

2400-2440 Dundas Street West – Zoning By-law Amendment – Decision Report – Approval

Date: November 18, 2024

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Ward: 4 - Parkdale-High Park

Planning Application Number: 23 124848 STE 04 OZ

SUMMARY

This report reviews and recommends approval of an application to amend the Zoning By-law. The proposal is for three mixed use tower buildings, two of which share a podium, with tower at heights of 25, 37 and 42 storeys. 6,371 square metres of non-residential floor area is proposed, and 1,214 dwelling units. Of the proposed residential units, 447 units are proposed to be purpose built rental housing including 11 affordable rental units to be secured through Community Benefits Charge in-kind contribution, and 56 affordable rental units as a requirement of the Site and Area Specific Policy 796. The application also includes a vehicular and pedestrian access route to a Pick-Up and Drop-Off Loop (PUDO) that provides access to the Bloor GO/UP Express Station at 2376 Dundas Street West. A park of 1,043 square metres will be conveyed to the City.

The proposed development is consistent with the Provincial Planning Statement (2024). The proposed development also conforms to the City's Official Plan, including Site and Area Specific Policy 796.

RECOMMENDATIONS

The Director, Community Planning, Toronto and East York District, recommends that:

1. City Council amend Zoning By-law 569-2013 for the lands at 2400-2440 Dundas Street West substantially in accordance with the draft Zoning By-law Amendment included as Attachment 5 to this report.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. City Council allow the owner of 2400-2440 Dundas Street West (the "site") to design, construct, finish, provide and maintain on the site eleven (11) affordable rental units as part of the development in Phase 1, to the satisfaction of the Executive Director,

Development Review, the Chief Planner and Executive Director, City Planning, and the Executive Director, Housing Secretariat, as an in-kind contribution pursuant to Subsection 37(6) of the Planning Act, all in accordance with the following terms (the "in-kind contribution"):

- a. the Affordable Rental Housing Units secured through in-kind contribution shall be comprised of 1 studio unit; 1 one-bedroom unit; 8 two-bedroom units; 1 three-bedroom units (the "Affordable Rental Housing Units");
- b. the average unit size of the Affordable Rental Housing Units shall be no less than the minimum unit size of all the market units, by unit type, and the Affordable Rental Housing Units shall collectively have a gross floor area of at least 2,442 square metres (8,013 square feet);
- c. the minimum unit size of the Affordable Rental Housing Units shall be no less than the minimum unit sizes of all market units, by unit type, in the proposed development;
- d. the Affordable Rental Housing Units shall be provided in contiguous groups of at least six (6) rental dwelling units;
- e. the general configuration, location and layout of the affordable rental housing units in the development shall be to the satisfaction of the Chief Planner and Executive Director, City Planning;
- f. tenants of the Affordable Rental Housing Units shall be provided with access to, and use of all indoor and outdoor amenities in the development on the same terms and conditions as any other resident of the development without the needs to pre-book or pay a fee unless specifically required as a customary practice of private bookings;
- g. all Affordable Rental Housing Units will be provided with ensuite laundry facilities and central air condition at no extra charge;
- h. tenants of the affordable rental housing units will be provided with access to long-term and short-term bicycle parking and visitor parking in accordance with the Zoning By-law and on the same basis as other units within the development;
- i. the initial rent (inclusive of utilities) charged to first tenants and upon turnover of the Affordable Rental Housing Units shall not exceed Affordable Rent as defined in the Official Plan for a minimum of 40 years, beginning with the date each such unit is first occupied (the "Affordability Period"). During the Affordability Period, increases to initial rents charged to tenants occupying any of the Affordable Rental Housing Units shall be in accordance with the Residential Tenancies Act and shall not exceed the Provincial rent guideline; regardless of whether the Provincial rent guideline applies to the Affordable Rental Housing Units under the Residential Tenancies Act;

j. the owner shall provide and maintain the affordable rental housing units as rental dwelling units at the rents identified in Recommendation 3.i. above, for the duration of the Affordability Period. The affordable rental housing units shall not be registered as a condominium or any other form of ownership, such as life lease or co-ownership, which provide a right to exclusive possession of a dwelling unit, and no application for conversion for non-rental housing purposes, or application to demolish any affordable rental housing unit shall be made for the duration of the Affordability Period; and upon the expiration of the Affordability Period, the owner shall continue to provide and maintain the affordable rental housing units as rental dwelling units, unless and until such time as the owner has applied for and obtained all approvals necessary to do otherwise;

k. the owner will use the City's Centralized Affordable Housing Access System to advertise and select tenants for the affordable rental housing units, provided it is in place, unless otherwise agreed to by the Executive Director, Housing Secretariat, and at least six months in advance of any affordable rental housing unit being made available for rent, the owner shall develop and implement an Access Plan which will outline how the Affordable Rental Housing Units will be rented to eligible households in consultation with, and to the satisfaction of, the Executive Director, Housing Secretariat; and

l. the Affordable Rental Housing Units shall be made ready and available for occupancy no later than the date by which 70 percent of the new dwelling units in Phase 1 of the proposed development are erected on the site are available and ready for occupancy.

4. City Council attribute a value to the in-kind contribution set out above, equal to 100 percent of 4 percent of the value of the land (net of any exclusions or exemptions authorized under the Community Benefits Charge By-law), as determined the day before the day the building permit is issued in respect of the development.

5. City Council authorize the Executive Director, Development Review Division, to enter into an agreement pursuant to subsection 37(7.1) of the Planning Act (the "in-kind Contribution Agreement") to address the provision of the in-kind contribution identified in Recommendation 3 above, to the satisfaction of the Executive Director, Development Review Division, Interim Chief Planner, City Planning and the City Solicitor, with such Agreement to be registered on title to 2400-2440 Dundas Street West lands, which agreement shall be evidence of arrangements for the provision of the in-kind contribution that are satisfactory to City Council.

6. City Council approve that in accordance with Section 42 of the Planning Act, the owner shall convey to the City, an on-site parkland dedication having a minimum size of 1,043 square metres, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor prior to the issuance of the first Above Grade Building permit for Phase 2.

7. City Council approve that prior to the issuance of the first above grade building permit for the development, the Owner shall register a Section 118 Restriction, pursuant to the

Land Titles Act against title to the parkland to be conveyed to the City, that prohibits the transfer or charge of the parkland without the prior written consent of the General Manager, Parks, Forestry and Recreation, to the satisfaction of the City Solicitor.

8. City Council approve that prior to the issuance of the first above grade building permit for the development, the Owner shall provide a letter of credit for the value of the parkland as appraised by the Executive Director, Corporate Real Estate Management in a form satisfactory to the City, and such security shall not be released until the parkland has been conveyed to the City in a manner satisfactory to the General Manager, Parks, Forestry and Recreation. From the date the Financial Security is first paid to the City until such time as the parkland is conveyed to the City, the Financial Security shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for the Toronto Census Metropolitan Area, reported quarterly by Statistics Canada in Building Construction Price Indexes Publication 18-10-0135-01, or its successor, to the satisfaction of the General Manager, Parks, Forestry and Recreation.

9. City Council approve the acceptance of the on-site parkland dedication, subject to the owner transferring the parkland to the City free and clear, above and below grade, of all easements, encumbrances, and encroachments, in an acceptable environmental condition.

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

11. City Council request the General Manager, Transportation Services, to review and report back on the feasibility of amending Schedule B of the City of Toronto Municipal Code Chapter 925, Permit Parking, to exclude the development located at 2400-2440 Dundas Street West from Permit Parking.

FINANCIAL IMPACT

The Development Review 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.

Community Benefits Charge

This Report requests Council approval of a Community Benefits Charge (CBC) in-kind contribution of 11 affordable rental units in Phase 1 of the development. The estimated value of the proposed CBC in-kind contribution is 100% of the 4% value of the land that

is the subject of the development or redevelopment in accordance with the CBC By-law. The percentage ascribed to the in-kind contribution will not be a direct CBC payment to the City.

The Chief Financial Officer has reviewed this report and agrees with the information presented in the Financial Impact Section.

DECISION HISTORY

On July 19, 2022, City Council adopted Official Plan Amendment (OPA) Nos. 591 and 540, which formed a part of the City's Five-year Official Plan Review and the Municipal Comprehensive Review (MCR) in conformity with the A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) as amended in 2020 (Growth Plan). In particular:

- OPA 591 re-designated the lands at 2400-2440 Dundas Street West from General Employment Areas to Mixed Use Areas. In accordance with the Planning Act, the Minister of Municipal Affairs and Housing then, as the approval authority of MCRs, approved OPA 591 on December 12, 2023, implementing Site and Area Specific Policy 796 for 2400-2440 Dundas Street West. The following is a link to SASP 796: <https://www.toronto.ca/wp-content/uploads/2024/01/8c75-city-planning-official-plan-chapter-7-sasp-700s.pdf>
- OPA 540 delineated and assigned minimum density targets to lands within the Protected Major Transit Station Areas (PMTSAs) along the Bloor Danforth Corridor. The lands are within SASP 655 - Bloor GO Station PMTSA with assigned minimum densities of 1.0 and 2.0 Floor Space Index (FSI). OPA 540 is pending approval by the Minister of MMAH who remains the approval authority for MTSA's and PMTSA's under the new Provincial Planning Statement (2024) that replaces the Growth Plan and the Provincial Policy Statement (2020). The Council-endorsed version of OPA 540 can be found at the following link: <https://www.toronto.ca/legdocs/mmis/2022/ph/bgrd/backgroundfile-227763.pdf>

The current application was submitted on March 20, 2023 and deemed complete on April 21, 2023. Staff conducted a community consultation meeting for the application on June 20, 2023. A second community consultation led by the applicant and the local Ward Councillor took place on October 28, 2024. Community consultation is summarized in the Comments section of this report.

