

4884-4896 Dundas Street West – Official Plan Amendment and Zoning By-law Amendment Application – Appeal Report

Date: December 21, 2023

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York

Wards: Ward 3 - Etobicoke-Lakeshore

Planning Application Number: 22 139836 WET 03 OZ

SUMMARY

On April 28, 2022, a combined Official Plan Amendment and Zoning By-law Amendment application was submitted for a development at 4884-4896 Dundas Street West to permit a 12-storey mixed-use building containing 225 residential units and 1214 square metres of retail space at-grade. The heritage building on the site is proposed to be retained and relocated. A revision was submitted on June 15, 2023 to permit a 29-storey mixed-use building containing 395 residential units and a total of 1322 square metres of at-grade retail space along Dundas Street West. The revision continues to retain the heritage building within the site but proposes to move it entirely out of the public right-of-way.

On June 23, 2023, the applicant appealed the application to the Ontario Land Tribunal (OLT) citing City Council's failure to make a decision on the application within the time period prescribed under the *Planning Act*. The site is also the subject of an associated application for Site Plan Control approval, which has not been appealed. A Case Management Conference was held on September 28, 2023 (OLT Case No. OLT-23-000654). City staff require direction from City Council in advance of the next Case Management Conference (CMC) scheduled for the week of February 19, 2024. An OLT hearing has been scheduled from June 17 to 21, 2024.

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

RECOMMENDATIONS

The Director, Community Planning, Etobicoke York District 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 Amendment and Zoning By-law Amendment appeal for the lands at 4884-4896 Dundas Street West, and to continue discussions with the applicant to resolve outstanding issues.
2. If the Ontario Land Tribunal allows the appeals, in whole or in part, City Council authorize the City Solicitor to request that the Ontario Land Tribunal withhold the issuance of any final Order(s) until such time as the Ontario Land Tribunal has been advised by the City Solicitor that:
 - a. The final form and content of the Official Plan and Zoning By-law Amendments are satisfactory to the Chief Planner and Executive Director, City Planning and the City Solicitor;
 - b. The owner has provided a revised Functional Servicing and Stormwater Management Report, to determine the stormwater 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 of Engineering and Construction Services;
 - c. The owner has addressed all outstanding issues identified in the Engineering and Construction Services' correspondence, dated December 11, 2023, to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services;
 - d. The owner has provided a revised Servicing Report Groundwater Summary Form, Hydrogeological Assessment Report, Hydrological Review Summary Form, and Foundation Summary Form to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services;
 - e. The owner has provided a revised Transportation Impact Study, to the satisfaction of the General Manager, Transportation Services;
 - f. The owner has made arrangements with the City and has entered into the appropriate agreement(s) 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 revised Functional Servicing and Stormwater Management Report accepted by the Chief Engineer and Executive Director of Engineering and Construction Services and

revised Transportation Impact Study accepted by the General Manager, Transportation Services; and

g. The owner has addressed all outstanding issues raised by Urban Forestry, Tree Protection and Plan Review, as they relate to the Official Plan and Zoning By-law Amendments application, to the satisfaction of the General Manager of Parks, Forestry and Recreation.

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

FINANCIAL IMPACT

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

DECISION HISTORY

On July 19, 2022, City Council approved Official Plan Amendment (OPA) 540, OPA 544, and OPA 570 with 115 Major Transit Station Area (MTSA)/Protected MTSA (PMTSA) as part of the Growth Plan Conformity and Municipal Comprehensive Review. These OPAs have been submitted to the Province for approval, but no decision has been made at this time by the Minister of Municipal Affairs and Housing. The subject lands are located within the Islington PMTSA (Site and Area Specific Policy – SASP 627) as adopted by Council under OPA 570. The decision can be found at: [Agenda Item History - 2022.PH35.16 \(toronto.ca\)](#). On September 12, 2022, the Minister notified the City that the time period for the Minister to decide on OPA 540, OPA 544, and OPA 570 had been suspended.

THE SITE

Description

This site is in Islington Village, on the northwest side of Dundas Street West, between Burnhamthorpe Road and Burnhamthorpe Crescent. The 4383 square metre site is irregular in shape, with depths ranging between 41 and 53 metres. The site has a street frontage of approximately 71 metres along Dundas Street West and rear access from a public lane starting on Burnhamthorpe Road. The site generally slopes downward from an elevation of approximately 128 metres along its southwestern boundary to an elevation of approximately 125 metres along its northeast boundary (see Attachment 1: Location Map).

Existing Use

The site is currently occupied by three two-storey commercial buildings with surface parking at the rear and vehicular access from both Dundas Street West and a public

lane. The property at 4894 Dundas Street West is currently occupied by a culinary school (Cirillo's Academy), 4890 Dundas Street West contains a Rexall Drugstore, and 4888 Dundas Street West is a heritage building (known as Musson House) currently used as office space.

Musson House is included in the City's Heritage Register and was designated under Part IV of the Ontario Heritage Act on July 20, 2023, through Designation By-law 733-2023. The property was built in 1880 and encroaches between 1.0 and 2.8 metres into the Dundas Street West right-of-way. The western flank of Musson House includes a series of murals.

Surrounding Land Uses

North of the site is a nine-storey mid-rise condominium building on Burnhamthorpe Crescent. Further north is the Islington Golf Club and an area designated as Ravine and Natural Feature Protection Area under the Toronto Municipal Code, Chapter 658. The two existing apartment buildings closest to the site, to the east, are setback deeper into the site with a minimum setback of approximately 18 metres from Dundas Street West. Recently approved taller heights, closer to the site (immediately to the south) range between 20 to 27 storeys with the tallest tower planned closer to Islington Station. West of the site is the Islington United Church and further west is a low-rise area of predominantly detached houses. East of the site, along Dundas Street West, are a series of low-rise commercial buildings.

THE APPLICATION

Description

The proposed 29-storey residential tower would sit on a base building which steps down from six to three and two storeys along Dundas Street West and to one storey on the eastern portion of the façade to align with Musson House. To the rear, the building steps down to one, two and three storeys. On the western portion of the site, the building steps down to two and one storeys.

The proposal would contain a total gross floor area of 28,716 square metres, of which 27,394 square metres would be for residential use and 1322 square metres would be for at-grade retail uses along Dundas Street West. The proposal contains 395 residential units, indoor and outdoor amenity spaces at ground and seventh floors, 86 parking spaces, and 297 bicycle spaces.

An open space, accessible from the Dundas Street West right-of-way, is proposed immediately to the east of Musson House. The existing mural is proposed to be relocated to the rear of the building.

Density (Floor Space Index)

A total of 6.55 times the area of the lot is proposed.

Units Breakdown

A total of 395 dwelling units consisting of 117 studio units (30 percent), 114 one-bedroom units (29 percent), 124 two-bedroom units (31 percent) and 40 three-bedroom units (10 percent) are proposed.

Access, Parking, and Loading

Pedestrian access to residential units is proposed from Dundas Street West with vehicle and loading access provided via the public lane from Burnhamthorpe Road at the northwest corner of the site.

A total of 86 vehicle parking spaces are proposed, with 73 spaces for residents and 13 spaces for visitors. A total of 18 spaces are proposed as for Electric Vehicle Supply Equipment (EVSE), and seven spaces are designated as accessible. The development also includes a total of 297 bicycle parking spaces, including 269 long-term and 28 short-term spaces.

One Type 'G' loading space is proposed to service the building. It is proposed that this be shared between the residential and non-residential components.

Road Widening Dedication

A 0.4-metre-wide road widening dedication is proposed along Dundas Street West.

Amenity Space

A total of 790 square metres of outdoor amenity space and 791 square metres of indoor amenity space are proposed.

