a subsurface investigation for the possible presence of methane gas at the property. Depending on the results of the subsurface investigation, Solid Waste may request further conditions which may impact the proposed site and underground organization, and the resulting performance standards. To date, this report has not been submitted to the City.

Parkland

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded.

The City of Toronto Parkland Strategy is a 20-year strategic city-wide plan that guides long-term planning for new parks, park expansions and improvements, and improved access to existing parks. The Strategy includes a new methodology to measure and assess parkland provision, using the baseline of residential population against the area of parkland available across the city. According to the Strategy's methodology, the development site is currently in an area with no population (< 300), which was not included in assessing the parkland provision per person for the subject lands. Given the future expected growth both on the development site itself and surrounding sites, a parkland deficit will be generated if no new parks are created. This anticipated parkland deficit must be addressed through the creation of a new park to serve the future population.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the owner is required to satisfy the parkland dedication requirement through an on-site dedication. The park is to be in the southeast corner of the development site, adjacent to the city-owned open space, and comply with Policy 3.2.3.8 of the Toronto Official Plan. The Architectural Plans submitted in support of the application demonstrates that the applicant has proposed a 600 square metre parkland dedication in the southeast corner of the site. The location and configuration is acceptable to the Parks Development Section, however the size of the dedication must be increased by 14.7 square metres.

Tree Preservation

The Application is subject to the provisions of the City of Toronto Municipal Code and the Toronto Green Standards. An Arborist Report and Tree Protection Plan were submitted by the Applicant. Urban Forestry has reviewed the Arborist Report, Tree Preservation Plan and Landscaping Plans and have requested revisions and additional information. Based on the materials submitted, Urban Forestry has advised that the soil volume information is incomplete and does not appear to meet the required amount of soil volume for this development. The total soil volume required of this property is 1,026 square metres whereas the landscape plan L100 indicates only 862 square metres of soil volume. Urban Forestry has requested that the application be revised in order to meet the minimum required soil volume (and tree planting) on site and to remove the parking garage from below the trees proposed on private property along Castlefield Avenue.

Housing

The Council-adopted *Growing Up: Planning for Children in New Vertical Communities* urban design guidelines provide guidance on the proportion and size of larger units recommended in new multi-residential developments.

The applicant is proposing 181 two-bedroom (39% of total number of units) and 48 three-bedroom units (10% of total number of units) which is in line with the unit mix objectives of the Growing Up Guidelines. However, based on the architectural plans and the typical unit sizes provided on the project data sheet, the application does not meet the minimum recommended unit size ranges of the Growing Up Guidelines.

Indoor/Outdoor Amenity Space

Zoning By-law 569-2013 requires a combined amenity space of 4.0 square metres per unit, of which at least 2.0 square metres for each dwelling unit is for indoor amenity space. The application is proposing a total of 1,848 square metres of amenity space, comprised of 924 square metres of indoor amenity space and 924 square metres of outdoor amenity space, which meets the zoning requirement.

A 532 square metre amenity room is proposed on the ground floor, internal to the building. A secondary 87 square metre amenity room is proposed on the second floor, and a third 279 square metre amenity room is located on the third floor, adjacent to a 203 square metre outdoor amenity terrace. Within the tower element, there is a 66 square metre amenity room adjacent to a 770 square metre outdoor amenity terrace on the 11th floor.

Access, Parking and Loading

The applicant's Transportation Impact Study report by WSP, dated December 2021 concludes that the proposed development's site-generated auto traffic can be accommodated by the boundary road network. Transportation Services staff have

reviewed the applicant's study and have requested a number of revisions and additional information.

A total of 254 vehicle parking spaces are proposed in a 2-level below-grade parking garage, accessed from an internal driveway that is accessed from Roselawn Avenue. The driveway access includes two curb cuts on Roselawn Avenue and it should be revised to only have one curb cut from Roselawn Avenue. One type-G loading space and one type-C loading space are proposed on the ground floor, internalized to the proposed building. The TTC has raised questions of clarification regarding whether the internal driveway is navigable for Wheel-Trans vehicles and has requested a swept path analysis for a Wheel-Trans Friendly vehicle.

The site statistics indicate the provision of 416 long-term and 47 short-term bicycle parking spaces for a total of 463 spaces. All the long-term bicycle parking spaces must be provided in a secure controlled-access bicycle parking facility or purpose-built bicycle locker. However, not all of the short-term bicycle parking spaces are identified on the plans and it is unclear where all of the long-term bicycle parking spaces are located on the site. Further information is required as to the location of the bicycle parking spaces, the dimensions of the bicycle parking spaces and the aisles to access them.

In addition to the preceding comments, there are other site circulation and design matters identified in the Engineering and Construction Services (ECS) memo as well as in Transportation Services memo, which may impact the proposed site and underground organization, and the resulting performance standards. To date, the applicant has not satisfactorily addressed same.

