

November 14, 2013

Lynda Macdonald
Manager, Community Planning, West Section
18th Floor – East Tower, 100 Queen Street West
Toronto, ON M5H 2N2

Dear Ms. Macdonald:

Re: 430 – 444 Dufferin Street and 41 Alma Avenue Planning Rational Update (File No. 11 – 320041 STE 18 OZ)

This letter constitutes an update to the November 23, 2011 Planning Rationale report for 430 – 444 Dufferin Street and 41 Alma Avenue. It is submitted in conjunction with revised drawings prepared by RAW Architects, November 11, 2013, and supporting materials, including an updated transportation report prepared by BA Group, an updated noise and vibration study prepared by HGC Consulting, and an air quality study completed by GmE Engineering Inc.

Application History

An application to amend the Official Plan and Zoning By-law was submitted by Aird & Berlis on behalf of the applicant on December 2, 2011. The application was based on a proposed redevelopment of the site with three buildings, stepping down in height from 24 storeys at the site's south end, to 12 in the centre of the site, and 8 storeys at the north end of the site. The redevelopment proposed to create a unique mixed-use development consisting of approximately 5,385 square metres (57,965 square feet) of non-residential uses, including flexible workshop and craft employment space, and 399 residential units. Pre-application meetings were held with City Staff prior to the submission of the application and informal presentations were made to the local Councillor and an active community group (Active 18) in the Ward. On March 29, 2012 the proposed development plans were presented to a community Open House organized by Active 18 and on May 7, 2012 a presentation was made at an Active 18 meeting. On May 28, 2012 a community meeting on the application was held by City planning staff. On October 27, 2012 the proposed development was part of a Ward-18 wide Open House on development applications organized by the local Councillor.

The applicant and consultant team had several meetings with City staff to review and obtain comments on the proposed development following the submission of the Official Plan and Zoning By-law Amendment application. Comments received have fallen into three general categories: (1)

issues of land use and the introduction of residential uses on the site, particularly in relation to the current Municipal Comprehensive Review; (2) issues related to the massing, layout and design of the proposal; and, (3) technical issues regarding specific aspects of the development. The following provides a summary of the key written comments received to date;

City Planning / Urban Design (Feb. 10 and Apr. 30, 2012)	<p>Vehicular access between south and mid-block to be for pedestrians/cyclists only</p> <p>Vehicular access between north and mid-block should comply with City DIPS standards</p> <p>Setbacks from west property line to be increased</p> <p>No tower floor plate should be greater than 750 square metres</p> <p>Cantilevered portion of north block should be eliminated</p> <p>Update shadow study to show both as-of-right and proposed shadows</p> <p>Tower separation distance to be 25 metres</p> <p>Buildings are too tall and should be reduced</p>
Urban Forestry (Jan. 30, 2012)	<p>Requested a composite utility plan.</p> <p>Requested twenty trees along Dufferin St. and four trees along Alma St. placed seven metres apart.</p>
Metrolinx (Feb. 2, 2012)	<p>Detailed crash wall plans to be submitted.</p>
Parks, Forestry and Recreation (Feb. 16, 2012)	<p>Parkland dedication calculated to be 596.5 sq.m., proposed to be satisfied via a cash-in-lieu payment</p>
Toronto District School Board (Jan. 30, 2012)	<p>Requests that a clause be included in all terms of sale and that a sign be erected on site indicating that local schools do not have sufficient capacity to accommodate future students.</p>
Tech Services (Feb. 3, 2012)	<p>All foundation footings must be setback within the property line.</p> <p>Removal of any tandem-like parking spaces.</p> <p>Use zoning by-law 1156-2010 to determine new parking requirements.</p> <p>Number parking spaces & better illustrate residential, visitor, no parking, and turn around areas.</p>

Ensure dimensions of parking spaces conform to zoning by-law 494-2007.

Retail areas to be linked to loading spaces.

Landscape and site plans to be in conformity to the City's Vibrant Streets design guidelines.

Drawings must indicate method of waste separation used for chute system

Waste compactor to be located within each residential waste room

Revise drawings to illustrate proper type G loading space along with staging pad

Revise drawings to indicate that access driveways are at least 6 metres wide at point of ingress and egress, 4.5 metres wide throughout and a minimum overhead travelling clearance of 4.4 metres

Revise drawings to indicate that collection vehicle's minimum turning radius is 9.5 metres inside and 14 metres outside the type G loading space

Drawings must indicate that a trained staff member will be on-site and will be available to manoeuvre bins and act as a flagman

A letter certified by a professional engineer to verify that a fully loaded collection vehicle (35,000 kilograms) can drive onto or over any supported underground structure.