THE SITE

Description

The site is located north of Bloor Street West, east of Dundas Street West, and west of the rail corridor. The site is triangular in shape, with an area of 11,143 square metres, a frontage of 162 metres along Dundas Street West, and a varied depth of between 41 metres and 100 metres.

Existing Use

The site is currently occupied by two commercial buildings, one of which is a grocery store, with associated surface parking. The existing grocery store is proposed to remain open during Phase 1 of the construction until its new location in the Phase 1 podium is available.

THE APPLICATION

Description

The application proposes three mixed-use towers with heights of 25, 37 and 42 storeys with 6,371 square metres of non-residential floor area. Phase 1 of the proposal, the 37 storey tower, is on a 3 storey podium building which will provide space for the grocery store. Phase 2 of the proposal includes two towers, 25 storeys and 42 storeys, on a shared podium of 2 storeys.

The proposal is for 72,017.3 square metres of residential GFA and 6,372.4 square metres of non-residential GFA. The application also includes a vehicular and pedestrian access route to the PUDO located at 2376 Dundas Street West which provides access to the Bloor GO/UP Express Station. A park of 1,043 square metres is being conveyed to the City.

Density

The proposal has a density of 7 times the area of the lot.

Dwelling Units

The proposal includes 1,214 dwelling units, comprising of 191 studio (16.7%), 654 one-bedroom (51.1%), 247 two-bedroom (22.2%), and 122 three-bedroom units (10%). Of those units, 447 are proposed to be market rental units and 67 are proposed to be affordable rental units.

Non-Residential Component

The proposal includes 6,372.4 square metres of non-residential GFA, including 2,943 square metres dedicated to a food store, 3,199.4 square metres for Core Employment Uses, and 299 square metres for retail spaces.

Access, Bicycle Parking, Vehicle Parking and Loading

The primary pedestrian and vehicular access to the building is along Dundas Street West. The proposal includes a total of 155 parking spaces and 2 car share spaces. Of the 155 spaces, 83 of those are resident parking spaces and 72 are visitor parking spaces. The parking spaces are all located below ground in parking level 1.

A total of 1394 bike parking spaces are provided, of which 1094 are residential long-term, 244 are residential short-term, 16 are non-residential long-term and 40 are non-residential long-term. The bicycle parking is located on the first and mezzanine levels.

A total of 7 loading spaces are provided, including 2 Type G, 1 Type A, 1 Type B, and 3 Type C loading spaces.

Parking and loading will be shared across the site, and accessed via a signalized driveway connection from Dundas Street West to a private driveway.

Parkland Dedication

This proposal includes an on-site parkland dedication of 1,043 square metres with frontage onto Dundas Street West.

Additional Information

See the attachments of this report for the Application Data Sheet, Location Map, a site plan, and elevations of the proposal. Detailed project information including all plans and reports submitted as part of the application can be found on the City's Application Information Centre at: www.toronto.ca/2440DundasStW

Reasons for Application

A Zoning By-law Amendment is required to bring the lands into the Zoning By-law 569-2013 as amended, and to establish site specific performance standards related to matters including height, building setbacks, density, and parking requirements. The draft zoning by-law is included as Attachment 5 to this report.

APPLICATION BACKGROUND

Application Requirements

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

- Arborist Report/Tree Preservation Plan
- Block Context Plan
- Civil and Utilities Plan
- Compatibility and Mitigation Study
- Energy Strategy Report
- Geotechnical Study
- Housing Issues Report
- Hydrogeological Report
- Noise Impact Study
- Toronto Green Standards Checklist
- Pedestrian Wind Level Study
- Planning Rationale
- Public Consultation Strategy Report

- Reconstruction Strategy (Façade Retention)
- Rail Safety and Risk Mitigation Study
- Functional Servicing Report
- Transportation Impact Study

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 Zoning By-law standards.

POLICY & REGULATION CONSIDERATIONS

Provincial Land-Use Policy Framework

On October 20, 2024 the Provincial Planning Statement (2024) came into effect and replaced the Provincial Policy Statement (2020) and the Growth Plan (2020). All decisions of Council in respect of the exercise of any authority that affects a planning matter shall now be consistent with the Provincial Planning Statement (2024).

Official Plan

The lands are designated Mixed Use Areas in the City's Official Plan, illustrated on Land Use Map 17. 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/>.

Bloor-Dundas Avenue Study

The proposal is within the boundary of the Bloor-Dundas Avenue Study that was adopted by City Council on November 30, 2009. The Study amended the former Zoning By-law 438-86 to facilitate intensification and revitalization of the lands along Bloor Street West between Keele Street and the rail corridor, and Dundas Street West between Glenlake Avenue and Boustead Avenue. The Bloor-Dundas Avenue Study is a precursor to SASPs 796 and 655 as described below. A link to the Bloor-Dundas Avenue Study can be found here: <https://secure.toronto.ca/council/agenda-item.do?item=2009.TE29.2>

Site and Area Specific Policies (SASP) 796 and 655

SASPs 796 (in force and effect) and 655 (pending provincial decision) apply to the lands.

SASP 796 permits a mixed-use and mixed-income development subject to meeting development criteria, including:

- a minimum of 8 percent of the total Gross Floor Area (GFA) will be employment GFA and of that, a minimum of 51% shall be comprised of uses permitted in Core Employment Areas and General Employment Areas that are compatible with residential uses;
- a minimum of 1,850 square metres of non-residential GFA be used to replace the existing grocery store on the lands;
- a secure public access from Dundas Street West to connect to the new, approved Metrolinx pickup/drop-off area for the Bloor GO station;
- A minimum area of 1,000 square metres of parks with frontage onto Dundas Street West; and
- Requirement to provide either 10% of the proposed residential GFA as affordable ownership, or 7% of the proposed residential GFA as affordable rental housing, or purpose built rental; and
- If affordable rental housing is provided, that the affordable housing be offered at 99 years of affordability.

Through OPA 540, SASP 655 (Bloor GO Station PMTSA) was delineated and assigned minimum densities of 1.0 and 2.0 Floor Space Index (FSI) and a minimum density target of 300 people and jobs per hectare. SASP 655 is awaiting provincial decision.

Zoning

The subject site is zoned Mixed Commercial Residential (MCR) under former Toronto By-law 438-86 with a density of 4.0 (Commercial 1.5; Residential 3.0). The MCR zoning category permits a mix of commercial and 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:

- Tall Building Design Guidelines
- Growing Up Guidelines for Children in Vertical Communities
- Pet Friendly Design Guidelines for High Density Communities
- Retail Design Manual
- Toronto Accessibility Design Guidelines

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

Toronto Green Standard

The Toronto Green Standard (TGS) is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision

and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard.

Site Plan Control

Site plan control applies to the application. A site plan application control application has not yet been submitted.

COMMUNITY CONSULTATION

Two virtual community consultation meetings were held on June 20, 2023 and October 28, 2024. Approximately 50 residents participated in the first virtual consultation, hosted by City Planning staff. Approximately 70 residents participated in the second virtual consultation, hosted by the applicant and attended by the local Councillor.

At both meetings, City staff and the applicant team gave presentations on the site and surrounding area, existing planning policy framework and the proposed development. In particular, in the second consultation meeting, the applicant provided an update on the revised proposal that included increased heights and densities, as well as updates to the application to ensure conformity with SASP 796.

Following the presentations were question and answer discussions. The following comments were raised:

- Concerns regarding the heights and densities being proposed on the lands as well as shadow impacts on adjacent neighbourhoods;
- Support for the parkland dedication on-site;
- Support for the maintenance of the food store and pharmacy through construction phasing to ensure continued food access in the community;
- Request that the existing building at 2440 Dundas Street West frontage ("Shoppers Drug Mart") be integrated into the proposal and the façade retained for that building;
- Concerns regarding increased traffic and congestion issues;
- Questions regarding the timeline of construction;
- Support of proposal as it is appropriate for a transit-oriented community;
- The need for continued access to Pick-up Drop-Off (PUDO) during construction;
- Questions around affordable housing of the proposal, in particular the type; and
- Impact of proposed development on schools, parks, and recreation centres.

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 Toronto and East York Community Council for this application, as these submissions are broadcast live over the internet and recorded for review.

COMMENTS

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 Planning Statement (2024), and shall conform to provincial plans.

