# **I**TORONTO

# STAFF REPORT ACTION REQUIRED

# 45 & 77 Dunfield Avenue - Zoning Amendment Application - Preliminary Report

Date:	January 22, 2014
То:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 22 – St. Paul's
Reference Number:	13 271686 STE 22 OZ

### SUMMARY

This application proposes the construction of two rental apartment buildings of 28 and 26 storeys and a single storey gallery building. The three new buildings are proposed to be located within the southern portion of the site. The two proposed apartment buildings would contain a total of 563 rental units. There are 756 units currently on the site (180 units in the seniors' building at 77 Dunfield and 576 units in the 'Torontonian' rental apartment building at 45 Dunfield Avenue).

This report provides preliminary information on the above-noted application and seeks

Community Council's directions on further processing of the application and on the community consultation process. A final report is targeted for the 3<sup>rd</sup> quarter of 2014 provided that the applicant submits all required information 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 45 and 77 Dunfield Avenue together with the Ward Councillor.



- 2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
- 3. 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.

#### **Pre-Application Consultation**

A pre-application consultation meeting was held with the applicant to discuss complete application submission requirements.

A pre-application meeting was also held in the Ward Councillor's office in July of 2013 at which the applicant presented its proposal to the Councillor and representatives of the local community.

#### **ISSUE BACKGROUND**

#### Proposal

The proposed development is located within the lands bounded by Dunfield Avenue to the west, Soudan Avenue to the south and Lillian Street to the east. The site is bounded to the north by 'The Madison' development which is currently under construction at 79 Dunfield Avenue and 85 - 117 Eglinton Avenue East.

The proposed development consists of two rental apartment buildings and a gallery building. An existing indoor pool and a surface parking lot (as well as some of the existing underground parking) are to be demolished and replaced. The existing rental apartment buildings would remain.

The proposed 28-storey apartment building would front onto Dunfield Avenue just north of the Dunfield Parkette. A new indoor pool structure would be attached to the east side of that building.

The proposed 26-storey building would front onto Lillian Street and would occupy much of the lands currently used for surface visitor parking.

The proposed gallery building is a single-storey, privately owned building which would showcase works of art for public viewing. The gallery building would also provide a library, computer centre and other facilities for community use (Refer to Attachment 1: Site Plan).

#### Site and Surrounding Area

The site is located on the north side of Soudan Avenue between Dunfield Avenue on the west and Lillian Street on the east. The northern property boundary is just south of Eglinton Avenue East (refer to, 'Surrounding Uses – North' in the paragraph below).

From north to south, the site currently contains a 17-storey seniors' residence at 77 Dunfield Avenue, a 28-storey rental apartment building, an indoor pool structure and a surface visitor parking lot. The southwest corner of the site (northeast corner of Dunfield and Soudan Avenues) consists of a 1000 square metre parkette (Dunfield Parkette) that was leased by the landowner to the City in 2002 for a minimum of 50 years to a maximum of 99 years. The site slopes from east to west at its southerly extent.

#### Surrounding uses are as follows:

- North: the site is bounded to the north by the property municipally known as 79 Dunfield Avenue and 85 – 117 Eglinton Avenue East. The Madison is a full-block development that extends the width of the block between Dunfield Avenue and Lillian street and is currently under construction. It includes two towers of 36 and 33 storeys. The Madison is a mixed commercial – residential development within the Yonge-Eglinton Urban Growth Centre and the Mixed Use Area 'B' designation of the Yonge-Eglinton Secondary Plan.
- South: the site is bounded to the south by Soudan Avenue. The south side of Soudan Avenue is the northern boundary of a *Neighbourhoods* designation that extends south to Davisville Avenue between Yonge Street and Mt Pleasant Road.
- East: the site is bounded to the east by Lillian Street. The following uses are located (from north to south) on the east side of Lillian Street: a 16-storey apartment (condominium) building at 123 Eglinton East (southeast corner of Eglinton Avenue East and Lillian Street), a 4-storey stacked townhouse development, a 10-storey apartment building and a group of 2-storey single and semi-detached houses at the northeast corner of Lillian Street and Soudan Avenue. Some of these houses are part of an application for a 17-storey residential building.

West: the site is bounded to the west by Dunfield Avenue. The following uses are located (from north to south) on the west side of Dunfield Avenue: a 7-storey office building (southwest corner of Eglinton Avenue East and Dunfield Avenue), a 14-storey apartment building which also contains a Toronto Parking Authority commercial parking garage, another 14-storey apartment building and two 2storey detached houses at the northwest corner of Dunfield and Soudan Avenues.