Revise drawings to indicate that commercial solid waste will be separately stored and transported from all residential solid waste (bins will be labeled separately, collection days are on opposite days, separate storage facility, no commercially accessible chutes)

"Principal entrance" to be labeled within 3 to 5 metres of the door

A fire hydrant is to be labeled and located no further than 45 metres from a fire department Siamese connection and a hydrant located no more than 90 metres horizontally from all points along the streetside building face.

For buildings without interior access between separate units, the distance from the fire vehicle to one entrance of each unit must be no more than 45 metres

Central Alarm and Control Facility shall be provided on the storey containing the entrance for fire fighter access and is readily accessible

Illustrate the fire access route on the site plan

An exit door that swings on its vertical axis shall be provided between the North and South Tower Garbage Rooms

Traffic Planning Division (Mar. 28, 2012)	Eliminate the southerly vehicular access from Dufferin Street
Transportation Planning (Feb. 10, 2012)	Re-submit the Transportation Assessment Study in regards to trip generation, trip distribution, traffic growth, and travel modal split Eliminate the southerly vehicular access from Dufferin Street
TTC (Feb. 24, 2012)	Provide a level concrete platform for an existing southbound bus stop on Dufferin Street throughout reconstruction. Requested that the existing bus shelter be retained throughout construction. Remove trees within 15m of bus shelter
Economic Development (Feb. 16, 2012)	Does not support the introduction of residential uses on the site

With regard to the comments received through the various public and community meetings, there has not been any major issue raised with regard to the actual land use or the mixed-use nature of the development. This issue was specifically addressed at meetings with Active 18 and the Ward 18 Open House hosted by the local Councillor and there was general support for the proposed concept of permitting residential uses to be added while retaining an appropriate amount of employment space on the site and in attempting to make that space available for a similar range and types of businesses as currently exists. The main issue raised through community meetings had been the overall urban design and building heights. In addition, City staff expressed concerns regarding shadowing on nearby *Neighbourhoods*, the building's overall proposed density and height, and indicated that they did not believe that this site was an appropriate location for a tall building. City staff recommended that a mid-rise built form was most appropriate for the site. To that end, we believe that this revised design compromising of significantly reduced building heights addresses issues raised by the community and staff.

To the best of our knowledge, no existing businesses have expressed any concern with the site's proposed redevelopment. We have specifically advised the two adjacent businesses/landowners to the rear and north of our site as to the details of the proposal and neither of them have expressed any concern to us with the development with regard to their business operations. Both appear to be generally supportive of the development.

Revised Submission

RAW Architects has prepared and submitted revised project drawings, dated November 11, 2013, to address the various comments received to date. Prior to this revised submission we have had numerous meetings and discussions with City staff regarding the development's built form and urban design. We met with Active 18's Executive Council on October 28, 2013 and a community meeting will be held on November 12, 2013.

This revised submission reflects City staff's recommendation of a mid-rise built form; the proposed design now consists of a mid-rise building of nine storeys at the north end of the site and ten storeys for the balance with a small 11 storey element at the south containing indoor and outdoor amenity space on the roof of the 10th floor. The building's massing is broken up into two separate structures at the street level providing relief to the pedestrian realm. The revised submission also increases the overall non-residential component of the proposal and adds 13 live/work units.

The revised design is compatible with the area's existing built form providing an appropriate, gradual, transition in scale and density to the surrounding *Neighbourhood* and maintains light and privacy for area residents. As such, it is our opinion that a mid-rise built form is consistent with Official Plan policies 2.3.1., Healthy Neighbourhoods; 3.1.2., Built Form; and 4.5.2, Development Criteria in Mixed Use Areas.

The main design changes can be summarized as the following;

1. The overall amount of non-residential gross floor area has been increased and is provided in the following formats;

Employment	= 2,709 sq. m.
Office	= 3,063 sq. m.
Retail	= 1,022 sq. m.
	<hr/>
	= 6,794 sq. m.

