

# **TORONTO** STAFF REPORT

September 29, 2005

To: North York Community Council

From: Director, Community Planning, North York District

Subject: Final Report  
Official Plan and Rezoning Application 05 122557 NNY 34 OZ  
Applicant: Don-Greenbelt Developments  
Architect: Atkins Group Corporation Architects  
120 Dallimore Circle  
Ward 34 - Don Valley East

## Purpose:

This report reviews and recommends approval of an application to amend the Official Plan and the Zoning By-law for a 9 storey, 201 unit condominium building at 120 Dallimore Circle.

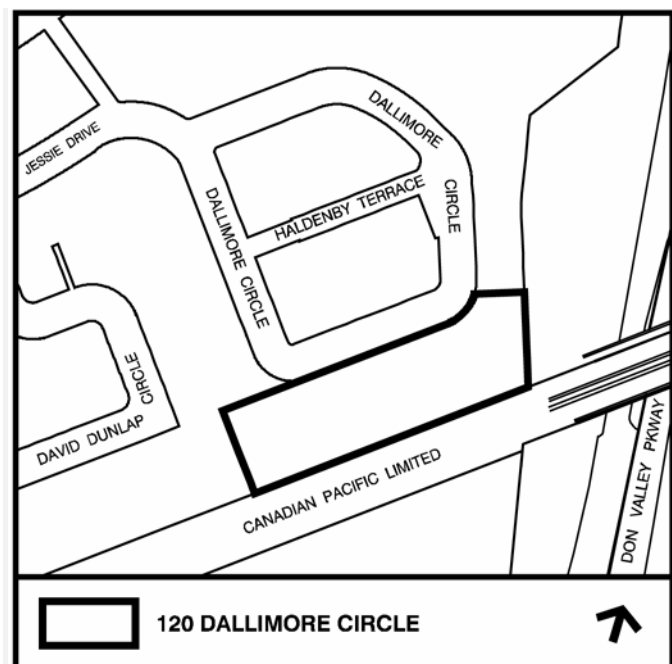
## Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

## Recommendations:

It is recommended that:

- (1) City Council amend the Official Plan for the former City of North York substantially in accordance with the draft Official Plan Amendment attached as Attachment No.8.
- (2) City Council amend Zoning By-law 7625 for the City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No.9;



- (3) City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.
- (4) Before introducing the necessary Bills to City Council for enactment, require the applicant to obtain Notice of Approval Conditions for Site Plan, from the Director, Community Planning, North York District.

#### Background:

#### Proposal

The applicant proposes to construct a 9 storey condominium building having a total of 201 dwellings units (17,066 m<sup>2</sup>) with an overall site density of 1.2. The building is the last phase of development for the approved subdivision plan and rezoning for townhouses and apartment buildings on the lands formerly known as 45 Green Belt Drive. The subdivision has been developed with a total of 248 dwelling units (90 townhouses and an 8 storey 158 unit condominium building to the north) having a gross floor area of 27,757m<sup>2</sup>.

#### History

On December 23, 1999, the Ontario Municipal Board issued an order approving an Official Plan Amendment, rezoning and subdivision of the lands at 39 and 45 Green Belt Drive. The lands at 39 Green Belt are permitted 375 dwelling units (183 townhouse units and 192 apartment units). The lands at 45 Green Belt Drive, which the subject lands of this application form part of, permit 404 dwelling units (102 townhouse units and 302 apartment units). The maximum gross floor area permitted for the 45 Green Belt Drive subdivision is 49,715 square metres. The site is currently developed with a gross floor area of 27,757m<sup>2</sup> leaving 21,958 m<sup>2</sup> to be used.

The original development approval was the subject of a lengthy and detailed planning process that included an Ontario Municipal Board hearing. Following Council's June 30, 1999 approval of a modified version of the amendment applications, the Ontario Municipal Board approved the Official Plan, zoning by-law and subdivision documents for the site. The Board's Order was issued on October 5, 2000.

As part of the settlement process, the developer entered into a settlement agreement with the Don Mills Residents Inc. (the "DMRI") to address their issues regarding form, density and the general nature of development. This was a private agreement between the developer and the DMRI. The City was not a party.

The property at 45 Green Belt had a Holding symbol appended to the zone located on the south portion of the property adjacent to the Canadian Pacific (CP) railway corridor. The lands were zoned RM6(84-2)(H) Multiple-Family Dwellings Sixth Density Zone with a Holding symbol. The Holding symbol was appended to these lands to protect for the standard railway safety setback of 30 metres and for the future potential expansion of GO Transit

commuter rail facilities. Specific requirements under OPA 454 were to be met prior to the lifting of the Holding symbol.

In June 2002, an application was submitted requesting the removal of the Holding provision. All criteria outlined in Section 4.0 of North York Official Plan Amendment OPA 454 were met to the satisfaction of Council and in March 2005, City Council approved the removal of the Holding symbol.