Transportation Demand Management (TDM)

A TDM plan was included as part of the applicant's Transportation Impact Study. The TDM plan specified a bicycle repair station as the only TDM measure. Additional TDM measures are also required for this site in order to support the proposed parking reduction, address the site related vehicular traffic issues and satisfy the requirements of the Toronto Green Standard.

Noise

A Noise and Vibration Assessment dated November 30, 2021, was submitted by the applicant and will be peer reviewed at the applicant's cost. Any issues that arise through the review which are applicable to the Zoning By-law Amendment must be addressed through this appeal prior to any approval in principle by the OLT.

Schools

The Toronto District School Board has advised that there may be insufficient capacity at the local elementary school (Fairbank Public School) to accommodate students anticipated from this development. Although there are currently limited pupil places available in the local elementary school, sufficient accommodation may not be available when this development is realized due to the cumulative impact of development in the area. This application is located in a community experiencing residential intensification and population growth that is presenting accommodation challenges at local schools. The TDSB staff will continue to monitor residential development in this community to understand the cumulative impact on local schools and to determine where prospective students will attend school.

The status of local elementary school accommodation should be communicated to new and existing residents to inform them that students from new development will not displace existing students at local schools. As such, the TDSB has requested conditions as part of the site plan agreement including the installation of a notice sign on the development site and warning clauses in all agreements of purchase and sale/lease/rental/tenancy agreements.

The Toronto Catholic District School Board has advised that at this time, sufficient space exists within the local elementary school to accommodate additional students from the development as proposed. The local secondary school is operating at capacity, however as per as per the TCDSB Capital Plan Dante Alighieri Academy has been approved for a 1,300 pupil place replacement school with occupancy anticipated for 2024. The TCDSB will continue to monitor development growth in this area as it relates to cumulative impact on local schools.

Further Issues

City Planning continues to receive additional information regarding this application as the 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.

This report recommends that the City Solicitor, with appropriate staff, attend the OLT in opposition to the application in its current form and to 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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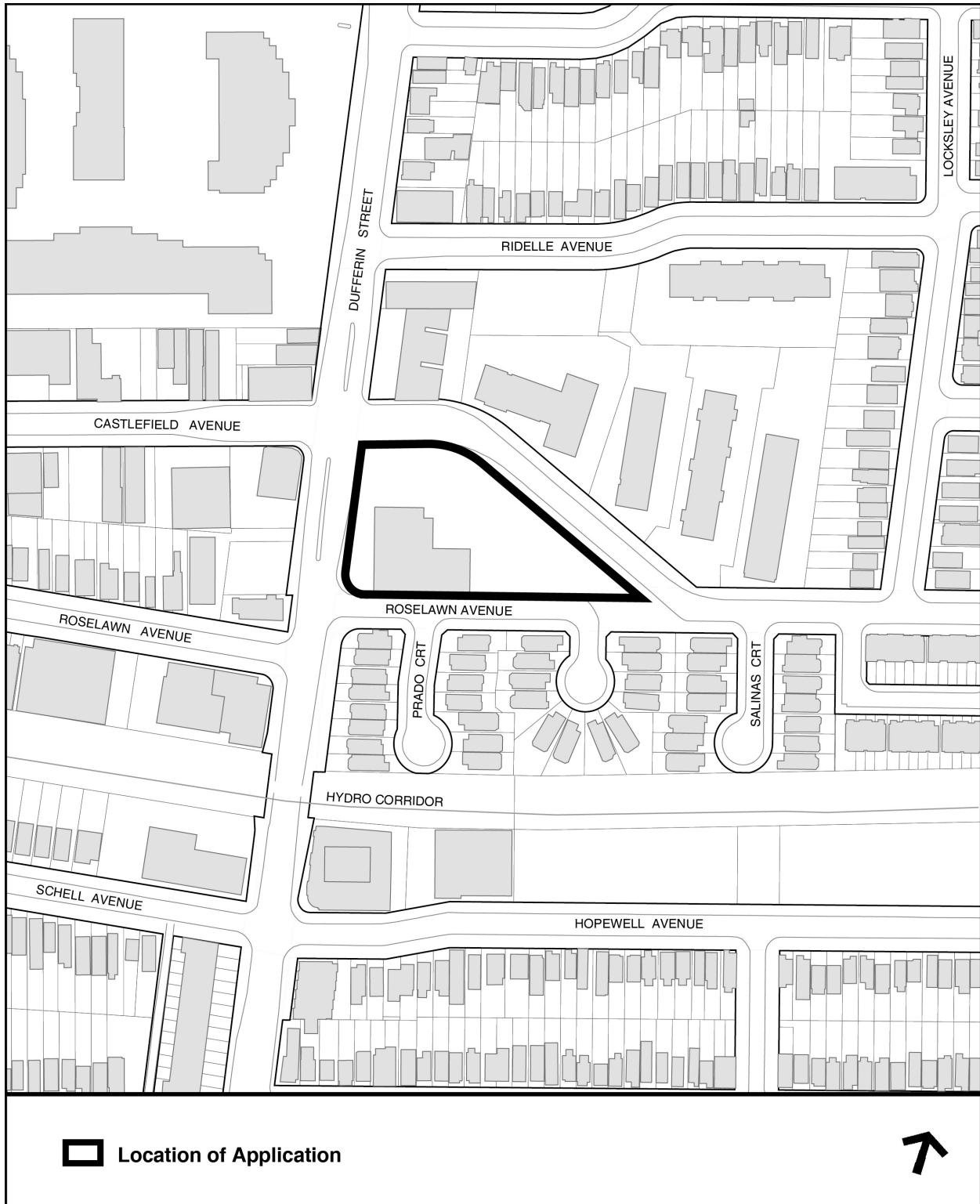
SIGNATURE

