

## **138 Dowling Avenue – Zoning By-law Amendment – Decision Report – Approval**

Date: November 10, 2025

To: Toronto and East York Community Council

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

Ward: 4 - Parkdale – High Park

**Planning Application Number:** 25 128430 STE 04 OZ

### **SUMMARY**

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This report recommends approval of the application to amend the Zoning By-law to permit a 16 storey apartment building with 145 units at 138 Dowling Avenue.

The proposed development is consistent with the Provincial Planning Statement (2024) and conforms to the City's Official Plan. Staff recommend approval of the application to amend the Zoning By-law.

### **RECOMMENDATIONS**

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

1. City Council amend City of Toronto Zoning By-law 569-2013 for the lands municipally known as 138 Dowling Avenue 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 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 138 Dowling Avenue from Permit Parking.

### **FINANCIAL IMPACT**

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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.

## THE SITE AND SURROUNDING LANDS

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### Description

The site is located on the west side of Dowling Avenue, between Queen Street West to the north and King Street West to the south. The site has a total area of 1,652 square metres with a frontage of 36.5 metres along Dowling Avenue and an approximate depth of 45 meters. See Attachment 2 for the Location Map.

### Surrounding Uses

**North:** A 2 storey detached dwelling with two 7 storey apartment buildings to the north.

**South:** A 3 storey retirement residence with a 4 storey apartment building further south.

**East:** Low-rise residential dwellings predominantly in the form of 2 to 3 storey detached dwellings on Dowling Avenue. Further to the east are low-rise residential buildings along Maynard Avenue and a 12 storey apartment building.

**West:** 2 to 3 storey single detached and semi-detached dwellings on Beaty Avenue.

## THE APPLICATION

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### Description

A 16 storey (53.5 metre) apartment building containing 145 residential units with an overall gross floor area of 9,853 square metres.

### Density

The proposal has a density of 5.96 times the area of the lot.

### Residential Component

The proposal includes 145 purpose-built rental units consisting of 24 studio (17%), 64 one-bedroom (44%), 42 two-bedroom (29%), and 15 three-bedroom units (10%).

### Access, Parking and Loading

The proposal includes a total of 39 vehicular parking spaces made up of 36 residential spaces and 3 visitor parking spaces. The parking is located at grade and underground. All 39 parking spots are equipped with EV chargers.

A total of 171 bicycle parking spaces are being provided. 132 of those spaces are for long-term bicycle parking and 39 are for short term bicycle parking.

One Type G loading space is provided.

## **Additional Information**

See the attachments of this report for the Application Data Sheet, Location Map, site plan, elevations, and 3D massing views 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/138DowlingAve](http://www.toronto.ca/138DowlingAve)

## **Reasons for Application**

A zoning by-law amendment is required vary the performance standards of Zoning By-law 569-2013 to permit the proposed height, density, and other performance standards.

## **APPLICATION BACKGROUND**

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A pre-application consultation (PAC) meeting was held on February 6, 2024. The Planning Application Checklist Package resulting from the PAC meeting is available on the Application Information Centre.

The current application was submitted on March 13, 2025 and deemed complete on April 11, 2025, satisfying the City's minimum application requirements.

## **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 amendments including associated conditions of approval.

## **POLICY & REGULATION CONSIDERATIONS**

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### **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.

### **Official Plan**

The Official Plan designates the site as *Apartment Neighbourhoods*. *Apartment Neighbourhoods* designated areas can accommodate a range of buildings types, including infill development and new housing. 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.

## **Zoning**

The site is zoned R (d1.0) (x812) under Zoning By-law 569-2013. The Residential zoning category permits a maximum height of 18 metres and a maximum floor space index of 1.0 times the area of the lot. 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
- Toronto Accessibility 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 TGS. Tiers 2 and above are voluntary, higher levels of performance with financial incentives (partial development charges refund). Tier 1 performance measures are secured in provisions of the zoning by-law, on site plan drawings and through a Site Plan Agreement or the approval of a Plan of Subdivision.

## **Site Plan Control**

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

## **PUBLIC ENGAGEMENT**

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### **Community Consultation**

A virtual pre-application community consultation meeting was held on November 19, 2024. Approximately 44 people attended which included City staff, the applicant, and the local Councillor.