Land Use

This application has been reviewed against the official 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 development is consistent with the development criteria of Mixed Use Areas in Policy 4.5.2 of the Official Plan that permits a broad range of commercial, residential, institutional and open space uses.

The proposed development also satisfies the requirements for development as outlined in SASP 796 by providing contextually appropriate growth and change while reinforcing the form and character of the neighbourhood and in particular, providing the following:

- 6,372.4 square metres (8 percent) of the total Gross Floor Area (GFA) will be non-residential GFA and of that, 3,199.4 (50 percent) shall be comprised of uses permitted in Core Employment Areas and General Employment Areas that are compatible with residential uses;
- 2,943 square metres of non-residential GFA is used to replace the existing grocery store on the lands;
- a secure vehicular and pedestrian public access from Dundas Street West to connect to the new, approved Metrolinx PUDO for the Bloor GO station;
- 1,043 square metres of park₁ being conveyed to the City with frontage onto Dundas Street West; and
- 447 purpose built rental housing units being delivered in Phase 1. Of those, 11 affordable rental housing units being delivered in Phase 1 through CBC contribution, and 56 affordable rental housing units being proposed in Phase 2 as a requirement to the SASP. The affordable housing units delivered in Phase 1 will have an affordability period of 40 years. The affordable housing units proposed in Phase 2 will have an affordability period of 99 years.

Public Realm and Streetscape

This application has been reviewed against the official plan policies and design guidelines described in the Policy and Regulation Considerations Section of the report. The proposal provides varied setbacks from 4 to 5 metres along Dundas Street West from south to north. At the north end, in order to match the warehouse character of the sites to the north as identified in the Bloor-Dundas Avenue Study and to enable façade retention at 2440 Dundas Street West, no setback is provided. While the site is not listed or designated, both the community and staff recognize that preservation of the façade will give character to the area as former employment lands. City staff will work with applicant to secure this at site plan. Additionally, the varied tower element setbacks

of 12 (Tower A) to 14.5 metres (Towers B1 and B2) will appropriately frame the public realm elements by providing pedestrian-scale streetwall heights at 10 and 14.5 metres.

A private driveway runs through the site and connects to Dundas Street West at a signalized intersection. The private driveway also serves a secondary purpose as a PUDO point for passengers accessing the Bloor GO/UP Express station on the adjacent site at 2376 Dundas Street West.

The minimum requirement for trees is met and they are to be planted along the private driveway, pedestrian walkways throughout the site and along the Dundas Street West frontage, to provide shade, to improve the public realm condition for pedestrians and absorb stormwater.

At the ground floor level, small scale retail spaces front Dundas Street West to provide opportunities for small local retailers. Within the site are also retail opportunities, including the relocation of the food store to Tower A at the north end of the site, and retail and core employment uses are also being proposed along the pedestrian access to the PUDO and the park frontage, with intent to activate the public realm.

A central feature of the proposed development is a 1,043 square metre public park. The park fronts onto Dundas Street West and is contiguous to a Privately Owned Publicly-accessible Space (POPS) of approximately 301 square metres and public access easement in favour of the City, a required condition of lifting of the holding provision.

Density, Height, Massing

This application has been reviewed against the official plan policies and the associated design guidelines described in the Policy and Regulation Considerations Section of the report.

The tallest of the towers, Tower B1 at 42 storeys, is located in the middle of the site closest to the rail corridor and the PUDO access, away from Dundas Street West. It is on a shared 2-storey podium of 12 metres in height, with tower B2. Tower B2 is 25 storeys in height, located at the south end of the site. Tower B2 is oriented in such a way as to mitigate concerns of overlook and privacy with the adjacent property of 27 storey tower to the south at 2376 Dundas Street West.

Tower A, on a separate 2-storey podium of 14.5 metres in height, is 37 storeys tall and has varied setbacks and stepbacks. It is setback 5 metres from the property line on Dundas Street West on the ground floor. There are additional proposed stepbacks of 10.5 metres at 2 storeys, and stepback of 14 metres at 5 storeys. The terraced built form, along with the orientation and configuration of all the towers, will support a comfortable pedestrian experience along and throughout the site.

There is a separation distance of 39 metres between Towers A and Tower B1, 27 metres between Towers B1 and B2, and 25 metres between Tower B2 and the adjacent development at 2376 Dundas Street West to the south. The separation distance from Tower A to the adjacent property at 2454 Dundas Street West to the north is 12.5 metres.

Phasing Strategy

There are two phases in the proposed phasing strategy for the development as shown in Attachment 7 of the report. Phase 1 (Block A) includes the construction and development of Tower A that includes the location of the new food store at grade, as well as the proposed private driveway. Phase 2 (Block B) includes the construction of the remainder of the Towers (Towers B1 and B2) and the conveyance of the new parkland as outlined in the parkland section below. The phasing strategy is proposed to allow the existing food store and the associated parking to remain on site and continue its operations during construction until such time as the new food store is constructed. Additionally, the phasing strategy will also enable continued access of the PUDO in both phases of development.

Sun, Shadow, Wind

A sun shadow study was submitted as part of the application. By noon during Spring, Summer and Fall, there are no shadow impacts to the neighbourhoods west of Dundas Street West. Shadow impacts to the new park that is proposed are minimized through position of the towers, so that there are approximately 3 hours of continuous sunlight in the afternoon in March and September, and approximately 4 hours of continuous sunlight in the afternoon in June.

A Pedestrian Level Wind Study was also submitted as part of the application. The wind conditions on the site, including all entrances and at grade amenity spaces and sidewalks are generally suitable for their intended use year-round. Conditions on the terraces are generally windier. Wind control measures to mitigate wind impacts will be further secured through site plan control.

Access, Parking, Loading

A Transportation Impact Study (TIS) was submitted to assess the traffic impact, access, parking, and loading arrangements for the proposed development. The proposal includes a total of 155 parking spaces (including 2 car share spaces). 1394 bike parking spaces and 7 loading spaces are provided.

Parking and loading will be accessed via the existing signalized driveway connection from Dundas Street West to a private driveway. Staff have reviewed the TIS and accept its conclusions.

At City Council's direction, staff recommend the subject development be reviewed for exclusion of residents and visitors from on-street parking permits. A separate report will be submitted, and a Public Notice will be placed on the City's website to allow deputations at a future Toronto and East York Community Council meeting.

Servicing

Engineering and Construction Services staff have reviewed the submitted materials and have identified outstanding comments related to the capacity of the sewer and stormwater infrastructure required to support this development. Therefore, a Holding (H)

provision has been included in the draft Zoning By-law Amendment to address outstanding servicing issues.

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. The proposal includes a total of 1,214 dwelling units, including 247 two-bedroom (22.2%), and 122 three-bedroom units (10%). As a total of 32.2% of units are proposed as large units, the unit mix meets the objectives of the Growing Up guidelines.

SASP 796 requires affordable housing to be provided within the following framework:

- if a condominium development is proposed, a minimum of 10 percent of the total new residential gross floor area shall be secured as affordable ownership housing or a minimum of 7 percent of the total new residential gross floor area shall be secured as affordable rental housing, or
- if a purpose-built rental development is proposed after 2025, a minimum of 5 percent of the total new residential gross floor area shall be secured as affordable rental housing. If rental proposed prior to 2025, there no affordable housing requirement.
- The affordable housing shall be secured at affordable rents or affordable ownership prices for a period of at least 99 years.

All 447 units proposed as part of phase 1 are purpose-built rental units, satisfying the SASP requirement. Accordingly, for phase 1, no affordable housing units are required pursuant to SASP 796.

Phase 2 is anticipated to be delivered as a condominium, and will include 56 units of affordable rental housing, representing 7% of the phase 2 units, satisfying the SASP 796 requirements. These units will be secured at affordable rents for a period of 99 years, and will include, 9 studios, 30 one-bedroom units, 13 two-bedroom units and 4 three-bedroom units.

The applicant will be required to submit a housing issues report that outlines how the affordable units will be provided, and to enter into a Municipal Housing Facility Agreement or such other agreement(s) as may be satisfactory to the Executive Director, Housing Secretariat with respect to these units.

In addition the affordable units required through SASP, the applicant has proposed to secure 11 units in phase 1 as an in-kind community benefit. These units will be secured at affordable rents, for a period of 40 years and include 1 studio, 1 one-bedroom, 8 two-bedroom and 1 three-bedroom units.

Noise and Vibration Impacts

A Noise and Vibration Impact Study was submitted in support of the application. The Study will be peer reviewed, at the applicant's expense, to confirm the appropriateness of the land use compatibility between the rail corridor and the proposal as one of the matters to be addressed in the holding provision.

Rail Safety

A rail safety and mitigation report has been submitted. This will also be peer reviewed, at the applicant's expense, and any necessary rail safety measures secured to the satisfaction of the city as a condition of removing the holding provision.

Parkland

In accordance with Section 42(3) of the Planning Act, the applicable alternative rate for on-site parkland dedication is 1 hectare per 600 net residential units to a cap of 10% percent of the development site as the site is less than five (5) hectares, with the non-residential uses subject to a 2% parkland dedication. The total parkland dedication requirement is 1,043 square metres.