#### Site and Surrounding Area

The site is located in the area east of Don Mills Road north of Eglinton Avenue East adjacent to the CP railway tracks. The property is a vacant lot located on the southern portion of the property formerly known as 45 Green Belt Drive. Within the last 5 years, the northern portion of the site, known municipally as 16 Dallimore Circle, has been developed with an 8 storey 158 unit condominium building, and 90 townhouse units.

North: low rise townhouse units developed as part of the overall subdivision

South: Canadian National Railway right-of-way, then industrial lands

East: Don Valley Parkway

West: a subdivision of townhouses formerly known as 39 Green Belt Drive

#### North York Official Plan

The lands are designated Residential Density Four (RD4) in the Official Plan which permits townhouses. A site specific policy (C.9.206) on these lands formerly known as 45 Green Belt Drive, as well as neighbouring residential lands to the west, sets out policies relating to urban design, built form, number of storeys for mid rise buildings, open space and view corridors, density, permitted uses, and conditions that deal with the removal of the holding zone symbols on lands adjacent to the railway corridor. The Official Plan stipulates that mid rise residential buildings located along the south portion of the site have a maximum building height of 8 storeys.

#### New Toronto Official Plan

At its meeting of November 26, 2002, City Council adopted the new Official Plan for the City of Toronto. The Minister of Municipal Affairs and Housing approved the new plan, in part, with modifications. The Minister's decision has been appealed in its entirety. The Official Plan is now before the Ontario Municipal Board.

The site is designated *Apartment Neighbourhoods* in the New Official Plan. These areas are distinguished from low-rise *Neighbourhoods* because a greater scale of building is permitted and different scale-related criteria are needed to guide development. Where there is opportunity for development in these areas, the Plan sets out criteria to evaluate the development to ensure a net benefit for the entire community.

## Zoning

The lands are zoned RM6 (84-2) Multiple-Family Dwellings Sixth Density Zone which permits an apartment house dwelling having a maximum height of 8 storeys. Under the site specific zoning, the maximum number of apartment units is 302, collectively. The existing condominium building located at 16 Dallimore Circle contains 158 apartment units leaving 144 apartment units available for 120 Dallimore Circle.

The maximum gross floor area permitted for the entire site is 49,715 m<sup>2</sup>. Of that amount, 27,757m<sup>2</sup> has been utilized in the existing condominium building and townhouses. This results in 21,958 m<sup>2</sup> being available for construction. The proposed building would maintain a gross floor area of 17,066m<sup>2</sup>. The proposed building would meet the gross floor area requirements under the existing By-law.

## Site Plan Control

A site plan control application for the development has been submitted. Site plan control approval will be required prior to zoning by-law enactment.

## Reasons for the Applications

The proposed 9 storey building containing 201units is not permitted under the North York Official Plan and is not permitted under zoning RM6(84-2).

## Community Consultation

A community consultation meeting was held on August 17, 2005. The local Councillor, the owner, the owner's planning consultant, the owner's architect and City Planning staff attended the meeting. Approximately 40 residents were in attendance. The following are issues and concerns expressed:

- existing crowded street parking
- congestion at the intersection of Green Belt Drive and Dallimore Circle
- questions as to the method of how traffic counts are obtained and monitored
- timing of required road improvements at Don Mills Road and Green Belt Drive
- minimal public transit to accommodate existing and increased population
- lack of improvement in community services
- location of garbage storage and pick up area
- location of entrance to below grade garage

The majority of these issues were addressed during the meeting. Those issues which were not addressed dealt with items associated with site plan control approval. The residents were informed of the site plan approval process.

## Agency Circulation

The application was circulated to all appropriate agencies and City Departments. Responses received have been used to assist in evaluating the application and to formulate appropriate By-law standards.

## Comments:

### Built Form

The proposed building would be located at the southern end of Dallimore Circle. The rear of the building would face the railway tracks to the south, the east side of the building the Don Valley Parkway and to the west side a vacant lot (zoned for apartment use). The properties to the north are developed with townhouse units constructed within the last 3 years. The building is centrally located on the site with ample setbacks in order to minimize the impact on the adjacent townhouses.

The current zoning for the site permits an apartment building having a maximum building height of 8 storeys, with no maximum height expressed in metres. The proposed building will be 9 storeys and have a maximum height of 26m. The impact of the additional storey would be minimal. There is sufficient space between the existing and proposed buildings to maintain adequate sunlight, sky views, privacy and areas of landscaped open space for new and existing residents.

It is noted that the existing 8 storey condominium building located north of the site maintains a height of 27m, slightly higher than the height of the proposed building. Although the proposed building is designed to incorporate nine storeys, the similarity in height with the building to the north makes it comparable to that of an eight storey building, which is permitted on the site.

