

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement
local



ISSUE DATE: May 12, 2021

CASE NO(S): PL160073

The Ontario Municipal Board (the "OMB") is continued under the name Local Planning Appeal Tribunal (the "Tribunal"), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

PROCEEDING COMMENCED UNDER subsection 17(24) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: 3450 Dufferin Yorkdale Holdings Inc.
Appellant: Building Industry & Land Development Association (BILD)
Appellant: C.Y. Vehicle Enterprises Inc.
Appellant: RioCan Management Inc.
Appellant: Oxford Properties Group (Yorkdale Shopping Centre)
Appellant: Dufferin 401 Properties Limited
Appellant: Centura Real Estate Corp. Et Al
Subject: Proposed Official Plan Amendment No. 294
Municipality: City of Toronto
LPAT Case No.: PL160073
LPAT File No.: PL160073
LPAT Case Name: 3450 Dufferin Yorkdale Holdings Inc. v. Toronto (City)

PROCEEDING COMMENCED UNDER subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: RioCan Management Inc.
Subject: Request to amend the Official Plan - Refusal of request by the City of Toronto
Existing Designation: Mixed Use Areas
Proposed Designated: Site Specific (To be determined)
Purpose: To permit a redevelopment proposal of two mixed-use towers
Property Address/Description: 3140-3170 Dufferin Street and 60-68 Apex Road
Municipality: City of Toronto

Approval Authority File No.: 15 247805 NNY 15 OZ
 LPAT Case No.: PL160703
 LPAT File No.: PL160703
 LPAT Case Name: RioCan Management Inc. v. Toronto (City)

PROCEEDING COMMENCED UNDER subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: 3450 Dufferin Yorkdale Holdings Inc.
 Subject: Request to amend the Official Plan - Failure of the City of Toronto to adopt the requested amendment
 Existing Designation: Mixed Use Areas
 Proposed Designated: Site Specific (To be determined)
 Purpose: To permit three mixed-use buildings of 37 storeys, 33 storeys and 29 storeys including 1,044 dwelling units and 244 hotel rooms
 Property Address/Description: 3450 Dufferin Street
 Municipality: City of Toronto
 Approval Authority File No.: 16 216502 NNY 15 OZ
 LPAT Case No.: PL170021
 LPAT File No.: PL170260

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: 3450 Dufferin Yorkdale Holdings Inc.
 Subject: Application to amend Zoning By-law No. 7625, as amended - Refusal or neglect of the City of Toronto make a decision
 Existing Zoning: Site MC (Industrial Commercial) Exception 35
 Proposed Zoning: Site Specific (To be determined)
 Purpose: To permit three mixed-use buildings of 37 storeys, 33 storeys and 29 storeys including 1,044 dwelling units and 244 hotel rooms
 Property Address/Description: 3450 Dufferin Street
 Municipality: City of Toronto
 Municipality File No.: 16 216502 NNY 15 OZ
 LPAT Case No.: PL170021
 LPAT File No.: PL170021

PROCEEDING COMMENCED UNDER subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: 3450 Dufferin Yorkdale Holdings Inc.

Subject: Proposed Plan of Subdivision - Failure of the City of Toronto to make a decision

Purpose: To permit three mixed-use buildings of 37 storeys, 33 storeys and 29 storeys including 1,044 dwelling units and 244 hotel rooms

Property Address/Description: 3450 Dufferin Street

Municipality: City of Toronto

Municipality File No.: 16 216508 NNY 15 SB

LPAT Case No.: PL160073

LPAT File No.: PL170681

Heard: In writing

APPEARANCES:

Parties

Counsel

Building Industry and Land Development Association (BILD)	J. Dawson
Riocan Management Inc.	A. Benedetti
Oxford Properties Group	M. Flowers
Dufferin 401 Properties Ltd.	T. Friedland
Centura Real Estate Corp. and Cowie Brothers Leaseholds	J. Farber
City of Toronto	L. Bisset and C. Iltan

DECISION DELIVERED BY HELEN JACKSON AND ORDER OF THE TRIBUNAL

[1] A number of appeals were filed in relation to the City of Toronto's ("City") adoption of Official Plan Amendment ("OPA") 294, known as the Dufferin Street Secondary Plan, to the Ontario Municipal Board, now continued as the Local Planning Appeal Tribunal (the "Tribunal"). The Dufferin Street Secondary Plan includes lands along an identified length of Dufferin Street between Highway 401 to a point south of Lawrence Avenue West.

[2] By earlier Order of the Tribunal, dated November 15, 2019, the Tribunal allowed the appeals, in part, by Riocan Management Inc., 3450 Dufferin Yorkdale Holdings Inc., and Dufferin 401 Properties Ltd. The Order modified and partially approved the majority of OPA 294, without prejudice to the remaining appeals.

[3] This was a Written Motion hearing made by the City to settle one of the remaining appeals, by the Building Industry and Land Development Association (“BILD”), which is an appeal on a plan-wide basis of specific policy sections of OPA 294. The motion was with the consent of the other parties to this matter. The motion requests an Order from the Tribunal that allows the appeal of BILD, in part, and modifies and approves sections of OPA 294 in accordance with the settlement.

[4] The basis for BILD’s appeal was that it is premature to finalize the Secondary Plan policies in OPA 294 in advance of determining appeals of OPA 231, which relate to Employment Areas City-wide. In particular, the policies in OPA 294 that BILD are concerned about relate generally to the relationship between uses in Employment Areas and proximate sensitive land uses, that also are at issue in the appeals of OPA 231.

[5] In the City’s motion material, they advise that subsequent to the appeals of OPA 231, the Tribunal modified and partially approved OPA 231 by Order issued January 8, 2019. In particular, relevant to this matter, the Tribunal approved policies pertaining to land use compatibility and mitigation, which included policies 2.2.4.5 to 2.2.4.10 of OPA 231.

[6] The settlement proposed by BILD, and endorsed by City Council, serves to harmonize OPA 294 with the Official Plan, as amended by OPA 231 (as modified and partially approved by the Tribunal). The portions of OPA 294 that are proposed to come into force, as modified, on a plan-wide basis, are s. 2.2; 3.2.4; and 3.6.1. These sections may be subject to one or more outstanding appeals on a site or block specific basis.