The owner is required to satisfy the parkland dedication requirement through an on-site dedication. The park is to be located along Dundas Street West, with an area of 1,043 square metres and is rectangular in size. The proposed parkland dedication complies with Policy 3.2.3.8 of the Official Plan and SASP 796. The size and shape of the park is acceptable to staff.

The proposed development is intended to be built out in two phases as noted in the phasing strategy above. While the future parkland is located within Phase 2 of the proposed development and cannot be conveyed until Phase 1 is substantially complete, City staff will work with the applicant to secure parkland obligations in Phase 1 to be conveyed at Phase 2 at the site plan approval level. The existing grocery store on the site, partially sits on the future parkland as does its associated surface parking spots. It is proposed that the existing grocery store and its associated parking would be relocated into the podium of the Phase 1 building once that building is complete.

The site is also subject to a vehicular/pedestrian easement in favor of Metrolinx, that requires the applicant to provide uninterrupted surface access to the PUDO area at the Bloor GO Station at all times, including throughout the phased construction. The proposed private driveway for the development will be constructed as part of Phase 1 and in the same location as the existing driveway. As such, the access to the PUDO is being moved south and will be located in the middle of the future parkland during the entirety of Phase 1 construction.

Given these significant constraints, Parks Development staff are supportive of the parkland conveyance being tied to the issuance of the First Above Grade Building Permit for Phase 2.

Tree Preservation, Tree Planting and Soil Volume

The Arborist Report and Preservation Plan indicates that the development proposes to remove a total of 17 trees on and within six metres of the subject property. Of these, 11 are regulated under Toronto Municipal Code, Chapter 813. All 11 trees are located on City Road allowance.

The applicant is proposing 35 new trees on private property and 3 on the City road allowance. Based on Urban Forestry's standard compensation ratios of 1:1 removal of a

City owned tree, the applicant is required to provide the balance of the additional 8 new large-growing shade trees as street trees. The applicant is to submit a tree planting deposit to ensure the planting and survival of new trees.

The applicant is also meeting 100% of the soil volume and therefore meets the requirement of the Toronto Green Standard.

Pick Up and Drop Off (PUDO)

Access to the Metrolinx PUDO for the Bloor/Dundas GO and the UP Express is being provided by the development through a private driveway with a signalized intersection at Dundas Street West. Metrolinx is entering into an agreement with the applicant to ensure continuous and permanent access to and from the PUDO at 2376 Dundas Street West. A pedestrian walkway through Towers B1 and B2 are also proposed to connect pedestrians to the PUDO.

During construction of the development, a phasing strategy has been submitted as part of the development application and is being reviewed by Metrolinx to ensure that access to the PUDO is maintained. The pedestrian routes and details will be refined at Site Plan to ensure pedestrian comfort and safety.

A holding provision has also been added below in accordance with SASP 796, to ensure the development on the lands will continue to provide continued access to the existing Metrolinx PUDO, and the new, approved PUDO at 2376 Dundas Street West.

Holding Provision

This report recommends the adoption of a Zoning By-law Amendment that is subject to a holding provision under Section 36 of the Planning Act, restricting the proposed use of the lands until the conditions to lifting the holding provision, as set out in the By-law, are satisfied. Section 5.1.2 of the Official Plan contemplates the use of a holding provision and outlines the types of conditions that may have to be satisfied prior to the removal of a holding provision. SASP 796 also outlines certain conditions relating to affordable housing, continued public access to the PUDO, rail safety and noise and vibration given its adjacency to the rail corridor, that must be met prior to the removal of a holding provision. The specific conditions to be met prior to the removal of the holding provisions in the proposed By-law are:

- a. The owner, at its sole cost and expense, enters into one or more legal agreements to secure the affordable housing requirements to the satisfaction of the Chief Planner and Executive Director, City Planning, Executive Director, Housing Secretariat, and City Solicitor;
- b. Submission and acceptance of a Housing Issues Report, to the satisfaction of the Chief Planner and Executive Director, City Planning, that identifies the unit mix, unit sizes, and how affordable housing requirements will be met;
- c. The owner submits a revised Functional Servicing and Stormwater Management Report to the City to demonstrate that the existing sewer systems and watermain,

and any required improvements to them, have adequate capacity and supply to accommodate the development of the lands to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;

- d. The owner at its sole cost and expense, secures design, construction, and provision of financial securities for any new municipal infrastructure, or any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Functional Servicing and Stormwater Management Report to support the development, in a financial secured agreement, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
- e. Satisfactory peer review of the Noise Impact and Vibration Study at the applicant's expense, to the City's satisfaction;
- f. Satisfactory peer review of the Rail Safety and Mitigation Report, and securing of any recommended measures, all at the applicant's expense and to the City's satisfaction, including review by the applicable rail operator.
- g. The owner secures public access from Dundas Street West to connect to the Metrolinx-owned lands at the southeast corner of the land, to the existing Metrolinx pick-up/drop-off area for the Bloor GO station on the lands, and to connect to the new, approved Metrolinx pick-up/drop-off area for the Bloor GO station at 2376 Dundas Street West to the satisfaction of the City Solicitor, Chief Planner and Executive Director, City Planning, Executive Director, Development Review and the Chief Engineer and Executive Director, Engineering and Construction Services.

The Executive Director of Development Review and their designate have the authority to make decisions on applications to remove holding provisions, which do not contain financial implications not previously authorized by Council.

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.

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.

Conclusion

The proposal has been reviewed against the policies of the Provincial Planning Statement (2024) and the Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2024). The proposal also conforms with the Official Plan. Staff worked with the applicant and the community to address and resolve the following key

concerns for this development: Provision of on-site parkland dedication, maintenance of the food store through construction phasing, and the provision of a diverse range and mix of housing types and tenures including affordable housing in both phases of the proposal. Staff recommend that Council approve the application.

CONTACT

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Senior Planner
Telephone: 416-392-1821
E-mail: Liliana.dasilva@toronto.ca

SIGNATURE

A handwritten signature in black ink, appearing to read 'Carly R', with a long horizontal flourish extending to the right.

Carly Bowman, M.Sc.Pl., MCIP, RPP
Director, Community Planning,
Toronto and East York District

ATTACHMENTS

- 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 Zoning By-law Amendment
- Attachment 6: Site Plan
- Attachment 7: Phasing Plan
- Attachment 8: Ground Floor Plan
- Attachment 9: Elevations (4)
- Attachment 10: 3D Massing Model (2)

Attachment 1: Application Data Sheet

APPLICATION DATA SHEET

Municipal Address: 2400-2440 DUNDAS ST W Date Received: March 20, 2023

Application Number: 23 124848 STE 04 OZ

Application Type: Rezoning

Project Description: Zoning By-law Amendment for three towers. The proposal will have 5,626.6 square metres of non-residential floor area and a total of 1,214 dwelling units. A 1,043 square metre public park is proposed along Dundas Street West and a new private road will provide vehicular and pedestrian access to the existing GO/UP Station pick-up/drop-off loop to the south.

Applicant	Agent	Architect	Owner
FORA DEVELOPMENTS INC	BOUSFIELDS	GIANNONE PETRICONE ASSOCIATES	DUNDAS LI PROPERTIES INC

EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision: SASP 796

Zoning: MCR T4.0 C1.5 R3.0 Heritage Designation: N

Height Limit (m): 20, 23 Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 11,143 Frontage (m): 162 Depth (m): 40.8 - 100.1

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	2,973		5,836	5,836
Residential GFA (sq m):			72,017.3	72,017.3
Non-Residential GFA (sq m):	3,956		6,265	6,265
Total GFA (sq m):	3,956		78,389.6	78,389.6
Height - Storeys:	2		42	42
Height - Metres:			137	137

Lot Coverage Ratio (%): 53.46 Floor Space Index: 7

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	72,017.3	
Retail GFA:	3,173	
Commercial GFA:	3,199.4	
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:			514	514
Freehold:				
Condominium:			700	700
Other:				
Total Units:			1,214	1,214

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		191	654	247	122
Total Units:		191	654	247	122

