

3309 and 3317 Dufferin Street – Official Plan Amendment and Zoning Amendment Applications – Decision Report – Approval

Date: September 6, 2024

To: North York Community Council

From: Director, Community Planning, North York District

Ward: Ward 8 - Eglinton-Lawrence

Planning Application Number: 22 203669 NNY 08 OZ

Related Planning Application Number: 22 203668 NNY 08 SA

SUMMARY

This application proposes to amend the Dufferin Street Secondary Plan and Zoning Bylaw 569-2013 to permit a twelve storey (40.42 m, excluding mechanical penthouse), 194 unit residential building with 472 square metres of non-residential gross floor area on the ground floor at 3309 and 3317 Dufferin Street.

The proposed development is consistent with the Provincial Policy Statement (2020) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). The proposed development also conforms to the City's Official Plan, and the official plan amendment will conform to the Dufferin Street Secondary Plan.

This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-law. The proposed development represents an appropriate level of intensification on the site and is generally consistent with the midrise vision for this segment of Dufferin Street as envisioned in the Dufferin Street Secondary Plan. The proposed development is massed to fit within its existing context while providing appropriate transitions to the adjacent low-rise neighbourhood.

RECOMMENDATIONS

The Director, Community Planning North York District recommends that:

1. City Council amend the Dufferin Street Secondary Plan, for the lands at 3309 and 3317 Dufferin Street substantially in accordance with the draft Official Plan Amendment attached as Attachment 5 to this report.

2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 3309 and 3317 Dufferin Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 6 to this report.

3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and/or draft Zoning By-law Amendment as may be required.

4. Before introducing the necessary Bills to City Council for enactment, City Council require the owner and/or applicant to:

a) prepare and submit a revised Functional Servicing and Stormwater Management Report and Functional Servicing Report Groundwater Summary Form to the Chief Engineer and Executive Director, Engineering and Construction Services for review and acceptance;

b) Make satisfactory arrangements with Engineering and Construction Services for the 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 of Engineering and Construction Services Division;

c) Provide space on the subject site for the 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;

d) provide and implement an acceptable Tenant Relocation and Assistance Plan, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, for Eligible Tenants of the existing rental dwelling unit proposed to be demolished, addressing financial compensation and other assistance to lessen hardship, including the provision of rent gap payments; and

e) enter into an agreement or legal undertaking with the City, to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning, securing the implementation of the Tenant Relocation and Assistance Plan required by recommendation d) above.

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

A pre-application consultation (PAC) meeting was held on July 25, 2022. The current application was submitted on September 14, 2022, and was deemed incomplete. The missing information was subsequently provided and the application was deemed complete on October 24, 2022. Staff conducted a Community Consultation Meeting for the application on February 23, 2023.

On July 19-22, 2022, City Council adopted four Official Plan Amendments, Official Plan Amendments 540, 544, 570 and 575, that include a total of 115 Major Transit Station Areas (MTSAs)/Protected Major Transit Station Areas (PMTSAs). The subject site is located within the Yorkdale PMTSA (SASP 713) as identified within OPA 570. A minimum target of 200 people and jobs per hectare has been identified for this station. The Official Plan Amendments were forwarded to the Minister of Municipal Affairs and Housing for approval. The Minister has not yet made a decision. A copy of the report and decision can be found at the following link: [PH35.16 - Our Plan Toronto: City-wide 115 Proposed Major Transit Station Area/Protected Major Transit Station Area Delineations - Final Report](#).

THE SITE

Description

The site is an assembly of two properties, municipally known as 3309 and 3317 Dufferin Street. It is located on the southeast corner of Dufferin Street and Glen Belle Crescent. The site has a frontage of approximately 64 metres along Dufferin Street and a frontage of approximately 36 metres on Glen Belle Crescent. The site is generally rectangular in shape, however, the eastern lot line is also jagged at the south end of the site where it meets the lot to the south (3303 Dufferin Street). The site has a total area of 2,393 square metres.

Existing Use

The property known as 3309 Dufferin Street has a two-storey commercial building currently occupied by an Enterprise Truck Rental along with its associated surface parking lot. The property at 3317 Dufferin Street has a 2 storey building with a commercial retail use (Popeyes Louisiana Kitchen) on the ground floor, one three-bedroom residential unit above, and also contains a surface parking lot with access from Dufferin Street.

THE APPLICATIONS

Description

The initial October 2022 submission proposed a 10-storey (34.4 metres) mid-rise, mixed-use building consisting of 148 new residential dwelling units, 9,964 square metres of residential gross floor area ("GFA") and 500 square metres of non-residential

GFA. The application was subsequently revised on June 3, 2024 and the current proposal is for a 12-storey (40.4 metres) mid-rise, mixed use building consisting of 194 residential units, 12,276 square metres of residential GFA and 472 square metres of non-residential GFA.

Density

The proposal has a net density of 5.53 times the area of the lot, after the road widening conveyance.

Dwelling Units

The proposal includes 194 dwelling units, 15 studio (8%), 126 one-bedroom (65%), 33 two-bedroom (17%), and 20 three-bedroom units (10%).

Non-Residential Component

The proposal includes 472 square metres of non-residential GFA on the ground floor divided into two different retail spaces along the southern portion of the building fronting Dufferin Street.

Access, Bicycle Parking, Vehicle Parking and Loading

The proposal includes 76 resident vehicular parking spaces, 14 vehicular visitor parking spaces, and 2 car share parking spaces for a total of 92 vehicular parking spaces in two levels of underground parking. A total of 170 bicycle parking spaces are proposed, including 14 short term and 156 long term bicycle parking spaces. The short term bicycle parking spaces are proposed at grade and the residential long term bicycle parking spaces are provided in the underground garage. One Type G loading space is proposed at grade. All vehicular access to the building is from one two-way driveway off of Glen Belle Crescent.

Additional Information

See attachments 1, 2, 7 and 8 of this report for the Application Data Sheet, Location Map, a site plan, and elevations of the proposal respectively. 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: www.toronto.ca/3309DufferinSt

Reasons for Application

An official plan amendment ("OPA") is required to implement a Site and Area Specific Policy ("SASP") for the site to recognize the built form performance standards of the proposed building, such as the proposed height, angular plane step-backs and density.

A zoning by-law amendment application is required to amend Zoning By-law 569-2013 to permit the proposed height and apply other site-specific performance standards to the site such as density, setbacks, parking and other performance standards.