Additional Information

See Attachments 1-7 of this report, for a location map, application data sheet, Official Plan land use map, Etobicoke Secondary Plan land map, existing zoning by-law map, site plan, and three-dimensional representation of the project in context. Detailed project information, including all plans and reports submitted as part of the application, can be found on the City's Application Information Centre at: <http://toronto.ca/4888DundasStW>.

The current proposal incorporates numerous revisions from the original application as summarized below:

- Increase of the open space area next to the heritage building;

- Mixed-use building tower height increased from 12 storeys (approximately 48 metres inclusive of the mechanical penthouse) to 29 storeys (approximately 101 metres, inclusive of the mechanical penthouse);
- Mixed-use building base height reduced from eight to six storeys;
- Decreased setback of the two-storey component along Dundas Street West;
- Continuation of the six-storey component along the south flank;
- Increase stepdown directly adjacent to the heritage building to one storey;
- Density increased from 4.87 to 6.55 times the area of the lot;
- Retail GFA increased from 1214 to 1322 square metres;
- Unit count increased from 225 to 395 units, and decreased proportion of two-bedroom units from 40 to 31 percent;
- Amenity space increased from 1109 to 1581 square metres with a ratio per unit maintained at two square metres per unit;
- Parking count reduced from 91 (77 residential, 14 shared visitor/commercial) to 86 parking spaces (73 residential, 13 shared visitor/ commercial); and
- Bicycle parking count increased from 169 to 297 spaces.

Reasons for the Application

The proposal requires an amendment to the Official Plan and former City of Etobicoke Zoning By-law 1088-2002 to create site-specific zoning provisions to permit the proposed density, building height, setbacks, vehicle and bicycle parking and other development standards necessary to facilitate the proposed development. The Zoning By-law Amendment application proposes to amend the former City of Etobicoke Zoning Code to vary performance standards including building height, floor space index, building setbacks, vehicle and bicycle parking rates and floorplate requirements. The Zoning By-law Amendment application will bring the subject site into city-wide Zoning By-law 569-2013.

The draft Official Plan Amendment submitted by the applicant proposes to create a new Site and Area Specific Policy (SASP) within Chapter Seven. Instead, staff recommend that should the proposal be approved, as the Official Plan policies requiring amendment form part of the Etobicoke Centre Secondary Plan (Chapter Six), that Chapter 6.12 of the Official Plan be amended to add a Site and Area Specific Policy.

Site Plan Control

A Site Plan Control application (File No. 22 139825 WET 03 SA) has been submitted and is being considered concurrently with the combined Official Plan Amendment and Zoning By-law Amendment application.

Agency Circulation

The application, together with the reports/studies submitted in support of the application have been circulated to all appropriate agencies and City Divisions. Responses

received have been used to evaluate the application and to formulate appropriate standards.

POLICY CONSIDERATIONS

Provincial Land Use Policies

The application has been reviewed to determine its consistency with the Provincial Policy Statement (2020) (PPS), conformity with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (Growth Plan), and conformity to the City's Official Plan. The PPS provides policy direction province-wide on land use planning and development to promote strong communities and economy, and a clean and healthy environment. The Growth Plan 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 Etobicoke Centre is identified as one of the Growth Centres where intensification is anticipated.

Official Plan

The site is designated *Mixed Use Areas* and is located within one of the *Centres* on Map 2 of the Official Plan. See Attachment 3 of this report for the Official Plan Land Use Map.

The site is also within the area of the Council-adopted Islington Protected Major Transit Station Area (PMTSA) (Site and Area Specific Policy 627). This PMTSA permits a minimum density of 2.0 times the lot area of the site. Existing and permitted development within the Protected Major Transit Station Area – Islington Station - is planned for a minimum population and employment target of 300 residents and jobs combined per hectare. As set out above, this Site and Area Specific Policy is yet to be approved by the Minister.

Etobicoke Centre Secondary Plan

The site falls within the Etobicoke Centre Secondary Plan (ECSP) and the Islington Village Area, identified with six other areas for enhancement and located near the edge of the ECSP Area, as identified in Map 12-1. Islington Village is to be developed with pedestrian-scale buildings having retail and service uses located at grade to enhance and expand the main street shopping area. Residential developments within the ECSP are required to provide a parkland dedication rate of 0.4 hectares per 300 units, not exceeding 20 percent of the development site. The site is designated as Mixed Use Area "B" (Land Use Map 12-5), envisioned as the pedestrian focus of Etobicoke Centre and permits a broad range of commercial, residential and institutional uses in single use or mixed-use buildings with pedestrian-scale height. See Attachment 4 of this report for the ECSP Land Use Map.

Zoning

The site is not presently subject to city-wide Zoning By-law 569-2013. The site is zoned EC1 and EC3 in the former City of Etobicoke Zoning Code, which permits a wide range of residential and commercial uses, a maximum Floor Space Index (FSI) of 3.5 on EC1 and 2.0 on EC3, and a maximum permitted height of 15 metres. The Zoning Code also requires a minimum of 25 percent of the site area to be reserved for landscaped open space within EC3 specifically. The former City of Etobicoke Zoning Code also provides performance standards including minimum and maximum height, setbacks and tower floorplate size. A Zoning By-law Amendment application will bring the subject site into city-wide Zoning By-law 569-2013. See Attachment 5 of this report for the Zoning Map.

Design Guidelines

The Etobicoke Centre Urban Design Guidelines should be read in conjunction with the ECSP. These guidelines apply to new development and re-development in the Etobicoke Centre Area and set out urban design goals for the Secondary Plan area. The guidelines identify Dundas Street West north of Bloor Street West as a local shopping street forming the Islington Village main street. The guidelines provide direction for public realm improvements and built form and speak more broadly about new buildings within the Centre generally maintaining a 1:1 proportion to the public street.

The Etobicoke Centre Public Space & Streetscape Plan should be read in conjunction with the ECSP. The plan recommends pedestrian-specific lighting, boulevard treatments, raised planters with benches and tree rings as special feature seating.

The following design guidelines are also relevant for the review of the proposal: Tall Building Design Guidelines; Mid-Rise Building Performance Standards and Addendum; Growing Up: Planning for Children in New Vertical Communities; Retail Design Manual; POPS Guidelines and Pet Friendly Design Guidelines for High-Density Communities. Design guidelines can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>.

Toronto Green Standard

The Toronto Green Standard (TGS) is a set of performance measures for green development. Applications for Zoning By-law Amendments and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. The TGS can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/toronto-green-standard/>.

COMMUNITY CONSULTATION

On January 11, 2023, a virtual public meeting was hosted by City staff to present the original proposal submitted in 2022. Approximately 70 people participated, as well as the Ward Councillor.

Following a presentation by City staff and the applicant, the following issues were raised by community members:

- Concerns about the unit mix and insufficient family housing;
- Concerns about the proposed height, massing and density in its context;
- Concerns about the accuracy of the traffic impact undertaken and traffic implications of the proposal on Dundas Street West and general area;
- Clarification sought on the parking calculation and parking strategy to avoid people parking on the Canadian Imperial Bank of Commerce parking lot, the nearby apartment building parking lot and the Islington United Church parking lot;
- Concerns about the insufficient parking provision;
- Clarifications about the laneway traffic management and maintenance year-round;
- Concerns that the left-turn lane from Burnhamthorpe Road to Dundas Street West already backs up and will be worsened;
- Concerns about the shadow impact to the north and request to include shadowing during winter months;
- Clarification sought on the projected start of construction after the completion of the approval process and the anticipated date of completion;
- Safety concerns about turning into the laneway at rush hour;
- Clarification sought regarding the cost of units and affordable housing provision;
- Concerns about the loss of pharmacy on site;
- Concerns that the City has not investigated the cumulative impact of development in the area on local traffic and fire and ambulance capacity to handle the larger population;
- Concerns about the consultation process transparency and notification; the 120-metre radius is insufficient;
- Concerns about potential hazard caused to the children attending the school forming part of the Islington United Church;
- Clarification requested regarding the size of the replacement retail space;
- Clarification sought about development coming forward east of the heritage building towards Islington Avenue and its impact on the proposed development;
- Concerns about too many setbacks reducing the amount of housing units proposed in the context of a housing crisis; and
- Concerns about asbestos removal.