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

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: Policy Considerations
Attachment 7: Official Plan Land Use Map
Attachment 8: Zoning By-law Map

Attachment 1: Location Map



Attachment 2: Application Data Sheet

APPLICATION DATA SHEET

Municipal Address: 2451 DUFFERIN ST **Date Received:** December 30, 2021

Application Number: 21 252235 NNY 08 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: Zoning by-law Amendment application for a 20-storey mixed-use building having a non-residential gross floor area of 706 square metres, and a residential gross floor area of 35,455.80 square metres. 462 residential dwelling units are proposed.

Applicant	Agent	Architect	Owner
MATT YOUNG			2432905 ONTARIO INC

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	CR 2.0 (c2.0; r2.0) SS2	Heritage Designation:	
Height Limit (m):	15	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 6,245 Frontage (m): 50 Depth (m): 65

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	1,547		3,047	3,047
Residential GFA (sq m):			35,828	35,828
Non-Residential GFA (sq m):	1,547		706	706
Total GFA (sq m):	1,547		36,534	36,534
Height - Storeys:	1		20	20
Height - Metres:			65	65

Lot Coverage Ratio (%): 48.79 Floor Space Index: 5.85

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	35,456	372
Retail GFA:	706	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			462	462
Other:				
Total Units:			462	462

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		10	223	181	48
Total Units:		10	223	181	48

Parking and Loading

Parking Spaces: 254 Bicycle Parking Spaces: 463 Loading Docks: 2

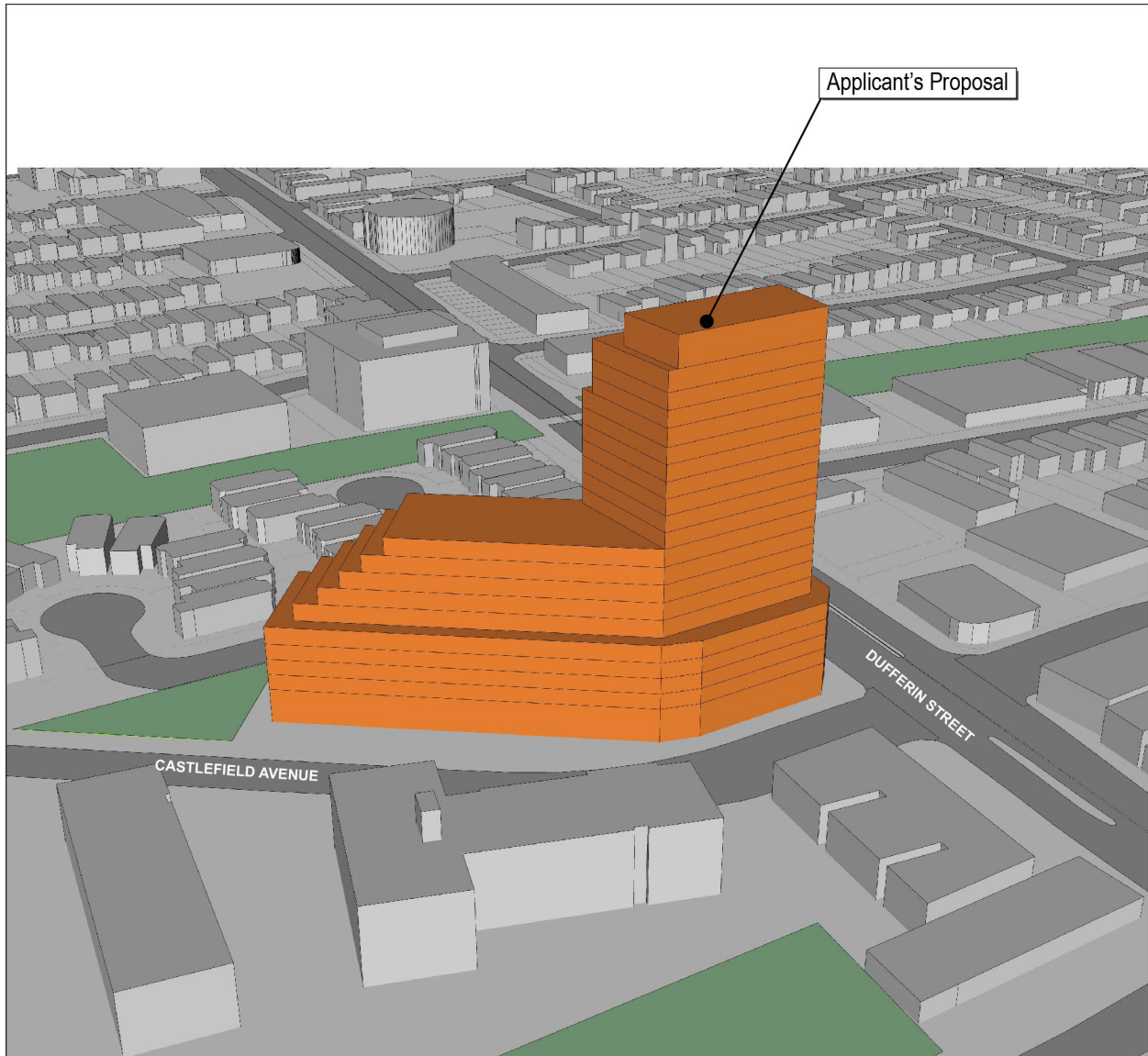
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Attachment 3: 3D Model of Proposal in Context Looking Southwest