[7] For clarity, the following three sections of OPA 294 are proposed to be deleted

and replaced as follows:

Section 2.2:

The relationship between redevelopment sites and adjacent and nearby Neighbourhoods and Employment areas will be used to minimize impact and achieve appropriate transition in scale, buffering, separation distances and land use. New development will minimize shadow impact on Neighbourhoods. New development will also protect and appropriately buffer any new sensitive uses in proximity to Employment Areas, in accordance with policies 2.2.4.5 to 2.2.4.10 of the Official Plan.

Section 3.2.4:

Sensitive uses, including residential development, parks, and community facilities, are anticipated as the Secondary Plan Area redevelops, and will be designed and constructed to mitigate impacts from nearby industry in Employment Areas, in accordance with policies 2.2.4.5 to 2.2.4.10 of the Official Plan.

Section 3.6.1:

New residential and other sensitive uses adjacent to, or near to Employment Areas will be appropriately designed, buffered and/or separated from impactful industries in accordance with policies 2.2.4.5 to 2.2.4.10 of the Official Plan.

[8] The following portions of OPA 294 that had been appealed by BILD are proposed to come into force, without modification, on a plan-wide basis, although they may be subject to one or more outstanding appeals on a site or block specific basis. They are:

Section 3.3.4 (g);

Section 3.6.2;

The sentence of the first paragraph of Section 3 that reads “New development will protect Employment Areas as new important areas for business and job growth and land uses will form part of a coherent strategy and respond appropriately to existing context, transportation and servicing conditions”;

The last sentence of the fourth paragraph of Section 3.7;

The fourth sentence of the first paragraph of Section 9.1;

The fourth sentence of the first paragraph of Section 9.2;

The fourth sentence of the first paragraph of Section 9.3; and

The third sentence of the first paragraph of Section 9.4.

[9] In support of the motion the City provided Affidavit land use planning opinion evidence by City Planner Matt Armstrong. The planning evidence of Mr. Armstrong was that the portions of OPA 294 that are modified by the settlement with BILD listed in paragraph [7] above, as well as the portions of OPA listed in paragraph [8] above that are not modified by the settlement with BILD; are consistent with the Provincial Policy Statement (2020); conform and do not conflict with applicable provincial plans, conform with the Official Plan, have due regard for matters of provincial interest identified in s. 2 of the *Planning Act* (“Act”), and represent good planning and are in the public interest.

[10] The parties advise that the proposed Partial Order contains language agreed to by all remaining Appellants in these proceedings, which ensures that there is no prejudice to the Appellants and that their appeal rights are fully protected.

[11] The Tribunal has reviewed the motion materials and the Tribunal's files, and considered the planning opinion of Mr. Armstrong. On the basis of the expert opinion evidence provided by Mr. Armstrong, and the motion materials, the Tribunal finds that the modifications to OPA 294, as well as the portions not modified, as provided by this settlement, are consistent with the Provincial Policy Statement (2020); conform and do not conflict with applicable provincial plans, conform with the Official Plan, have due regard for matters of provincial interest identified in s. 2 of the Act, and represent good planning and are in the public interest.

[12] The Tribunal is satisfied that it is appropriate to allow the appeal of BILD, in part, and modify and approve sections of OPA 294 in accordance with the settlement.

ORDER

[13] The Tribunal orders that:

1. The appeal of BILD is allowed in part.
2. OPA 294 is modified and partially approved in accordance with Attachment 1 which is appended to this Order, Attachment 1 being a colour-coded version of OPA 294, which highlights in yellow the portions of OPA 294 which remain unapproved. More particularly:
 - i. Section 2.2 is deleted in its entirety and replaced with:

The relationship between redevelopment sites and adjacent and nearby Neighbourhoods and Employment areas will be used to minimize impact and achieve appropriate transition in scale, buffering, separation distances and land use. New development will minimize shadow impact on Neighbourhoods. New development will also protect and appropriately buffer any new sensitive uses in proximity to Employment Areas, in accordance

with policies 2.2.4.5 to 2.2.4.10 of the Official Plan.

- ii. Section 3.2.4 is deleted in its entirety and replaced with:

Sensitive uses, including residential development, parks, and community facilities, are anticipated as the Secondary Plan Area redevelops, and will be designed and constructed to mitigate impacts from nearby industry in Employment Areas, in accordance with policies 2.2.4.5 to 2.2.4.10 of the Official Plan.

- iii. Section 3.3.4 (g) is approved without modification;

- iv. Section 3.6.1 is deleted in its entirety and replaced with:

New residential and other sensitive uses adjacent to, or near to Employment Areas will be appropriately designed, buffered and/or separated from impactful industries in accordance with policies 2.2.4.5 to 2.2.4.10 of the Official Plan.

- v. Section 3.6.2 is approved without modification;

- vi. The sentence of the first paragraph of Section 3 that reads “New development will protect Employment Areas as new important areas for business and job growth and land uses will form part of a coherent strategy and respond appropriately to existing context, transportation and servicing conditions” is approved without modification;

- vii. The last sentence of the fourth paragraph of Section 3.7 is approved without modification;

- viii. The fourth sentence of the first paragraph of Section 9.1 is approved without modification;
- ix. The fourth sentence of the first paragraph of Section 9.2 is approved without modification;
- x. The fourth sentence of the first paragraph of Section 9.3 is approved without modification; and
- xi. The third sentence of the first paragraph of Section 9.4 is approved without modification.

[14] The Tribunal orders that the modification and partial approval of OPA 294 shall be strictly without prejudice to, and shall not have the effect of limiting:

- (a) the rights of all parties to seek to modify, delete or add to the unapproved portions of OPA 294; and the right of Centura Real Estate Corp. and Oxford Properties Group to seek to alter the geographic boundary of OPA 294 and modify the mapping accordingly, and to seek approval of policies specific to the area(s) of such altered geographic boundaries; and
- (b) the jurisdiction of the Tribunal to consider and approve modifications, deletions or additions to the unapproved portions of OPA 294 on a general or site-specific basis, as the case may be, and the jurisdiction of the Tribunal to expand the geographic boundary of OPA 294 and to approve additional policies specific to such areas, provided that the remaining Appellants shall be bound by the commitments made by them to scope their issues.