Following submission of the application, on May 7, 2025 a virtual community consultation meeting took place with approximately 33 participants in attendance. At the meeting, City staff and the applicant's team presented information about the site and proposal, and answered questions from members of the public. Comments have included:

- Concerns around the height of the proposed development;
- Concerns around the lack of transition to the existing dwellings in the neighbourhood;

- Concerns around the shadow impacts on existing dwellings in the neighbourhood;
- Concerns that the proposed development will create a precedent for the area;
- Concerns around the lack of affordable housing;
- Concerns around the additional traffic and potentially safety risks associated with an increase in traffic from the development;
- Concerns about insufficient parking and potential overuse of existing on-street parking;
- Concerns related to construction including noise, dust, and working hours;
- Questions of how the proposed development address's some of City climate initiatives; and
- Comments around the lack of community support for the development.

Comments raised through the community consultation process have been considered through the review of the application and commented on as appropriate in the body of this report.

### **Statutory Public Meeting Comments**

In making their decision with regard to this application, Council members have an opportunity to hear 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**

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### **Provincial Planning Statement (PPS) 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 PPS (2024). Staff find the proposal consistent with the PPS (2024).

### **Density, Height, Massing**

The application has been reviewed against the Official Plan policies and design guidelines described in the Policy and Regulations Considerations Section of the report.

The proposed 16 storey building (53.5 metres) has been designed to appropriately fit within its existing and planned context on Dowling Avenue. The building sits on a 3 storey base building with a height of 10.3 metres designed to fit the surrounding neighbourhood of existing detached and semi-detached dwellings of similar height.

Above the base of the building, the upper portion of the building is set back 3 metres from the front façade helping to maintain a pedestrian friendly scale along Dowling Avenue and providing an appropriate transition to the adjacent low-scale dwellings on the street. At the rear, the base building is setback from the rear lot line by 7.5 metres while the upper portion is setback 9.3 metres providing transition to the neighbourhood

properties to the rear, in line with the recommendations of the Mid-Rise Building Design Guidelines.

The building provides a 7.6 metre north side yard setback and a 4.3 metre south side yard setback to the base building. Above the base building, the building cantilevers over the driveway on the north side, providing a 5.56 metre setback. A 5.8 metre setback is provided on the south side. The proposed built form meets the general intent of the Mid-Rise Building Design Guidelines.

The Zoning By-law 569-2013 recognizes the proposed building as a 16 storey building however, the second floor is largely used as a mezzanine that supports bike parking, the service of the building, and the second floors of the ground floor units. The 16th storey is exclusively dedicated to the mechanical penthouse and amenity space. This level is setback 7.8 meters from the front property line and 11.8 metres from the rear property line minimizing its impact on the neighborhood.

City staff have concluded that the built form of the proposal is compatible with, and fits within, the existing and planned context of the surrounding area. The site is appropriate for the development in the form proposed.

## **Public Realm**

The proposal provides a 9 metre distance from the building face to curb, exceeding the recommended distance of 6 metre outlined in the Mid-Rise Building Design Guidelines. This increased curb to building face distance allows for an improved streetscape, including the conservation of two existing trees and one new tree along the Dowling Avenue frontage. The proposal also includes additional tree plantings along the southern property line and in the rear yard.

The proposed 2 storey ground level residential units accessible from Dowling Avenue contribute to the existing residential character of the area and fit within the existing streetscape.

Removing the existing horseshoe driveway and introducing a single entrance and exit point to the building consolidates two existing curb cuts into one improves the safety of pedestrians, cyclists and motorists on Dowling Avenue.

The public realm and landscape treatment proposed is consistent with the public realm policies in the Official Plan.

## **Housing**

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 would result in a purpose built rental building with a unit mix that meets the Growing Up Guidelines. Staff recommend provisions in the Draft Zoning By-law (Attachment 5) for a minimum percentage of two and three bedroom units to ensure the intent of the Growing Up Guidelines is maintained.

## **Amenity Space**

Zoning By-law 569-2013 requires a combined amenity space of four-square metres per unit, of which at least two square metres for each dwelling unit is for indoor amenity space located at or above-grade and at least 40 square metres is for outdoor amenity space in a location adjoining or directly accessible to the indoor amenity space.

The application proposes a total of 661 square metres of amenity space of which 304.9 square meters is indoor amenity and 356.8 square metres is outdoor amenity space. The amenity space is located on the ground floor and 16th floor. The proposed amenity space exceeds the required amount of amenity space (580 square metres) as prescribed by the Zoning By-law based on the proposed unit count of 145 dwelling units.