A second Community Consultation Meeting took place on November 23, 2023, to review the June 2023 submission. The following additional issues were raised by community members:

- Concerns about the impact of the proposal on mental and physical health due to the increase in noise pollution;

- Concern about the heights proposed in addition to numerous other high rises in the vicinity coming forward and the impact on access to exiting views, sunlight, including the impact on the Islington Golf Course's eighth green;
- Clarification sought as to why the heights were increased from 12 to 29 storeys and concerns about the impact on aging infrastructure;
- Concerns about the greenspace available to local residents;
- Concerns about the aesthetics of the building and materiality not matching the Islington Village character;
- Concerns about the removal of the on-site pharmacy for senior residents;
- Clarifications sought about the size of apartments, building tenure and whether it will include affordable units;
- Clarification sought about the plans for the mural;
- Confirmation that the Secondary Plan forms part of the planning assessment;
- Clarification sought regarding improvements to the downstream sewer facilities;
- Clarification sought regarding the proposal for the existing laneway access from Dundas Street West;
- Confirmation sought regarding construction timelines;
- Clarification sought about the number of bicycle parking spaces;
- Concerns about the retail units being successful with low parking provision;
- Clarification regarding urban greening to improve biodiversity; and
- Clarification about whether daycare spaces have been considered.

The issues raised through the community consultation have been considered through the review of this application.

COMMENTS

Provincial Framework

Review of this application has had regard for the relevant matters of Provincial interest set out in the *Planning Act*. staff have also reviewed the current proposal for consistency with the Provincial Policy Statement (PPS), and conformity with the Growth Plan.

Land Use

The Official Plan's growth strategy directs parts of its focus towards *Mixed Use Areas* in *Centres*. The Official Plan identifies *Mixed Use Areas* as being made up of a broad range of residential, commercial and institutional uses, in single use or mixed-use buildings, as well as parks and open spaces and utilities, meeting the needs of the local community. *Mixed Use Areas* should provide new jobs and homes in underutilized lands. In doing so, Official Plan policy 4.5.2 requires development to locate and mass new buildings to create a good transition between areas of different development intensity and scale by providing appropriate setbacks and/or stepping down of heights, to locate and mass new buildings to frame the edges of streets with good proportion,

and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces, as well as limit shadow impact on *Neighbourhoods Areas*. Within the Etobicoke Centre, the Mixed-Use Area "B" designation (Land Use Map 12-5) further echoes policy 4.5.1, by speaking to the desired built form, and permitting a broad range of commercial, residential and institutional uses in single use or mixed-use pedestrian-scale heights buildings.

The Etobicoke Centre is envisioned in the ECSP as a mixed-use urban focal point for the western part of the city with a close-knit urban fabric and pedestrian-friendly environment that is visually stimulating. It is made up of seven areas, each with its unique character, established through the different land use designations. The Islington Village area is described as the historical main street shopping core of the Centre to be developed at a pedestrian-scale, consisting of buildings up to five storeys in height with retail and service uses located at grade to enhance and expand the main street shopping area and office or residential on subsequent floors.

The residential and at-grade commercial uses proposed are consistent with the *Mixed Use Areas* designation in the Official Plan, ECSP policies relating to Mixed Use Area "B" in the Islington Village and land use zoning requirements for this site.

Site Organization

The Official Plan's Built Form policies emphasize the importance of ensuring that new development is located, organized and massed to fit within its existing and planned context, promote comfortable and safe conditions for pedestrians, and support adjacent streets, lanes, parks, open spaces with improvements, expansion and active use of the public realm. The privacy within adjacent buildings should be protected by providing appropriate setbacks and separation distances from neighbouring properties and adjacent building walls containing windows. The proposed built form shall also preserve access to direct sunlight and daylight on the public realm. Presently, insufficient information has been provided regarding the proposed separation distance with the mid-rise building to the rear.

The integration of the heritage building within the new development is important. Its relationship to the proposed development and the balconies planned on the second floor needs further consideration. The proposed patio provides the building some relief and should function as a Privately-Owned Publicly Accessible Space (POPS), acting as an active forecourt to the heritage building and adding open space along the streetscape. The relationship of the POPS with the heritage building and new development will need to be further detailed, dimensions of the space specified on drawings and public accessibility confirmed. Furthermore, the proposal should explore an opportunity to add a mid-block connection through the development site that will provide an alternative route for pedestrians and cyclists with improved connectivity through the block, enabling pedestrian movement and aiding the retail uses planned along Dundas Street West. This pedestrian connection can function as through-block

pedestrian easement, considering that such a private connection exists today. Pedestrian routes should not exceed a four percent slope and underground exhaust and intake vents should be planned in such a way that they have minimal impact on walkways, open spaces, outdoor amenity areas and POPS.

The Official Plan and guidelines also speak to minimizing surface parking and staff recommend that the proposed stalls at-grade to the rear of the building be reduced by planning for more landscape areas, soil volume, tree planting and outdoor amenity space.

Staff are also concerned that the area resulting from the 2.5-metre setback planned along the southwest lot line would become a place of entrapment jeopardizing pedestrian safety.

Building Height and Transition

The application proposes a 29-storey tower (100.9 metres, including mechanical penthouse), set back from the new property line by approximately 8.9 metres, with a floorplate of approximately 750 square metres, and sitting above a one to six-storey base building. The current Secondary Plan designation and zoning for the site permits pedestrian-scale height and a maximum height of 15 metres, respectively. ECSP policy 3.3.1.5 further specifies that the scale of buildings in areas other than in Islington Village will generally be of mid- and high-rise character consistent with their location and surroundings. This reflects the vision set out in the ECSP for a transition down in building scale at the periphery of the Etobicoke Centre boundary, near the *Neighbourhoods Areas* designation, as well as pedestrian-scale buildings within the Dundas Street West main street to support the Islington Village character. The proposed density of 6.6 exceeds the maximum permitted density of 3.5. While City Planning staff support the intensification of this site to provide residential and at-grade commercial uses, several issues have been identified with the proposal in its current form.

The site is located along Dundas Street West, surrounded by predominantly low-rise buildings to the north and west, including the main street of the Islington Village. A mid-rise condominium building and detached houses to the north along Burnhamthorpe Crescent. Islington Golf Club is designated as *Parks and Open Space Areas* in the Official Plan. The Islington United Church and a low-rise residential community designated as *Neighbourhoods Areas* in the Official Plan are to the west. Some of the more recently approved development applications, within the Islington Village itself, include a nine-storey mid-rise seniors residence with at-grade retail at 4916 Dundas Street West.

By contrast, the two existing apartment buildings closest to the site, to the east, are setback deeper into the site with a minimum setback of approximately 18 metres from Dundas Street West. These buildings, as well as the area south and east of the site

beyond Dundas Street West, fall outside of the Islington Village and within the Central Apartment Neighbourhood designation, described in the ECSP as a core of high density residential apartments. The recently approved taller heights, immediately to the south outside of the Islington Village main street and within the Central Apartment Neighbourhood, range between 20 to 27 storeys, with the tallest tower planned closer to Islington Subway Station and are positioned and scaled to limit their physical and visual impacts on the Islington Village main street. Specifically, the proposal at 12-20 Cordova Street was setback and stepped down in height to limit visual impact onto Dundas Street West fronting properties and maintain good access to sunlight onto the public realm.