APPLICATION BACKGROUND

Application Requirements

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

- 3D Model
- Application Form
- Arborist Report
- Architectural Plans
- Bird Friendly Statistics
- Block Context Plan
- Civil and Utilities Plan
- Construction Management Plan
- Cover Letter
- Detailed Revision List
- Draft Official Plan Amendment
- Draft Zoning By-law Amendment
- Energy Efficiency Report
- Energy Strategy Report
- Environmental Site Assessment
- Geotechnical Study
- Green Roof Bylaw
- Housing Issues Report
- Hydrogeological Report
- Landscape and Lighting Plan
- Landscape Plans
- Noise Impact Study
- Pedestrian Level Wind Study
- Planning Rationale
- Project Data Sheet
- Public Consultation Strategy
- Functional Servicing Report
- Stormwater Management Report
- Sun/Shadow Study
- Survey
- Toronto Green Standards Checklist
- Transportation Impact Study
- Vibration Study Letter

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:

www.toronto.ca/3309DufferinSt

Agency Circulation Outcomes

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City Divisions. Responses received have been used to

assist in evaluating the application and to formulate appropriate Official Plan amendment and Zoning By-law standards.

POLICY & REGULATION CONSIDERATIONS

Provincial Land-Use Policies

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement (2020), and shall conform to provincial plans, A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020), the Greenbelt Plan, and others.

Official Plan

The Official Plan Urban Structure Map 2 identifies the site as *Avenues*. The land use designation for the site is *Mixed Use Areas*. See Attachment 3 of this report for the Land Use Map. The Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making.

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

Secondary Plan

The site is within the Dufferin Street Secondary Plan (the "Secondary Plan") Area. The overall vision of the Secondary Plan is to identify Dufferin Street as the organizing "spine" of the Secondary Plan area and to encourage an intensified, transit-oriented urban form of development that promotes a vibrant pedestrian realm and experience. The Secondary Plan identifies the site as *Mixed Use Areas*. It also identifies that at-grade street related retail and services uses are encouraged as accessory uses to the main use in multi-storey buildings for this segment of Dufferin Street and Glen Belle Crescent.

Zoning

The property known as 3309 Dufferin Street is zoned Commercial Residential (CR 1.0 (c.1.0; r1.0) SS3 (x77) and the property known as 3317 Dufferin Street is zoned Commercial Residential CR (c1.0, r1.0) SS2 (x2620) under Zoning By-law 569-2013. The Commercial Residential zone permits a wide variety of residential and non-residential uses. See Attachment 4 of this report for the existing Zoning By-law Map.

Design Guidelines

The following design guidelines have been used in the evaluation of this application:

- Mid-Rise Building Performance Standards
- Growing Up Guidelines for Children in Vertical Communities
- Pet Friendly Design Guidelines for High Density Communities
- Retail Design Manual
- Toronto Accessibility Design Guidelines

- Dufferin Street Secondary Plan Urban Design Guidelines

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

Toronto Green Standard

The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard.

Site Plan Control

The proposal is subject to Site Plan Control. A Site Plan Control application was submitted on September 14, 2022 and deemed incomplete. It was subsequently deemed complete on October 21, 2022.

COMMUNITY CONSULTATION

A virtual Community Consultation meeting was hosted by City staff on February 23, 2023. Approximately 12 people attended, as well as the Ward Councillor and the applicant. At the meeting, City staff and the applicant's team gave presentations on the site and surrounding area, the existing planning framework, and the proposed development. Following the presentations, City staff led a question-and-answer format meeting. Comments and questions raised at the meeting as well as in correspondence received on the application included topics related to:

- increased traffic congestion in the area;
- types of retail proposed;
- potential to accommodate additional density on this site; and,
- sustainability measures to be included in the proposal.

Statutory Public Meeting Comments

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

COMMENTS

Provincial Policy Statement and Provincial Plans

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 (2020) and conformity with the Growth Plan (2020). In the opinion of Staff, the proposal is consistent with the PPS and conforms with the Growth Plan.

The site is located within the Council-adopted Yorkdale PMTSA, which has a minimum planned density of 200 residents and jobs combined per hectare. The site is located on Dufferin Street, the TTC's 29 Dufferin bus has a northbound stop in front of the site, and is part of the TTC's 10 minute network. The 47 Lansdowne bus also uses this stop. The site is proposed to be redeveloped in a transit-supportive manner and provide a mix of uses in a contextually appropriate built form, as required by the Growth Plan. The proposal also adds to the range and mix of housing options in the area in accordance with Provincial policy.

Land Use

This application has been reviewed against the official plan policies and the Secondary Plan policies described in the Policy and Regulation Considerations Section of the Report as well as the policies of the Official Plan as a whole.

The proposed residential and retail uses are permitted uses within the *Mixed Use Areas* designation of the Official Plan and Secondary Plan. The Secondary Plan encourages retail and service uses on the ground floor for this segment of Dufferin Street and Glen Belle Crescent and the proposal is meeting this directive. Dufferin Street is identified with an *Avenues* overlay in the Official Plan. *Avenues* are important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities while improving the pedestrian environment, the look of the street, and shopping opportunities for area residents.

Density, Height, Massing

This application has been reviewed against the official plan policies and the Secondary Plan policies and the design guidelines described in the Policy and Regulation Considerations Section of the Report. The Secondary Plan directs that the scale of new development will balance intensification objectives with the protection of adjacent stable residential *Neighbourhoods* and provide appropriate sunlight and sky view in streets, parks and open spaces.

The Secondary Plan states that midrise buildings will be the primary form of new development in the Secondary Plan area to provide built edges and a mix of uses towards Dufferin Street and to provide a sense of enclosure as well as to reinforce the main street feel and enhance the pedestrian realm. The height range anticipated in the Secondary Plan is for a nine storey (30 metre) building with a six storey streetwall height along Dufferin Street to provide a consistent and unifying streetwall height. All new buildings are subject to the angular plane performance standards of the Dufferin Street Urban Design Guidelines. The proposed height of the building is greater in height than what is contemplated by the Secondary Plan, however, the massing of the proposed building continues to meet a number of the built form policies of the Secondary Plan, including the minimum 3 metre setbacks from Dufferin Street and Glen Belle Crescent as identified on Map 36-9 of the Secondary Plan. The proposed built form also exceeds the minimum stepback required above the street wall of the sixth storey and has a stepback of 3.9 to 4.9 metre above this level to achieve the uniform six storey streetwall along Dufferin Street.

Although there are encroachments into the front angular plane from the property line of Dufferin Street by the proposed built form, the proposal meets the intent of the policy of the Secondary Plan and Dufferin Street Urban Design Guidelines by not imposing additional shadows on the sidewalks of the boulevards on the opposite side of the street compared to the as of right (9 storey) option. This is partially due to the north-south orientation of Dufferin Street and the proposed development.

The rear of the building is setback a minimum of 9.0 metres for the floors 1 - 12, however, due to the angled building shape, the setback increases up to 14.2 metres for the floors towards the south end of the building, averaging 11.6 metres along the length of the building where it faces the side yard condition of the single detached lot to the east on Glen Belle Crescent. The proposal provides for an appropriate transition to the *Neighbourhoods*.