## **Shadow Impact**

A Sun/Shadow Study was submitted in support of the application. Staff have reviewed the study and determined that the shadow impacts from the proposed development are acceptable. Any net new shadows are limited in extent and move quickly.

## **Wind Impact**

A Pedestrian Level Wind Study was submitted in support of the proposed development which assesses pedestrian wind conditions within and surrounding the site to ensure comfort and safety.

Wind conditions over the surrounding sidewalks, transit stops, neighboring existing drive aisles, and proposed walkways are considered acceptable, generally comfortable for sitting and standing.

## **Servicing**

Functional Servicing, Stormwater Management, Geohydrology, and Geotechnical reports have been submitted in support of the proposed application. The reports submitted are satisfactory and acceptable to Engineering Review.

## **Traffic Impact**

A Transportation Impact Study (TIS) has been submitted in support of the Zoning By-law Amendment application.

During the community consultation meeting, residents expressed concern that the scale of development will contribute to increased traffic and congestion in the area, particularly on Dowling Avenue.

Based on the TIS reports submitted, the proposed development is projected to generate approximately 11 and 15 two-way vehicular trips during the morning and afternoon peak hours. Given this level of trip generation and the results of the traffic analyses, the consultant concludes that the projected traffic from the development will have minimal impacts on area intersections and can be accommodated on the adjacent road network.

Transportation Review has reviewed the conclusions of the TIS reports accepted the conclusions.

### **Access, Vehicular and Bicycle Parking and Loading**

Pedestrian access to the building is provided from a walkway from Dowling Avenue. Vehicular access to the site is proposed via a direct driveway connection to Dowling Avenue along the north side of the site.

The proposed development includes an overall parking supply of 39 parking spaces, consisting of 36 spaces for residents and 3 spaces for visitors. Included within this parking supply are 3 accessible parking spaces. A total of 161 bicycle parking spaces are proposed, including 132 long-term spaces and 29 short-term spaces. As per Zoning By-law No. 569-2013, one Type G loading space is being provided within the building.

During the community consultation meeting, residents expressed concern that the scale of development will further impact the already limited street parking on Dowling Avenue and surrounding streets. In order to help mitigate potential long and short term parking issues from the development, staff have worked together with the applicants team to introduce 3 visitor parking spaces at grade, including one accessible space that is easily accessible from the driveway. The number of resident parking spaces has also increased from the originally proposed 25 spaces, to 36 spaces.

### **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, Article III (Private Tree By-law). The application proposes to remove five private trees (three healthy and two in poor condition) to accommodate the construction of the building. Staff have indicated that the healthy private trees to be removed should be replaced at a ratio of 3:1 and that the trees in poor condition to be removed should be replaced at a ratio of 1:1, for a total of 11 new trees. Four large-growing shade trees are proposed to be planted on private property and a cash in lieu payment will be provided for the other seven trees. Urban Forestry have reviewed the proposal and are supportive of the tree planting and cash in-lieu.

### **Toronto Green Standard**

The applicant is required to meet Tier 1 of the TGS version in force at the time of a complete application for Site Plan Control. 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

Staff are of the opinion that the proposal is consistent with the PPS and conforms with the Official Plan particularly as it relates to the provision of appropriate development and built form in *Apartment Neighbourhoods*. Staff have worked with the applicant to address some of the community issues around parking and made refinements to the built form to better fit within the surrounding neighbourhood. Staff recommend that Council support approval of the Zoning By-law Amendment application.

## CONTACT

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Pavel Kopec, Planner, Tel. No. 416-394-8016 E-mail: [Pavel.Kopec@toronto.ca](mailto:Pavel.Kopec@toronto.ca)

## SIGNATURE

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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

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### City of Toronto Information/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 Zoning By-law Amendment
- Attachment 6: Site Plan
- Attachment 7: North Elevation
- Attachment 8: South Elevation
- Attachment 9: West Elevation
- Attachment 10: East Elevation
- Attachment 11: 3D Massing Model - Northwest
- Attachment 12: 3D Massing Model - Southeast

## Attachment 1: Application Data Sheet

**Municipal Address:** 138 Dowling Avenue      **Date Received:** March 13, 2025

**Application Number:** 25 128430 STE 04 OZ

**Application Type:** Rezoning

**Project Description:** Proposed 16 storey residential purpose-built rental building. The proposed development contains 145 new rental units with a gross floor area of 9,853 square metres.