To further minimize the impact of the ninth storey, the east and west walls of the 9<sup>th</sup> storey are to be stepped down. The terracing respects the permitted 8 storey limit, and is designed to minimize the impact of the additional storey. Additional terracing and built form elements will be addressed further during the site plan approval process.

### Zoning Standards

The applicant proposes a rear yard setback of 18.3m whereas 20m is permitted. Although reduced, the setback allows for appropriate berming and noise attenuation measures to be implemented as required by CP rail. The setback also allows for the provision of adequate landscaped open amenity space for the residents of the building.

The applicant is proposing to locate the loading space on the east side of the building not abutting the building. Discussions with the applicant will continue during the site plan process to determine the most appropriate location and screening of the space.

The applicant has submitted plans showing the mechanical penthouse on the roof having a height of 6m, the By-law, however, limits the height to 5m. Reducing the height of the mechanical penthouse to meet the By-law requirement is recommended.

#### Gross Floor Area and Number of Dwelling Units

The maximum gross floor area permitted for the overall subdivision (45 Green Belt Drive) is 49,715m<sup>2</sup>. The total gross floor area of the existing condominium building and townhouses is 27,757m<sup>2</sup>. The remaining gross floor area available is 21,958m<sup>2</sup>. With the addition of the proposed apartment building, (17,066m<sup>2</sup> g.f.a.), the total constructed gross floor area will be 44,823m<sup>2</sup>. As a result, 4,892m<sup>2</sup> of the permitted gross floor area is not being used. An amendment has been made to the by-law to limit the maximum gross floor area to 44,823m<sup>2</sup>.

Although the by-law permits a maximum of 102 townhouse units, the site has been developed with only 90 townhouse units. This results in 12 townhouse units not being utilized as permitted under the by-law. As such, an amendment has been made to the site specific by-law to recognize the existing conditions. This is done by reducing the permitted number of townhouse units to 90. Overall, this has the effect of increasing the total number of units on the 45 Green Belt Drive site by 45 rather than 57.

#### Noise Attenuation

A noise attenuation barrier and berming will be required along the south edge of the site adjacent to the railway lands. Details of barrier and berming will be addressed and secured under the site plan control application submitted for this application. The registered subdivision agreement under Section H.7.3 also requires noise attenuation measures to be implemented on the site.

#### Site Plan

As part of the site plan approval process a number of details concerning landscaping, built form and siting will be reviewed. These details include:

- reviewing the massing of the upper floors to minimize the apparent height of the proposed building and minimize its shadow impact on the streets and properties north of the site;
- integrating the mechanical penthouse and sculpt the top of the building;
- setting the building wall at the main entrance and the proposed drop-off area further south to provide landscaping along the public street on Dallimore Circle
- integrating the underground parking ramp into the building mass to reduce its impact on the public street and neighboring properties;

- reviewing the proposed landscaping plans with the applicant and determine appropriate treatment and location of landscaped open space, fencing, trees and vegetation
- providing an intensive high quality landscape that will extend the design of the building out to the edge of the site
- revising the grading to minimize retaining walls against neighboring buildings and the ravine

The applicant will be required to enter into a Site Plan Agreement to secure landscaping, lighting, fencing and grading matters upon the finalization of Site Plan Approval.

#### Traffic

In 1995, a number of traffic impact studies were submitted by Grant A. Bacchus Limited in support of the previous applications for the properties formerly known as 39 and 45 Green Belt Drive. The consultant concluded at the time that improvements were required at the Don Mills/Green Belt intersection to accommodate anticipated future development traffic on the road network. These conclusions were agreed upon by the City staff. Subsequently, specific requirements for road improvements were appended to the approval of that project and are currently being implemented.

The proposed development would add 45 units to the existing approval for 45 Green Belt Drive. Transportation staff have reviewed the application and are satisfied that these additional units would not trigger the need to provide a revised Traffic Impact Study. The road improvements currently being implemented by the applicant will accommodate the traffic generated by the new condominium.

The area is serviced by a Toronto Transit Commission bus line along Don Mills Road approximately 4 blocks from the site.

#### Development Charges

It is estimated that the Development Charges for this project will be \$987,022.00. This is an estimate and the actual charge is assessed and collected upon issuance of the Building Permit.

#### Conclusions:

The applicant is proposing to construct a 9 storey condominium building with 201 dwelling units. With the implementation of a number of built form and landscape elements such as terracing and open space, the proposed increase of one storey would have minimal impact on the surrounding area. Although the building is defined as 9 storeys, the building height is approximately equal to that of the 8 storey building located north of the site. The new building would not be out of character with those buildings already existing.

Works and Emergency Services have submitted that the existing and approved road network can accommodate the increase in traffic generated by the increased number of units. The proposed 9 storey building, having a maximum of 201 units, would be an appropriate use and be in keeping with the permitted uses in the area.