[15] The Tribunal further orders that the modification and partial approval of OPA 294 is without prejudice to the positions that may be taken by the remaining Appellants to those appeals so that if those appeals proceed to a hearing, either on their own or as

may be consolidated with other appeals, the City will not take the position that the Tribunal ought not to approve site-specific modifications to the affected portions of OPA 294 on the basis that they deviate from or are inconsistent with such approved portions of OPA 294 on a Plan-wide basis (or as approved in respect of other lands). However, this does not affect the City's right to assert that the approved portions of OPA 294 should be applied to the specific sites or areas without modification on the basis that they are consistent with the Provincial Policy Statement (2020), conform with provincial plans and that they constitute good planning.

[16] The Tribunal further orders that in addition to the rights of the remaining Appellants set out above, the modification and partial approval of OPA 294 is without prejudice to the Tribunal's jurisdiction to consider and approve modifications to, and Oxford Properties Group's ability to seek to modify, as part of any resolution of the appeal by Oxford Properties Group, the following approved portions of OPA 294: Section 3.7 (fourth paragraph); s. 6 (second paragraph); s. 7 (second paragraph); s. 7.1.1; s. 7.5.2; s. 11.5; s. 11.14 (opening paragraph); and s. 11.14.1.

[17] The Tribunal may be spoken to in the event any matter or matters should arise in connection with the implementation of this Order.

"Helen Jackson"

HELEN JACKSON
MEMBER

If there is an attachment referred to in this document,
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Local Planning Appeal Tribunal

A constituent tribunal of Ontario Land Tribunals

Website: www.olt.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

ATTACHMENT 1

2

City of Toronto By-law No. 1351-2015

Legend:

OPA 294 remains under appeal in its entirety as it relates to Block 14, and the site municipally known as 3130 Dufferin Street. In addition, the text highlighted in yellow remains under appeal on a plan-wide basis.

Under appeal by Oxford

AMENDMENT NO. 294 TO THE OFFICIAL PLAN**FOR LANDS ABUTTING DUFFERIN STREET BETWEEN BRIDGELAND AVENUE TO JUST SOUTH OF LAWRENCE AVENUE WEST**

Amendment No. 294 to the Official Plan of the City of Toronto is as follows:

1. Chapter 6, Secondary Plans, is amended by adding Secondary Plan No. 36 to lands abutting Dufferin Street between Bridgeland Avenue to just south of Lawrence Avenue West, identified on Map 36-1, as shown in Schedule I of this Secondary Plan.
2. Map 16, Land Use Plan, is amended by re-designating the "Site Location" lands from *Mixed Use* to *Parks* as illustrated in Schedule II to this Secondary Plan.
3. Schedule 2 to the Official Plan for the City of Toronto, entitled "The Designation of Planned But Unbuilt Roads", is amended by adding new planned but unbuilt roads and new links as follows:

STREET NAME	FROM	TO
New Link 1 (2015)	Lawrence Avenue West	Apex Road
New Link 2 (2015)	Apex Road	Samor Road
New Link 3 (2015)	Samor Road	Orfus Road
New Link 4 (2015)	New Link 1 (2015)	Dufferin Street
New Link 5 (2015)	New Link 2 (2015)	Dufferin Street
New Link 6 (2015)	New Link 3 (2015)	Dufferin Street
New Link 7 (2015)	Dufferin Street	Bridgeland Avenue
New Link 8 (2015)	Dufferin Street	Approx 150m east of Dufferin Street

Schedule I to Secondary Plan No. 36**1. VISION**

Dufferin Street is the organizing 'spine' of the Secondary Plan Area and will be an active, healthy, vibrant place that is developed and designed around a landscaped promenade with bicycle, pedestrian and vehicular connections to the surrounding *Neighbourhoods*, *Employment Areas* and other areas of the City.

A high quality, connected public realm of streets, parks and open spaces will form the underlying structure of future development for large parcels. Appropriate land uses will respect and reinforce stable residential *Neighbourhoods*, and protect *Employment Areas* as important areas for business. Improvements to local community services and facilities, and transportation and servicing infrastructure will support existing communities and keep pace with future growth in the Secondary Plan Area.

This Secondary Plan sets out a planning framework for potential redevelopment of the Dufferin Street Secondary Plan Area, that is shown on Map 36-1, and includes policies on land use, built form, the public realm, mobility, infrastructure and community services and facilities, and serves as a blueprint for future growth.

- 1.1 All development along Dufferin Street between Bridgeland Avenue to just south of Lawrence Avenue West will conform to the overall vision for change as identified in this Secondary Plan. The vision encourages an intensified, transit-oriented urban form of development that promotes a vibrant pedestrian realm and experience. This goal will be achieved through the implementation of area specific policies, an area specific zoning by-law, Urban Design Guidelines, a Greening and Community Services and Facilities Strategy, as well the Infrastructure and Transportation Master Plans.
- 1.2 Intensification of the residential uses of a development on lands within the outlined area on Map 36-1 between Bridgeland Avenue to just south of Lawrence Avenue West (the subject area) may be controlled through the use of an 'H' holding symbol and permitted following the fulfillment of criteria set out herein to allow removal of the 'H' holding symbol. Such criteria will include the receipt by City Council of a report from the Chief Planner or designated Director of Community Planning respecting compliance with the required criteria including confirmation that any necessary mitigation measures will foster an appropriate living environment within the residential units in a mixed use community coexisting with nearby employment uses.
- 1.3 The realization of the Secondary Plan Vision is expected to occur over a 20 year time horizon. Development will protect for the long range vision of this Secondary Plan.

2. REALIZING THE VISION

Development in the Secondary Plan Area will be informed by the following eight guiding principles to bring about the Vision in Section 1.

2.1 Make Dufferin Street A Place

Development in the Dufferin Street Secondary Plan Area will support an active, healthy, vibrant and dynamic community. Dufferin Street will develop its own identity as a neighbourhood and an urban main street with active uses at grade and landscaped setbacks that provide for pedestrian amenity.