<b>Applicant</b>	<b>Agent</b>	<b>Architect</b>	<b>Owner</b>
MHBC Planning Ltd.		Superkul	138 Dowling GP Inc

### EXISTING PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhood	Site Specific Provision:
Zoning:	R (d1.0) (x812)	Heritage Designation:
Height Limit (m):	18	Site Plan Control Area: Y

### PROJECT INFORMATION

Site Area (sq m): 1,652      Frontage (m): 36      Depth (m): 46

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	411		788.91	<b>788.91</b>
Residential GFA (sq m):			9,852.98	<b>9,852.98</b>
Non-Residential GFA (sq m):	2,114			
<b>Total GFA (sq m):</b>	<b>2,114</b>		<b>9853</b>	<b>9853</b>
Height - Storeys:	4		16	<b>16</b>
Height - Metres:	15		53.5	<b>53.5</b>

Lot Coverage Ratio (%): 52.62      Floor Space Index: 5.96

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	9,830.48	22.5
Retail GFA:		
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

<b>Residential Units by Tenure</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Rental:			145	<b>145</b>
Freehold:				
Condominium:				
Other:				
<b>Total Units:</b>			<b>145</b>	<b>145</b>

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

	<b>Rooms</b>	<b>Bachelor</b>	<b>1 Bedroom</b>	<b>2 Bedroom</b>	<b>3+ Bedroom</b>
Retained:					
Proposed:		24	64	42	15
<b>Total Units:</b>		<b>24</b>	<b>64</b>	<b>42</b>	<b>15</b>