Contact:

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Fax: (416) 395-7155  
Email:estandre@toronto.ca

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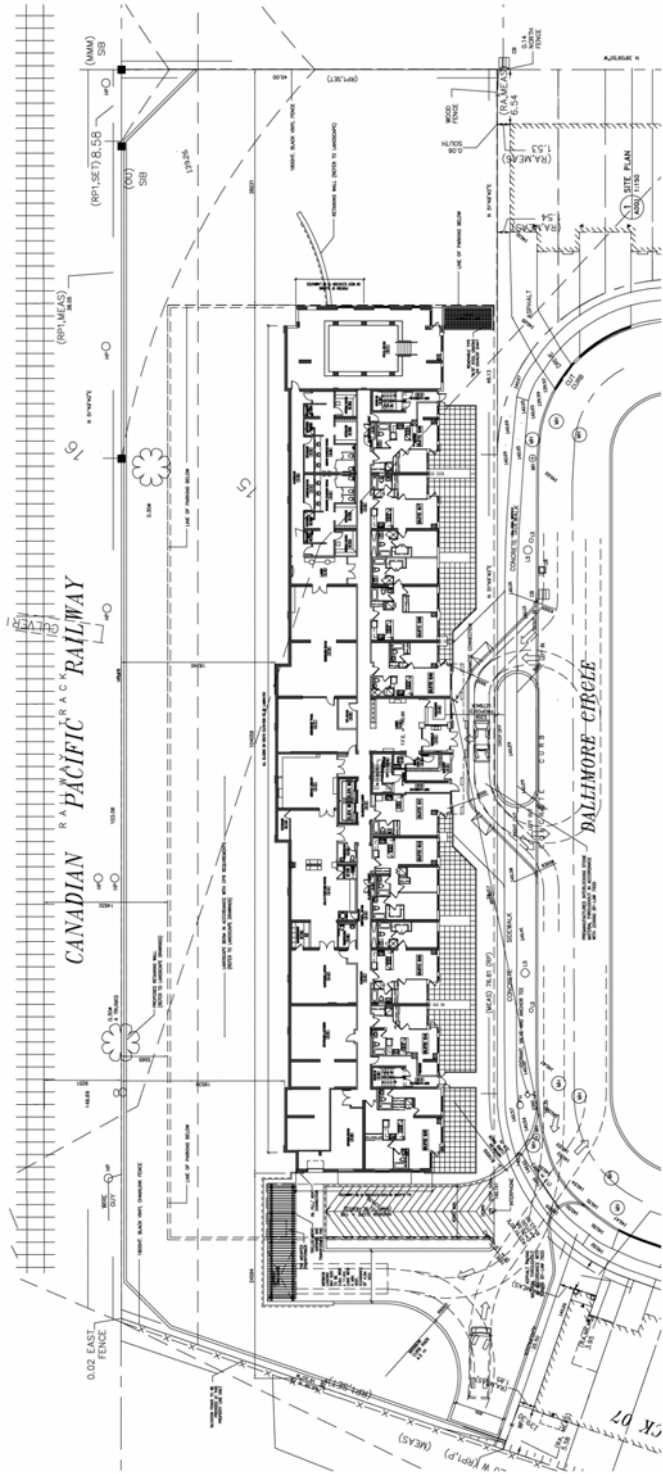
Thomas C. Keefe  
Director, Community Planning, North York District

List of Attachments:

Attachment 1:	Site Plan
Attachment 2:	Zoning
Attachment 3:	Official Plan
Attachment 4:	Elevations
Attachment 5:	Elevations
Attachment 6:	Elevations
Attachment 7:	Application Data Sheet
Attachment 8:	Draft Official Plan Amendment
Attachment 9:	Draft Zoning By-law Amendment