2.2 Protect Adjacent *Neighbourhoods* and *Employment Areas*

The relationship between redevelopment sites and adjacent nearby *Neighbourhoods* and *Employment Areas* will be used to minimize impact and achieve appropriate transition in scale, buffering, separation distances and land use. New development will minimize shadow impacts on *Neighbourhoods*. New development will also protect and appropriately buffer any new sensitive uses in proximity to *Employment Areas* in accordance with policies 2.2.4.5 to 2.2.4.10 of the Official Plan.

2.3 Create Quality Public Spaces and Parks

New local parks, promenades, tree-lined streetscapes, outdoor courtyards and publicly accessible open spaces will form an interconnected and coherent parks and open space system that will enhance and provide an identity for the Secondary Plan Area. Redevelopment of Blocks 1, 6, 7 and 8 provide opportunities to secure new local parkland in the Secondary Plan Area.

2.4 Create Green, Safe and Attractive Places

Streets, parks and publicly accessible open spaces will support a range of local social and recreational activities. Public streets and the pedestrian realm will form a primary setting for community life, and will be well proportioned, connected, comfortable, safe and attractive and contribute to the quality of life of all residents. Improvements to the pedestrian realm will support social and retail activities, and promote sustainability. Spaces between the private and public realm will promote interaction between retail ground floor uses and public sidewalks in active areas, or will provide privacy for residential ground floor uses on local streets and less active areas.

2.5 Redevelop and Integrate Appropriate Land Uses with Supporting Infrastructure

Land uses and built form will form part of a coherent strategy and respond appropriately to existing context, transportation and servicing conditions. Transportation and servicing infrastructure will be improved to support the existing and future community in the Secondary Plan Area.

2.6 Improve Mobility and Balance Movement Priorities

Enhanced movement through the Secondary Plan Area will be provided by encouraging access to walking, cycling and public transit use, and new streets and connections through redevelopment parcels identified in this policy document. Walking and cycling will be encouraged by improving the pedestrian and cycling

realm, and facilities, through a network of local streets and midblock connections introduced with development to enhance connectivity and circulation.

2.7 Encourage a Rich and Varied Urban Form

New development will be encouraged to include a mix of residential and commercial uses at various scales and building types with mid-rise buildings as the predominant built form.

2.8 Improve Community Services and Facilities through Redevelopment

The Secondary Plan Area will continue to see investment in the network of community services and facilities that support a livable and complete community.

3. **DEVELOPMENT, LAND USE AND BUILT FORM**

Dufferin Street is the organizing spine of the Secondary Plan Area and development lining Dufferin Street will be massed to define and support the edges of the landscaped promenade, and other parks and open spaces, with high quality design, appropriate setbacks and active ground floor uses. New development will provide transition between areas of different development intensity and scale, particularly toward adjacent and nearby *Neighbourhoods*. New development will protect *Employment Areas* as new important areas for businesses and job growth and land uses will form part of a coherent strategy and respond appropriately to existing context, transportation and servicing conditions.

Large blocks will require a new, fine-grid form network of local public streets to facilitate redevelopment, improve permeability, safety, visibility and access to buildings and create human scaled blocks. The laneway or shared private driveway network along the rear of blocks on the east side of Dufferin Street, and where appropriate, along the rear of blocks along the west side of Dufferin Street, will be extended to provide better access to off-street parking, loading and servicing uses, and limit curb cuts to Dufferin Street. Along with a fine grain network of pedestrian and cycling routes, the blocks will be developed with a richly varied built form and type with building frontages that line the street and support active streets and public spaces.

To ensure Dufferin Street performs its role as a main street and focal point for the local community, as well as a meeting place for local neighbourhoods and the wider community, at-grade street-related retail and service uses will be required at key locations. These Priority Retail Areas coincide with a High Order Pedestrian Zone in Map 36-7a, where pedestrian traffic is generally higher than the rest of the Secondary Plan Area or where there is a concentration of existing retail.

3.1 **Development**

3.1.1 Development will be of a high-quality architecture, landscape, and urban design and will contribute positively to the character and identity of the Secondary Plan Area.

- 3.1.2 The scale of development will be appropriate to its location, its relationship to adjacent and nearby *Neighbourhoods* and *Employment Areas*, its relationship to the public realm, and its access to transportation facilities.
- 3.1.3 The Large Blocks indicated on Map 36-2 will be divided into smaller scaled land parcels with a fine grain of local public streets to ensure a high level of permeability for public circulation and to encourage an appropriate scale of development for those blocks.

3.2 **Mixed Use Areas**

- 3.2.1 This Secondary Plan confirms the urban structure and land use designations that provide for growth in *Mixed Use Areas* and along *Avenues* where growth is supported by appropriate land use designations. The lands within the Secondary Plan Area are predominantly *Mixed Use Areas* except where otherwise shown on Map 36-4. The policies of this Secondary Plan will refine the manner in which growth and development will occur in these *Mixed Use Areas*, and Block Master Plans and Urban Design Guidelines for the Secondary Plan Area will guide the implementation of future growth.
- 3.2.2 At-grade street-related retail and services uses will be required for new development at key intersections in the Priority Retail Areas Plan (Map 36-8).
- 3.2.3 At-grade street-related retail and service uses will be encouraged as accessory uses to a main use in multi-storey buildings for other areas not identified in Map 36-8.
- 3.2.4 Sensitive uses, including residential development, parks, and community facilities, are anticipated as the Secondary Plan Area redevelops, and will be designed and constructed to mitigate impacts from nearby industry in *Employment Areas*, in accordance with policies 2.2.4.5 to 2.2.4.10 of the Official Plan
- 3.2.5 New auto-oriented and large format retail uses, and drive-through establishments, are not permitted in the Secondary Plan Area.

3.3 **Parks, Open Spaces and Amenity**

The Dufferin Street Secondary Plan Area is underserved by parkland. Existing parks immediately outside the Secondary Plan Area are small and offer limited active recreation opportunities. In the context of anticipated future redevelopment on the larger blocks identified in the Greening Plan (Map 36-5), the expected parkland dedication could serve up to 2 hectares of local parkland for this area.

