

**Preliminary Report
Zoning By-law Amendment Application
3130 Dufferin Street**

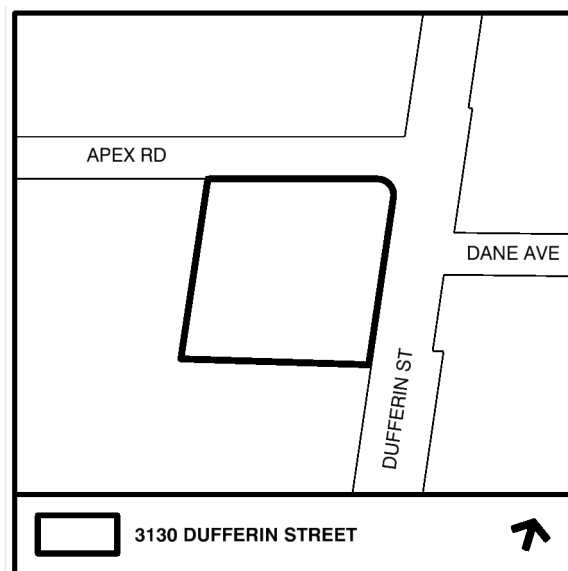
Date:	September 21, 2012
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 15 – Eglinton-Lawrence
Reference Number:	12 142013 NNY 15 OZ

SUMMARY

This application proposes to amend the former City of North York Zoning By-law No. 7625 to permit a mixed use development containing 374 residential dwelling units and 1,379m² of retail floor space at 3130 Dufferin Street. The application proposes a 12-storey building abutting Dufferin Street, a 6-storey building abutting Apex Road, a 24-storey tower situated internally to the site (in the southwest corner) and a 6-storey base building connecting the 24-storey and 12-storey towers. With 45,814m² of gross floor area, the application proposes a Floor Space Index of 5.84.

This report provides preliminary information on the above-noted application and seeks Community Council's direction on further processing of the application and on the community consultation process.

It is intended that the application be reviewed in the context of the Dufferin Street *Avenue* Study. A community consultation meeting will be scheduled in consultation with the Ward Councillor. A Final Report and Public Meeting under the *Planning Act* to consider this application is targeted to follow the completion of the *Avenue* Study provided all required



information is submitted by the applicant in a timely manner.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 3130 Dufferin Street in consultation with the Ward Councillor.
2. The application be reviewed in conjunction with the Dufferin Street *Avenue* Study.
3. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
4. Notice for the public meeting under the *Planning Act* be given according to the regulations of the *Planning Act*.

Financial Impact

The recommendations in this report have no financial impact.

BACKGROUND

Pre-Application Consultation

A pre-application consultation meeting was held with the applicant in January 2009 to discuss a proposed redevelopment of the subject site. No further discussions were held prior to the submission of the subject application.

Proposal

This application proposes a mixed-use development containing grade-related non-residential uses along both Dufferin Street and Apex Road and a total of 374 residential units. The development would be comprised of a 12-storey (41.1 metre) building abutting Dufferin Street, a 6-storey (22.2 metre) building abutting Apex Road, a 24-storey (76.0 metre) tower situated internally to the site (in the southwest corner) and a 6-storey base building connecting the 24-storey and 12-storey building elements.

Vehicular access would be provided from both Apex Road and Dufferin Street to an at-grade courtyard, surrounded by the proposed buildings. The ground level courtyard would provide non-residential customer parking (52 spaces) as well as three at-grade loading spaces. The courtyard would also provide access to a two-storey underground structure containing 532 parking spaces for resident and residential visitor parking.

The entrance lobbies for the residential components are located both at-grade and at the second floor level. A second vehicular ramp from the ground level internal courtyard would provide access to the second level residential entrances and drop-off areas.

With 45,814m² of gross floor area, the application proposes a Floor Space Index of 5.84.

Relevant project information is contained in the Application Data Sheet (Attachment 5).

Site and Surrounding Area

The 0.78 hectare site is located at the southwest corner of the intersection of Dufferin Street and Apex Road. The lot has a frontage of 80.8 metres on Dufferin Street and a depth of 81.1 metres on Apex Road. This lot depth, which is typical of lots along the west side of Dufferin Street, is greater than a typical city block. The site is currently developed with a car dealership which is to be demolished as part of the proposed development.