While *Mixed Use Areas* are identified as areas for intensification, new development is subject to policies and criteria regarding appropriate building height, location and massing and the subject site is located near the edge of the Etobicoke Centre and Islington PMTSA, away from the Islington Subway Station hub where the greatest heights and intensification is planned and occurring. Furthermore, the Etobicoke Centre Urban Design Guidelines speak to taller buildings being located near Kipling and Islington subway nodes. On the subject site, the height and density are greater than most existing and approved development in the immediate context of the Islington Village. Concern is raised about the proposed massing and tower height, which exceeds what is permissible on this site as per the ECSP and does not fit within the existing and planned context. City staff also note that the current proposal projects beyond the 45-degree angular plane from the lands designated *Neighbourhoods* and *Parks and Open Space* to the north and east and, therefore, does not show an appropriate transition to the lower-scaled adjacent areas.

City 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, and have identified several issues. The proposal does not demonstrate an appropriate fit and transition in scale with respect to the urban structure of the area, the surrounding public realm and the low scale of the existing and planned context directly surrounding the site, as required under the Official Plan. The proposal in its current form therefore cannot be supported and the scale of the proposal should be revised to address the ECSP requirement for the Islington Village, which is that of a pedestrian-scale environment.

Built Form Massing and Design

The Secondary Plan identifies that to further the concept of the Islington Village Main Street area, buildings along Dundas Street West will be developed at a pedestrian-scale and that additional main street development consisting of buildings up to five storeys in height with at-grade retail and office or residential on subsequent floors, will fill existing gaps and provide a continuation of this pedestrian-oriented form of development throughout the area. City staff are concerned that the revised submission proposes intensification of scale that is not in keeping with the pedestrian-scale height and village

focus for this area, as identified in the Secondary Plan. In addressing the pedestrian-scale requirements, the applicant should consider implementations in the more recent context including approvals, within the Islington Village itself, such as the seniors centre at 4916 Dundas Street West for direction. The two-storey street wall should demonstrate a clear relationship with the adjacent fine grain retail context, articulating the façade and ensuring the 4.5-metre floor to ceiling height is maintained at ground floor to support retail activity, blending in with the existing main street character. City staff are of the view that the increased number of units further justifies the need to provide and improve at-grade amenity spaces that support active uses and enhancement of landscaping to support additional users.

City staff are concerned about the lack of privacy and access to direct sunlight and daylight in some of the proposed units along the south-west lot line. Insufficient setback has been provided for some of the units on floors two and three and considering a comparable development may be planned on the adjoining site to the west the proposal should be revised to achieve a greater setback for dwelling unit windows. Windows cannot be planned on floors four, five and six as there is a party-wall condition on that building face. In addition, units within the base building under the portion of the tower supported by columns will not receive adequate sunlight. Incomplete plans and sections were provided and should be revised to confirm all setbacks, and step backs.

City staff are concerned with the size of the mechanical penthouse and that its volume adds to the perceived height of the building. The size of the mechanical penthouse needs to be reduced and set back from the edge of the building.

The proposed relocation of the heritage building raises issues. Further justification is required to demonstrate that the balconies planned on the second floor of the proposed building will not create an appropriate relationship with the heritage building.

Sun and Shadow Impact

A Sun/Shadow Study, prepared by Graziani + Corazza Architects, dated June 9, 2023, reflecting the proposal was submitted in support of the application. The shadow study identifies shadow impacts on the *Neighbourhoods Areas* at 9:18 a.m. and 1:18 p.m. and Tom Riley Park at 6:18 p.m. during the spring equinox; and impacts on the *Neighbourhoods Areas* at 9:18 a.m. and 1:18 p.m. and Tom Riley Park at 5:18 p.m. and 6:18 p.m. during the fall equinox. Staff also note that shadowing occurs over the condominium at 9 Burnhamthorpe Crescent between 10:18 a.m. and 2:18 p.m. during the spring and fall equinoxes.

Reduced building heights and revised massing are required to limit shadow impact and to meet Official Plan policies. A revised Sun and Shadow Impact Study will be required following revisions to building heights and massing.

Wind Impact

A Pedestrian Level Wind Study, prepared by Gradient Wind, dated June 1, 2023, reflecting the proposal, was submitted in support of the application. The study identifies comfortable conditions, including the outdoor amenity terrace serving the proposed development on floor seven with mitigation measures. Wind mitigation measures should be incorporated within the zoning provisions to achieve conditions comfortable for sitting during most of the year and covering larger portions of the amenity space.

Staff also note that a Wind Tunnel Study is missing and must be provided to consider the significant changes to the built form and massing of the revised proposal should this be considered further.

Unit Mix

A total of 395 residential units are proposed, consisting of 117 studio units (30 percent), 114 one-bedroom units (29 percent), 124 two-bedroom units (31 percent), and 40 three-bedroom units (10 percent), and comprising 27,394 square metres of residential gross floor area.

The applicant has not provided information on the proposed unit sizes. The policy direction of the Official Plan is to provide a full range of housing. Similarly, the Growing Up: Planning for Children in New Vertical Communities (Growing Up Guidelines) requires that an appropriate mix of larger units is to be provided, i.e., 10 percent of three-bedroom units with sizes ranging between 100 to 106 square metres and 15 percent of two-bedroom units with sizes ranging between 87 to 90 square metres should be met. The proposed unit sizes should be consistent with the Growing Up Guidelines. The layout of the floors within the base building has resulted in very narrow and deep units. Staff are concerned with the quality of these units as they will have inefficient layouts and their depth limits penetration of natural light to the interior spaces. Staff recommends reviewing the floor plan layout to mitigate this issue and enable layout flexibility as much as possible, in conjunction with a revised proposal that address described height concerns.

Amenity Space

Amenity space is proposed at-grade and on floor seven. A total of 791 square metres of indoor amenity space is proposed along with 790 square metres of outdoor amenity space.

It is recommended that the allocated portion of pet amenity be not less than 10 percent of the required amenity space. A pet relief area has been provided. Space allocated to an outdoor off-leash (dog run or play area) area and a pet wash area should also be provided.

Detailed design of the amenity space, including provisions for households with children

(Growing Up Guidelines) and pets (Pet Friendly Design Guidelines for High Density Communities) will be reviewed and secured through the Site Plan Control review process, should zoning be approved.

Heritage Impact

Heritage Planning staff reviewed the submitted revised Heritage Impact Assessment (HIA), dated June 9, 2023, prepared by GBCA Architects and associated plans. Staff have concerns regarding the extent of conservation proposed for the relocated Musson House and recommend revisions to the proposal that includes a greater retention of the elevations of the relocated Musson House within the redevelopment. Staff also have concerns with the one-storey addition and roof terrace connecting the rear and south side of the Musson House to the new construction and recommend modifications to minimize its impact on the heritage attributes of the property. Additionally, further information is required as part of a revised HIA to ensure consistency with the City's HIA Terms of Reference, including: the provision of existing and proposed plans, sections and elevations with necessary annotations, including details of proposed demolitions and alterations of heritage attributes, and any anticipated alterations to the heritage building to meet accessibility requirements.

Public Realm and Streetscape Improvements

A continuous 2.1-metre-wide clear linear path of public sidewalk is required along the Dundas Street West frontage, which must be exclusive of utilities, planting/furniture zones, street curbs, and landscaped area. At this stage, revisions are required to illustrate the width of the clear unobstructed pedestrian clearway along Dundas Street West in front of the main proposed building and heritage building. Revisions must also specify the location of the gas main, utilities and service connections in appropriate plans and elevations. These should be located away from the public realm and/or integrated within the building massing and landscape design with details advanced further through the Site Plan Control application. Trees, plantings and other landscape features must be coordinated with existing and proposed utilities.

The pedestrian-scale environment envisioned for the Islington Village is guided by a set of urban design guidelines in the Etobicoke Centre Secondary Plan. ECSP policies under 3.10 encourage the enhancement of the pedestrian experience through design that increases pedestrian safety, improves visual amenity and further integrates the system of public walkways.