New open spaces such as privately owned publicly accessible spaces (POPS) will have individual identities while contributing to the overall vision and branding of the Secondary Plan Area. These open spaces will consist of high quality spaces,

located and designed to allow for a variety of pedestrian uses and are distinct, yet visually connected, through the use of contemporary materials and details.

- 3.3.1 Parks will provide a high quality design, be functional, sustainable and provide a sense of place in for residents.
- 3.3.2 New public parks, promenades, outdoor courtyards, tree lined streetscapes and other privately owned publicly accessible open spaces such as urban plazas will form a linked, coherent and accessible green space network.
- 3.3.3 New public parks will be located on larger blocks identified in the Greening Plan (Map 36-5). Comprehensively, these parks will offer a range of active and passive recreation opportunities and provide a sense of place for residents.
- 3.3.4 Land conveyed for parkland will:
 - (a) be located on Blocks 1, 6, 7 and 8, generally as identified in the Greening Plan (Map 36-5);
 - (b) have generous frontage on public streets, provide good visibility and accessibility to promote the safe use of the park;
 - (c) be of a usable shape and size to provide a range of active and passive recreational opportunities year round;
 - (d) be free and clear, above and below grade of all physical obstructions and easements, encumbrances and encroachments, including underground parking, surface and subsurface easements;
 - (e) be linked by public streets, mid-block pedestrian and cycling connections and multi-use pathways to create a network of green space, pedestrian and cycling zones;
 - (f) be sustainable, provide a high quality design and create a sense of "place" in the community; and
 - (g) Any land used as a landscape buffer for the purposes of mitigating adverse effects or setback from street infrastructure or *Employment Areas* will not be accepted by the City as parkland dedication.
- 3.3.5 Residual parks, and other publicly accessible spaces, that do not have frontage on public streets and are not of a usable shape and size to provide active and/or passive recreational opportunities will be discouraged.
- 3.3.6 Where the size or configuration of the required parkland conveyance would prove unusable or undesirable, Council may require payment of cash-in-lieu of land.

- 3.3.7 Privately owned, publicly accessible spaces (POPS) will be highly encouraged in the locations identified in the Greening Plan (Map 36-5). The provision of POPS will be encouraged in all new development. These will:
- (a) be integrated and physically and visually connected through its design and location with the adjacent streets, parks and open spaces;
 - (b) contribute positively to the public open space network;
 - (c) be located and designed to promote pedestrian and bicycle movement and amenity;
 - (d) be encouraged at ground level and complement local service retail uses; and
 - (e) not be considered to satisfy any portion of the parkland dedication requirement for a development approval.
- 3.3.8 Outdoor amenity spaces, such as roof gardens, terraces or balconies, will be integrated into the architecture of the building.
- 3.3.9 Dufferin Street and existing local streets will be enhanced over time through streetscape improvements, such as widened sidewalks, and street tree planting.

3.4 Setbacks

- 3.4.1 Consistent building setbacks will contribute to a vital retail main street environment and will assist in improving the civic and pedestrian experience. Building setbacks on Dufferin Street will allow for new consistent built edges with a more generous public sidewalk area and will reinforce the goals of the Transportation Master Plan in encouraging walking and cycling, and will be no less than five (5) metres.
- 3.4.2 Landscaped setbacks will provide at-grade amenity for retail uses, while also buffering residential uses at grade from street activity.
- 3.4.3 Where grade-related retail is anticipated on Dufferin Street, setbacks will take on a hardscape character, extending the sidewalk, adding a second row of trees and allowing room for café patios and other retail amenity space.

3.5 Step-backs

Step-backs are portions of mid-rise buildings that are recessed from the primary street wall and help to relate the scale of larger buildings to the pedestrian. Although heights of buildings on Dufferin Street may vary, a consistent street-wall height of base buildings will help unify and tie the heights of buildings on both sides of the street.

- 3.5.1 Midrise buildings in the Secondary Plan area will provide a step-back of three (2) metres at a height of no more than twenty (20) metres (approximately 6 storeys).
- 3.5.2 Mid-rise buildings that front 20 metre rights-of-way should provide a step-back of three (3) metres at a height of no more than 16.0 metres (4-5 storeys) and no less than 10.5 metres (approximately 3 storeys).

3.6 Separation Distances to *Employment Areas*

- 3.6.1 New residential and other sensitive land uses adjacent to, or near to *Employment Areas* will be appropriately designed, buffered and/or separated from impactful industries in accordance with policies 2.2.4.5 to 2.2.4.10 of the Official Plan.
- 3.6.2 Properties that share a boundary with *Employment Areas* (Blocks 1, 6, 7 and 8) will provide a minimum setback of 20 metres between any building containing sensitive land uses and the rear property line. The 20 metre minimum setback will act as a buffer to minimize adverse effects. This setback may include the following uses:
- (a) a street;
 - (b) a laneway;
 - (c) a fence, including acoustic fencing;
 - (d) landscaped space, and privately or publicly accessible laneways;
 - (e) surface or below grade parking; and
 - (f) any combination of the above.

3.7 Built Form

Good urban communities are made of many buildings, varied in type, size and age. New development will help shape the pedestrian realm, respect existing land uses and incorporate sustainable building and community development principles.

The scale of new development will balance intensification objectives with the protection of adjacent stable residential *Neighbourhoods* and provide appropriate sunlight and skyview in streets, parks and open spaces. Intensification will also improve overall environmental and community sustainability.

Mid-rise buildings will be the primary form of new development in the Secondary Plan Area. This pattern of built form provides built edges and a mix of uses towards Dufferin Street to provide a sense of enclosure as well as to reinforce the main street feel and enhance the pedestrian realm.

Tall buildings will be strategically located at the northern and southern extents of the Secondary Plan Area, at the intersection of the Dufferin Street and Lawrence Avenue West *Avenues*, and on the west side of Dufferin Street near Highway 401. These tall buildings will have appropriately scaled base buildings and tower heights and locations that will transition in scale and buffer lower scale development in *Neighbourhoods* and *Employment Areas*.

3.7.1 Building Types

3.7.1.1 Mid-rise buildings will define the Dufferin Street frontages of the redevelopment blocks and provide appropriate transition to existing and planned lower scale residential *Neighbourhoods*.