The surrounding area contains a mix of uses including residential, commercial, retail, office and light industrial as follows:

North: one-storey plaza surrounded by surface parking (3140 to 3170 Dufferin Street and 60 Apex Road).

South: a one-storey restaurant with surrounding parking (3120 Dufferin Street) and a car dealership (Yorkdale Toyota at 3080 Dufferin Street) are located immediately south of the site.

East: low rise (one and two storey) commercial/office with residential above, low density residential beyond, and an approved development (Lantera) at the northeast corner of Dufferin Street and Lawrence Avenue West for a mixed use development containing 1,500 residential units and a total gross floor area of 122,667m².

West: One-storey industrial manufacturing facility (Centura Floor and Wall at 53 Apex Road).

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems

and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The site is designated *Mixed Use Areas* by Map 16, Land Use Plan. The *Mixed Use Areas* designation identifies areas intended for growth for both population and jobs, encouraging a broad range of commercial, residential, institutional and open space uses.

The Official Plan identifies areas that are well-served by public transit and the existing road network and which have a number of properties with redevelopment potential that can accommodate growth. These areas are shown on Map 2 Urban Structure and are identified by four categories including *Avenues*. The *Avenues* are important corridors along major streets where re-urbanization is anticipated and encouraged to create new housing and job opportunities while improving the pedestrian environment, the appearance of the street, shopping opportunities and transit service for community residents. The subject site falls within an *Avenues* overlay.

Section 3.1.1 of the Official Plan addresses the public realm, recognizing how important good design is in creating a great city, and great cities are identified by the look and quality of their streets and public spaces and the buildings which frame and define them. Toronto's concession road grid is recognized as a major organizing element to be maintained and improved. The policies require that new development enhance the quality of the public realm and streets adjacent to new development will be designed to perform their diverse roles.

The public realm policies also address the creation of new streets in situations where larger blocks must be divided into smaller development blocks to provide connections with adjacent neighbourhoods, and promote a connected grid of streets.

The pre-amble of Section 3.1.2 Built Form acknowledges that our personal enjoyment of our streets and open spaces depends on the visual quality, activity, comfortable environment, and perception of safety in those spaces. Those qualities are influenced directly by the built form of adjacent buildings. New development needs to fit in, respecting and improving the character of the surrounding area. The Official Plan recognizes that large redevelopment sites are unique and new planning contexts may be created to ensure that each new development in these areas adds up to more than the sum of parts.

The Official Plan contains policies for building new neighbourhoods in Section 3.3. The Plan requires the provision of a comprehensive planning framework reflecting the Plan's city-wide goals as well as the local context to ensure that new infrastructure, streets, parks and local services to support new development and connect it with the surrounding fabric of the City is provided.

Policies in Section 3.2.2, Community Services and Facilities, encourage the provision of community services facilities in all significant private sector development across the City through development incentives and public initiatives.

The Official Plan encourages the inclusion of public art in all significant private sector developments across the City. The Percent for Public Art Program recommends that a minimum of one percent of the gross construction cost of each significant development be contributed to public art. The governing principle for the Percent for Public Art Program is that art is a public benefit to be enjoyed and experienced by residents and visitors throughout the city.

The Official Plan provides for the use of Section 37 of the *Planning Act* to secure the provision of community benefits in return for an increase in height and/or density of a development. The City may require the owner to enter into an agreement to secure these matters.

Dufferin Street Avenue Study

The stretch of Dufferin Street between Highway 401 to just south of Lawrence Avenue West contains a number of vacant and underutilized lots and has been identified as an appropriate candidate for an *Avenue Study*. On September 13, 2012 Planning and Growth Management Committee adopted a report that an *Avenue Study* proceed for Dufferin Street between Highway 401 to just south of Lawrence Avenue West which will be considered by City Council on October 2, 2012. An *Avenue Study* provides an opportunity to develop a comprehensive vision for this stretch of Dufferin Street. The subject lands are within the study area for the Dufferin Street *Avenue Study* and the application will be reviewed in the context of that *Avenue Study*.