The southerly 14-storey apartment building and the detached houses on Soudan Avenue are part of a large redevelopment application at 44 Dunfield Avenue that stretches west to include another 14-storey apartment building located at 33 Holly Street.

#### **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**

#### i) Apartment Neighbourhoods

The site is located within an *Apartment Neighbourhoods* designation (refer to Attachment 7: Official Plan). The *Apartment Neighbourhoods* designation permits apartment buildings and all forms of residential development permitted in *Neighbourhoods*. The Official Plan indicates that built up *Apartment Neighbourhoods* are stable areas of the City where significant growth is generally not anticipated. There may, however, be opportunities for compatible infill development on underutilized sites and the Plan sets out criteria to evaluate these situations.

Development criteria used to evaluate redevelopment proposals include (Section 4.2.2):

- locating and massing new buildings to provide transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Plan, through means such as providing setbacks from, and/or stepping

down of the heights towards, lower scale *Neighbourhoods* (south side of Soudan Avenue);

- locating and massing new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- providing sufficient off-street motor vehicle and bicycle parking for residents and visitors;
- locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- providing ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces.

#### ii) Built Form

The Built Form section of the Official Plan also provides policies that will assist in the evaluation of this proposal. These include (Section 3.1.2.3):

- New development is to be located and organized to fit within its existing and/or planned context and will limit its impacts on neighbouring streets, parks, open spaces and properties by:
  - a. Creating appropriate transitions in scale to neighbouring existing and/or planned buildings;
  - b. Providing for adequate light and privacy;
  - c. Adequately limiting any resulting shadowing of and uncomfortable wind conditions on, neighbouring streets, properties and open spaces.
- Taller buildings will be located to ensure adequate access to sky view for the proposed and future use of bordering streets, parks and open spaces.

#### iii) Healthy Neighbourhoods

Section 2.3.1.1 states that *Apartment Neighbourhoods* are considered to be physically stable areas and that development within *Apartment Neighbourhoods* will be consistent with this objective and will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas.

#### iv) Housing

Section 3.2.1.5 states that, "significant new development on sites containing six or more rental units, where existing rental units will be kept in the new development:

- a) will secure as rental housing, the existing rental housing units which have affordable rents and mid-range rents; and
- b) may secure any needed improvements and renovations to the existing rental housing, in accordance with and subject to Section 5.1.1 of this plan, without pass-through of such costs in rents to tenants.

Staff will review this application for compliance with these and all other relevant policies of the Official Plan. To review all sections of the Toronto Official Plan refer to the City's website at: <a href="http://www.toronto.ca/planning/official\_plan/introduction.htm">www.toronto.ca/planning/official\_plan/introduction.htm</a>.

#### Yonge-Eglinton Secondary Plan

The site is within the boundaries of the Yonge-Eglinton Secondary Plan (refer to Attachment 8: Yonge-Eglinton Secondary Plan). The Secondary Plan generally defers to the Official Plan with respect to providing rental housing demolition policy guidance and development criteria for this *Apartment Neighbourhoods* site. However, some specific Secondary Plan policies apply to this site, including:

#### Section 2.4

"it is a primary objective to minimize conflicts among uses in *Apartment Neighbourhoods* in terms of land use, scale and vehicular movement";

#### Section 2.7(d)

"ensure that development of the greatest height, density and scale are situated within *Mixed Use Area* 'A', and that developments of a lesser scale that are contextually appropriate and compatible with adjacent areas will occur in *Mixed Use Areas* 'B', 'C' and 'D'." (Note: this site is not within any of the *Mixed Use Areas* referenced for greatest height, density and scale.);

#### Section 2.7(e)

"direct higher density residential development proposals within the *Apartment Neighbourhoods* to sites with nearby subway station access."

#### Section 2.10

"new development will be required to provide an adequate supply of parking and loading to meet site requirements while balancing the City's goal to reduce reliance on automobile use. Parking requirements may be reduced for the development in *Mixed Use Areas* and *Apartment Neighbourhoods* which are in close proximity to subway and light rapid transit access provided the proponents can demonstrate how projected travel can be accommodated by other modes. The purpose of such relief is to: reduce reliance on automobiles; reduce conflicts between vehicular traffic and on-street servicing; and maximize the utilization of existing parking facilities".

#### Section 5.0, Yonge-Eglinton Centre

The Province's Growth Plan for the Greater Golden Horseshoe contains policies to direct a significant portion of future population and employment growth into a number of intensification areas. These areas include five "Urban Growth Centres" (UGCs) within the City. Under the Growth Plan, municipalities are required to delineate the boundaries of the UGCs within their Official Plans.