Combined, the employment, office, and retail space represent a 20% increase in the non-residential component of the project over the previous proposal. The non-residential gross area exceeds a 1:1 replacement of existing employment space on site. The developer is also committing to make this space available for a range of flexible workshop, office, creative and small-scale employment uses similar to those that exist today and we would be pleased to meet with City staff to devise a mechanism for securing this commitment.

2. 1,330 square metres of live-work space (13 units) are provided in addition to the above employment space and will animate Dufferin Street’s public realm.
3. All proposed towers have been eliminated and the development’s height has significantly been reduced. A 4 storey mid-rise built form will front Dufferin Street and will be terraced upwards, stepping away from Dufferin Street and reaching a main building height of 9 storeys at the north end and 10 storeys at the south end of the site.
4. The first five storeys of the most northerly structure will contain 4,697 square metres of employment space. 1,075 square metres of employment space will be provided on the first floor and mezzanine level of the west facing half of the most southerly structure. 565 square metres of retail space will be provided on the ground floor, east facing half of the north building and 457 square metres of retail is provided in the south building. 1,330 square metres of live/work space will be provided on the east facing half of the most southerly structure (refer to *Fig. 1*).

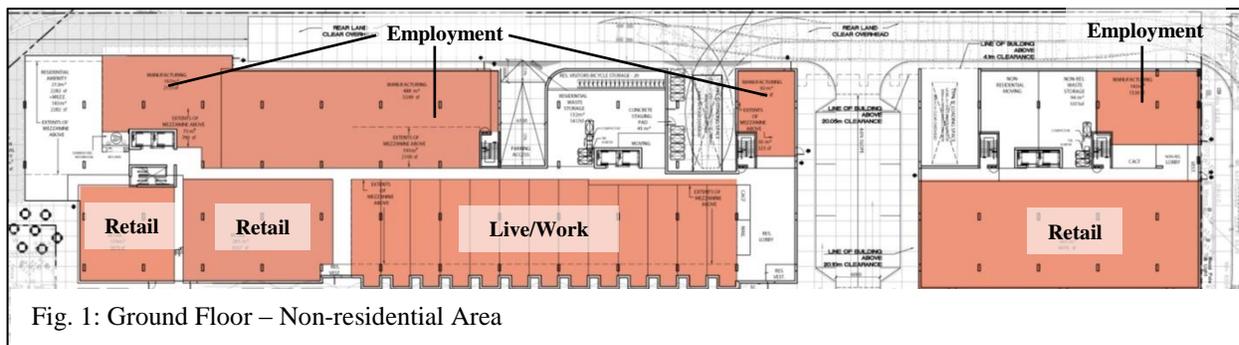


Fig. 1: Ground Floor – Non-residential Area

5. The building steps back above the 4th storey; the remaining 6 floors are designed as recessed and protruding cubes to provide a diverse and interesting built form that breaks up the building’s length. The building’s use of terracing maintains a pedestrian oriented public realm at the ground level and contains the bulk of the development’s height within a 45 degree angular plane from Dufferin Street.
6. As requested by both Traffic Planning and Transportation Planning staff, the most southerly vehicle entrance has been eliminated.
7. The vehicular access provided at the building’s northern end now conforms to the City’s DIPS standards.
8. A number of minor design changes have been made to address specific comments received and/or as part of the ongoing evolution of the development proposal. (It should be noted that the TTC has requested that trees within 15 metres of the bus shelter on Dufferin Street be removed and, as such, we have not been able to provide the twenty

trees along Dufferin as requested by Urban Forestry – 14 trees have been provided instead)

The total Gross Floor Area of the proposed development is now 36,185 sq.metres (5.28 FSI). A total of 402 residential units are proposed, 13 of which are live/work, and, as noted above, the non-residential gross floor area has been increased. Vehicular access is provided from Alma Avenue and Dufferin Street, with a private service lane located to the rear of the property. All parking and loading spaces are located interior to the building, with all parking below grade. A total of 377 parking spaces (296 residential, 5 car-share, 76 shared non-residential and visitor) and 2 (1 shared G/B and 1 type B) loading spaces are provided.