Where the property abuts the commercial parking lot associated with the site to the south at 3303 Dufferin Street, at the southernmost portion of the building there is a pinch point in the irregularly shaped property line where the ground floor setback is 0.99 metres to the internalized loading space. Above this part of the building the floors containing residential uses are setback 4.5 metres.

City Planning is conducting a comprehensive review of the Mid-Rise Building Performance Standards Urban Design Guidelines and has completed initial updates to the performance standards for Rear Transitions between mid-rise buildings and other buildings or open space uses. The final updated Rear Transition Performance Standards 5A and 5B will be formally incorporated in the consolidated Mid-rise Building Urban Design Guidelines document and presented to Planning and Housing Committee in the fourth quarter of 2024. The rear transition of the proposed development is consistent with this emerging approach.

The south side of the building is setback 1.2 metres for the first two floors where there are no openings facing the south property line where it abuts the south property line, except for a small window opening facing Dufferin Street. Where residential units have opening windows on the south property line, the building is setback a minimum of 5.5 metres, in line with the Mid-rise Buildings Performance Standards. Detail design matters will be secured through the related Site Plan Control application.

The Secondary Plan identifies a density of 3.5 times the area of the lot while the proposed gross density is 5.41 times the area of the lot. The proposed density is appropriate for the subject site given its location along an Avenue (Dufferin Street), its location within the Yorkdale PMTSA, and that the proposed development continues to provide for an appropriately scaled building meeting a number of the objectives of the Secondary Plan.

Public Realm and Streetscape

This application has been reviewed against the official plan policies and the secondary plan policies described in the Policy and Regulation Considerations Section of the Report. The curved frontage of the building creates a building setback of between 3 to 4 metres which allows for additional sidewalk space in front of the proposed retail uses. In accordance with the Secondary Plan, new street trees are to be planted along the Dufferin Street and Glen Belle Crescent frontages of the street, along with new 2.1 metre wide sidewalks that are required along the frontage of the site along Dufferin Street as well as on Glen Belle Crescent. The existing bus shelter on Dufferin Street is to be reconstructed in front of the site.

The proposed streetscape in front of the development is modified compared to the Dufferin Street Urban Design Guidelines Streetscape recommendation due to conflicts with existing underground utilities. Staff worked with the applicant and internal agencies to design the streetscape in a way to accommodate tree planting where utility encumbrances are not prohibitive. The final design will be secured through the related Site Plan Control application.

Sun, Shadow, Wind

This application has been reviewed against the official plan policies and the secondary plan policies described in the Policy and Regulation Considerations Section of the Report. The Official Plan contains a number of policies that address appropriate sun and shadow impacts that direct the adequate provision of light and adequately limiting shadows on streets, properties, and open spaces. The *Mixed Use Areas* development criteria also require that development locate and mass buildings to adequately limit impacts, such as shadows, on adjacent *Neighbourhoods*, streets, parks and open spaces, and to frame the edges of streets and parks, with a focus on generating comfortable conditions through adequate sunlight provision. Additionally, new development is to maintain good proportion and sunlight for pedestrians by providing an attractive, enjoyable, and safe pedestrian environment on adjacent parks, streets, and open spaces.

The applicant submitted a shadow study for the revised application. On March and September 21st, there is incremental shadow on Dufferin Street between 9:18 a.m. and 12:18 p.m., with the shadow moving off the west sidewalk of Dufferin Street by 11:18 a.m. On June 21st, there is shadow on the west side of Dufferin Street until 10:18 a.m. and on the east side of the street until 12:18 p.m. On March 21st, the proposal will cast shadows on lands designated *Neighbourhoods* west of Dufferin Street at 9:18 a.m. only and it is limited to portions of 17, 21 and 22 McAdam Avenue. On June and December 21st there are no shadow impacts to lands designated *Neighbourhoods* west of Dufferin Street.

For the lands designated *Neighbourhoods* east of Dufferin Street, on March 21st, the proposal begins to cast shadows from 1:18 p.m. onwards on portions of the properties on Glen Belle Crescent and a portion of a property on Ranee Avenue rear yard. The proposal will cast shadows on *Neighbourhoods* designated properties east of Dufferin

Street beginning at 2:18 p.m. Adjacent properties will have access to sunlight for a minimum of 5 hours per day during the spring and fall equinoxes. Shadows from the proposed increase in height beyond what is contemplated for in the Secondary Plan are limited and staff are of the opinion the shadow impacts from the proposed development would be adequately limited as directed in the Official Plan.

A Pedestrian Level Wind Study Addendum, dated May 2024 was also submitted in support of the revised application and concluded that wind comfort conditions on-site, including the numerous entrances, are generally predicted to be suitable for the intended use. On the sidewalks surrounding the proposed development, wind conditions are generally suitable for the intended use. Through the site plan control process, additional mitigation measures will be explored and implementation measures secured to improve the wind comfort conditions.

Amenity Space

The Built Form policies of the Official Plan state that new indoor and outdoor amenity spaces are to be provided as part of multi-unit residential developments and are to consider the needs of residents of all ages and abilities over time and through the year. The development proposes 371 square metres of indoor amenity space (1.8 square metres per unit) and 406 square metres of outdoor amenity space (2.5 square metres per unit) within the new building. The indoor amenity space is located on the ground floor and the second floor. The ground floor amenity space consists of a lounge/co-working space and meeting room, while the amenity space on the second floor is an indoor amenity/party room connecting to an outdoor terrace. Additional outdoor amenity space is located on the mechanical penthouse level.

Housing Issues

The Official Plan directs that a full range of housing in terms of form, tenure and affordability be provided to meet the current and future needs of residents. This proposal is for a residential building with retail on the ground floor, and is proposed to be of condominium ownership housing. A total of 194 units are proposed, including 15 studio (8%), 126 one-bedroom (65%), 33 two-bedroom (17%), and 20 three-bedroom units (10%). The proposed unit mix meets the policy direction of the Official Plan to provide a full range of housing and achieves the unit mix objectives of the Growing Up Guidelines to provide a minimum of 15% two bedroom units and a minimum of 10% three bedroom units in new developments. The Zoning By-law Amendment will include an appropriate provision to capture the unit mix. City Planning staff will continue to work with the applicant through the Site Plan Control process to ensure applicable provisions of the Growing Up Guidelines are met.

The proposed development includes the demolition of one rental dwelling unit, currently occupied. Official Plan policy 3.2.1.12. requires a Tenant Relocation and Assistance Plan be provided to lessen hardship for existing tenants. Staff recommend that the Bills necessary to implement the approval of this project be withheld until the owner/applicant has entered into an undertaking and secured an acceptable Tenant Relocation and Assistance Plan in accordance with Official Plan Policy 3.2.1.12 for the tenants of the

existing rental dwelling unit proposed to be demolished, addressing financial compensation and other assistance to lessen hardship. The Tenant Relocation and Assistance Plan shall be to the satisfaction of the Chief Planner and Executive Director, City Planning.