The proposed development is partially within one of those five designated Urban Growth Centres, the Yonge-Eglinton Growth Centre. Section 5 of the Yonge-Eglinton Secondary Plan includes the following Urban Growth Centre policies which are applicable to the site:

- 5.2 Within the Yonge-Eglinton Centre, the highest heights, densities and scale of development will be within *Mixed Use Area 'A'* on the blocks at the four quadrants of the intersection of Yonge Street and Eglinton Avenue.
- 5.3 The heights, densities and scale of development will decrease along Eglinton Avenue East with increasing distance from the Yonge-Eglinton intersection within the Yonge-Eglinton Centre.
- 5.4 The *Apartment Neighbourhoods* within the Yonge-Eglinton Centre are largely built-up and considered to be physically stable areas. Development in these *Apartment Neighbourhoods* will comply with the policies of the Official Plan, particularly the policies in Sections 2.3.1 and 4.2.
- 5.7 New development in the Yonge-Eglinton Centre will be compatible with maintaining the character of surrounding *Neighbourhoods* (to the south).

#### Midtown Planning Initiative – Midtown in Focus Study

On July 21, 2012, City Council established the Midtown Planning Group to create a proactive and comprehensive strategy for planning initiatives in the Yonge-Eglinton area of Midtown. The Midtown Planning Group consists of the three local councillors, representatives of local residents associations and City staff from both the North York and the Toronto and East York Districts.

The Group first met in October 2012 to discuss issues within the Yonge-Eglinton area and to identify the priorities for the study. A main issue identified by the Group is the need for public realm improvements in the area, particularly in the Yonge-Eglinton Centre which is experiencing high levels of growth through redevelopment. It was agreed that a strategy to address public realm improvements should be prepared to guide future redevelopment and civic improvements. The City has initiated the "Midtown in Focus" study, a parks, open space and streetscape master plan study for the area. The study area is generally within the Urban Growth Centre identified in the Yonge-Eglinton Secondary Plan area but it also includes streets and open spaces at the edge of the Centre. The study is a public process with information meetings and on-line postings of the consultant's findings and recommendations throughout the duration of the project.

The overall objective of the study is to develop a parks, open space and streetscape master plan which: identifies the distinct character of the study area, provides a public realm framework that links the diverse user groups and neighbourhoods; provides amenities that support pedestrian, bicycle and vehicular circulation; and offers site specific block-by-block recommendations for open space. The Master Plan will act as a guide for public open space initiatives in the study area and will inform developers of the City's expectations with respect to the design and construction of parks, open spaces and streetscapes. The study is expected to be completed by the end of the second quarter of 2014.

The subject site is located within the study area with frontages on Dunfield Avenue and Lillian Street. As a result, the proposal will be considered within the context of the study, as it progresses, to ensure that proposed development is consistent with the public and private open space objectives that are identified. Of particular relevance to the proposed development are the consultant's recommendations regarding the "Midtown Greenways" and "Smaller Parkettes and Shared Spaces."

The consultant's findings to date show both Dunfield Avenue and Lillian Street as "Midtown Greenways." Greenways are a type of street that is proposed for Midtown that are capable of maintaining existing traffic patterns yet: increase sidewalk widths, enhance the existing tree canopy and integrate the street parking into the greenway concept. The objective is to create greener, more functional streets by rebalancing the space within the road allowance and the bordering private property to better accommodate pedestrians, cyclists and vehicles.

With respect to "Smaller Parkettes and Shared Spaces," the consultants recommend better utilizing existing parkettes through connections to privately owned public used spaces.

Up-to-date plans, drawings and emerging recommendations are posted at <u>www.midtowninfocus.com</u>.

#### Zoning

The underlying zoning for the site is R2 Z0.6 (By-law 438-86) with a height restriction of 14 metres on its Soudan Avenue frontage and 38 metres on the remainder of the site. That zoning classification permits a range of residential uses including detached and semi-detached houses, row houses and apartment buildings to a density of 0.6 times the lot area.

City-wide Zoning By-law 569-2013, enacted by Council on May 9, 2013 and currently under appeal to the Ontario Municipal Board also applies to the site. By-law 569-2013 zones the site R (d.0.6) x914. The City-wide Zoning By-law maintains the same height and density for the site as does By-law 438-86.

Site specific zoning by-law 546-2002 (refer to 'Other By-laws' section below) permits the seniors' apartment building at 77 Dunfield Avenue and the rental apartment building (The Torontonian) at 45 Dunfield Avenue.

#### Site Plan Control

This site is subject to Site Plan Control. An application will be submitted.