Streetscape improvements are to be coordinated with the Village of Islington Business Improvement Association (BIA) and any new designs are to be compatible with the vision of the BIA. Staff do not consider the relocation of the existing mural to be appropriate and request the applicant to identify other locations on the building facades with better public visibility.

Parkland Dedication

In accordance with Section 42 of the Planning Act, the owner is required to satisfy the parkland dedication requirement through cash-in-lieu. As per Toronto Municipal Code Chapter 415-29, the appraisal of the cash-in-lieu will be determined under the direction of the Executive Director, Corporate Real Estate Management. Additionally, the Toronto Municipal Code Chapter 415-28, requires that the payment be made prior to the issuance of the first above-ground building permit for the land to be developed.

Tree Preservation

An Arborist Report and Tree Preservation Plan prepared by Kuntz Forestry Consulting Inc., dated March 22, 2022, was submitted in support of the application. The submission indicates that the development will impact 12 protected trees on private or City lands, remove seven privately-owned trees, and injure five City-owned trees.

The Tree Protection and Plan Review requires the applicant to meet the City's Toronto Green Standard (TGS) ecology requirements and replanting requirements under the City's Tree By-laws. Urban Forestry has identified a number of concerns and additional information required prior to the approval of the Zoning By-law Amendment application.

Right-of-way Widening

To satisfy the Official Plan requirement of a 27-metre right-of-way for this segment of Dundas Street West a 0.40-metre road widening is required along the Dundas Street West frontage of the property. Furthermore, a 1.14-metre lane widening is required along the west part of the property to satisfy the requirement of a six-metre-wide lane right-of-way. Both must be clearly labelled on all plans and must be incorporated within the proposal prior to approval of the Zoning By-law Amendment application.

Transportation Impacts

In support of the application, the applicant submitted a Transportation Impact Study – Urban Transportation Considerations Addendum, dated June 2023 and prepared by BA Consulting Group, which amends a previous Transportation Impact Study (Urban Transportation Considerations Addendum, April 2022).

Transportation Services staff have identified several concerns, issues and additional information required prior to approval of a Zoning By-law Amendment including the following:

- The minimum supply of accessible parking spaces shall be determined in accordance with Section 200.15 of Zoning By-law 569-2013, as amended by By-law 89-2022;
- Revision to the traffic analysis using updated signal timing;
- The transportation consultant is required to explore measures to mitigate or minimize southbound queues along Burnhamthorpe Road in the vicinity of the public

lane access;

- The transportation consultant is required to investigate the effects of additional vehicular traffic on the public lane regarding the operations of the current perpendicular parking for the place of worship on the north side of the public lane;
- The applicant's transportation consultant shall confirm the adequacy of the proposed on-site visitor/retail parking supply of 13 spaces to accommodate anticipated retail/visitor parking demand;
- It is required that the non-residential/retail gross floor area shall not exceed an amount that would cause adverse traffic effects on the local road network;
- Confirmation that the northbound-to-westbound vehicle tracking movement of the TAC MSU does not affect perpendicular-parked vehicles north of the public lane;
- Revisions to plans to indicate required annotations, required provisions and dimensions, and the clear, unobstructed pedestrian clearway along Dundas Street West in front of the main proposed building and in front of the heritage building; and
- Inconsistencies should be corrected.

Driveway Access and Circulation

Vehicular access to the site is to be provided from the public lane and along the western limit of the site, via a six-metre-wide driveway abutting a public lane frontage. Staff have concerns with the current proposed plans and asked for clarification to illustrate the limits of the public lane right-of-way in proximity to the proposed site access. It is also recommended to review the at-grade surface layout to the rear of the building to minimize surface car parking to align with the intent of the ECSP.

The site plan and ground floor plan reveal that a portion of the building overhangs a section of the internal driveway in the vicinity of the loading area and underground parking ramp. The applicant must clearly illustrate that the vertical clearance under this building overhang can accommodate service vehicles that will access the site.

Loading and Servicing

The application proposes that the Type G and the Type B loading be shared. Transportation Services concur with the applicant's approach. For all outbound solid waste and delivery/moving truck vehicle manoeuvring diagrams, Transportation Services require confirmation that the outbound northbound-to-westbound vehicle tracking movement will not affect perpendicular-parked vehicles north of the public lane.

Servicing and Stormwater Management

Functional Servicing and Stormwater Management Report, prepared by the Odan/Detech Group Inc., dated June 7, 2023, and associated plans and forms were submitted as part of the application. Engineering and Construction Services staff have reviewed the submitted materials and have identified necessary amendments to the report and revisions, inconsistencies between reports and plans, to be corrected, as

well as clarifications and additional information to be provided.

On December 11, 2023, Engineering and Constriction Services staff stated that the findings of the Functional Servicing and Stormwater Management report are unsatisfactory and require the applicant to submit a report that accurately determines stormwater runoff, sanitary flow and water supply demand resulting from this development. Moreover, the applicant needs to determine whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposed development.

Toronto Green Standard

The applicant is required to revise their proposal to meet the requirements of Tier 1 of the TGS and to provide a full TGS statistics template – the template provided is incomplete. Aspects of the plan/concept for the site are inconsistent with parts of the City's Official Plan and Council's objectives concerning tree planting and soil volume. City staff also encourage the applicant to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2040 or sooner.

Archaeological Assessment

A Stage 1 and 2 Archaeological Assessment report, dated November 11, 2022, was submitted in support of this proposal. Staff concur with the recommendations of the report that there are no archaeological concern and no further archaeological assessment is required.

School Boards

The Toronto Catholic District School Board (TCDSB) notes that the proposed development falls within the fixed attendance boundary of Our Lady of Sorrows Catholic School. The closest Secondary schools serving this area are Bishop Allen Academy and Michael Power/St. Joseph High School. The TCDSB request that as a condition of approval the proponent be required to erect signs that if schools are oversubscribed students may need to be accommodated in portable classrooms or be redirected to a school located outside the area and that warning clauses be included in all agreements of purchase and sale.

The Toronto Lands Corporation (TLC) in consultation with the Toronto District School Board (TDSB) notes that the proposed development is near Islington Junior Middle School, municipally located at 44 Cordova Avenue. Therefore, TLC requests that the applicant/developer take all precautions to ensure that there are no risks to the health and safety of students or staff because of construction/demolition activity. As such, the TDSB has requested that as a condition of approval, the proponent be required to erect signs and that warning clauses be included in all purchases, agreements of purchase and sale or agreements to lease, and condominium declaration document(s) for each

affected residential unit within the proposed development, that reference the potential for children from the development to be transported to schools outside of the immediate neighbourhood.

CONCLUSION

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), and the Official Plan. Staff have determined that the proposal is inconsistent with the PPS (2020) and does not conform with the Growth Plan (2020). Furthermore, the proposal is not in keeping with the intent of the Official Plan, including the Etobicoke Centre Secondary Plan. While intensification in this Urban Growth Centre is encouraged under the Growth Plan, the current proposal presents some key issues including building height and density, does not demonstrate an appropriate fit and good transition in scale with respect to the urban structure of the area and the low scale of the existing and planned context directly surrounding the site, as established by the City's Official Plan and the Etobicoke Centre Secondary Plan. The proposal would result in a departure from the character established through the ECSP and recent approvals, does not represent good planning and is not in the public interest in its current form.

City Planning is supportive of intensification of this site in consideration of the depth of the site. Development on this site could be supported, provided an appropriate built form, height, density, massing and transition in scale are proposed as directed in the Official Plan, the Etobicoke Centre Secondary Plan, Etobicoke Centre Urban Design Guidelines and Etobicoke Centre Public Space & Streetscape Plan.