The first 5 storeys of the most northerly structure and first storey, western facing of the most southerly structure will provide employment space. The applicant will discuss options with the City of Toronto to provide this space at an affordable rate. A 2011 Economic Impact Analysis conducted by MMM Group identified the site's existing employment space as "underutilized". An analysis revealed that, long term, the site was not economically sustainable as its low rent revenue and short leases would not support future repairs and upkeep. City Staff have estimated that employment space of this type, defined as Type C: Creative and Cultural industries, is currently experiencing a vacancy rate of less than 3%. As such, the proposed development will provide a financially sustainable and stable space for a variety of employment opportunities.

RAW Architects' shadow study indicates that the proposed development will have minimal shadow impact on neighbouring properties in the early evening of the Fall and Spring equinoxes; no backyard will have more than 1 hour of additional shadow beyond the shadow that would be cast by a building falling entirely within a 45 degree angular plane. As illustrated in RAW Architects' shadow study many rear yards in the surrounding neighbourhood experience existing shadows due to the area's tight urban fabric, network of laneways and resulting garages. The study confirms that the building's minor intrusions to the angular plane will cause no unacceptable shadow impact, consistent with Official Plan policies.

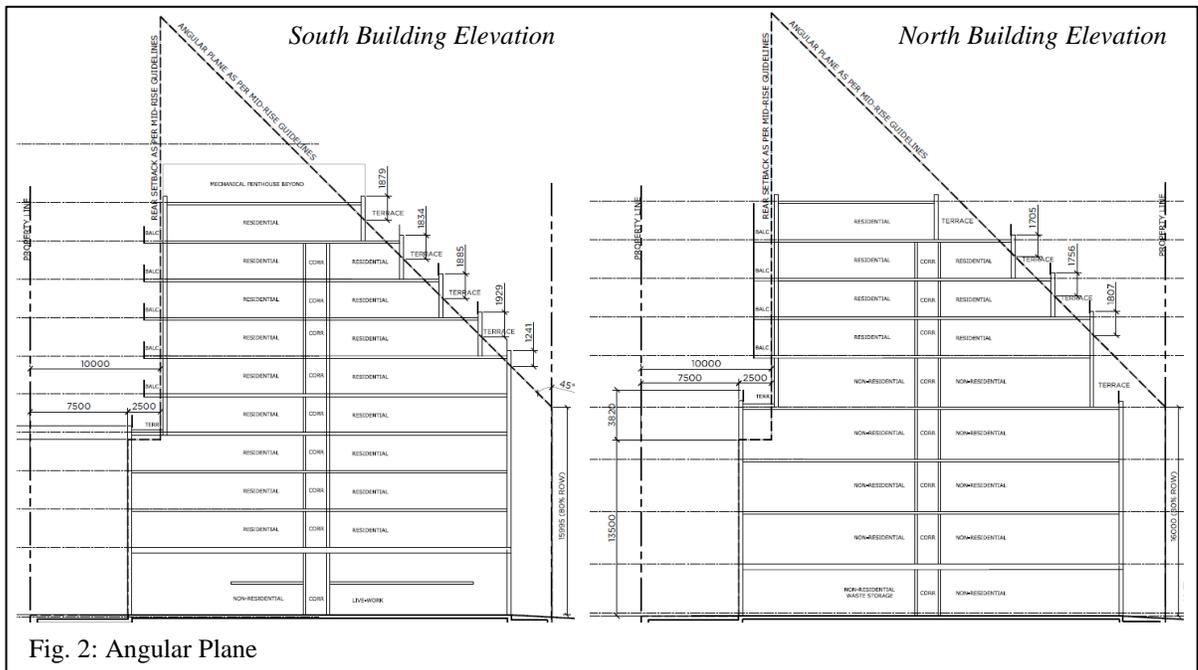
Avenues & Mid-rise Buildings Study – Performance Standards

While we remain of the view that the site can support a tall building, particularly at the south end, we agree that a mid-rise built form is also appropriate for this site. It will minimize shadowing on the surrounding *Neighbourhood*, protect sun access and privacy for area residents, and maintain the low rise character of the area. As such, the Avenues & Mid-rise Buildings Study provides a set of Performance Standards to measure and guide the design of mid-rise buildings. We have tested

the revised design against these standards and have concluded that it conforms substantially with the intent of the guidelines’;

Performance Standard 2, Minimum Building Height; the proposed development meets the guidelines’ minimum building height at street frontage and will assist in the ‘re-urbanization’ of Dufferin Street.