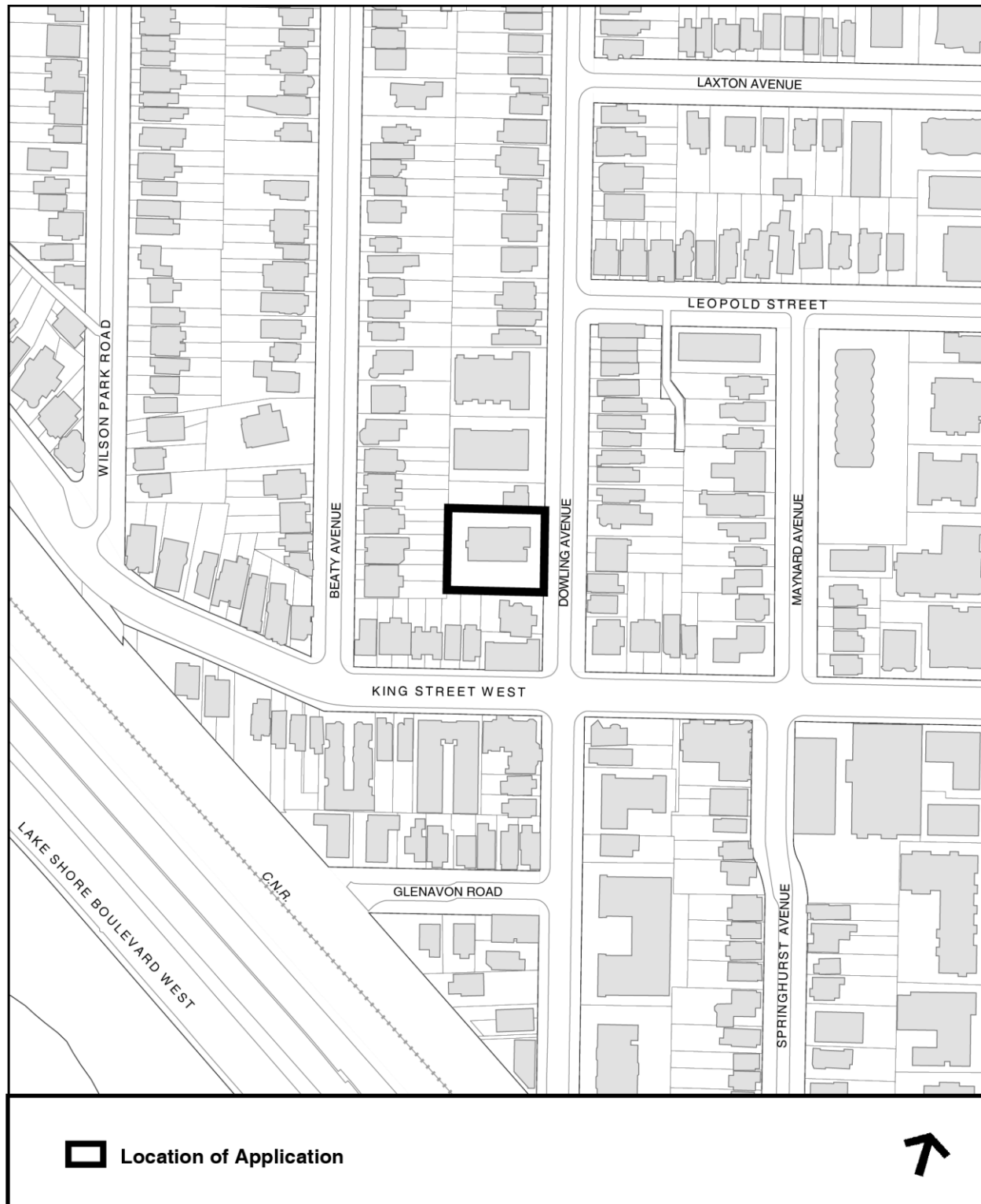
#### **Parking and Loading**

Parking Spaces: 39      Bicycle Parking Spaces: 161      Loading Docks: 1

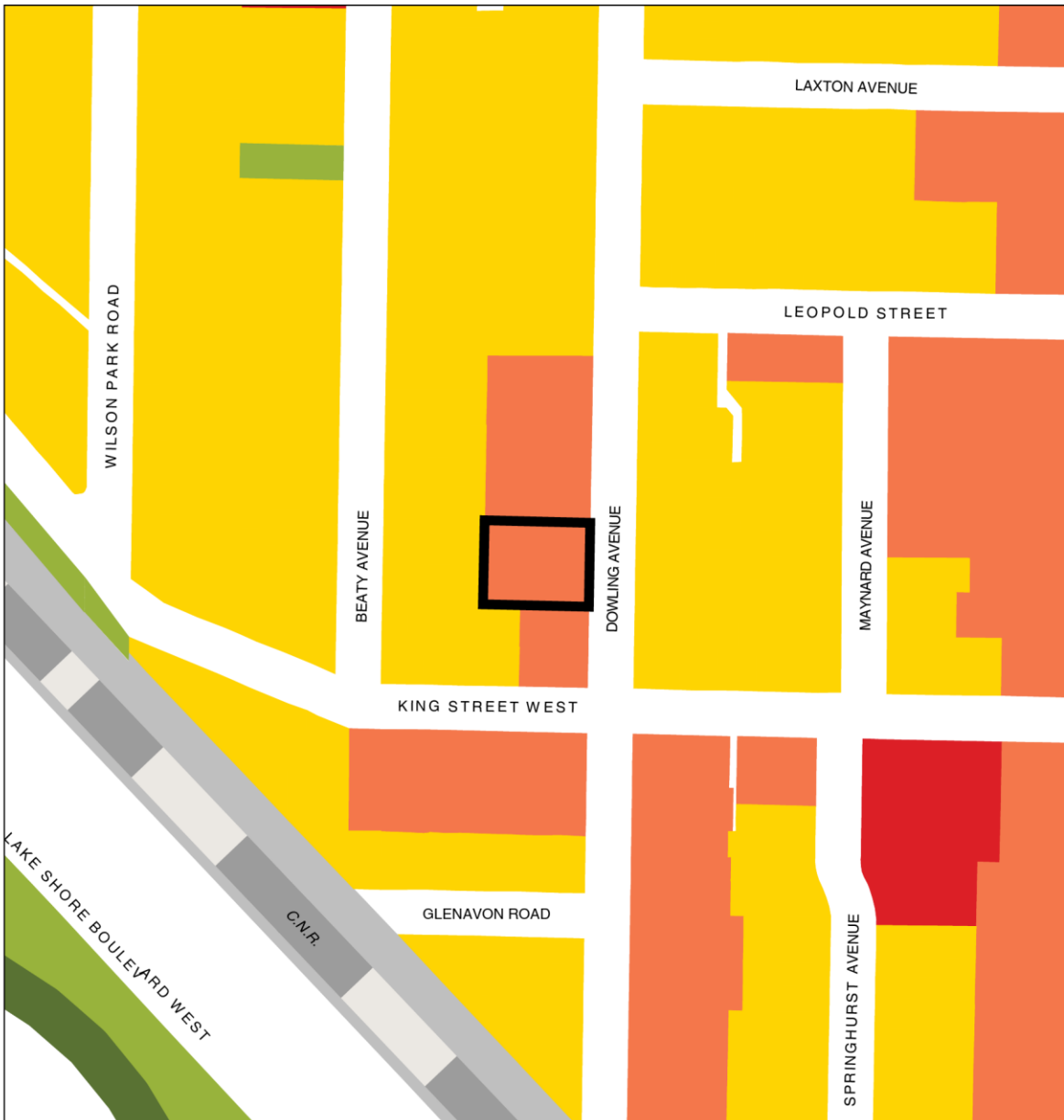
#### **CONTACT:**

Pavel Kopec, Planner  
(416) 394-8016  
Pavel.Kopec@toronto.ca