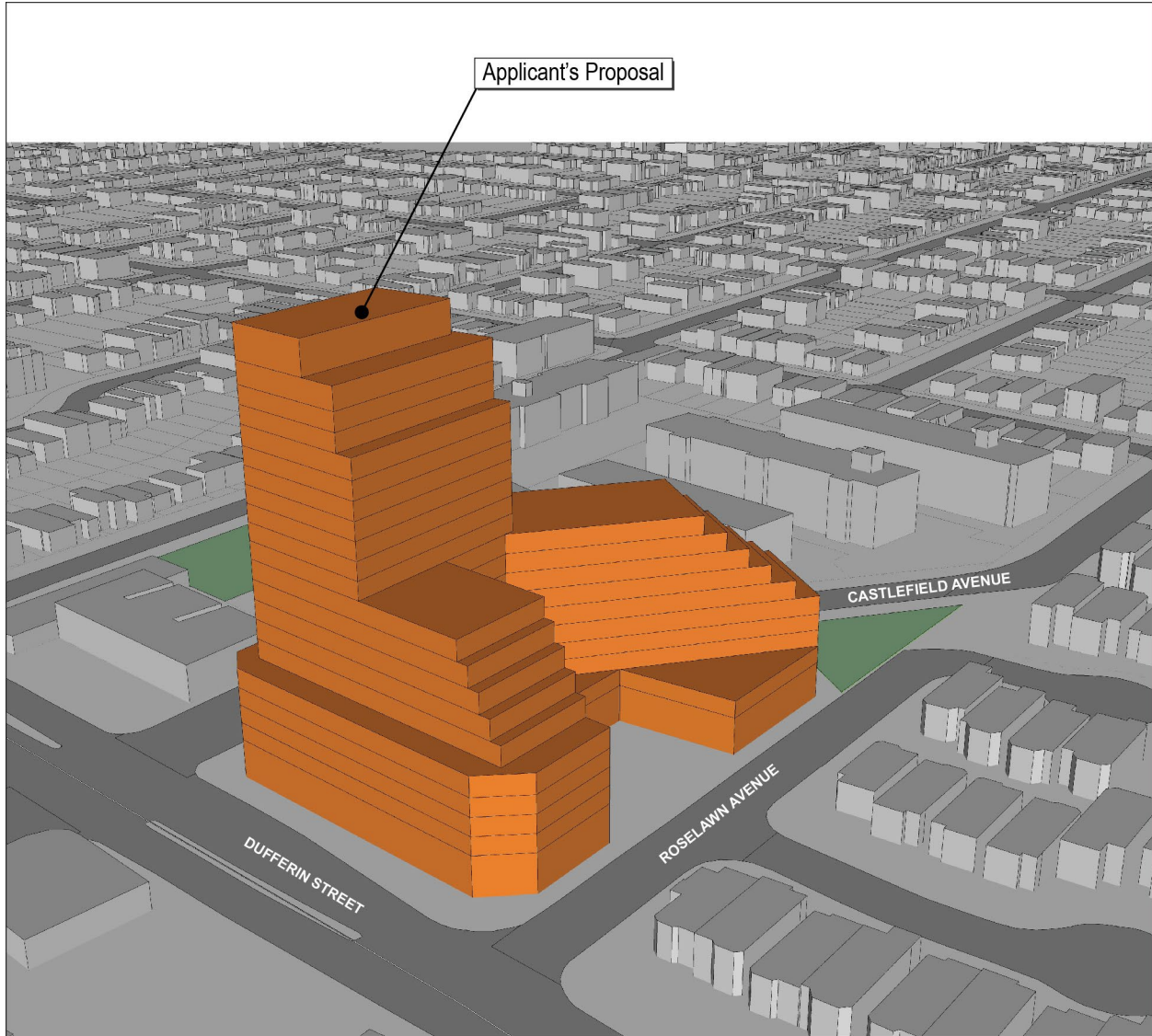


View of Applicant's Proposal Looking Southwest



01/18/2022

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

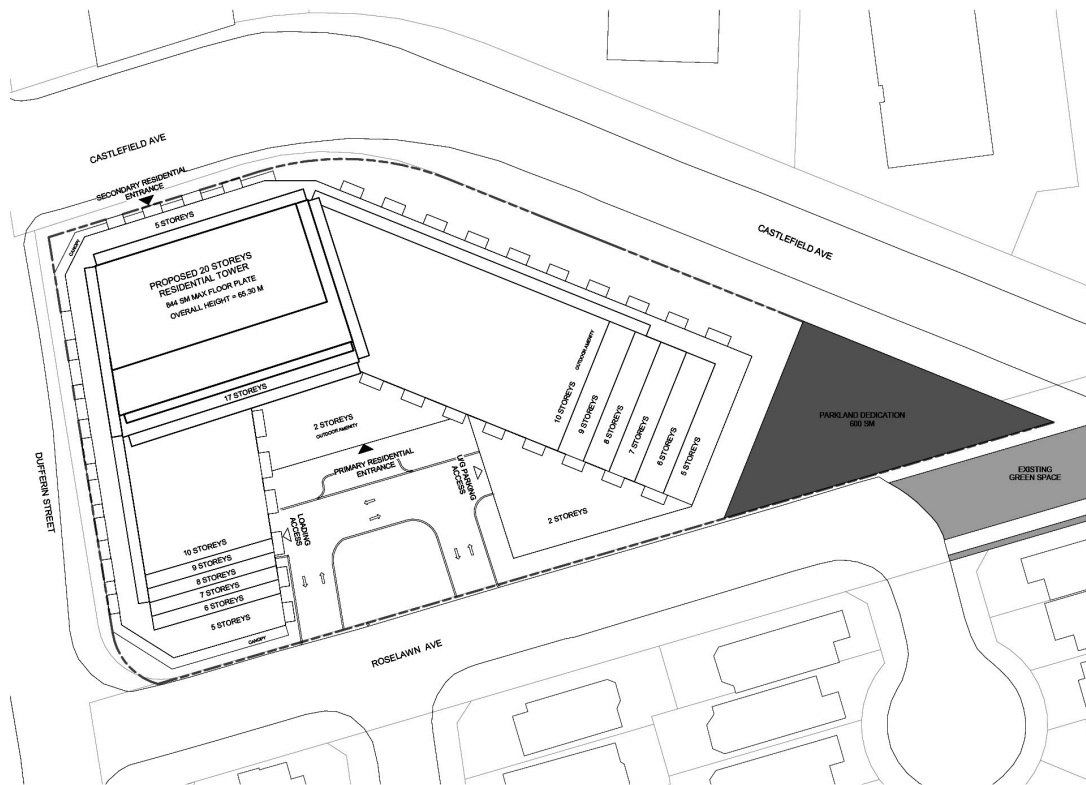


View of Applicant's Proposal Looking Northeast



01/18/2022

Attachment 5: Site Plan



Site Plan



Attachment 6: Policy Considerations

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.

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.

The Provincial Policy Statement (2020)

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

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

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."

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

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan") came into effect on August 28, 2020. This was an amendment to the Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan, 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;
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas; and
- Conserving Cultural Heritage Resources in order to foster a sense of place and benefit communities, particularly in strategic growth 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 Greater Golden Horseshoe region. The policies of the Growth Plan 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. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

Planning for Major Transit Station Areas

The Growth Plan (2020) 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. A subset of MTSAs will be identified as Protected Major Transit Station Areas (PMTSAs), where the Council-approved inclusionary zoning policy framework can be implemented.

On July 19, 2022, City Council adopted Official Plan Amendment (OPA) 540, OPA 544, and OPA 570 with 115 MTSA/PMTSAs as part of Growth Plan Conformity and MCR. The report can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.PH35.16>.

These OPAs have been submitted to the Province for approval and are not yet in effect.

The closest PMTSA is the Fairbank PMTSA around the Fairbank station stop on the Eglinton Crosstown Light Rail transit line (under construction) located at Dufferin Street and Eglinton Avenue West. The Site is located approximately 100 metres outside of the draft delineated PMTSA and is therefore not subject to the PMTSA and its policies.

Toronto Official Plan

The City of Toronto Official Plan (the "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.

The Official Plan contains policies related to building complete communities, heritage preservation, community services, transportation, and environmental stewardship.