The link to the Staff Report that was considered by Planning and Growth Management is found here:

<http://www.toronto.ca/legdocs/mmis/2012/pg/bgrd/backgroundfile-49687.pdf>

Zoning

The site is zoned Industrial Commercial Zone “MC(H)” by former City of North York Zoning By-law No. 7625. The “MC(H)” zone permits a variety of industrial, commercial and institutional uses. The zone permits a maximum floor space index of 1.0 and height restrictions in compliance with Schedule “D” of the By-law. Notwithstanding the general provisions of the “MC” zone, the Holding (H) provision applies restrictions to the amount of floor area for retail stores, personal service shops and office uses. Residential uses are not permitted in the “MC(H)” zone.

Site Plan Control

An application for Site Plan Control will be required but has yet to be submitted.

Reasons for the Application

The proposal requires an amendment to the North York Zoning By-law to permit the proposed mixed use development. Appropriate standards regarding gross floor area, coverage, height, setbacks, parking, landscaped open space and other matters would be established through a site specific exception.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Planning Justification Report;
- Functional Servicing Report;
- Traffic Impact Study;
- Sun/Shadow Study;
- Avenue Segment Study (including a Community Facilities and Services component);
- Avenue Segment Study – Phase 1 and 2 Traffic Conditions; and
- Toronto Green Standard Checklist.

A Notification of Complete Application was issued on April 19, 2012.

Issues to be Resolved

The applicant has proposed an intense development on a site that is one of a number of undeveloped or underdeveloped sites on this segment of Dufferin Street. On September 13, 2012, Planning and Growth Management Committee adopted a staff recommendation that an *Avenue* Study be conducted for Dufferin Street between just south of Lawrence Avenue to Highway 401. City Council will consider the item on October 2, 2012. The application will be reviewed in conjunction with the Dufferin Street *Avenue* Study.

On a preliminary basis staff have identified a number of issues that will be reviewed in conjunction with the above-noted Dufferin Street *Avenue* Study.

The site is located on the west side of Dufferin Street south of Apex Road with the Lawrence West Subway station being approximately 1,100 metres to the south and east. The development site is designated as *Mixed Use Areas* in the Official Plan similar to other development sites along Dufferin Street and is part of a larger *Mixed Use Areas* designation that forms the eastern boundary of a large piece of *Employment Areas* in the Official Plan. Historically, this portion of Dufferin Street has been commercial and light industrial and the appropriateness of developing this site as a mainly residential one will be assessed.

The applicant has provided statistics which express a density of 5.84 times the lot area for the development. The appropriateness of the proposed density will be reviewed in

conjunction with the Dufferin Street *Avenue* Study and the gross floor area and density details will be clarified through the review of the application. The density and scale of development will be reviewed as part of the overall area study. The scale of development, if replicated on other sites on Dufferin Street, would have implications for a number of matters including traffic, community services and facilities and open space. These matters would all be reviewed comprehensively for the study area.

The appropriateness of a tall building on this site will be assessed as the proposed building heights may set a precedent for future development along Dufferin Street on other sites. The Avenues and Mid-Rise Buildings Study provides guidance for the design of mid-rise buildings. Should taller buildings be considered appropriate, the Tall Building Guidelines will be used to assess the proposed heights, floor plate dimensions and building locations. An assessment of the building and structure heights through the Dufferin Street *Avenue* Study will also address the concerns of the Bombardier Aerospace facility which has provided written comments on the proposed building height.

The proposed development block is a large one with approximate dimensions of 81.8 metres along Dufferin Street and 81.1 metres along Apex Road. It may be appropriate to divide larger blocks into smaller ones to create a grid of streets in anticipation of a new community west of Dufferin Street. The creation of new street and block patterns will be reviewed as part of the *Avenue* Study.

The applicant has proposed a mid-block vehicular access from Dufferin Street to the development site in alignment with Dane Avenue, the assumption being that signal lights will be installed at Dane Avenue in the future. The determination of where traffic signals are appropriate will be also examined through the Dufferin Street *Avenue* Study.

The applicant has submitted an *Avenue* Segment Study for the portion of Dufferin Street between Lawrence Avenue West in the south to approximately Brentwood Street/Ranee Avenue in the north. The Segment Study includes an inventory of area community services and facilities. A thorough analysis of the existing and required community services and facilities will be conducted through the *Avenue* Study. If it is determined that residential redevelopment along Dufferin Street is appropriate, consideration will also be given to the need for additional parks and open space in the neighbourhood.