This report recommends that Council direct the City Solicitor, together with appropriate City staff, attend the Case Management Conference and any future OLT hearing to oppose the application in its current form and to continue discussions with the applicant to resolve outstanding issues specifically identified as part of the combined Official Plan Amendment and Zoning By-law Amendment application.

CONTACT

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SIGNATURE

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

ATTACHMENTS

Attachment 1: Application Data Sheet
Attachment 2: Location Map

Attachment 3: Official Plan Land Use Map
Attachment 4: Etobicoke Centre Secondary Plan 12-5
Attachment 5: Existing Zoning By-law Map
Attachment 6: Site Plan
Attachment 7: 3D Model of Proposal in Context (Looking Northwest)

Attachment 1: Application Data Sheet

Municipal Address: 4884 to 4896 Dundas Street West Date Received: April 28, 2022

Application Number: 22 139836 WET 03 OZ

Application Type: OPA / Rezoning

Project Description: Combined Official Plan and Zoning By-law Amendments application to permit a mixed-use development with a 29-storey mixed-use building of which 27,394 square metres would be residential gross floor area and 1322 square metres would be for at-grade retail uses.

Applicant	Agent	Architect	Owner
Annalisa Longo Rockport Group 170 The Donway West, Suite 307 Toronto, ON M3C 2G3	Annalisa Longo Rockport 170 The Donway West, Suite 307 Toronto, ON M3C 2G3	Graziani & Corazza 8400 Jane Street, Building D – Suite 300 Concord, ON L4K 4L8	Islington Village Developments Inc. c/o Kipling Realty Management Inc. 170 The Donway West, Suite 307 Toronto, ON M3C 2G3

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	N
Zoning:	EC1 and EC3 By-law 1088- 2002	Heritage Designation:	Y
Height Limit (m):	15 metres	Site Plan Control Area:	N

PROJECT INFORMATION

Site Area (sq m):	4,383	Frontage (m):	70	Depth (m):	63
Building Data	Existing	Retained	Proposed	Total	
Ground Floor Area (sq m):					
Residential GFA (sq m):			27,394	27,394	
Non-Residential GFA (sq m):			1322	1322	
Total GFA (sq m):	N/A		28,716	28,716	
Height - Storeys:	2		29	29	

Height - Metres:	N/A	100.88	100.88
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Lot Coverage Ratio (%):	N/A	Floor Space Index:	6.55
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Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	27,394	274
Retail GFA:	1322	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:				
Other:				
Total Units:			395	395

Total Residential Units by Size

	Rooms	Studio	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		117	114	124	40
Total Units:		117	114	124	40

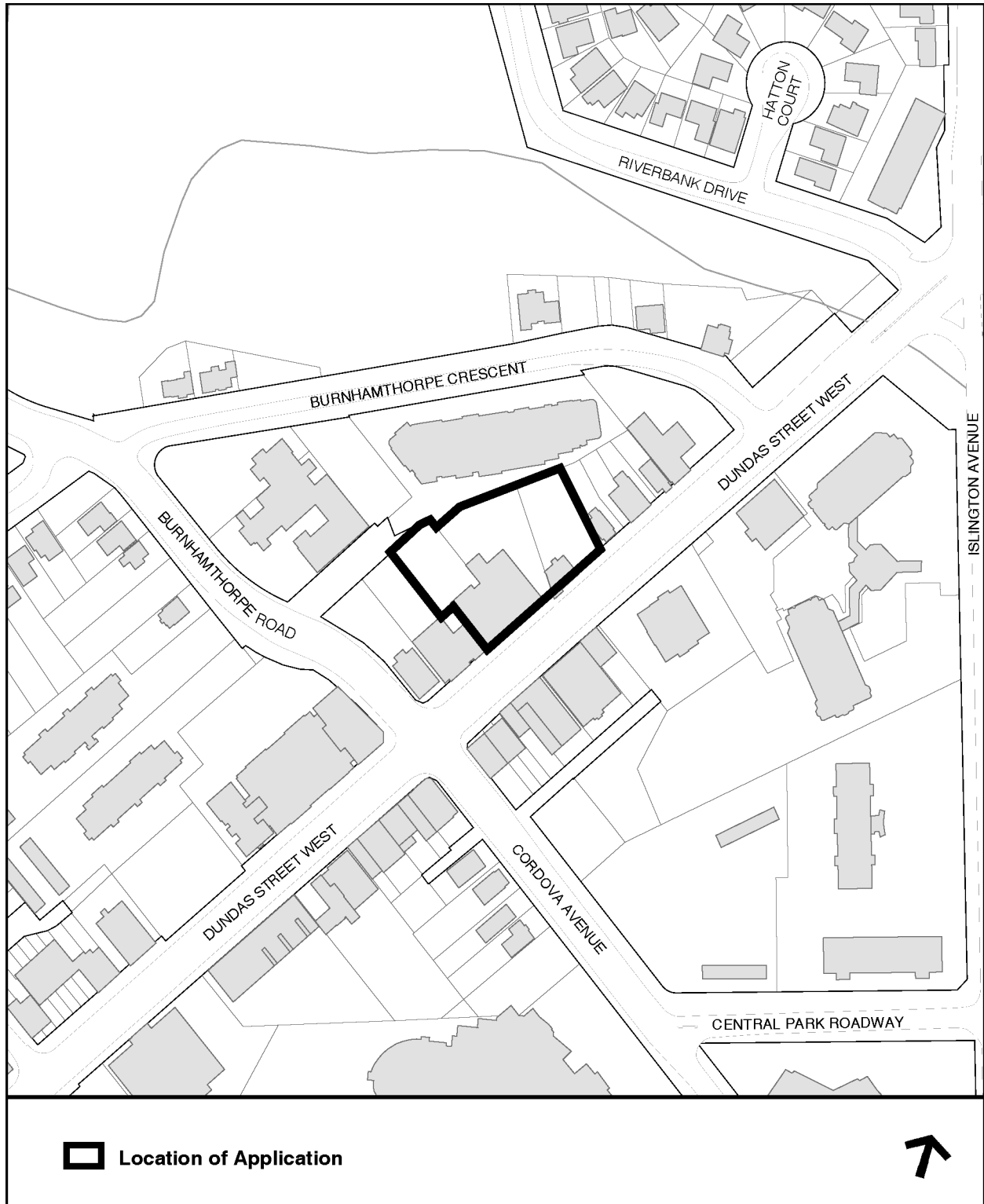
Parking and Loading

Parking Spaces:	86	Bicycle Parking Spaces:	297	Loading Docks:	1
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CONTACT:

Giulia Acuto, Senior Planner
416-392-4781
Giulia.Acuto@toronto.ca

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map




Official Plan Land Use Map #14

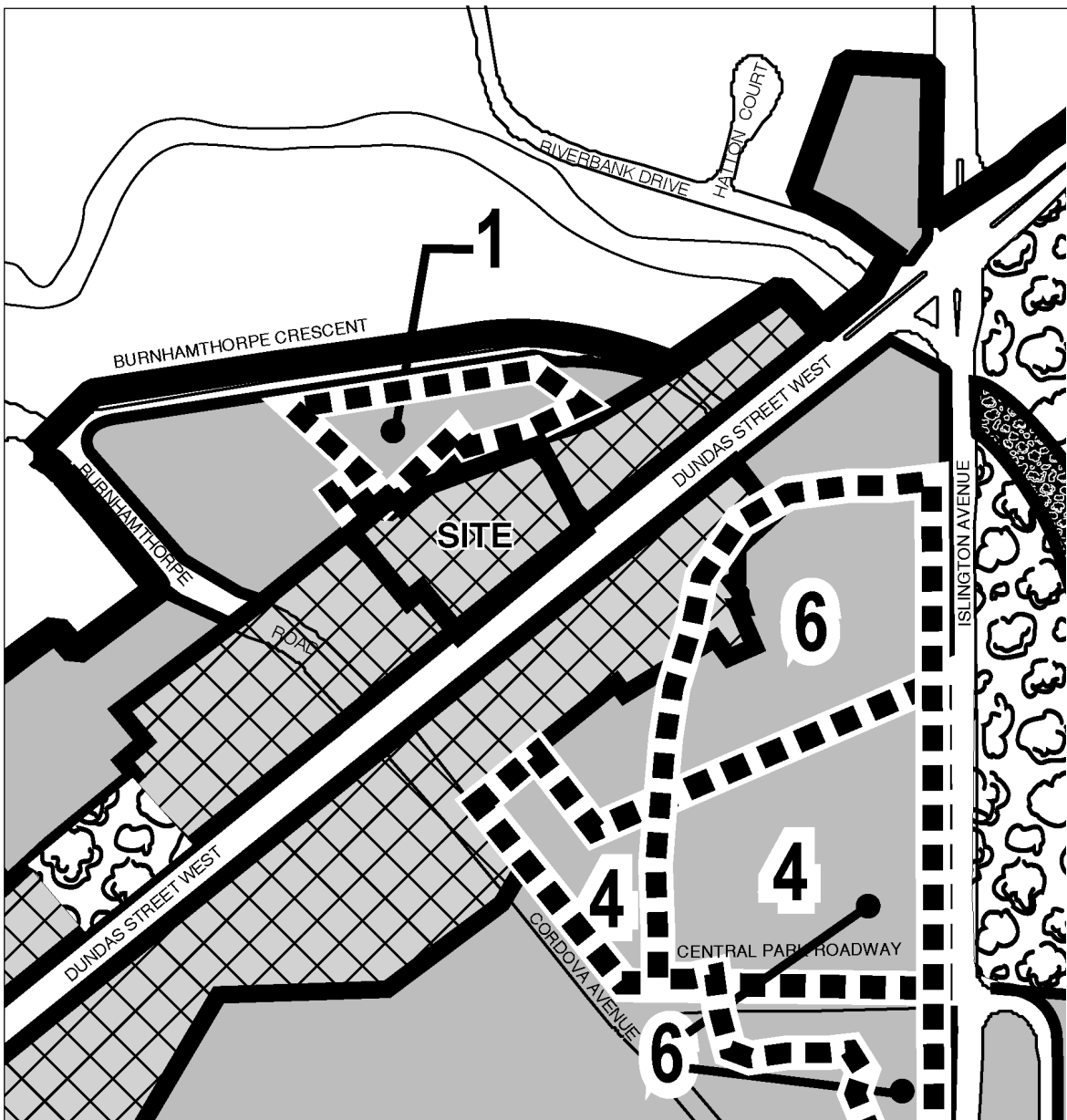
4884-4896 Dundas Street West

File # 22 139836 WET 03 02




Not to Scale
Extracted: 05/03/2022

Attachment 4: Etobicoke Centre Secondary Plan 12-5



Etobicoke Centre Secondary Plan 12-5

4884-4896 Dundas Street West

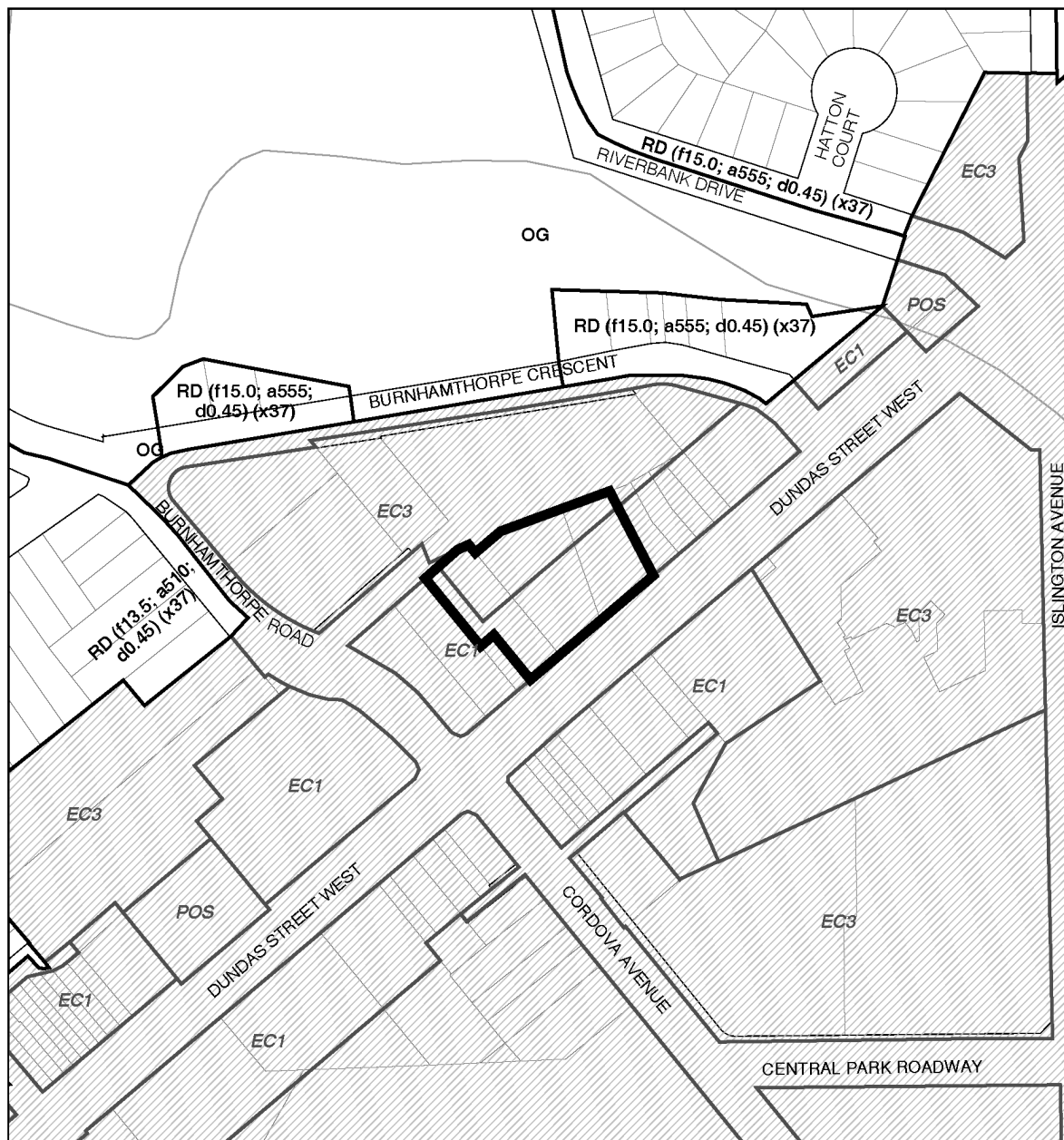
File # 22 139836 WET 03 02

	Location of Application		Natural Areas
	Secondary Plan Boundary		Parks
	Mixed Use Area A		Other Open Spaces Areas (Including Golf Courses, Cemeteries, Public Utilities)
	Mixed Use Area B		