Access, Parking, Loading

There is one full moves access proposed to the site from Glen Belle Crescent. The site driveway will provide access to the proposed underground parking garage, loading facility, and on-site pick-up/drop-off area.

Based on the updated parking standards in Zoning By-law 569-2013 (introduced through By-law 89-2022), a minimum of 14 and a maximum of 214 parking spaces are required, including 14 visitor parking spaces. The application proposes 92 parking spaces comprised of 14 visitor, 76 resident, and 2 car-share parking spaces. A total of seven of these parking spaces are to be provided as accessible parking spaces per the Zoning By-law requirements. Transportation Services accepts the proposed on-site parking supply.

Road Widening

In order to satisfy the Official Plan requirement of a 30 metre right-of-way for this segment of Dufferin Street, a 1.79 metre road widening dedication along the frontage of the portion of the site known municipally as 3317 Dufferin Street, for a length of approximately 25.53 metres. A 6.0 metre corner rounding is also required at the corner of Dufferin Street and Glen Belle Crescent. These road widening land conveyances are demonstrated on the site plan and will be conveyed through the Site Plan Control process.

Servicing

A revised Functional Servicing Report and Stormwater Management Report is required to demonstrate whether upgrades are necessary to the existing infrastructure for this development. Staff recommends that the Bills necessary to implement the approval of this project be withheld until the Reports have been accepted by Engineering and Construction Services staff, and if required, that the owner enter into a Municipal Infrastructure Agreement to financially secure the construction of any improvements to the municipal infrastructure in connection with the accepted Functional Servicing Report by the Chief Engineer and Executive Director, Engineering and Construction Services.

Air Quality, Noise Impact and Compatibility

Policy 2.2.4.5 of the Official Plan directs that residential uses should be planned to ensure they are appropriately designed, buffered, and/or separated as appropriate from *Employment Areas* and major facilities to prevent or mitigate adverse effects from noise, vibration, and emissions, including dust and odour, amongst other matters. The Ministry of Environment, Conservation and Parks (the "MECP") have established noise guidelines regulations to achieve these objectives. Among other matters, the guidelines provide advice on sound level limits and guidance that may be used when land use planning decisions are made under the Planning Act. The guidelines are intended to

minimize the potential conflict between noise sensitive land uses and sources of noise emissions.

A Noise Impact Study dated May 2024 was submitted in support of the revised application. The study identifies that the significant transportation noise source in the vicinity of the site is Dufferin Street. Regarding stationary noise sources surrounding the site, the study identified mechanical equipment on the surrounding buildings. In order to mitigate the transportation noise sources and meet the applicable MECP noise guideline limits, mitigation measures in the form of installing central air conditioning and providing an acoustic barrier of at least 1.3 metres in height along the south edge of the second floor amenity area are proposed.

The City retained a third party professional consultant to peer review the applicant's study, with the cost borne by the applicant. The peer review concluded that sufficient information was provided to confirm that the proposed development is compatible with the surrounding environment and that details such as the density of the acoustic barrier on the amenity level be reviewed in further detail during the Site Plan control stage.

Parkland

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

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). Of the trees that are regulated by the Municipal Code, the tree protection plan proposes to remove five trees (one private, one City), injure one tree and preserve three trees. At the time of site plan control, the applicant is to submit a tree planting deposit to ensure the planting and survival of the new City street trees. Urban Forestry staff will secure the new trees through the Site Plan Control process.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard ("TGS"). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve

net-zero emissions by 2040 or sooner. Performance measures for the Tier 1 development features will be secured through the rezoning and site plan control process.

Performance measures for Tier 1 development features secured through the zoning by-law process including bicycle infrastructure and bicycle parking spaces and reduced parking ratio to residential unit count. These features will be secured in the proposed zoning by-law.

Other applicable TGS performance measures will be secured through the Site Plan Approval process such as energy modeling measures indicating reductions in greenhouse gas emissions, landscaping, and tree plantings.

School Boards

The Toronto Lands Corporation ("TLC") has had an opportunity to review the above-noted development application proposing a 12-storey building containing 194 residential units and retail uses. The Toronto District School Board ("TDSB") schools currently assigned to this development are Baycrest Public School and John Polanyi Collegiate Institute. To provide additional elementary school capacity necessary to accommodate future growth within this area, a TDSB accommodation plan reopened the Sir Sandford Fleming site (located at 50 Ameer Avenue) in September 2022, a former TDSB secondary school that was previously closed. However, the Sir Sandford Fleming site will be shared with the TCDSB for a period of time, prior to the building becoming fully unencumbered for TDSB use as Baycrest Public School. Future renovations to the building will be subject to enrolment growth over the long-term.

During the Site Plan Control stage, TLC and TDSB requested site plan approval conditions requiring the applicant to erect signs on the development site and include warning clauses in all offers of purchase and sale/lease/rental/tenancy agreements to inform new residents of the student accommodation situation. Site plan conditions may also include a requirement to provide estimated occupancy dates and a commitment for periodic updates on expected occupancy to provide the TLC and TDSB with information for enrolment projections.

The Toronto Catholic District School Board ("TCDSB") has advised that sufficient space exists within the local elementary school to accommodate additional students from the development as proposed. As per the TCDSB Capital Plan, Dante Alighieri Academy has been approved for a 1,300 pupil place replacement school with occupancy anticipated for 2026.

The TCDSB will continue to monitor development growth in this area as it relates to cumulative impact on local schools. The TCDSB requests notification of any modifications, community consultations, appeals or notices of decision relating to this development application or related applications. Please direct correspondence to development.applications@tcdsb.org.

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) and the Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2020) and conforms with the A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). The proposal conforms to the Official Plan and is consistent with the Dufferin Street Secondary Plan particularly as it relates to development in *Mixed Use Areas* and improving the public realm of Dufferin Street. Staff recommend that Council support approval of the applications.

CONTACT

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SIGNATURE

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

ATTACHMENTS

City of Toronto Data/Drawings

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

Applicant Submitted Drawings

- Attachment 7: Site Plan
- Attachment 8: Elevations

Attachment 1: Application Data Sheet

Municipal Address: 3309 and 3317 DUFFERIN ST Date Received: September 14, 2022

Application Number: 22 203669 NNY 08 OZ

Application Type: OPA / Rezoning, OPA & Rezoning

Project Description: Official Plan and Zoning By-law Amendment to permit a 12-storey mid-rise, mixed-use building with retail fronting Dufferin Street, with a total gross floor area (GFA) of 12,748 square metres, consisting of 12,276 square metres of residential GFA and 492 square metres of retail GFA, as well as a total of 194 new residential dwelling units, resulting in a net density of 5.44 FSI (5.33 FSI gross density).