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

The site is located on lands shown as Avenues on Map 2 of the Official Plan. The site is designated Mixed Use Areas as shown on Land Use Map 17 of the Official Plan. See Attachment 7 of this report for the Official Plan Land Use Map.

Chapter 2 - Shaping the City

Chapter 2 describes how the City will manage growth and sets out policies for building a more liveable urban region and integrating land use and transportation. Toronto will strive to provide a full range of housing types in terms of form, tenure and affordability and encourage the construction of rental housing. The Official Plan's transportation policies make provisions for the protection and development of the City's street, rapid transit and inter-regional rail networks. The Official Plan provides complementary

policies to make more efficient use of this infrastructure and to increase opportunities for walking, cycling, and transit use and support the goal of reducing car dependency.

The integration of transportation and land use is critical to achieving the overall aim of increasing accessibility throughout the City. The policies of the Plan reflect the importance of mutually supportive transportation and land use policies that combine mechanisms of mobility and proximity to maximize accessibility. The Transportation Section of the Official Plan speaks to the City's transportation network being maintained and developed to support the growth management objectives of the Plan by protecting and developing the network right-of-ways as shown on Map 3 of the Official Plan. The City may acquire lands beyond the right-of-way widths shown on Map 3 and Schedule 1 to accommodate necessary features such as embankments, grade separations, additional pavement or sidewalk widths at intersections, transit and cycling facilities, transit priority measures or to provide for necessary improvements in safety, accessibility or visibility in certain locations. Policies also require that: streets are not closed to public use and stay within the public realm where they provide present and future access for vehicles, pedestrians and bicycles, space for utilities and services, building address, view corridors and sight lines. These are policies to ensure that new streets will be provided in consideration of surrounding land uses and will contribute to the development of a connected network which provides direct and clearly understood travel routes for all transportation modes and users throughout the City and acts as a fundamental organizing element of the City's physical structure.

For lands identified as Avenues, the Plan recognizes that the reurbanization of the Avenues will be achieved through Avenue Studies for strategic mixed use segments of the corridors. Development in Mixed Use Areas on Avenues, prior to an Avenue Study has the potential to set a precedent for the form and scale of reurbanization along the Avenue. In addition to the policies of the Plan for Mixed Use Areas, proponents of such proposals will also address the larger context and examine the implications for the segment of the Avenue in which the proposed development is located.

Chapter 3 - Building a Successful City

Chapter 3 of the Official Plan contains policies to guide decision making based on the Plan's goals for the human, built, economic and natural environments.

The public realm policies provide direction on the importance of the public realm including streets, sidewalks, internal pedestrian connections, open space areas, parks and public buildings. The public realm policies also provide guidance on the roles and key relationships between elements of the public realm as well as direction on the expansion, enhancement and maintenance of the public realm through development review and capital projects.

The built form policies provide principles on key relationships of the location and organization of development, its shape, scale and massing, and the provision of appropriate amenity within the existing and planned context to inform building design and ensure each new building will promote and contribute to a high quality of life. The policies require development to enhance and extend, where appropriate, a public realm that supports the creation of complete communities inclusive of public streets, parks and

open spaces. Built Form requires new development to be located, organized and massed to fit with the existing and planned context, frame and define comfortable public spaces, and ensure access to direct sunlight and daylight on the public realm by providing good street proportion and transition in scale to neighbouring properties.

The Official Plan also provides additional guidance for townhouse and low-rise apartments, mid-rise buildings, and tall buildings. It states that tall buildings should be designed to reduce physical and visual impacts of the tower on the public realm and surrounding properties, including limiting shadows and pedestrian level wind impacts and maximizing access to sunlight and open views of the sky from the public realm.

The Official Plan identifies that new neighbourhoods require a comprehensive planning framework that reflects the Official Plan's city-wide goals, as well as the local context, including patterns of streets, development blocks, open spaces and other infrastructure, a strategy for affordable housing, community services and other policies that ensure new neighbourhoods are viable communities.

The Housing Section of the Plan identifies that the City's quality of life, economic competitiveness, social cohesion, balance and diversity depend on access to adequate, affordable and appropriate Housing. It states that adequate and affordable housing is a basic requirement for everyone. The Official Plan states that a full range of housing, in terms of form, tenure and affordability, across the City and within neighbourhoods, will be provided and maintained to meet the current and future needs of residents.

The Community Services and Facilities policies in the Official Plan state that strategies for providing new social infrastructure or improving existing community service facilities will be developed for areas that are inadequately serviced or experiencing major growth or change.

The Parks and Open Spaces policies in the Official Plan promote the expansion of the city's parks and open space system. The measures for maintaining, enhancing and expanding the system including adding new parks and amenities, particularly in growth areas and maintaining, improving and expanding existing parks and designing high quality parks and their amenities to promote user comfort, safety, accessibility and year-round use and to enhance the experience of "place", providing experiential and educational opportunities to interact with the natural world.