Section 37 of the *Planning Act* provides the City the authority to grant increased density and/or height in exchange for community benefits. Community benefits are specific capital facilities (or cash contributions toward specific capital facilities) and can include matters such as parkland and/or park improvements above the required parkland dedication, public art, streetscape improvements on the public boulevard not abutting the site, community facilities and/or local improvements to transit facilities. Section 37 benefits appropriate to the Dufferin Street *Avenue* Study Area will be determined through the *Avenue* Study.

At a site-specific level, the following issues have been identified. The location, orientation and organization of buildings and servicing areas, including appropriate built form distribution on the site will need to be assessed. Consideration must be given to the built-form relationships to the street and surrounding properties including the long term development of the surrounding lands.

The Official Plan requires that new development provide adequate indoor and outdoor recreation space for building residents. The adequacy of and location of the proposed indoor and outdoor amenity residential amenity areas will be assessed through the evaluation of the application.

The applicant has provided a study entitled *3130 Dufferin Street Redevelopment Traffic Study* which is being reviewed by City staff. The appropriateness of a vehicular access from Dufferin Street requires a thorough examination. The adequacy of the provided number of parking spaces for the proposal will be assessed as well.

Additional issues may be identified through the review of the application in the context of the *Dufferin Street Avenue Study*, agency comments and the community consultation process.

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

CONTACT

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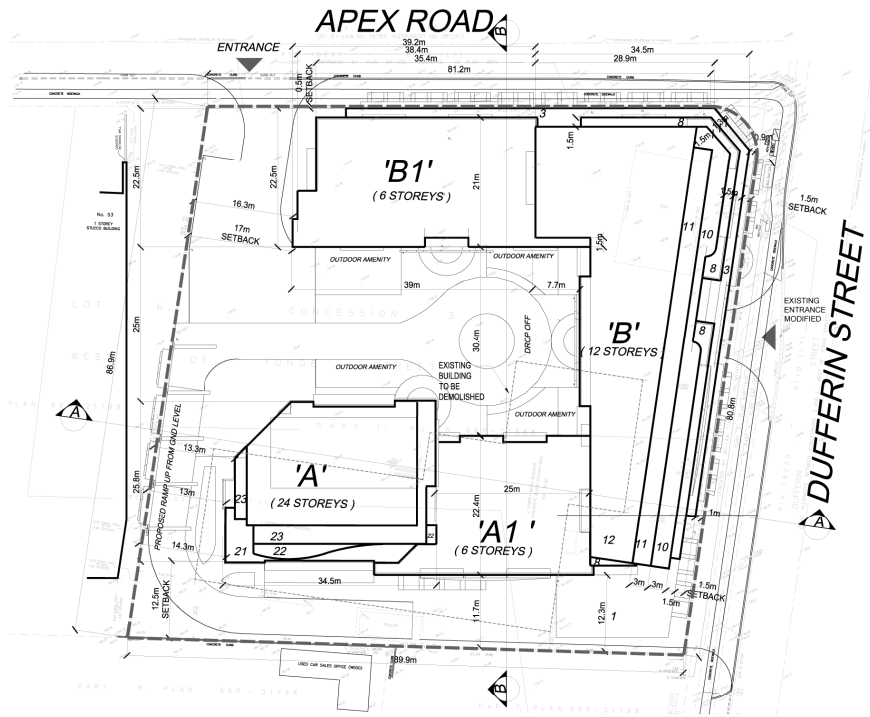
SIGNATURE

Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2a: North and South Elevations
Attachment 2b: West and East Elevations
Attachment 3: Zoning
Attachment 4: Official Plan
Attachment 5: Application Data Sheet