#### **City-Wide Tall Building Design Guidelines**

In May 2013, Toronto City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The city-wide Guidelines are available at <a href="http://www.toronto.ca/planning/tallbuildingdesign.htm">http://www.toronto.ca/planning/tallbuildingdesign.htm</a>.

A tall building is generally defined as a building that is taller that the width of the road right-of-way adjacent to the site. The Guidelines provide design recommendations for tall buildings on issues of transition, building placement and orientation, entrances, massing and height of base buildings, tower floor plate sizes, tower setbacks and separation distances, pedestrian realm considerations and other matters. The Tall Buildings Design Guidelines (2013) will be used in the evaluation of the proposed development.

#### **Tree Preservation**

The applicant has submitted a tree inventory including plans for tree removal and preservation. The applicant's tree removal and preservation plans are subject to revisions as may be required by commenting Divisions (including Urban Forestry).

#### **Other By-laws**

Site-specific By-law 22418 was a by-law enacted in March of 1965 to permit the existing 28-storey, 576-unit apartment building on the site (The Torontonian).

Site-specific By-law 546-2002 was enacted by Council to permit the 17-storey seniors' apartment building which is attached but not connected to The Torontonian. By-law 546-2002 repealed By-law 22418 and added (among other things) a new maximum gross floor area (gfa) and maximum number of units. The new gfa and unit maximums reflect the totals of the two existing buildings on the site.

#### **Reasons for the Application**

The applicant is requesting to amend the provisions of By-law 438-86 (as amended by 546-2002) and City-wide Zoning By-law 569-2013 to permit the proposed tower heights of 86.08 and 78.3 metres (including mechanical penthouse) and a total site density (including existing and proposed buildings) of 5.7 times the lot area. Other areas of non-compliance (e.g. parking, setbacks) will be determined by Toronto Building through its zoning review of the application.

The proposed development's compliance with the Official Plan will be determined in the initial stages of the review of this application.

#### COMMENTS

#### **Application Submission**

The following plans and drawings, reports and studies were submitted with the application:

- architectural plans and drawings;
- boundary and topographical survey;
- concept site and landscape plan;
- tree inventory;
- tree preservation plan;
- community services and facilities study;
- housing issue report;
- planning rationale;
- pedestrian level wind study;
- shadow study;
- urban design brief;
- transportation considerations;
- functional servicing and stormwater management report;
- phase 1 environmental site assessment;
- phase 2 environmental site assessment;
- preliminary geotechnical investigation;
- sketch-up model.

A Notification of Complete Application was issued on January 21, 2014.

#### **Issues to be Resolved**

Prior to submitting a Final Report to Toronto and East York Community Council, the following issues as well as any others which may be identified throughout the application review, agency circulation and public process will need to be reviewed and satisfactorily addressed by the applicant:

- consistency with the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe. Particularly but not exclusively, with those policies which are related to Urban Growth Centres.

- conformity with the policies of the Official Plan and the Yonge-Eglinton Secondary Plan. Particularly but not exclusively, with those policies of the *Housing, Built Form* and *Apartment Neighbourhoods* sections of the Official Plan and the Urban Growth Centre (UGC) policies (Section 5.0) of the Yonge-Eglinton Secondary Plan all of which offer direction to new development proposals with respect to appropriate height and transition down to *Neighbourhoods* designations, density, massing and site orientation.
- conformity with the Tall Building Design Guidelines, particularly but not exclusively with those criteria pertaining to: building mass and definition (the proposed towers have no base building), tower height, and tower floor plate size, tower separation and transition of height and massing between *Apartment Neighbourhoods* and *Neighbourhoods* designations.
- conformity with the emerging recommendations of the Midtown in Focus study. Particularly those recommendations for, "Smaller Parkettes and Shared Spaces" and "Streets and Greenways" with respect to the potential to link the public park (Dunfield Parkette) to publicly accessible private open space on the site (including public access to the green rooftop of the proposed gallery building).

With respect to tower height and density, the UGC policies of the Yonge-Eglinton Secondary Plan require the highest heights and densities within the Yonge-Eglinton UGC to be located at the 4 corners of Yonge Street and Eglinton Avenue within the *Mixed Use Area 'A.'* The Secondary Plan also specifies that heights and densities on Eglinton Avenue East will decrease with distance (eastwards) from the intersection.

The subject site is not within the *Mixed Use Area 'A'* nor is it on Eglinton Avenue. As a result, the heights and densities of a proposed redevelopment on this site are expected to fall within the context of the pattern of transitioning (down) of heights and densities to the *Neighbourhoods* designation to the south of Soudan Avenue as set by the existing, recently built, under construction and recently approved developments in proximity to the site.