### Attachment 1: Site Plan



120 Dallimore Circle

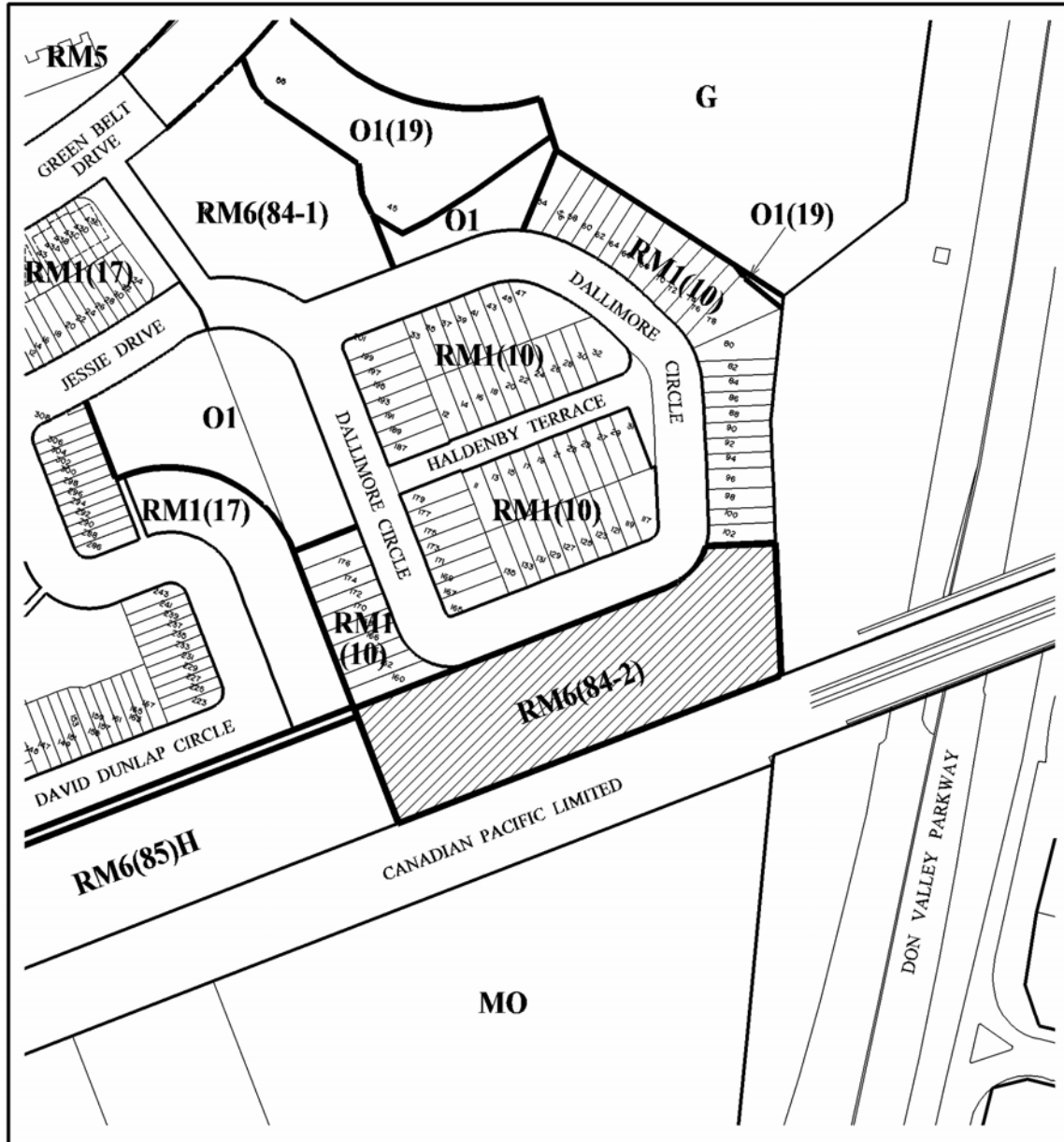
Site Plan  
Applicant's Submitted Drawing

Not to Scale  
05/02/05



File # 05\_122557

Attachment 2: Zoning (Map)