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

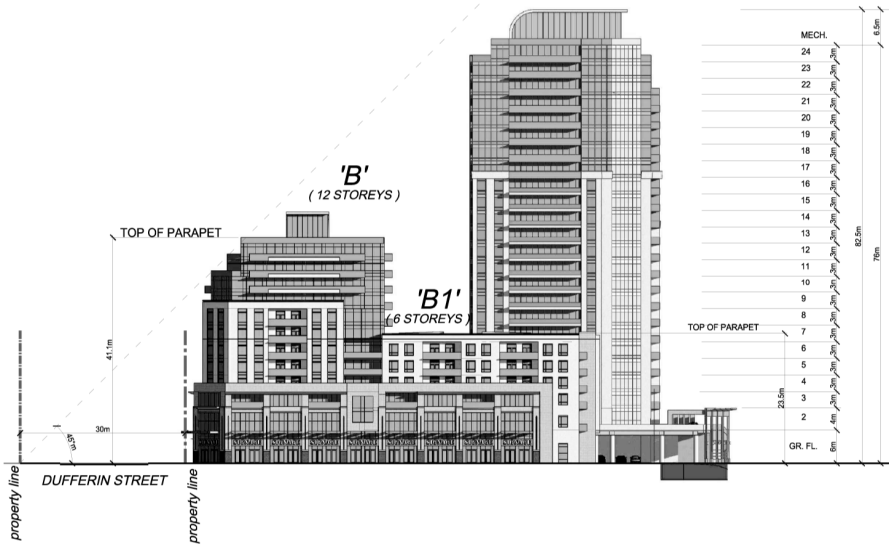
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04/17/2012