3.7.1.2 Where mid-rise buildings are located on the same development block with townhouses or other low-rise built form, the mid-rise buildings will be oriented to Dufferin Street and low-rise buildings will be oriented to local streets.

3.7.1.3 Mid-rise buildings constructed in Tall Building areas will meet the development criteria in this Secondary Plan, as appropriate.

3.7.1.4 Courtyard buildings of mid-rise height which provide open space facing either Dufferin Street or other public streets are encouraged within the Secondary Plan Area to provide additional on-site amenity and contribute to the unique character and open space network of the area.

3.7.1.5 Tall buildings will be limited to the northern and southern nodes identified in Map 36-10 and will act as gateways into the Secondary Plan Area. Tall buildings will be appropriately designed and will provide transition to adjacent *Neighbourhoods* and *Employment Areas*.

3.7.1.6 Low-rise townhouses, low-rise multi-unit apartments, or street-related units at the base of mid-rise and tall buildings are encouraged to create a lower scale within the Larger blocks.

3.7.1.7 Mid-rise buildings are appropriate for the entire Secondary Plan Area with the exception of Block 14, and in Low-Rise Areas in Map 36-10, where appropriate.

3.7.2 Height

3.7.2.1 The height of development with frontage on Dufferin Street will not exceed the planned right-of-way width onto which it fronts, which is 30 metres (9 storeys), unless otherwise identified in this Secondary Plan.

3.7.2.2 A 20 metre (6 storeys) streetwall height on Dufferin Street will be encouraged to provide a consistent and unifying streetwall height.

3.7.2.3 Development in the Secondary Plan Area will protect for the current and future operations of the Downsview Airport. The implementing Zoning By-law(s), and/or Minor Variance, will restrict the height of buildings and structures in consideration of the flight approach to the airport.

3.7.2.4 All new buildings in the Secondary Plan Area will be subject to the angular plane performance standards of the Dufferin Street Urban Design Guidelines. These planes will apply to both mid-rise buildings, the bases of tall buildings, as well as to establish the height and location of tall buildings.

3.7.2.5 Sufficient space between buildings, including multiple buildings on a single development block, will be provided to protect for light and privacy for dwelling units in the development and contribute to outdoor amenity space for residents.

4. STREETScape

- 4.1 Landscape gateways are indicated on the Greening Plan (Map 36-5) and will mark a sense of arrival for visitors heading toward Yorkdale Shopping Centre or to downtown destinations. Landscape gateways will establish a green vegetated entrance through setbacks on Blocks 1 and 14 as identified in Map 36-2. Any proposed landscaping within the 14 metre setback to the Highway 401 ramps will require further discussion with the Ministry of Transportation.
- 4.2 Landscape medians will be implemented to facilitate vehicular access and egress at appropriate locations and improve overall traffic flow. Transit priority measures will be provided where possible and appropriate to enhance transit users' experience.
- 4.3 Public art is highly encouraged as part of the Dufferin Landscape Gateway, in parks, urban plazas, street boulevards and other private open spaces.
- 4.4 New street trees will be planted on both sides of all new or existing streets in the Secondary Plan Area as part of a development proposal and will be designed consistently with the Dufferin Street Urban Design Guidelines.

5. DENSITY

- 5.1 New development will be permitted at a density that is balanced with the timely provision of physical and social infrastructure consistent with the comprehensive planning framework outlined in this Secondary Plan. Development will be consistent with the maximum gross densities shown in Map 36-11.
- 5.2 Proposals for new development will be reviewed comprehensively, with scale, massing and density being highest in Tall Building Areas identified in Map 36-10. Development will transition away from these areas in scale, massing, height and density.

6. MUNICIPAL SERVICING

Municipal servicing infrastructure includes the water distribution system, sanitary sewers and storm sewers. Intensification of the Dufferin Street Secondary Plan Area will be supported by improvements to servicing infrastructure both within and outside the Secondary Plan Area.

The Infrastructure and Stormwater Management Master Plan (ISMMP) identifies municipal servicing infrastructure needs to support future growth within the Secondary Plan Area. The ISMMP will serve as a strategic document to support this Secondary Plan and will be used as a technical resource for the review of development proposals within the Dufferin Secondary Plan Area.

- 6.1 New development will not exceed the capacity of municipal servicing infrastructure. Intensification in the Secondary Plan Area will be supported by upgrades to the municipal servicing infrastructure. Where infrastructure capacity is inadequate to support proposed and planned growth, upgrades and improvements to infrastructure will be required with development to provide adequate capacity.
- 6.2 New development will manage stormwater on its site and not rely on stormwater management facilities in the public realm. New development will incorporate the principles of the City's Wet Weather Flow Master Plan (WWFMP) by meeting the objectives and the targets in the City's WWFMP Guidelines.
- 6.3 Opportunities will be investigated through the design and construction of the streets, parks and accessible open spaces to incorporate stormwater management facilities to manage stormwater from the public realm and divert stormwater from the City's storm sewers.

7. MOBILITY

The Transportation Master Plan (TMP) for the Dufferin Street Secondary Plan Area focuses on balancing modes of transportation and land uses, and enhancing walking and cycling environments to provide a range of travel choices and encourage sustainable travel behaviour.

Dufferin Street and existing local streets will be enhanced over time through streetscape improvements, such as widened sidewalks, parking and street tree planting, and facilities will be introduced and secured as part of development and capital infrastructure projects to encourage walking, cycling and the use of public transit, and shift dependence away from automobiles. A finer grain road network will be implemented to allow pedestrians, cyclists, transit users and vehicles to move more efficiently through the corridor while improving connectivity.

The TMP forms the basis for the transportation infrastructure required to support growth envisioned in this Secondary Plan, and provides additional detail on the improvements to mobility. The TMP should be read in conjunction with this section. The Travel Demand Management strategies in this Secondary Plan promote a range of viable travel options and encourage sustainable travel behaviours.