 **Toronto** City Planning  
**Zoning**


**120 Dallimore Circle**

File # 05\_122557

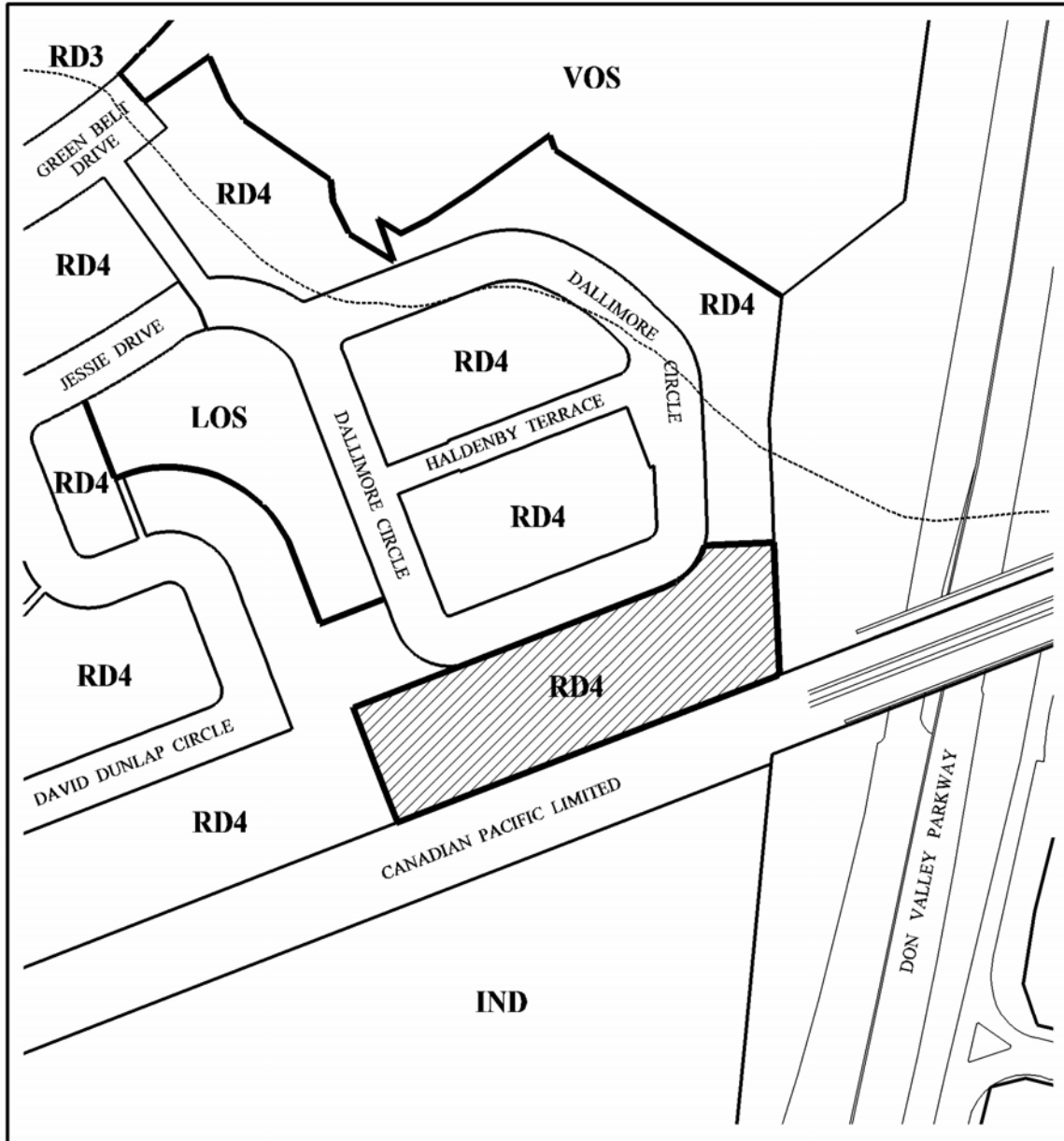
RM1 Multiple-Family Dwellings First Density Zone  
RM5 Multiple-Family Dwellings Fifth Density Zone  
RM6 Multiple-Family Dwellings Sixth Density Zone  
MO Industrial-Office Business Park Zone

G Greenbelt Zone  
O1 Open Space Zone

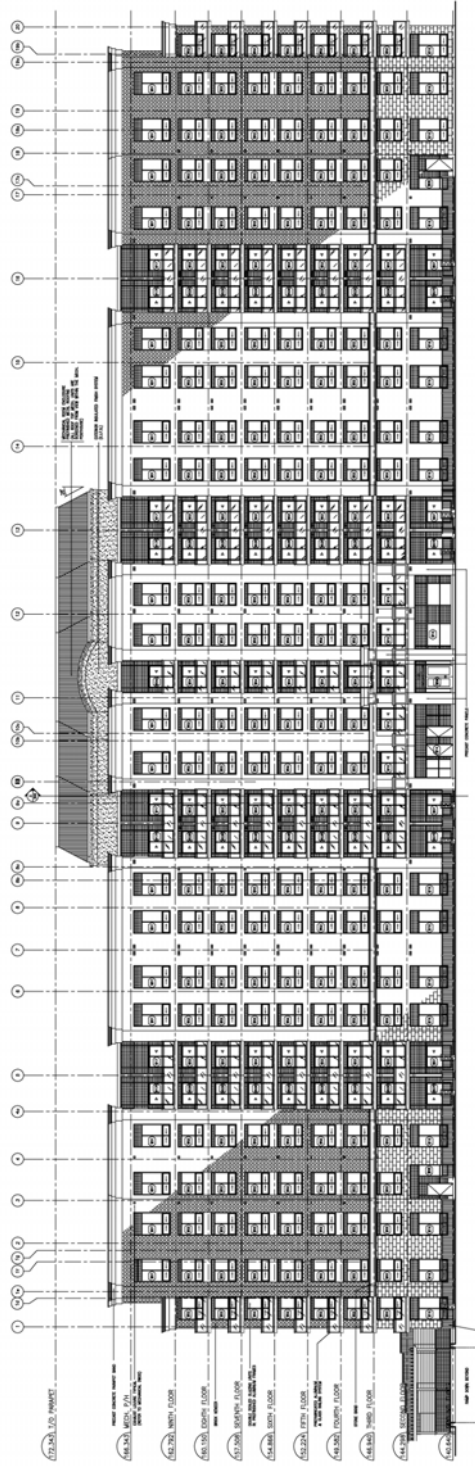
NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

  
Not to Scale  
Zoning By-law 7625  
Extracted 05/03/05

Attachment 3: Official Plan (Map)