## Attachment 2: Location Map



## Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map 18

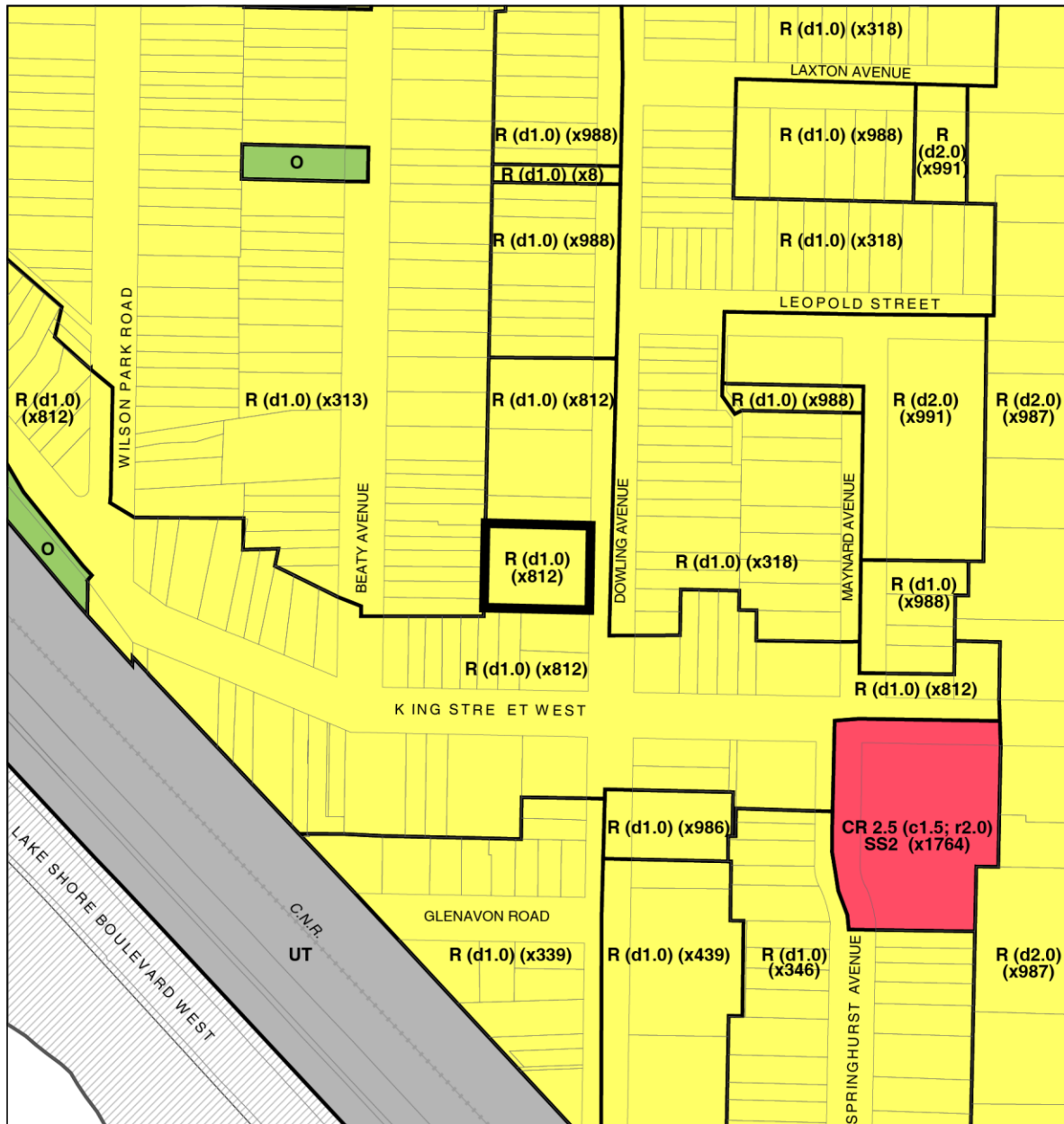
138 Dowling Avenue

File # 25 128430 STE 04 02



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## Attachment 4: Existing Zoning By-law Map