In this case, a height and density context of transitioning down, from north to south, is set by the existing and under construction towers in the area including: the 36 and 33-storey Madison towers at 79 Dunfield Avenue and 85 – 117 Eglinton Avenue East, the 28storey Torontonian, the 21-storey apartment building at 83 Redpath Avenue and the 10storey apartment building at 19 Lillian Avenue. The proposed 28-storey tower is 86.08 metres in height.

#### **Toronto Green Standard**

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.

#### Section 37

The Official Plan includes policies pertaining to the exchange of public benefits for increased height and density for new developments pursuant to Section 37 of the Planning Act. The applicant is aware that the City intends to apply the Section 37 policies of the Planning Act to this application. Details of a Section 37 Agreement between the applicant and the City will be established if a development is recommended for approval.

#### CONTACT

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#### SIGNATURE

Gregg Lintern, MCIP, RPP Director, Community Planning Toronto and East York District

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#### ATTACHMENTS

Attachment 1: Site Plan Attachment 2: Elevations (as provided by applicant) Attachment 3: Elevations (as provided by applicant) Attachment 4: Elevations (as provided by applicant) Attachment 5: Elevations (as provided by applicant) Attachment 6: Elevations (as provided by applicant) Attachment 7: Official Plan Attachment 8: Yonge-Eglinton Secondary Plan Attachment 9: Zoning Attachment 10:Application Data Sheet



Attachment 1: Site Plan

**Attachment 2: Elevations** 



South Elevation - Buildings A & B

# Elevations

45-77 Dunfield Avenue

Applicant's Submitted Drawing Not to Scale 01/20/2014

**Attachment 3: Elevations** 



North Elevation - Buildings A & B

# Elevations Applicant's Submitted Drawing

Not to Scale 01/20/2014 45-77 Dunfield Avenue

#### **Attachment 4: Elevations**



East Elevation - Building A

# Elevations

45-77 Dunfield Avenue

Applicant's Submitted Drawing

Not to Scale 01/20/2014

#### **Attachment 5: Elevations**



West Elevation - Building B

# Elevations

45-77 Dunfield Avenue

Applicant's Submitted Drawing Not to Scale 01/20/2014

#### **Attachment 6: Elevations**



East Elevation - Building C

# Elevations

45-77 Dunfield Avenue

Applicant's Submitted Drawing Not to Scale 01/20/2014

#### **Attachment 7: Official Plan**





#### Attachment 8: Yonge-Eglinton Secondary Plan

December 2010

#### **Attachment 9: Zoning**



# Attachment 10: Application Data Sheet

Application Type	Rezoning	Rezoning		Application Number:		13 271686 STE 22 OZ		
Details	Rezoning,	Rezoning, Standard		Application Date:		November 28, 2013		
		45 DUNFIELD AVE						
Location Description:		PLAN 653Y BLK E LOTS 16 TO 32 PT LOTS 11 TO 15 RP 66R23094 PARTS 11 TO 15 **GRID S2204						
Project Description:								
Applicant:	Agent:	Agent:		Architect:		Owner:		
SHIPLAKE MANAGEMENT COMPANY		SMV ARCHITECTS HAROLD GREEN			GREEN LTD			
PLANNING CONTROLS								
Official Plan Designation:	Apartmen	Apartment Neighbourhood Site Specific P						
Zoning:	R2 Z0.6	R2 Z0.6 H		Historical Status:				
Height Limit (m):	38	38 Site Plan Control Area:						
PROJECT INFORMATION								
Site Area (sq. m):		16884	Height:	Storeys:	28, 26, 1			
Frontage (m):		180.6		Metres:	86.1			
Depth (m):		91.4						
Total Ground Floor Area (sq. m): 50		5070			Tota	al		
Total Residential GFA (sq. m):		95997		Parking Spaces	: 717			
Total Non-Residential GFA	(sq. m):	510		Loading Docks	2			
Total GFA (sq. m):		96507						
Lot Coverage Ratio (%):		30						
Floor Space Index:		5.7						
DWELLING UNITS FLOOR AREA BREAKDOWN (upon project completion)								
Tenure Type:	Rental	Rental		Abo		<b>Below Grade</b>		
Rooms:	0	0 Residential G		9599	7	0		
Bachelor:	185	185 Retail GFA (se		0		0		
1 Bedroom:	607	Office GFA	(sq. m):	0		0		
2 Bedroom: 344		Industrial GF	Industrial GFA (sq. m):			0		
3 + Bedroom:	2	Institutional/Other O		er GFA (sq. m): 510		0		
Total Units:	1138							
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TELEP	HONE:	(416) 392-041	2					