### Attachment 4: Elevation 1



North Elevation

## Elevations

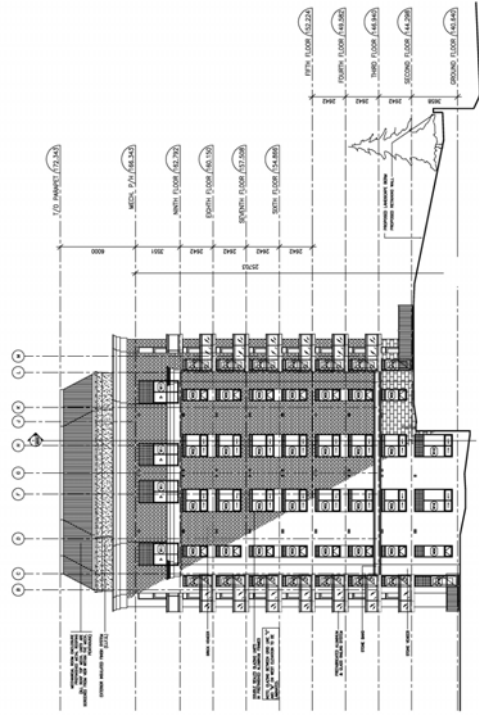
Applicant's Submitted Drawing

Not to Scale  
05/02/05

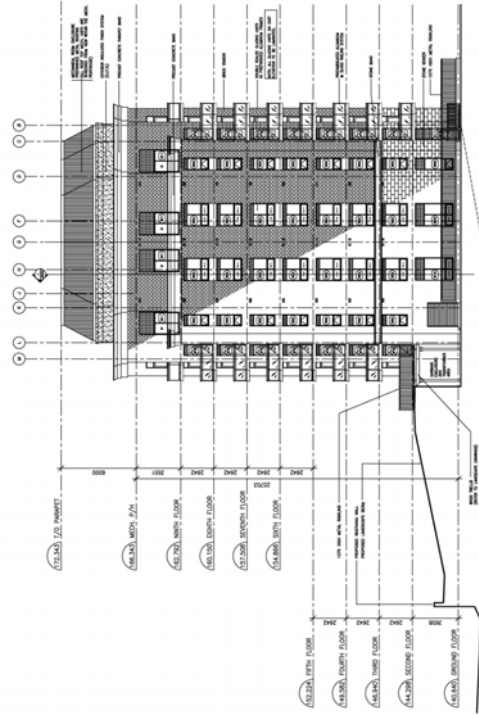
120 Dallimore Circle

File # 05\_122557

### Attachment 5: Elevation 2



West Elevation



East Elevation

120 Dallimore Circle

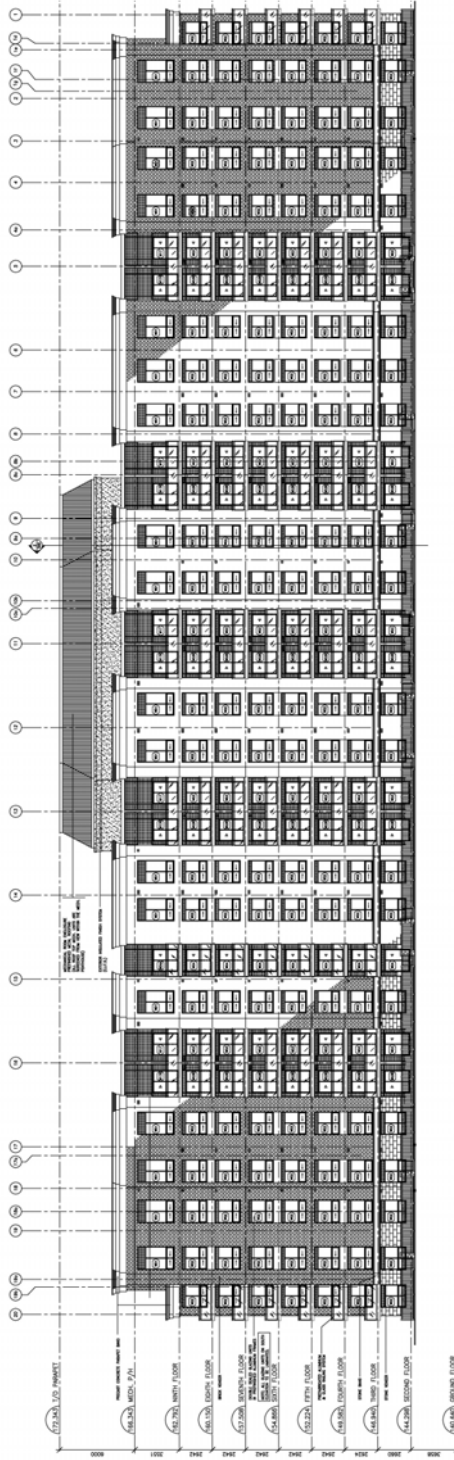
File # 05\_122557

Elevations

Applicant's Submitted Drawing

Not to Scale  
05/02/05

### Attachment 6: Elevation 3



South Elevation

## Elevations

Applicant's Submitted Drawing

Not to Scale  
05/02/05

120 Dallimore Circle

File # 05\_122557

**Attachment 7: Application Data Sheet**

**APPLICATION DATA SHEET**

Application Type                      Rezoning                                      Application Number:    05 122557 NNY 34 OZ  
Details                                      Rezoning, Standard                      Application Date:        April 12, 2005