**Zoning By-law 569-2013**

**138 Dowling Avenue**

File # 25 128430 STE 04 0Z

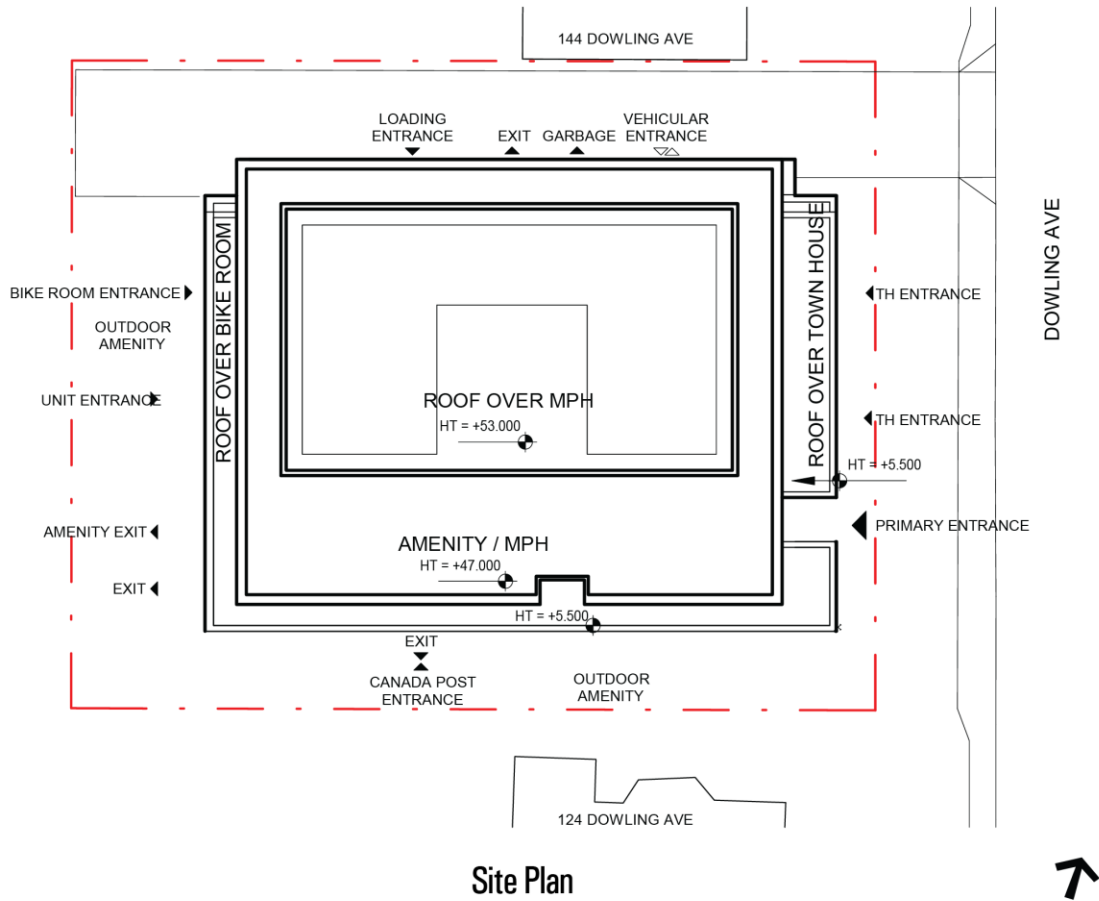
- Location of Application
- R Residential
- CR Commercial Residential
- O Open Space
- UT Utility and Transportation

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## **Attachment 5: Draft Zoning By-law Amendment**

Attachment will be made available prior to the November 27, 2025 Toronto and East York Community Council meeting.

## Attachment 6: Site Plan





## Attachment 7: North Elevation



North Elevation

## Attachment 8: South Elevation

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South Elevation

## Attachment 9: West Elevation



West Elevation

## Attachment 10: East Elevation



East Elevation

## Attachment 11: 3D Massing Model – Northwest



## Attachment 12: 3D Massing Model - Southeast