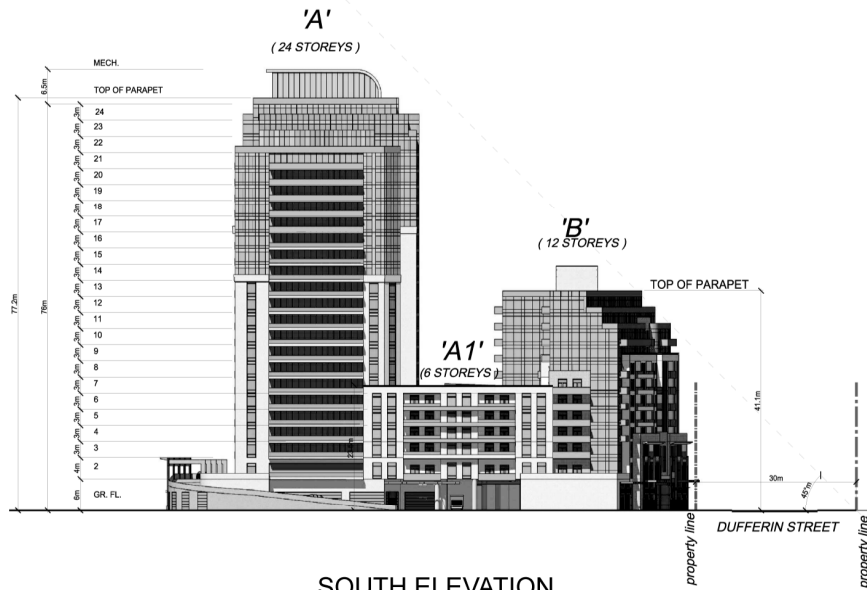
3130 Dufferin Street

File # 12 142013 NNY 15 0Z

Attachment 2a: North and South Elevations



NORTH ELEVATION



SOUTH ELEVATION

Elevations

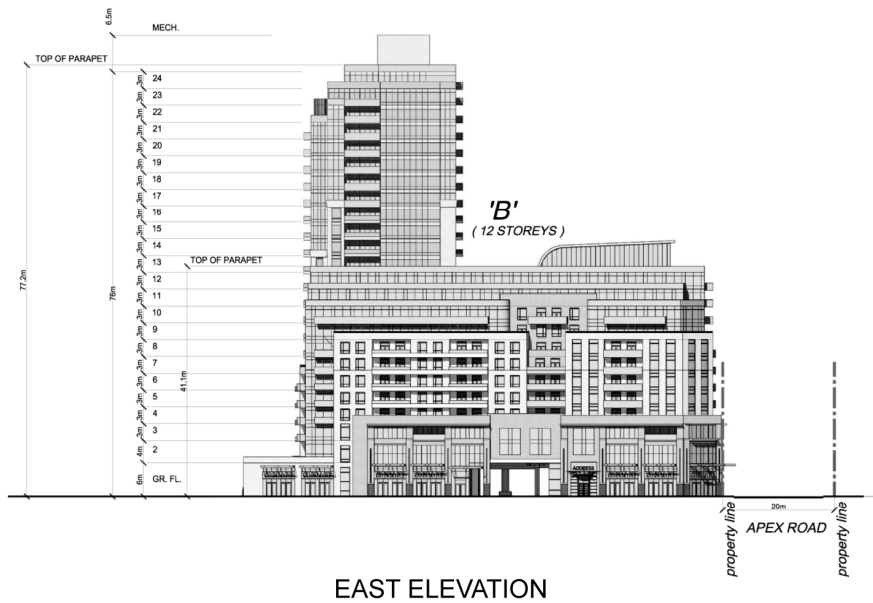
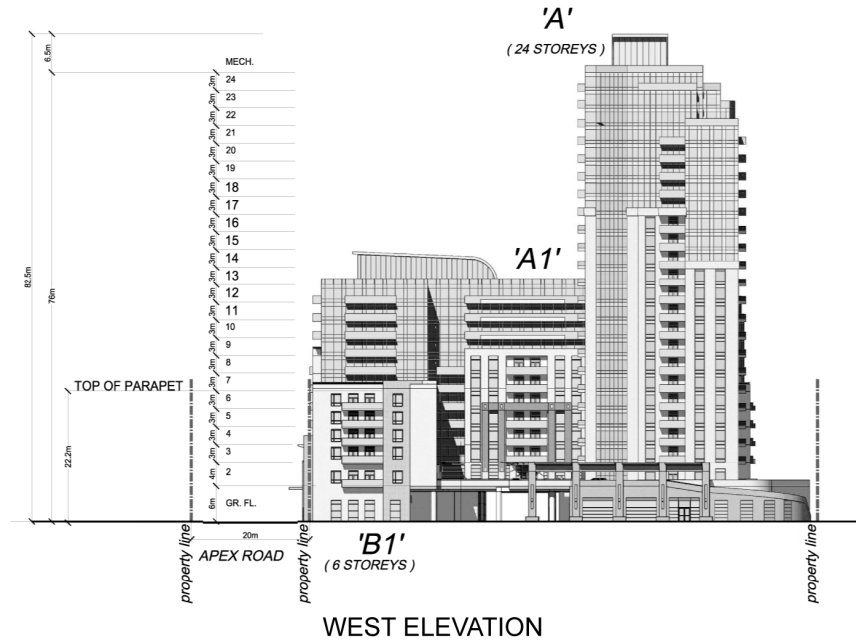
Applicant's Submitted Drawing