Applicant	Agent	Architect	Owner
BOUSFIELDS INC			B J S PROP INC C/O

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	SASP 713
Zoning:	CR 1.0 (c1.0; r1.0) SS3 (x77); CR 1.0 (c1.0; r1.0) SS2 (x2620)	Heritage Designation:	
Height Limit (m):	14	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m):	2,393	Frontage (m):	63	Depth (m):	40
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Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	367		1,576	1,576
Residential GFA (sq m):	127		12,276	12,276
Non-Residential GFA (sq m):	485		472	472
Total GFA (sq m):	612		12,748	12,748
Height - Storeys:	2		12	12
Height - Metres:	6		40	40

Lot Coverage Ratio 65.86 Floor Space Index: 5.33
(%):

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	12,232	44
Retail GFA:	472	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	1			
Freehold:				
Condominium:			194	194
Other:				
Total Units:	1		194	194

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		15	126	33	20
Total Units:		15	126	33	20

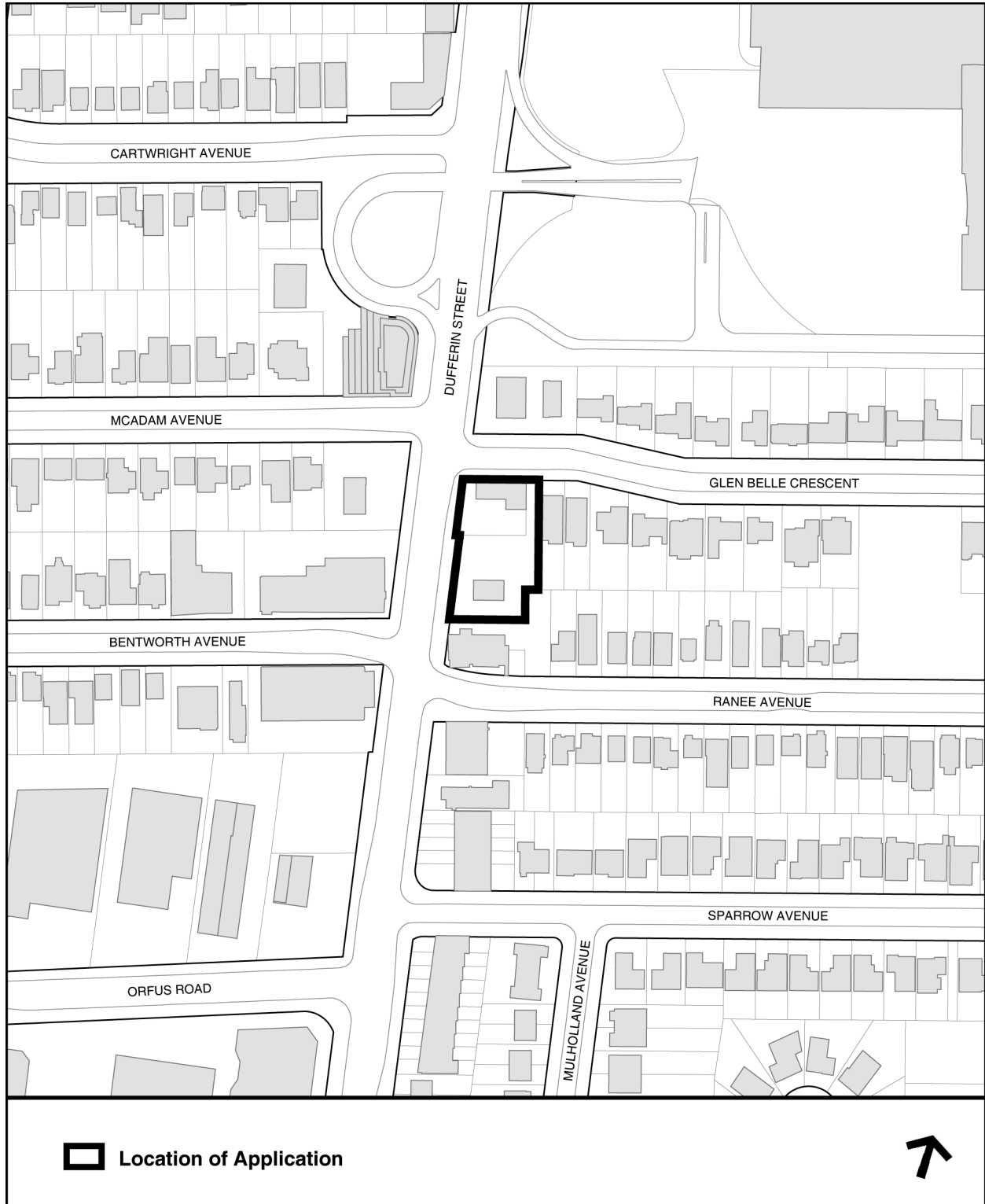
Parking and Loading

Parking Spaces:	92	Bicycle Parking Spaces:	170	Loading Docks:	1
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CONTACT:

Valeria Maurizio, Senior Planner, Community Planning
416-395-7052
Valeria.Maurizio@toronto.ca

Attachment 2: Location Map



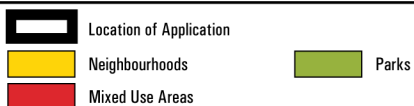
Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #17