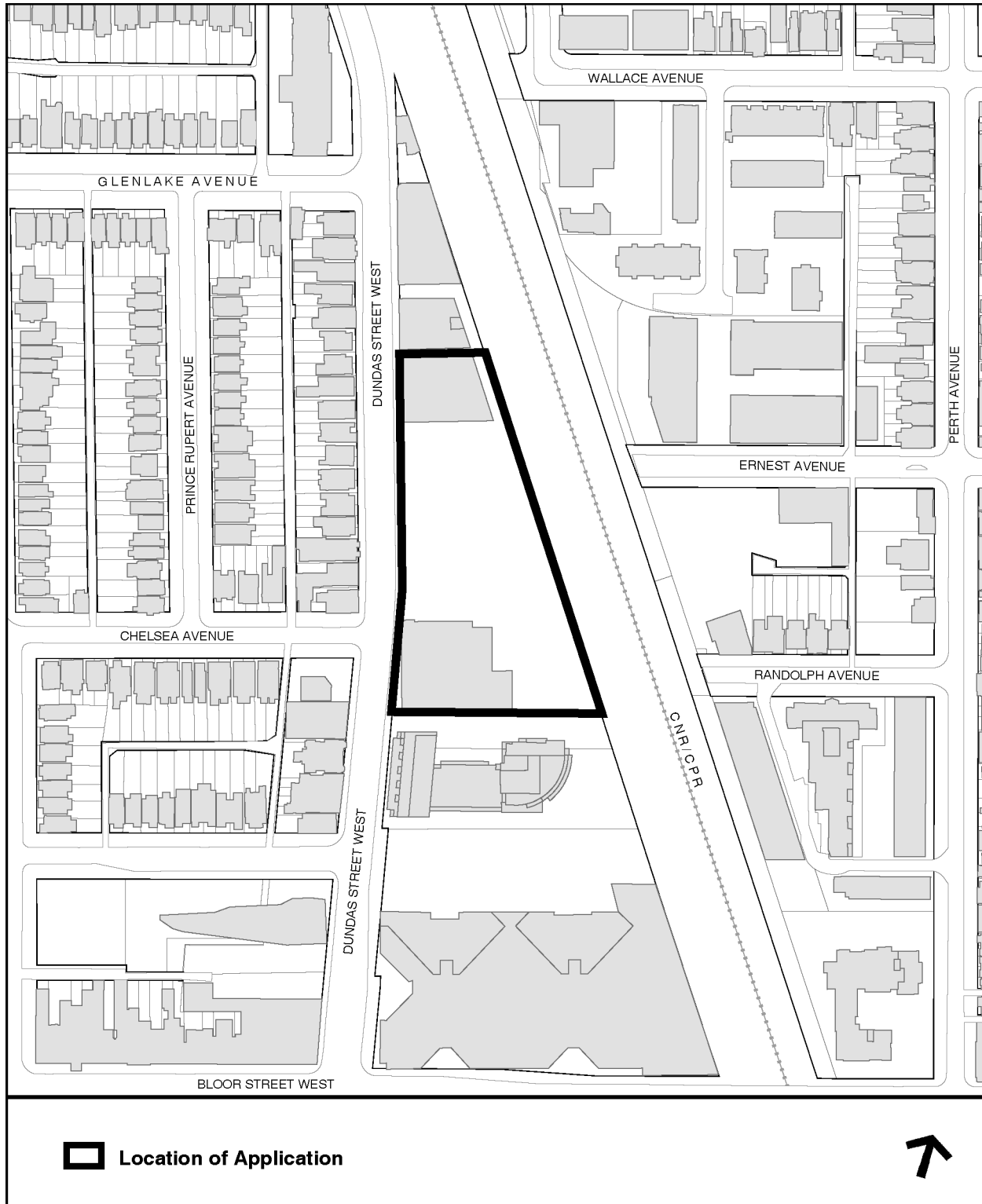
Parking and Loading

Parking Spaces:	155	Bicycle Parking Spaces:	1394	Loading Docks:	7
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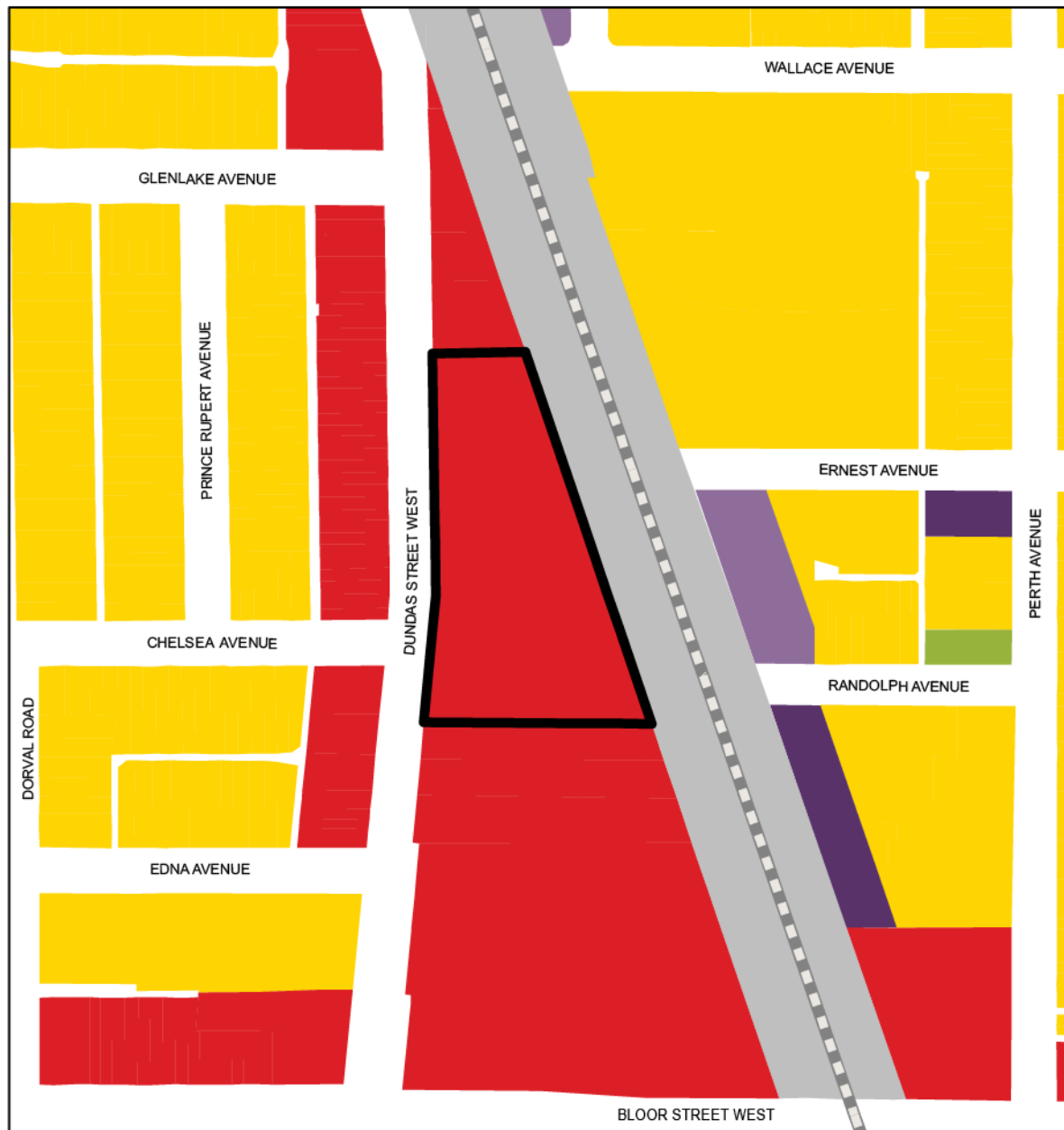
CONTACT:

Liliana da Silva, Senior Planner, Community Planning
416-392-1821
liliana.dasilva@toronto.ca