7.1 **Transportation Master Plan**

7.1.1 The Dufferin Street Transportation Master Plan forms the basis of the transportation infrastructure required to service the growth envisioned as part of this Secondary Plan. The work undertaken for the Transportation Master Plan satisfies Phase 1 and 2 of the Municipal Class Environmental Assessment process. The requirements from the Dufferin Street Transportation Master Plan will be refined, protected, and implemented through the development application process.

7.2 **Public and Private Streets, Lanes and Driveways**

Improvements to the local street network will be developed through the creation of a street grid with interconnected streets that defines new and smaller development blocks, improves access to *Employment Areas*, and reduces reliance on Dufferin Street for local travel.

7.2.1 The Large Blocks identified in the Specific Policy Block Plan (Map 36-2) will be divided into appropriately scaled development blocks, with a fine grain of public streets to ensure a high level of permeability for pedestrian, cycling and vehicular circulation and to encourage an appropriate building type and scale of redevelopment for those blocks.

7.2.2 The layout and pattern of new local public streets is illustrated on Map 36-6. The exact location, alignment and design of each new street will be refined through the review and approval of the respective Block Master Plan and individual plans of subdivision adopted by City Council. Landowners that are adjacent to, but outside of the Secondary Plan Area, will not be responsible for providing new public streets and laneways.

7.2.3 An Official Plan amendment is not necessary to alter the number of local streets, their location or alignment from those shown on Map 36-3 and Map 36-6.

7.2.4 New segments of the public street network will be implemented so that the functional integrity of the transportation system is maintained at all times to the satisfaction of the City. Appendix 1 to this Secondary Plan No. 36, provides the details of certain of the proposed new road segments.

7.2.5 Access and servicing to development from new or existing local and collector streets will be encouraged. The impact of driveways, garages and parking areas will be minimized by locating them at the side or back of buildings, or underground.

7.2.6 A system of public laneways or shared private driveways should be introduced to ensure service vehicles and parking access, to facilitate internal block circulation for vehicles and pedestrians and minimize impact to streetscape and cycling infrastructure, particularly on Dufferin Street.

- 7.2.7 Facilities for pedestrians, cyclists, transit and shared mobility users will be improved as the space within the right-of-way is reorganized with development. The re-organization of the space within the right-of-way will be guided by the Dufferin Street Urban Design Guidelines and Complete Street principles.
- 7.2.8 Design features that maximize the safety and comfort of pedestrians and cyclists will be considered in the future design of highway interchanges and grade separated facilities.

7.3 **Transit**

Transit, walking and cycling are interrelated components and together with a fine grain street network, will contribute to the provision of a range of sustainable travel options. The transit system, public streets, parks and open spaces, and development in the Secondary Plan Area will be generally consistent with the following transit-supportive principles:

- 7.3.1 The location and design of streets, buildings, and other facilities will give consideration to the efficient operation of surface transit vehicles and improvement of the transit users' experience.
- 7.3.2 New development and public infrastructure projects adjacent to the transit system will recognize and protect for possible future transit system improvements.
- 7.3.3 Access to and from existing and planned local and regional transit stations and stops will be improved where possible with new development through, but not limited to, way-finding solutions, new pathways and enhancing existing transit facilities.
- 7.3.4 Transit supportive infrastructure, such as pavement markings at key stops, seating, street furniture and security features, will be incorporated into the design of such infrastructure with new development and infrastructure projects, where possible, to support existing and growing transit ridership.
- 7.3.5 The public street, parks and open space network will be designed to provide pedestrians and cyclists with direct, convenient and attractive connections to the transit system.

7.4 **Pedestrian and Cycling Movement**

The Dufferin Street Secondary Plan Area will be planned to encourage a safe and attractive walking and cycling environment as a viable travel option and reduce the use of automobiles, as well as to complement retail activity at the ground level of mixed-use development. The cycling network within the Secondary Plan Area will provide connections to other planned cycling networks, including in the Lawrence Allen Secondary Plan Area and to planned networks in the larger City of Toronto Bike Plan. A fine-grain local street network and improved pedestrian crossings will improve movement through the Secondary Plan Area as well as east-west pedestrian movement to connect new and existing residential and retail development and amenities, open space areas, transit and *Employment Areas*.

7.4.1 Improvements to the Dufferin Street streetscape will create inviting spaces for pedestrians along the corridor and encourage walking and cycling as sustainable and desirable modes of transportation consistent with the following principles:

- (a) Planning, design, development, and construction of existing and new public local streets and other components of the public realm in the Secondary Plan Area will be consistent with the Pedestrian and Cycling Connections Plans (Maps 36-7a and 36-7b).
- (b) Pedestrian and bicycle infrastructure improvements in the Secondary Plan Area will provide networks of direct, convenient, safe and attractive walking and cycling routes that are connected and integrated with the existing and planned walking and cycling networks outside the Secondary Plan Area.
- (c) Bicycle infrastructure and facilities will be appropriately planned and provided as identified in Map 36-7b with all site development. Bikeshare facilities will be encouraged at all proposed cycling route interchanges identified in Map 36-7b.
- (d) New signalized pedestrian crossings identified in Map 36-7a will be implemented with development, where possible, to improve and enhance safe east-west pedestrian movement in the Secondary Plan Area.
- (e) High Order Pedestrian Zones shown on Map 36-7a are areas with high volumes of existing and/or anticipated pedestrian traffic and where an enhanced pedestrian network is required. Development coinciding with High Order Pedestrian Zones will provide high quality facilities and amenities consistent with, but not limited to, the following:
 - (f) Increasing pedestrian safety at offset intersections;
 - (g) Shortening pedestrian crossing with curb bulb-outs and intersection radius reduction;
 - (h) Increasing the width of sidewalk, pedestrian boulevard space at intersections, and shortening pedestrian crossings to maintain acceptable pedestrian services; and,
 - (i) Street furniture, streetscape treatments and pedestrian amenities.

7.5 **Parking and Traffic Demand Management (TDM)**

The Dufferin Street Secondary Plan focuses on a balanced approach to transportation, including the use of Travel Demand Management in reducing dependence on automobile travel and encouraging other modes of travel. Truck travel will continue to play a central role in the safe and efficient movement of goods to and from adjacent *Employment Areas*.