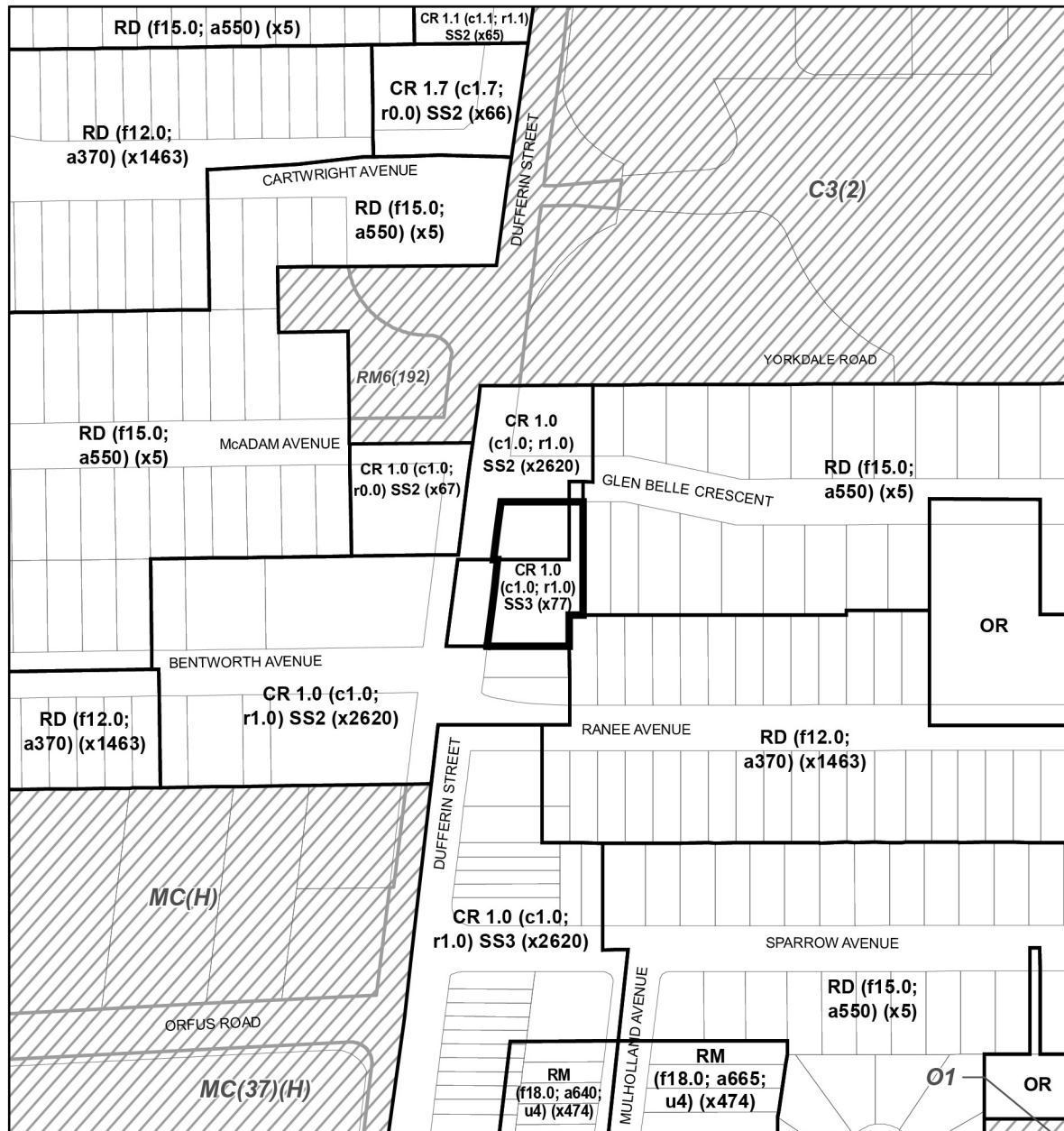
3309 & 3317 Dufferin Street

File # 22 203669 NNY 08 02



↑
Not to Scale
Extracted: 09/19/2022

Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

3309-3317 Dufferin Street

File # 22 203669 NNY 08 02



Location of Application

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



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

RM6 Multiple-Family Dwellings Sixth Density Zone
C3 District Shopping Centre Zone
MC Industrial-Commercial Zone
O1 Open Space Zone



Not to Scale
Extracted: 08/07/2024

Attachment 5: Draft Official Plan Amendment

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

Enacted by Council: ~, 20~

CITY OF TORONTO
Bill XXX
BY-LAW XXX

To adopt Amendment No. 769 to the Official Plan for the City of Toronto respecting the lands known municipally in the year 2023, as 3309 and 3317 Dufferin Street

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

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

The Council of the City of Toronto enacts:

1. The attached Amendment No. 769 to the Official Plan is hereby adopted pursuant to the Planning Act, as amended.

Enacted and Passed this ~ day of ~, A.D. 2024.

Frances Nunziata,
Speaker

JOHN D. ELVIDGE,
City Clerk

(Seal of the City)

AMENDMENT NO. 769 TO THE OFFICIAL PLAN

LANDS MUNICIPALLY KNOWN IN THE YEAR 2023 AS 3309 AND 3317 DUFFERIN STREET

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

1. Chapter 6, Section 36, Dufferin Street Secondary Plan is amended by adding the following subsection to Section 12, Site and Area Specific Policies, for the lands municipally known in the year 2023 as 3309 and 3317 Dufferin Street, as follows:

‘12.5. 3309 and 3317 Dufferin Street

A mixed use building on the lands known municipally as 3309 and 3317 Dufferin Street is permitted, provided that:

a) the minimum building setback to Dufferin Street is 3.0 metres and the minimum building setback to Glen Belle Crescent is 3.0 metres;

b) the minimum building step-back from Dufferin Street is 3.3 metres, at a height of six storeys and the minimum building step-back from Glen Belle Crescent is 1.3 metres at a height of six storeys;

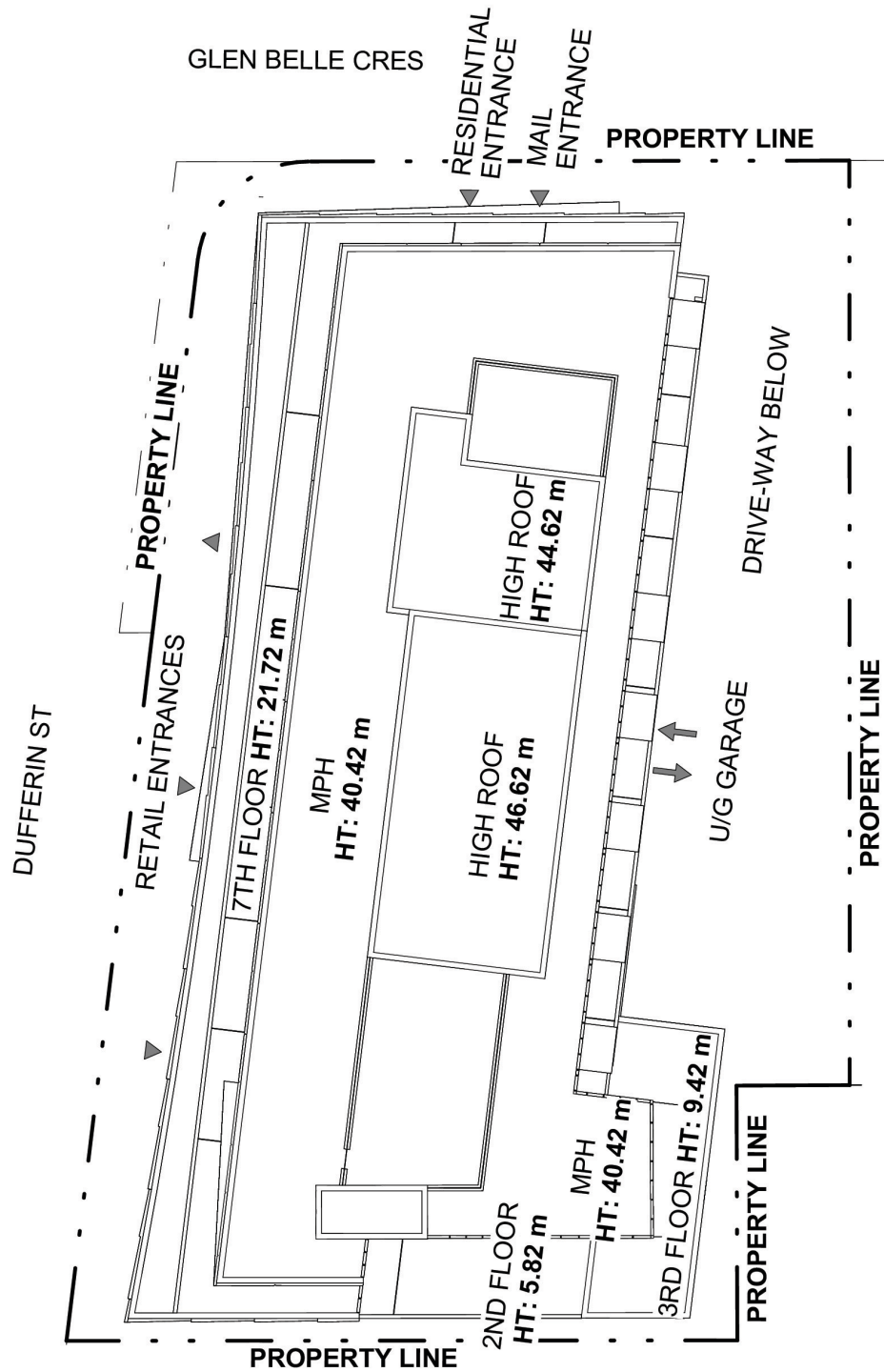
c) the maximum building height is 12 storeys (41 metres); and