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #17

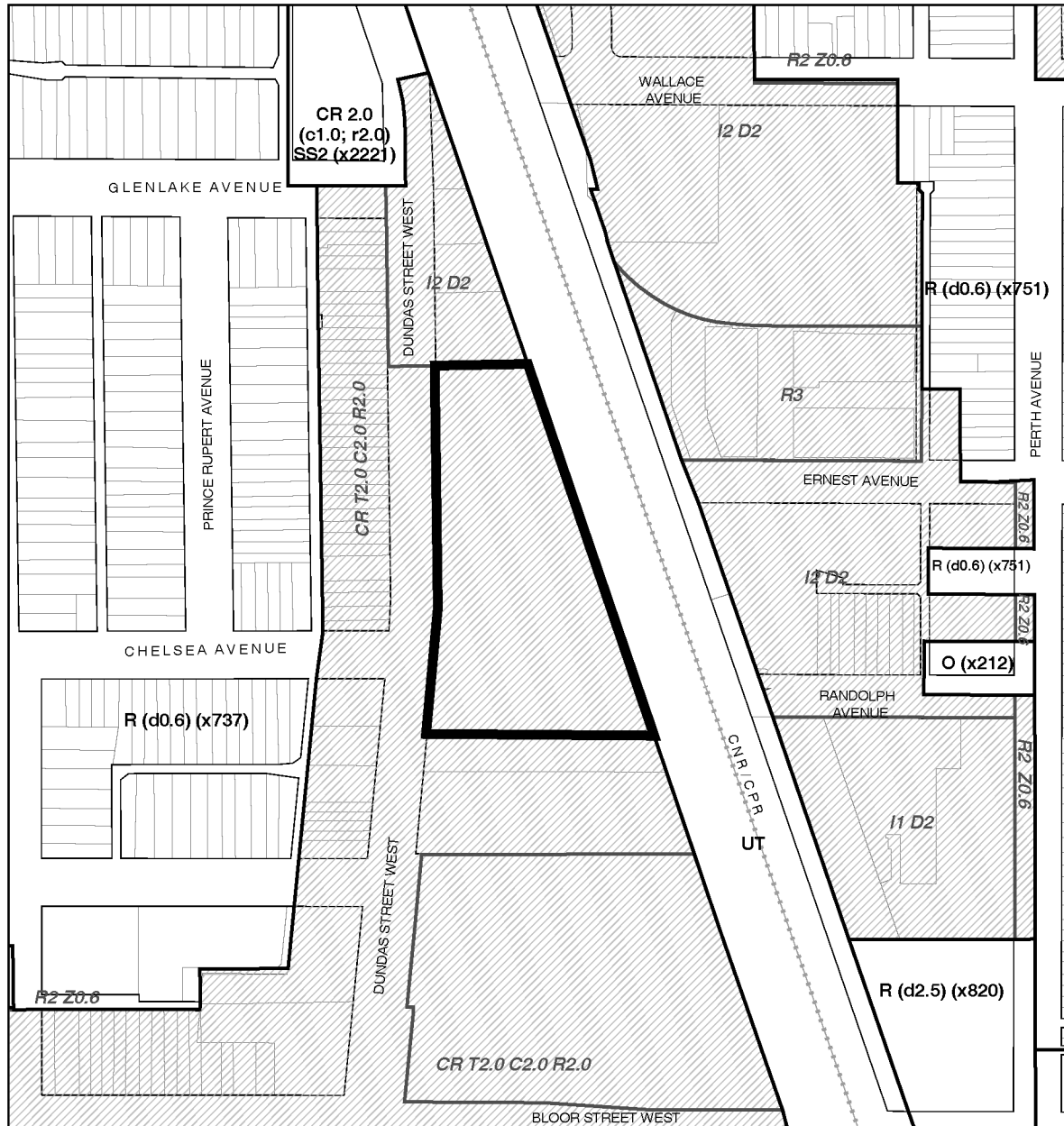
2440 Dundas Street West

File # 23 124848 STE 04 OZ



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 Extracted: 10/15/2024

Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

2440 Dundas Street West

File # 23 124848 STE 04 0Z



Location of Application

R
CR
O
UT

Residential
Commercial Residential
Open Space
Utility and Transportation



See Former City of Toronto By-law No. 438-86

R4 Residential District
MCR Mixed-Use District
I2 Industrial District

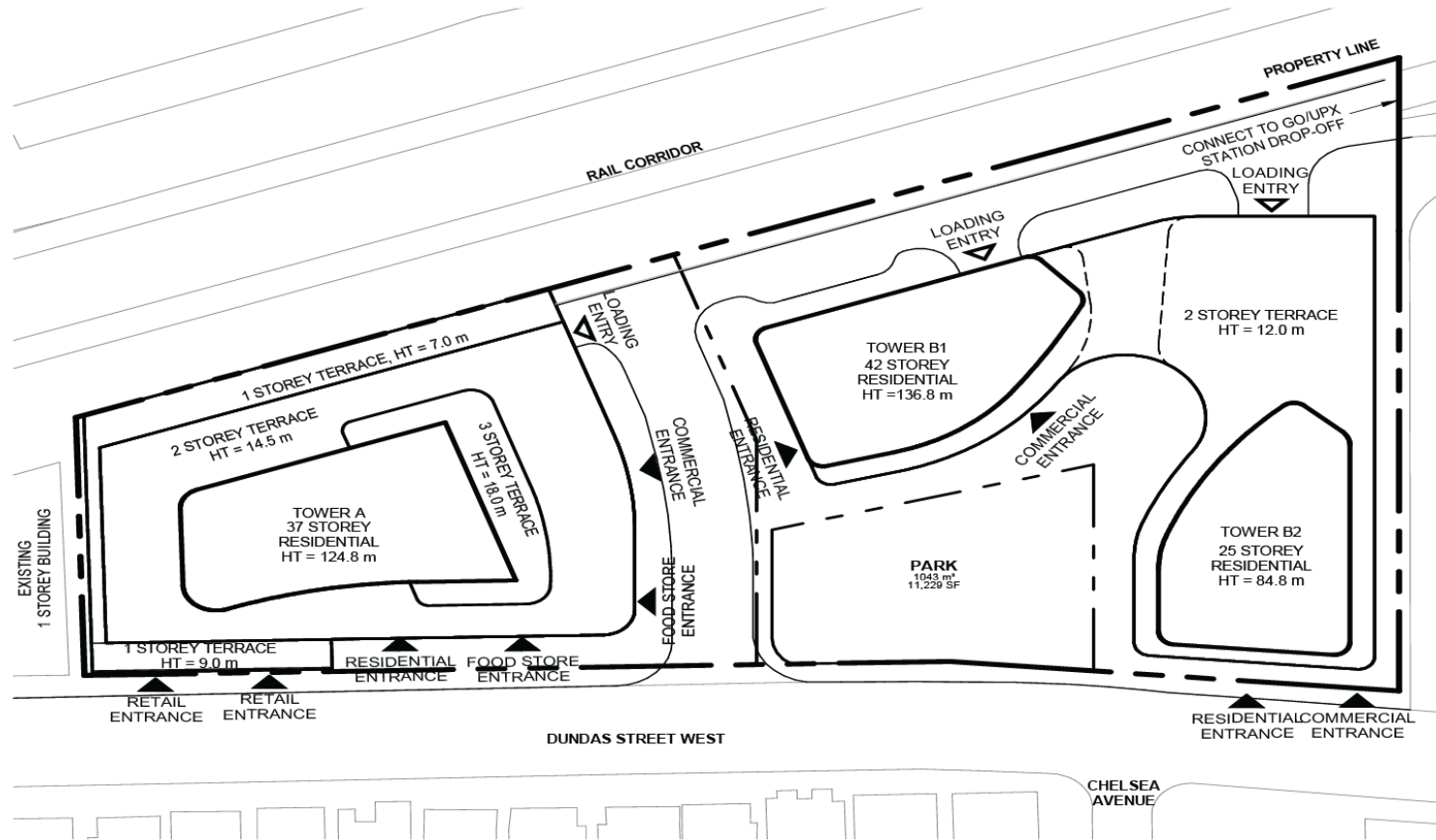


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Attachment 5: Draft Zoning By-law Amendment

Attachment will be made available on or before December 4, 2024, Toronto and East York Community Council meeting.