Chapter 4 - Land Use Designations

Chapter 4 of the Official Plan, Land Use Designations, functions as a key implementation tool for achieving the strategy of directing growth to specific areas of the City, and away from other others. This chapter establishes the general uses that are permitted in each land use designation, leaving it to the zoning by-laws to prescribe precise numerical provisions.

The site is designated Mixed Use Areas on Map 17 of the Official Plan. Mixed Use Areas are intended to provide a broad range of commercial, residential and institutional uses in a single-use or mixed use building. In Mixed Use Areas development will:

- 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;
- provide for new jobs and homes for Toronto's growing population on underutilized lands in the Downtown and Central Waterfront, Centres, Avenues and other lands designated Mixed Use Areas, creating and sustaining well-paid, stable, safe and fulfilling employment opportunities for all Torontonians;
- 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 appropriate setbacks and/or a stepping down of heights, particularly towards lower scale Neighbourhoods;
- locate and mass new buildings so as to adequately limit shadow impacts on adjacent Neighbourhoods, particularly during the spring and fall equinoxes;
- 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;
- have access to schools, parks, community centres, libraries and childcare;
- take advantage of nearby transit services;
- 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;
- provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development;
- provide opportunities for energy conservation, peak demand reduction, resilience to power disruptions and small local integrated energy solutions that incorporate renewables, district energy, combined heat and power or energy storage; and
- provide opportunities for green infrastructure including tree planting, stormwater management systems and green roofs.

Chapter 5- Implementation

Chapter 5 of the Official Plan outlines a variety of tools that the City can bring to bear to make things happen, including both the traditional tools that govern plans of subdivision, zoning by-laws, minor variances, consents and demolition control and also policies that provide guidance as to the forms of municipal influence needed to fulfil this Plan's objectives. Also presented is a framework for ongoing monitoring processes that will ensure that the Plan is effective over the long term.

Zoning By-laws

The site is zoned Local Commercial Residential (LCR) under former City of York Zoning By-law 1-83, as amended, which generally permits townhouses and apartment buildings, offices, restaurants and other retail commercial uses.

The site is zoned Commercial Residential (CR 2.0 (c2.0; r2.0) SS2) in the city-wide Zoning By-law 569-2013, as amended. This zoning permits a maximum density of 2.0

times the area of the lot and a maximum permitted height of 15 metres (5 storeys). The site is located within Policy Area 4.

The City's Zoning By-law 569-2013 can be found at:
https://map.toronto.ca/maps/map.jsp?app=ZBL_CONSULT

See Attachment 8 of this report for the existing Zoning By-law Map.

Design Guidelines

The following design guidelines will be used in the evaluation of this application:

- City-wide Tall Building Design Guidelines;
- Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings;
- Growing Up Guidelines: Planning for Children in New Vertical Communities; and
- Retail Design Manual.

Other guidelines that are relevant to the review of this application include Best Practices for Bird-Friendly Glass, Best Practices for Effective Lighting and Toronto Accessibility Design Guidelines.

The City's Design Guidelines can be found here:
<https://www.toronto.ca/citygovernment/planning-development/official-planguidelines/design-guidelines/>

City-wide Tall Building Design Guidelines

City Council has adopted city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of tall building development Applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts.

The Tall Building Design Guidelines can be found here:
<https://www.toronto.ca/legdocs/mmis/2013/pg/bgrd/backgroundfile-57177.pdf>.

Growing Up Guidelines: Planning for Children in New Vertical Communities

In July 2020, City Council adopted updated Growing Up Urban Design Guidelines, and directed City Planning staff to apply the "Growing Up Guidelines" in the evaluation of new and under review multi-unit residential development proposals greater than 20 residential units and future city-wide and area-based planning frameworks. The objective of the Growing Up Urban Design Guidelines is that developments deliver tangible outcomes to increase liveability for larger households, including families with children, at the neighbourhood, building and unit scale.

The Growing Up Guidelines may be found here:

<https://www.toronto.ca/city-government/planning-development/planningstudiesinitiatives/growing-up-planning-for-children-in-new-vertical-communities/>

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 needed pet amenities for high density residential communities.

Given the current rise in dog-owning populations, the owner is expected to provide on-site dog amenities with proper disposal facilities such as dog relief stations within the building to accommodate future residents' needs. This will also help alleviate pressure on existing parks. Please refer to Toronto's Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings.

The guidelines can be found here:

<https://www.toronto.ca/city-government/planning-development/planning-studies-initiatives/pet-friendly-design-guidelines-for-high-density-communities/>

Urban Forestry/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).

Climate Mitigation and Resilience

Climate change mitigation and resilience are key concerns of the City. On October 2, 2019, City Council declared a Climate Emergency and set a new goal to achieve net zero greenhouse gas emissions by 2050 or sooner. In 2021, an updated TransformTO Net Zero Strategy was presented to Council, outlining the necessary climate action to reach net zero GHG emissions community-wide. In June 2019, the Resilience Strategy was published, which set out that new development should be resilient to a changing climate.