As per Performance Standard 4A, the proposed development is contained within a 45 degree angular plane as measured from a height of 16 metres at the property line (equivalent to 80% of Dufferin Street’s 20 metre right of way). Some minor intrusions are made to the angular plane in the setback portions of the building (refer to Fig. 2). It is our opinion that the proposed intrusions are acceptable as they will not cause any additional shadowing. This conscious design effort will minimize shadows on Dufferin Street and the surrounding neighbourhood.



Performance Standard 4B, Front Façade, Pedestrian Step-back; in order to mitigate the perception of height at the pedestrian level, additional step-backs are provided above the

4th storey on the north building and above the 5th storey in the south building in the form of alternating protruding and receding cubes.

In accordance with Performance Standard 5C, Rear Transition to Employment Areas, the development will be setback 7.5 metres from the rear employment area. Above the 4th storey, 14.05 metres on the southern structure and 16 metres on the northern structure, the building is setback an additional 2.5 metres and the northern structure is setback to create a total setback of 10 metres from the property line.

The southwestern face of the most southerly building is setback 5.43 metres from the adjacent employment area. In this area, the adjacent lot tapers forming a narrow portion of land that is undevelopable given the site's geometry and the railway's setback requirements (refer to *Fig. 3*). As such, we believe that a 5.43 metres setback is appropriate as there is no potential for redevelopment on the immediately adjacent lot area.

This standard does not require buildings adjacent to employment areas to provide a 45 degree angular plane rear transition. As such, the terraced height achieved at the rear of the site is in conformity to Performance Standard 5C.

A minimum sidewalk zone of 5.2 metres has been provided along Dufferin Street in accordance with Performance Standard 7A. The sidewalk will assist in creating a walkable, pedestrian oriented environment along this portion of Dufferin Street. This has been achieved by setting the building back a minimum of 2.61 metres.

In accordance with Performance Standard 8A, Continuous Street Wall, the proposed development is built to the property line and provides a continuous street wall of 136 metres along the western edge of Dufferin Street.

As the subject lands have a street frontage greater than 60 metres in width, the building has been 'broken up' to provide the appearance of two individual facades as per



Fig. 3: Undevelopable Area

Performance Standard 9. Physically, the buildings are separated by a vehicular laneway. Visually, the buildings are broken up through the use of various setbacks at the ground level and terracing above the 4th and 5th storeys.

As per Performance Standard 17, parking, loading, and servicing access has been hidden behind the building to minimize the impact on the pedestrian realm.

Municipal Comprehensive Review

The subject lands are not located within an Employment Area as defined by the Provincial Policy Statement and Growth Plan for the Greater Golden Horseshoe. Therefore, the site is not subject to Policy 1.3.2 of the PPS or Policy 2.2.6.5 of the Growth Plan with regard to the conversion of an Employment Area to non-employment uses. In other words, the introduction of the residential uses on the site can be made through a site-specific development application and does not require a Comprehensive Review as defined by the PPS or a Municipal Comprehensive Review as defined by the Growth Plan. Nevertheless, the City is undertaking a Municipal Comprehensive Review and has reviewed the subject lands in relation to that study.

An October 23, 2012 staff report titled *Planning for a Strong and Diverse Economy: Official Plan/Municipal Comprehensive Reviews – Draft Policies and Designations for Employment* recommended that the subject lands be designated ‘Core Employment Area’.

Notwithstanding the staff recommendation, the Planning and Growth Management Committee passed a motion directing staff to conduct further analysis on the subject site to ensure the following criteria is being addressed as part of the Municipal Comprehensive Review:

1. The applicant demonstrates that a significant portion of the site will include employment uses;
2. A phasing plan that articulates the employment uses noted in criteria 1 will be constructed as a part of the first phase of any development; and
3. Any residential uses be designed or situated in a manner to prevent or mitigate against adverse impacts of noise, vibration, traffic, odour and other contaminants from industry upon occupants of the new development and lessen complaints and their potential impact on business.

City Council adopted these recommendations on November 27, 2012.

Urban Strategies Inc. has reviewed the revised, proposed development in relation to the analysis requested by City Council and has determined that the proposed development meets the criteria as identified by Council. Specifically, we note the following:

1. The application has demonstrated that a significant portion of the site will include employment uses. Specifically, the proposed development will provide 6,794 square metres of economically sustainable, employment space that will increase the existing amount of employment space on the site. As such, there will be a net gain of employment space. Furthermore the space is being designed as flexible employment space with the ability to accommodate a range of workshop, office and small-scale employment spaces, similar to what exists today but in a more modern, long term, building.