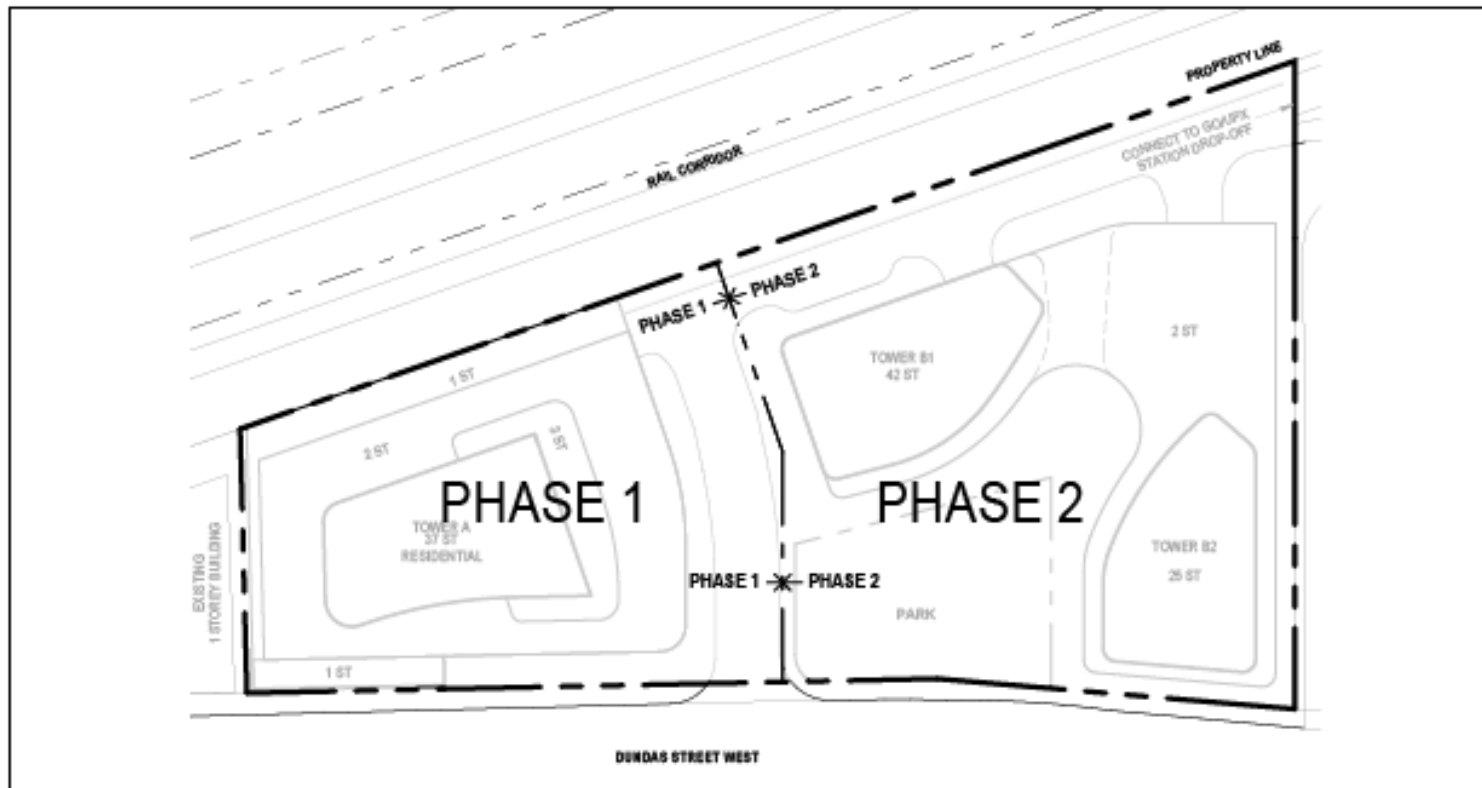
Attachment 6: Site Plan



Site Plan



Attachment 7: Phasing Plan



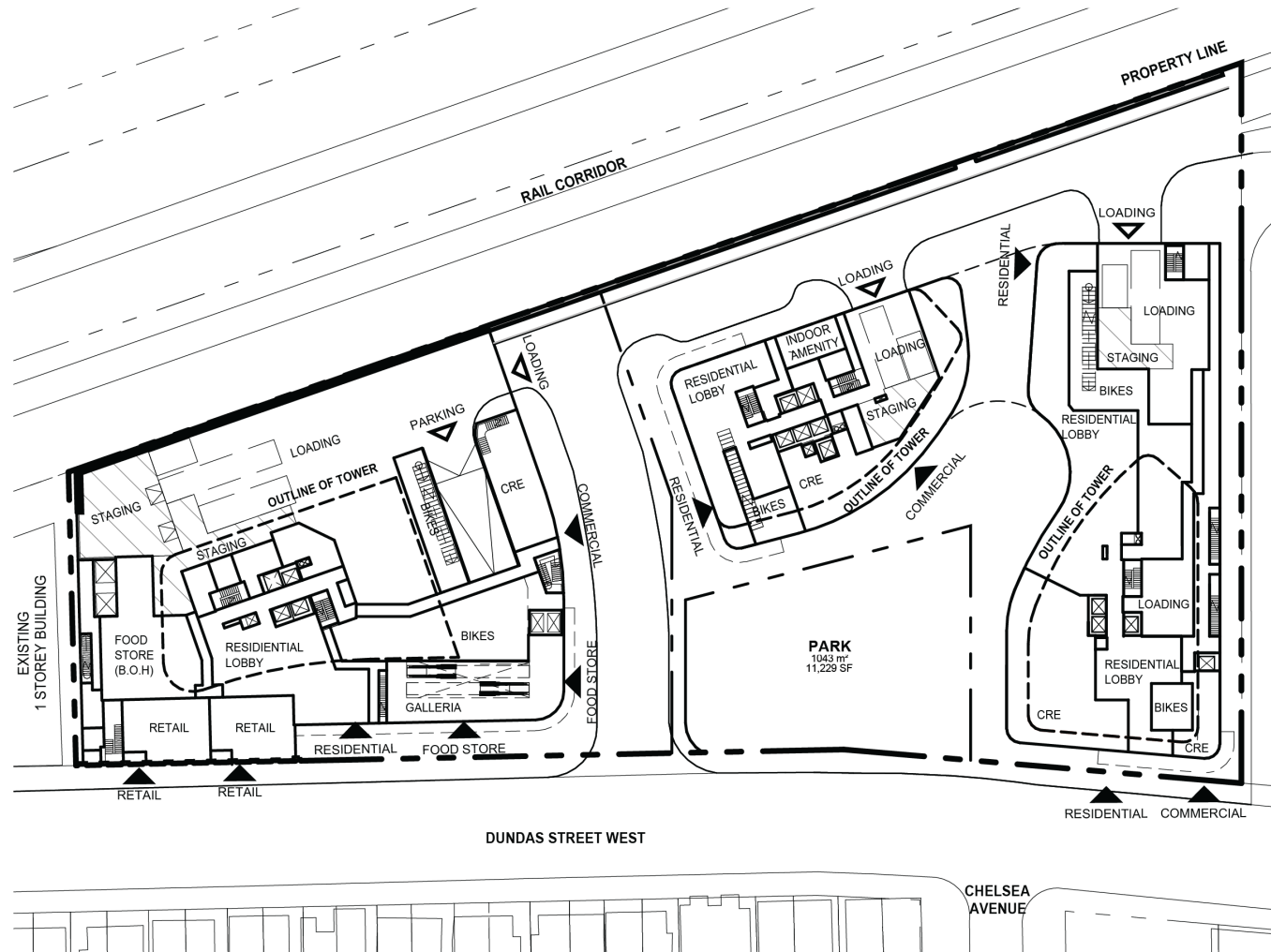
Toronto
Phasing Plan

2400-2440 Dundas St. W

File #: 23 124848 STE 04 02

City of Toronto By-law 569-2013
Not to Scale
11/08/2024

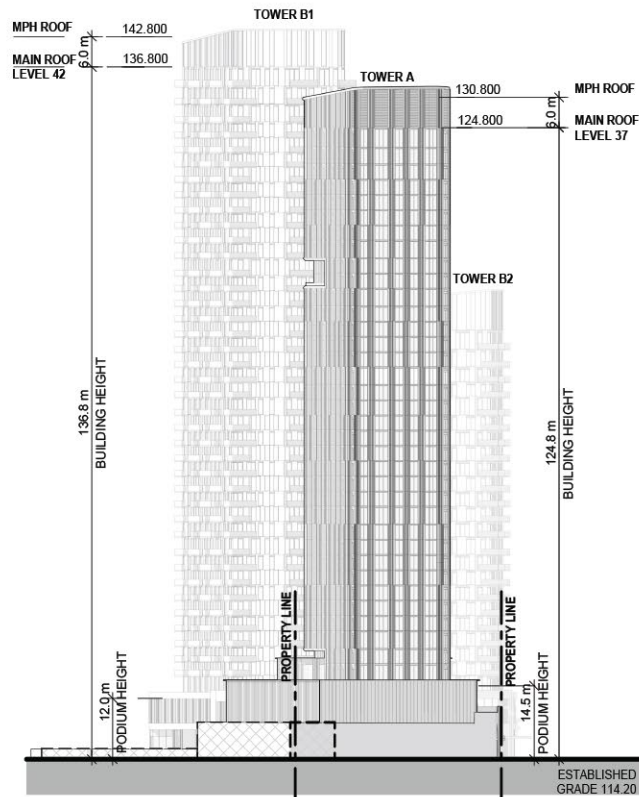
Attachment 8: Ground Floor Plan



Ground Floor Plan

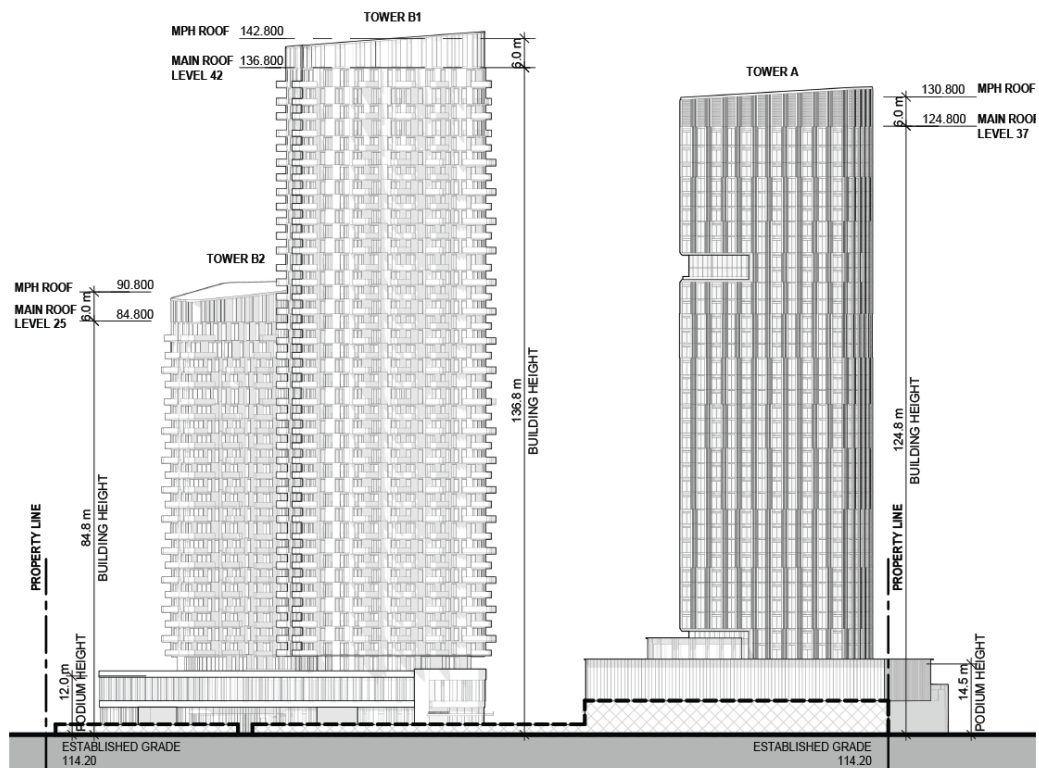


Attachment 9: Elevations (1 of 4)