Attachment 7: Official Plan Land Use Map



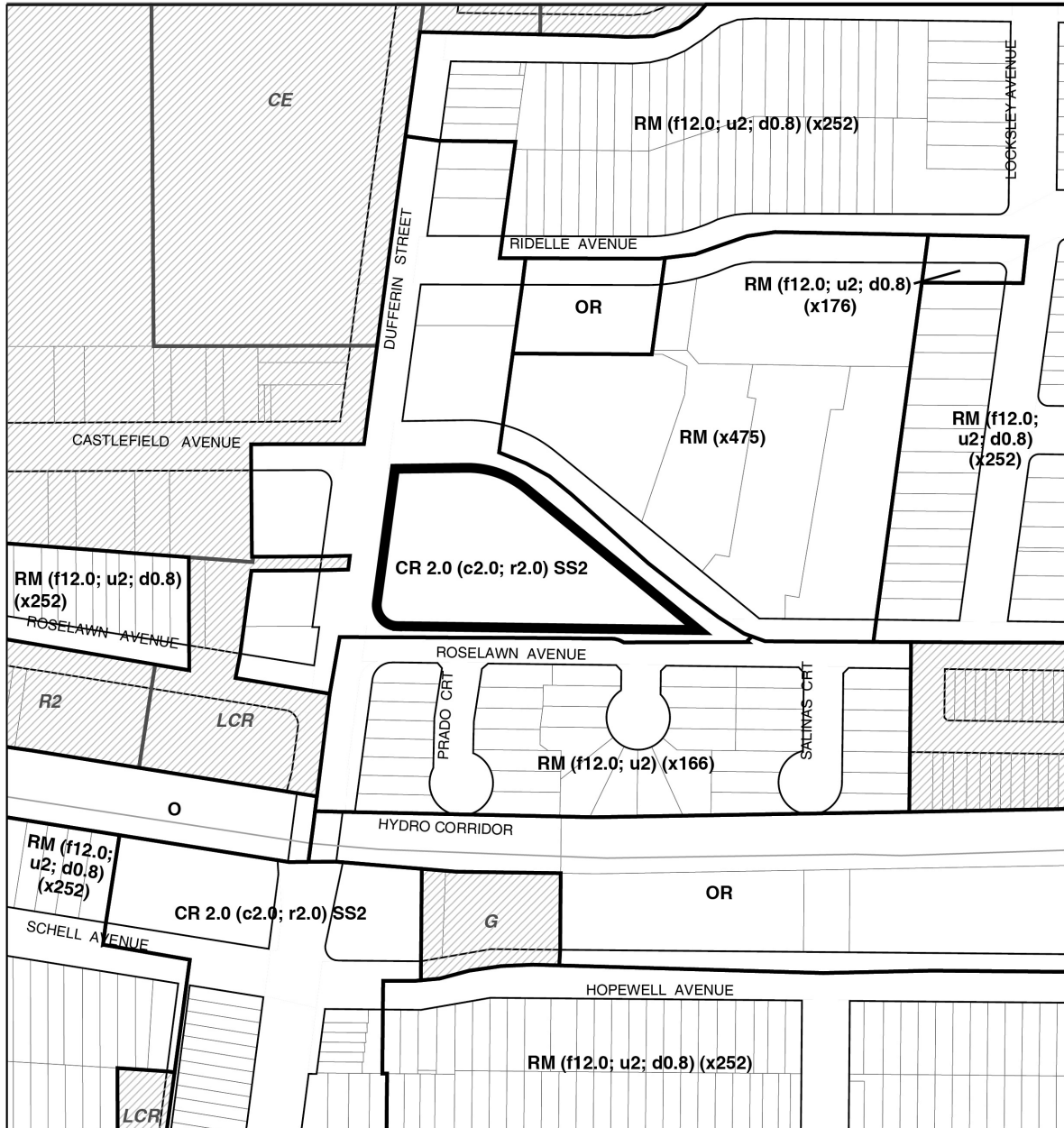
Official Plan Land Use Map #17

2451 Dufferin Street
File # 21 252235 NNY 08 0Z

- Location of Application
- Neighbourhoods
- Apartment Neighbourhoods
- Mixed Use Areas
- Parks
- General Employment Areas

Not to Scale
 Extracted: 01/04/2022

Attachment 8: Zoning By-law Map




Zoning By-law 569-2013

2451 Dufferin Street

File # 21 252235 NNY 08 0Z

-  Location of Application
- RM** Residential Multiple
- CR** Commercial Residential
- O** Open Space
- OR** Open Space Recreation

-  See Former City of York By-law No. 1-83
- R2** Residential Districts
- LCR** Local Commercial Residential
- C5** Mixed Use Commercial Zone
- PE** Prestige Employment Zone
- CE** Commercial Employment Zone
- G** Green Open Space


 Not to Scale
 Extracted: 01/04/2022