MMM Group's 2011 Economic Impact Analysis encouraged the redevelopment of this space as the proposed use as a employment space is more in line with the City's knowledge sector growth targets. Their analyses indicated that if the site were permitted to only be redeveloped for industrial uses, redevelopment would be delayed and potentially never occur leaving the existing building to fall into further decline.

Therefore, the proposed redevelopment will provide an increased amount of employment space in a new, stand-alone, economically sustainable employment building that will maintain and preserve the site's existing type of employment uses.

The applicant is committing to make this space available for a variety of uses similar to those which exist on-site today and is prepared to discuss with City staff mechanisms to ensure that the non-residential space be maintained at an affordable rate and used for purposes and uses similar to those that exist on the site and in the area today.

2. With regard to phasing, the employment space is fully integrated with residential portions of the building, and as such; will be built in tandem. Specifically, the development provides a unique approach to developing employment space by incorporating flexible non-residential spaces within a mixed-use building, thereby ensuring that the employment space is actually built as part of the project and delivered in tandem with each development phase. Although phasing of construction is not currently contemplated, the applicant will commit to building the north building as part of the first phase of any phased development of the project.

3. In order to address the issue with regard to mitigating environmental impacts related to existing buildings an Air Quality Assessment has been undertaken by GmE, dated November 6, 2013 (even though it was not originally an application requirement), and a more detailed noise and vibration study has been completed by HGC Engineering. The GmE report confirms that there are no odour issues in the area that would impact the proposed mixed-use development and thus we do not anticipate any increase in complaints regarding surrounding businesses.

Regarding noise, HGC Engineering recorded “minor (less than 5dBA) sound level excesses” which they primarily attributed to the “potential operation of trucks’ mounted refrigeration units”. HGC Engineering recognized that truck mounted refrigeration units do not currently operate on site and were only taken into account to measure potential, future, worst case scenarios. In their report HGC Engineering recommended that the “minor” sound level excesses could appropriately be mitigated through the integration of air conditioning units, façade specific glazing, internal re-orientation of units, and or a warning clause in all offers of sale and tenancy agreements.

Sufficient noise and ventilation elements will be incorporated into the employment portions of the building ensuring that the proposed employment space will not negatively impact residential portions of the building. In regards to traffic, BA Group determined in their November 13, 2013 response that traffic resulting from the proposed development could be “appropriately accommodated on the area road network”.

Based on these analyses, we do not believe that there would be any anticipated increase in complaints or any negative impact regarding surrounding businesses or properties.

It is our opinion that based on this analysis of the proposed development proposal with regard to the Council Motion, the ‘core employment’ designation is not appropriate on the site but, rather, a Mixed Use Area designation, together with a site-specific permission that secures the non-residential component of the project is appropriate. As the site is not located within an Employment Area as defined by the PPS or the Growth Plan, and as the proposed development successfully passes the analysis requested by City Council as part of the MCR review, we believe that it is appropriate to complete the review of this application at this time.

Conclusion

As indicated in our original planning rationale report and further reinforced with the resubmission, the proposed development is appropriate for the site and represents good planning. It will help the

City of Toronto achieve a number of different planning objectives as described in the November 23, 2011 Planning Rationale.

The proposed development is consistent with the Provincial Policy Statement and is in conformity with the Growth Plan for the Greater Golden Horseshoe. It does not require the completion of a Municipal Comprehensive Review by the City. Nevertheless, the proposed development satisfactorily addresses the issues raised by Council as part of the current MCR in relation to the introduction of residential uses on the site.

Various issues of massing, height, layout, and design, as raised through the comments received to date have also been addressed as part of the resubmission. We believe the proposed development is compatible with its surrounding context and provides an appropriate transition in scale to nearby Neighbourhood areas. We believe that the proposed employment space will contribute positively to the development and surrounding area. Further, we believe this employment space conforms to the City's greater goals of encouraging a creative and knowledge based economy. The proposed revisions further reinforce this conclusion.

We look forward to the further City review of this application.

If you have any questions, please do not hesitate to contact me.

Yours very truly,



Pino DiMascio MCIP RPP
Partner
URBAN STRATEGIES INC.