d) the maximum gross density is 5.41 Floor Space Index (FSI). FSI shall be calculated on a gross site area basis, including all lands to be conveyed to the City.'

Attachment 6: Draft Zoning By-law Amendment

Under Separate Cover

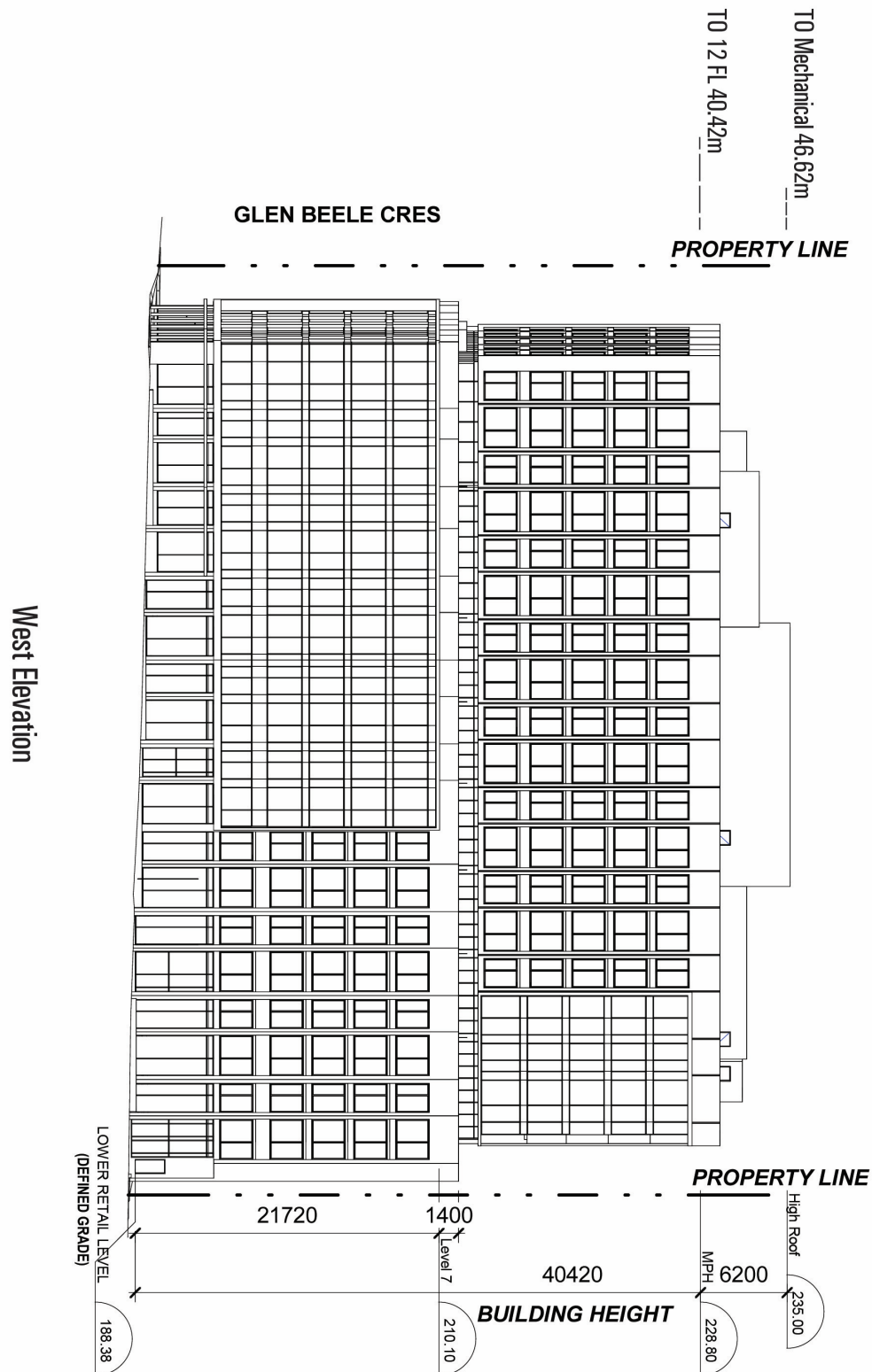
Attachment 7: Site Plan



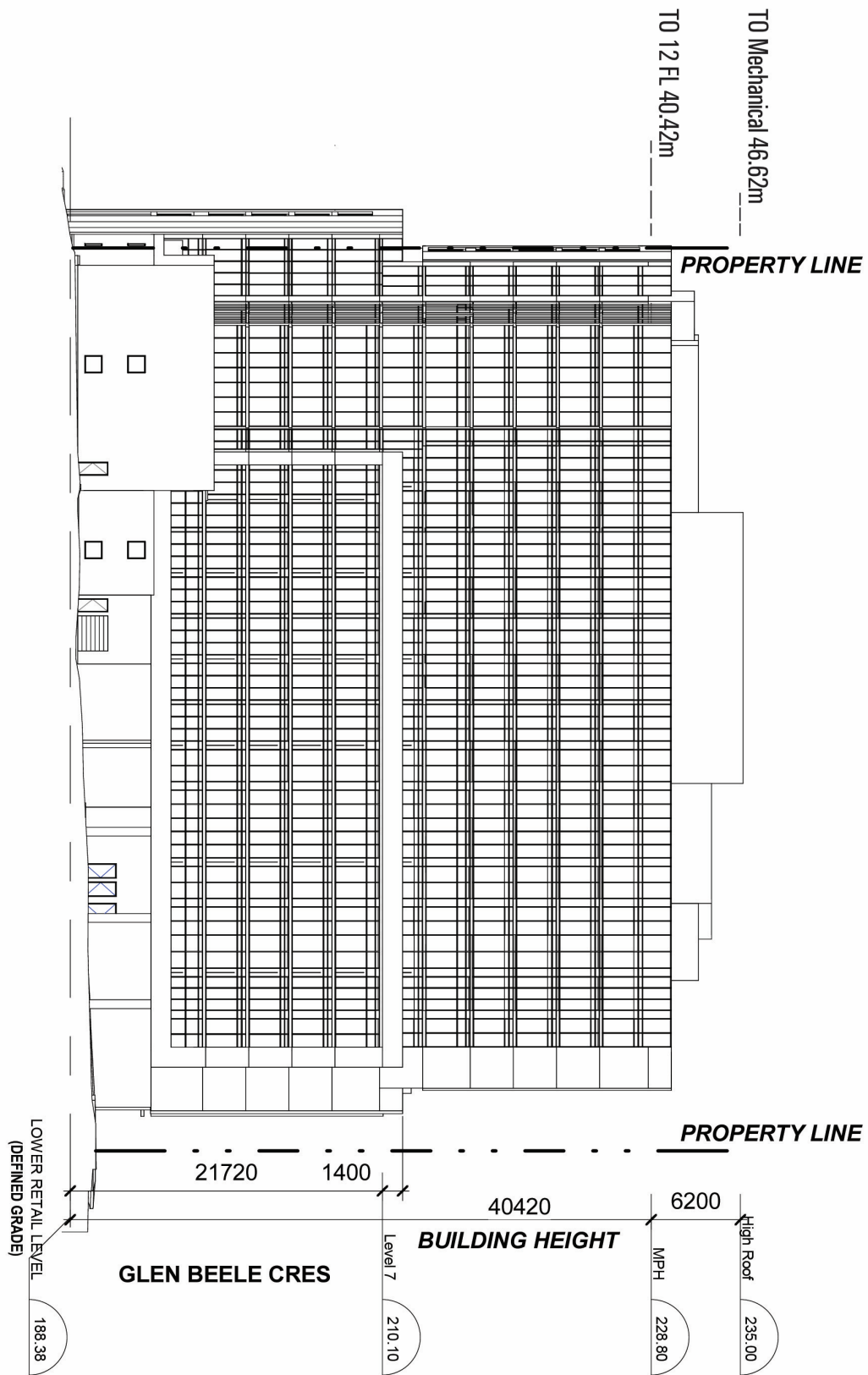
Site Plan



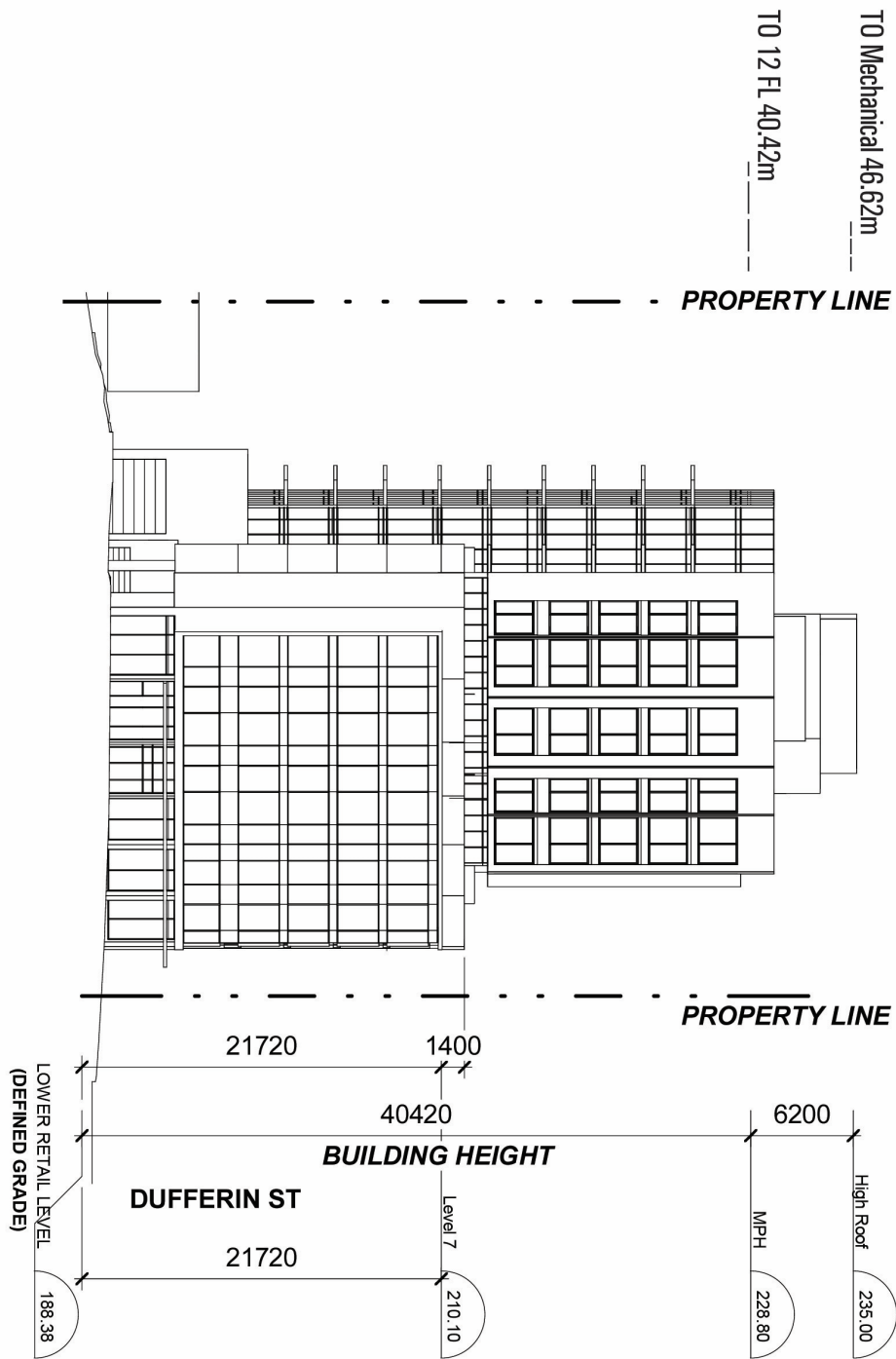
Attachment 8: Elevations



East Elevation



North Elevation



South Elevation