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04/23/2012

3130 Dufferin Street

File # 12 142013 NNY 15 0Z

Attachment 2b: West and East Elevations



Elevations

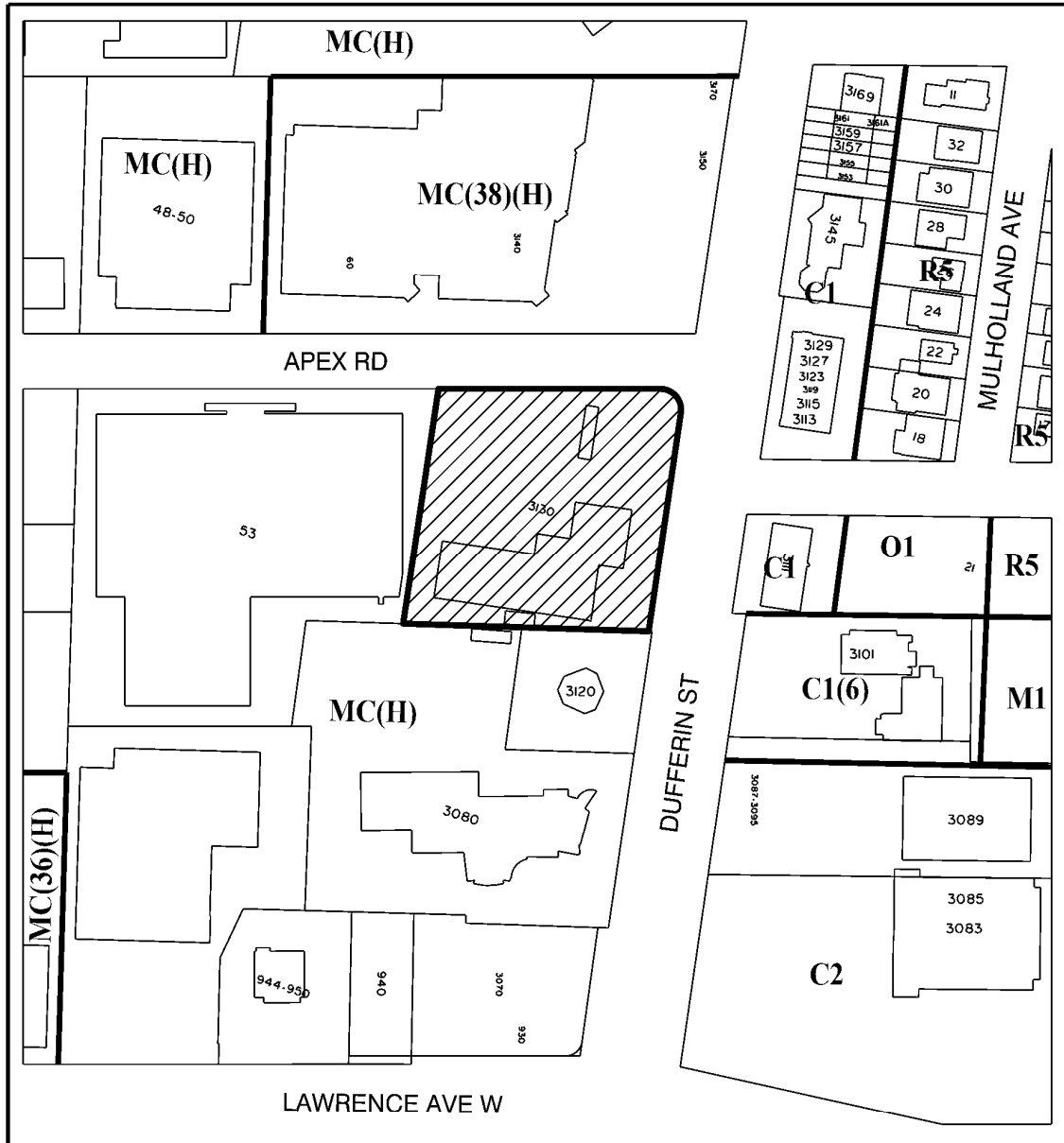
Applicant's Submitted Drawing

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04/23/2012

3130 Dufferin Street

File # 12 142013 NNY 15 0Z

Attachment 3: Zoning



3130 Dufferin Street
File # 12 142013 NNY 15 0Z

- R5 One-Family Detached Dwelling Fifth Density Zone
- C1 General Commercial Zone
- C2 Local Shopping Centre Zone
- M1 Industrial Zone One
- NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category
- MC Industrial-Commercial Zone
- O1 Open Space Zone

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Not to Scale
Zoning By-law 7625
Extracted 04/23/2012

Attachment 4: Official Plan



TORONTO City Planning
Official Plan

3130 Dufferin Street

File # 12 142013 NNY 15 02




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Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	12 142013 NNY 15 OZ
Details	Rezoning, Standard	Application Date:	March 23, 2012

Municipal Address: 3130 DUFFERIN ST
 Location Description: CON 3 WYS PT LOT 6 RP 66R21568 PART 1 **GRID N1501
 Project Description: To permit a mixed use development comprising 374 residential condominium apartments and 1,379 m2 of grade related retail.

Applicant:	Agent:	Architect:	Owner:
PAUL W RYCROFT MCIP RPP LAND DEVELOPMENT CONSULTANT			STAR MERCURY SALES LTD

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	MC(H)	Historical Status:
Height Limit (m):		Site Plan Control Area:

PROJECT INFORMATION

Site Area (sq. m):	7, 845	Height:	Storeys:	24
Frontage (m):	808		Metres:	76
Depth (m):	899			
Total Ground Floor Area (sq. m):	3,069			Total
Total Residential GFA (sq. m):	42,359		Parking Spaces:	532
Total Non-Residential GFA (sq. m):	1,379		Loading Docks	3
Total GFA (sq. m):	43,738			
Lot Coverage Ratio (%):	3,912			
Floor Space Index:	5.84			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:	Condo			
Rooms:	0	Residential GFA (sq. m):	42,395	0
Bachelor:	0	Retail GFA (sq. m):	1,379	0
1 Bedroom:	243	Office GFA (sq. m):	0	0
2 Bedroom:	131	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	374			