Municipal Address:                      120 DALLIMORE CRCL, Toronto ON  
Location Description:                      PLAN 66M2389 BLK 17 \*\*GRID N3405  
Project Description:                      A rezoning to permit a 9 storey building. Please note that the site plan file has been circulated earlier, these plans are revisions to the original plans submitted.

**Applicant:**                                      **Agent:**                                      **Architect:**                                      **Owner:**  
DON-GREENBELT                                                                                                                                                     DON-GREENBELT  
DEVELOPMENTS                                                                                                                                                     DEVELOPMENTS

**PLANNING CONTROLS**

Official Plan Designation:    RD4    Site Specific Provision:  
Zoning:                                      RM6(84-2)                                      Historical Status:  
Height Limit (m):                                                                           Site Plan Control Area:    Y

**PROJECT INFORMATION**

Site Area (sq. m):                                      7250                                      Height:    Storeys:                                      9  
Frontage (m):                                      142.95                                      Metres:                                      32.27  
Depth (m):                                      45  
Total Ground Floor Area (sq. m):                                      1939    **Total**  
Total Residential GFA (sq. m):                                      18965.4                                      Parking Spaces:                                      303  
Total Non-Residential GFA (sq. m):                                      0                                      Loading Docks                                      1  
Total GFA (sq. m):                                      18965.4  
Lot Coverage Ratio (%):                                      26.74  
Floor Space Index:                                      2.6

**DWELLING UNITS**

**FLOOR AREA BREAKDOWN** (upon project completion)

			<b>Above Grade</b>	<b>Below Grade</b>
Tenure Type:	Condo			
Rooms:	0	Residential GFA (sq. m):	18965.4	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	88	Office GFA (sq. m):	0	0
2 Bedroom:	113	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	201			

**CONTACT:**                      **PLANNER NAME:**                      **Ellen Standret, Planner**  
**TELEPHONE:**                      **(416) 395-7116**

**Attachment 8: Official Plan (Text)**

**AMENDMENT NO. 566  
TO THE OFFICIAL PLAN FOR THE  
CITY OF NORTH YORK**

The following text constitute Amendment No. 566 to the Official Plan for the City of North York.

**ITEM 1**

**Clause 1**

Part C.9 is amended by the following:

Part C.9.206 1.1.1 (b) is deleted and replaced by the following:

- (b) mid rise residential buildings to a maximum building height of 8 storeys may be permitted along the north-east portions of the lands and buildings to a maximum building height of 9 storeys may be permitted along the south portions of the lands.



**Attachment 9: Draft Zoning By-law**

Authority: North York Community Council Report No. ~, Clause No. ~,  
as adopted by City of Toronto Council on ~, 2005  
Enacted by Council: ~, 2005

**CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. ~-2005**

To amend North York Zoning By-law No. 7625, as amended,  
With respect to the lands municipally known as,  
**120 Dallimore Circle**

WHEREAS authority is given to Council by Section 34 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and 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 HEREBY ENACTS as follows:

1. Section 64.16(10) of By-law 7652 is amended by the following:
  - (a) Section Section 64.10(g)(i) is deleted and replace by:
    - “(i) The maximum number of dwellings units shall be 90.”
2. Section 64.20-A(84) of By-law 7652 is amended by the following:
  - (a) Section 64.20-A(84)(f) is deleted and replaced by:
    - “(f) The maximum gross floor area for all lands zoned RM1(10) and RM6(84) shall be 44,823 square metres.”
  - (b) Section 64.20-A(84)(g) is deleted and replaced by:
    - “(g) The maximum building height shall be nine storeys and 26m not including roof top mechanical and indoor recreation amenity space which shall not exceed 5m in height and shall not exceed 30% of the roof top floor area.”
  - (c) Section 64.20-A(84)(h)(i) is deleted and replaced by:
    - “(i) The maximum number of dwelling units shall be 359, a maximum of 201 units to be located within the building on the lands zoned RM6(84-2) adjacent to a railway.”

(d) Section 64.20-A(84)(k)(i) and (ii) are deleted and replaced by:

- “(i) Front yard setback – 6m
- (ii) Rear yard setback - 18.3m”

(e) Section 64.20-A(84) is amended by adding the following:

- “(p) For the building located adjacent to the railway, the required loading space does not have to abut the building.”

ENACTED AND PASSED this ~ day of ~, A.D. 2005.

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)