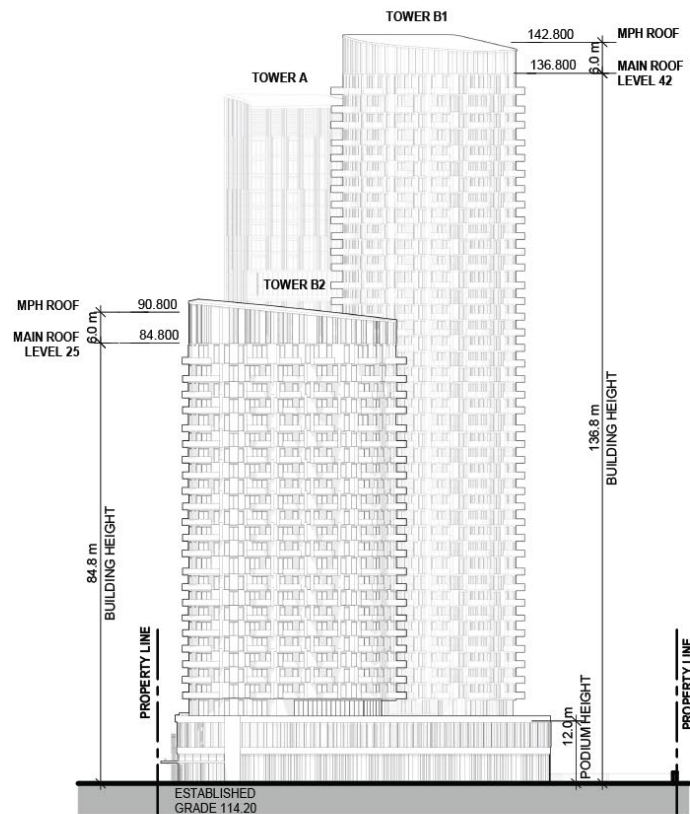
North Elevation

Attachment 9: Elevations (2 of 4)



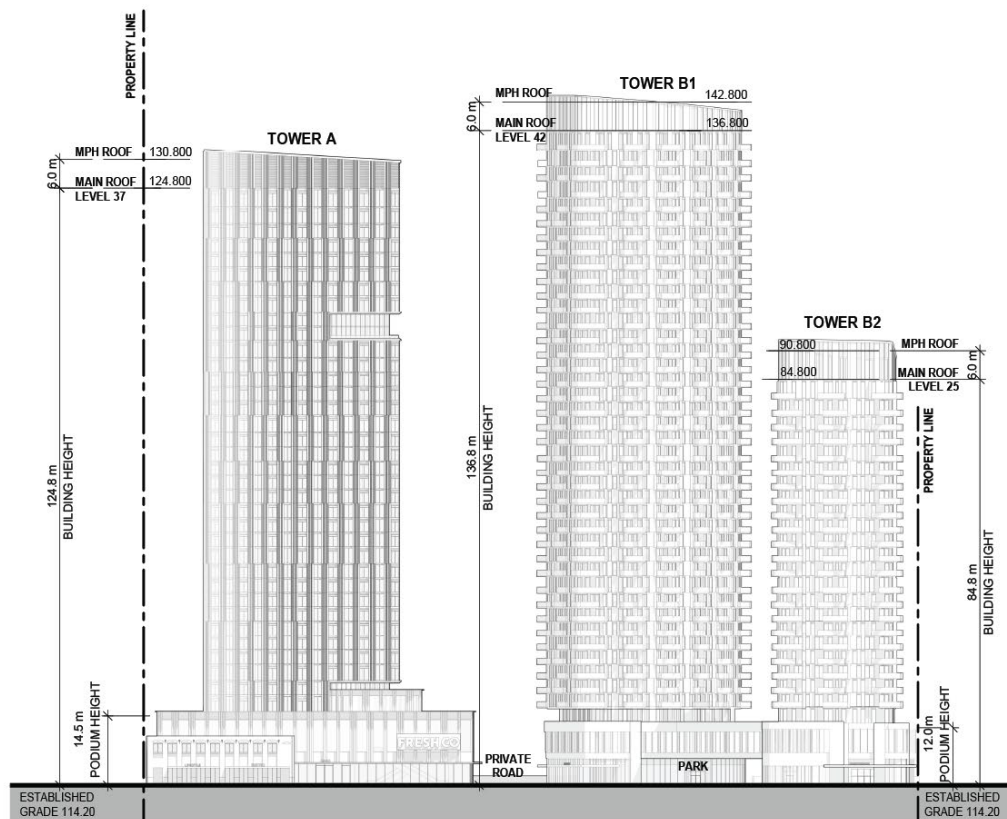
East Elevation

Attachment 9: Elevations (3 of 4)



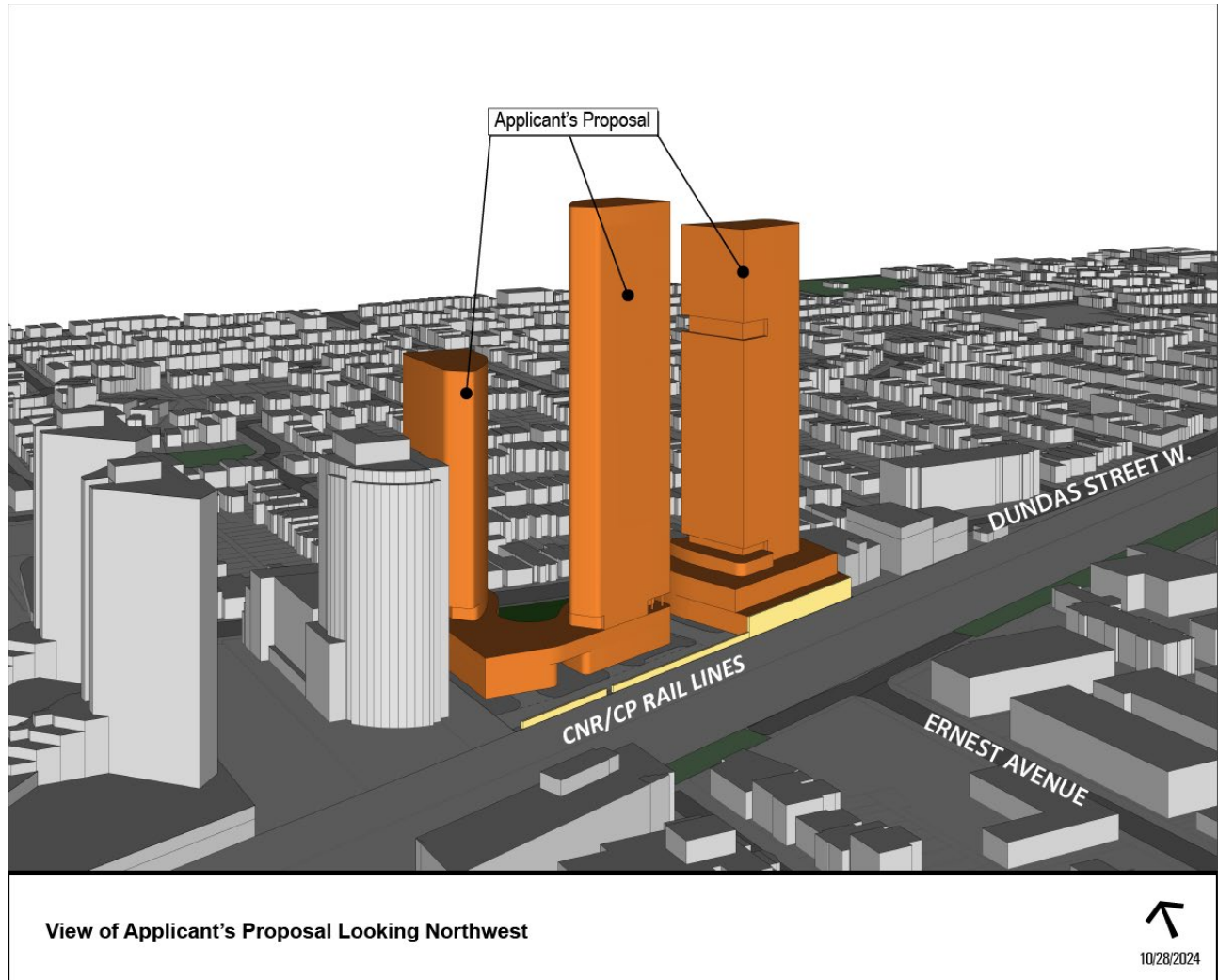
South Elevation

Attachment 9: Elevations (4 of 4)



West Elevation

Attachment 10: 3D Massing Model (1 of 2)



Attachment 10: 3D Massing Model (2 of 2)