Site and Area Specific Policies

↑
Not to Scale
Extracted: 10/06/2022

Attachment 5: Existing Zoning By-law Map



Zoning By-law 569-2013

4884-4896 Dundas Street West

File # 22 139836 WET 03 02



Location of Application

RD
RS
OG

Residential Detached
Residential Semi-Detached
Open Space Golf Course



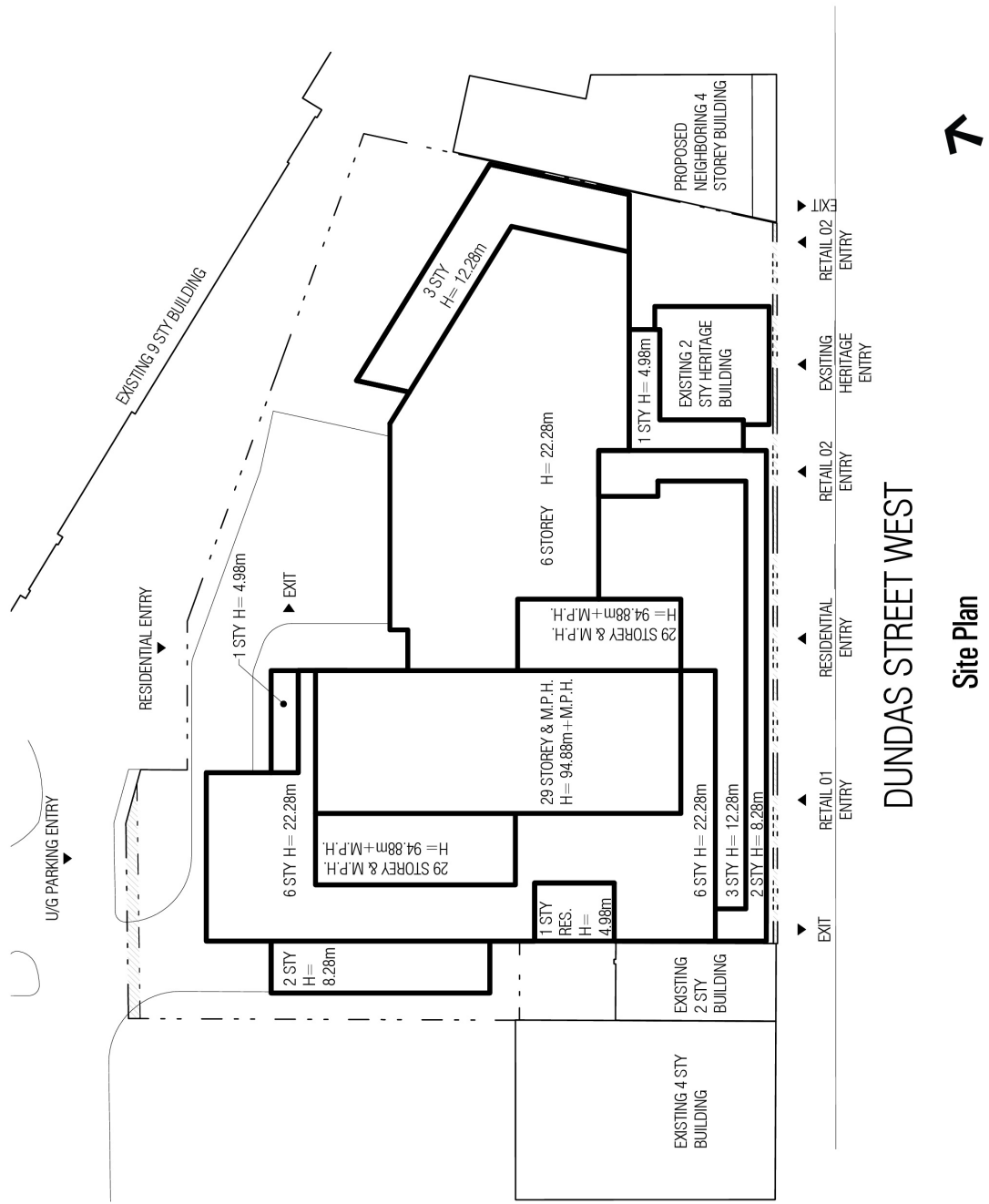
See Former City of Etobicoke By-Law No. 11,737

OS Public Open Space Zone
POS Private Open Space Zone
CL Limited Commercial Zone
EC1 Etobicoke Centre 1
EC3 Etobicoke Centre 3

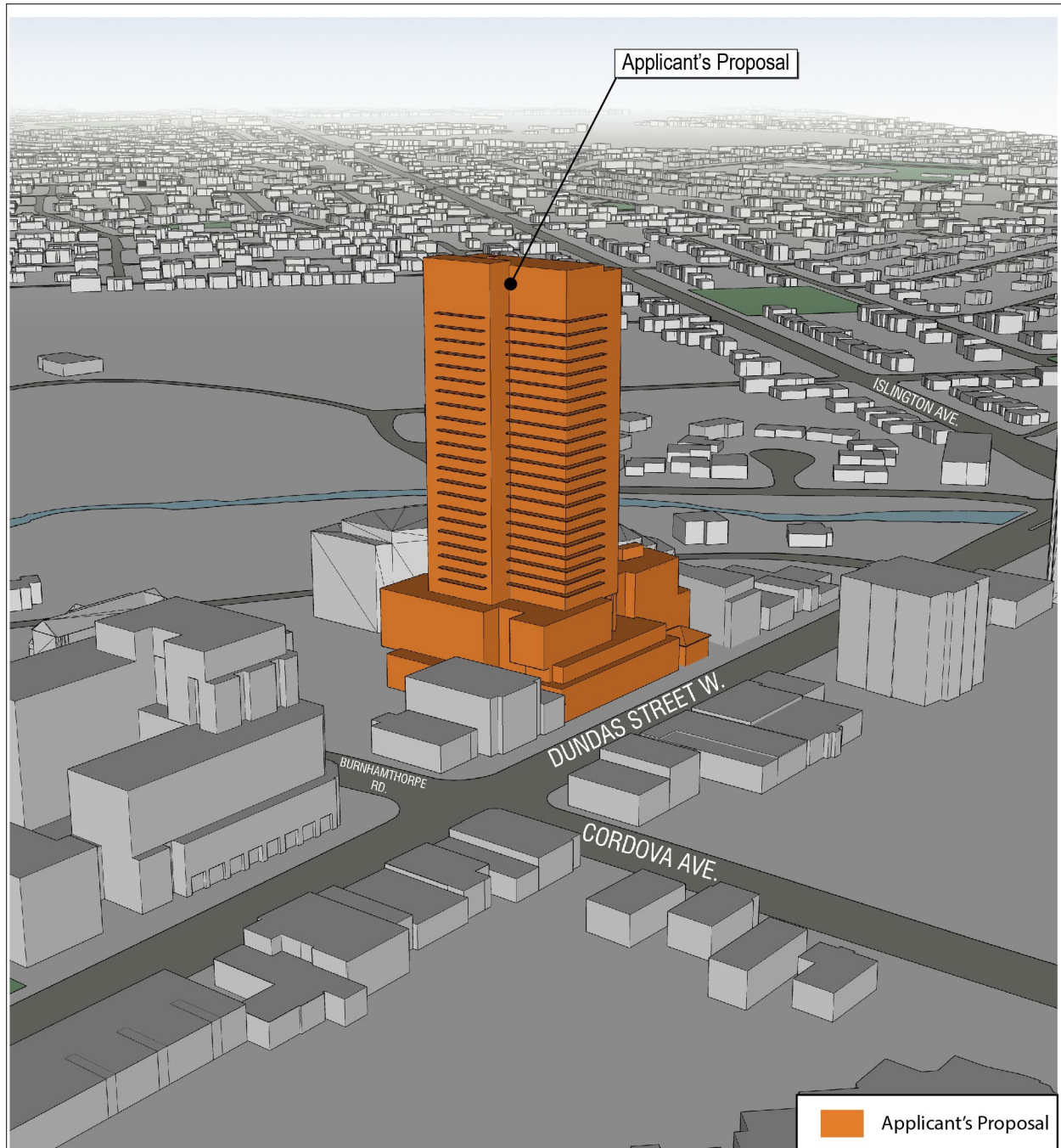


Not to Scale
Extracted: 05/03/2022

Attachment 6: Site Plan



Attachment 7: 3D Model of Proposal in Context (Looking Northwest)



View of Applicant's Proposal Looking Northwest



12/08/2023