- 7.5.1 Surface parking for new mixed use development in the Dufferin Street Secondary Plan Area will be discouraged.
- 7.5.2 Quantitative multimodal transportation assessments and site related mitigation measures provided with development applications will demonstrate that sufficient and safe transportation infrastructure exists within the Secondary Plan Area to support the proposed new development, consistent with the Dufferin Street Transportation Master Plan.
- 7.5.3 New mixed use development on the Large Blocks identified in Map 36-2 will be required to submit a comprehensive Travel Demand Management Strategy with development applications, to the satisfaction of the City.
- 7.5.4 New vehicular parking facilities will generally be provided below-grade as part of new development and will be organized to reflect sustainable transportation goals, such as providing designated car-sharing spaces and priority parking for eco-friendly and car-pooling vehicles.
- 7.5.5 On street parking may be permitted, where appropriate, where it will enhance street activity, serve at-grade retail uses, provide a buffer between vehicular traffic and sidewalks, create a desirable pedestrian environment and contribute to the neighbourhood parking supply.
- 7.5.6 Parking requirements for development that include at-grade retail in Mid-Rise Blocks (Map 36-2) may be reduced at the City's discretion. Reductions to the parking rate will be considered on a site by site basis and after a review of contributions to the implementation of TDM measures identified in the Dufferin Street Transportation Master Plan and other sustainable transportation mobility options and facilities, to the satisfaction of the City.
- 7.5.7 Shared vehicular parking facilities will be encouraged with new development.

8. SUSTAINABILITY

Environmentally sustainable built form will be encouraged through the redevelopment of individual sites.

- 8.1 New development will include approaches to mitigate stormwater management as necessary and consistent with the Wet Weather Flow Guidelines and Infrastructure and Stormwater Master Plan identified in Section 6 of this Secondary Plan.
- 8.2 New development will be encouraged to meet the Tier 2 Standards of the City of Toronto Green Development Standards.

9. LARGE BLOCK POLICIES

The Large Blocks in Map 36-2 have the greatest potential for redevelopment and to influence the character and quality of Dufferin Street. To achieve the Vision of this Secondary Plan, the following policies outline direction unique to each of the Large Blocks.

9.1 Block 1

Block 1 shares its borders with a Neighbourhood to the south, Employment Areas to the west, Highway 401 and Bridgeland Avenue to the north, and Dufferin Street to the east. Despite these edges on public streets, Block 1 has limited frontage on Dufferin Street. The vision for this Large Block includes a network of new local public streets and blocks, and a new public park as a focal point for a mixed use community. Development will be sensitively designed, stepped down in height, and set back to provide transition to adjacent and nearby *Neighbourhoods*, and be appropriately separated from *Employment Areas*. A landscape gateway feature will mark a sense of arrival into the Secondary Plan Area from Highway 401 and from the north. Block master planning between land owners will ensure comprehensive and coordinated redevelopment.

Public planning objectives for new mixed use development on Block 1 (Map 36-2) will be secured with new development, and will include:

- 9.1.1 Block master planning between all owners of Block 1, in accordance with 11.13.2 of this Secondary Plan, will ensure comprehensive and coordinated redevelopment.
- 9.1.2 A network of new public streets will be introduced through Block 1 and create appropriately scaled blocks to provide address and enhance connectivity to Dufferin Street and Bridgeland Avenue. The new streets and blocks will be designed according to appropriate policies related to streets and blocks in this Secondary Plan and a Block Master Plan approved by Council.
- 9.1.3 A landscape gateway, designed within the required Ministry of Transportation setbacks to the off-ramp from Highway 401, is highly encouraged to establish and strengthen the Secondary Plan area's identity as a gateway to the City.
- 9.1.4 A new public park will be introduced as a focal point for Block 1. The park will have continuous frontage on at least one public street. The exact size and configuration of the park will be determined as part of the Zoning Amendment and Plan of Subdivision process. New Parks will meet the design criteria outlined in Section 3.3.4 of this Secondary Plan.

9.2 **Block 6**

Block 6 is framed by Dufferin Street to the east, Orfus Road to the north, Samor Road to the south and an *Employment Area* to the west. This large block shares its northerly frontage with Orfus Road, which is a busy retail area and collector street. The vision for this large block includes a network of new public streets and smaller blocks, and a new public park, and an urban plaza or other open space as a focal point for a mixed use community. Street related mixed use development will be sensitively designed, and sensitive uses appropriately buffered from adjacent *Employment Areas*. Setbacks on Dufferin Street, Orfus Road and Samor Road will provide pedestrian and retail amenity as well as enhanced landscape features to improve the walking experience on these existing streets. Block master planning will ensure comprehensive and coordinated redevelopment.

Public planning objectives for new mixed use development on Block 6 (Map 36-2) will be secured with new development, and will include:

- 9.2.1 Block master planning between all owners of Block 6, in accordance with Section 11.13.2 of this Secondary Plan, will ensure comprehensive and coordinated redevelopment.
- 9.2.2 A network of new local public streets will be introduced through Block 6. Appropriately scaled blocks will provide address and enhanced connectivity to Dufferin Street, Orfus Road and Samor Road. The location of the new public streets will be determined through a comprehensive Block Master Plan process.
- 9.2.3 A new public park will be introduced as a focal point for Block 6. The park will have continuous frontage on at least one public street. The exact size and configuration of the park will be determined as part of the Zoning Amendment and Plan of Subdivision process. New Parks will meet the design criteria outlined in Section 3.3.4 of this Secondary Plan. A privately owned, publicly accessible space, such as urban plazas and walkways to support the park and open space system will also be encouraged.
- 9.2.4 In Low-Rise Areas identified in Map 36-10, low-rise buildings, such as townhouses, will provide transition in height and scale from Mid-Rise and Tall Building areas.

9.3 **Block 7**

Block 7 is framed by Dufferin Street to the east, Samor Road to the north, Apex Road to the south and an *Employment Area* to the west. Samor Road and Apex Road provide links to the adjacent *Employment Area*. The vision for this large block includes a network of new public streets and smaller blocks, and a new public park. Street related mixed use development will be sensitively designed, and sensitive uses appropriately buffered from adjacent *Employment Areas*. Block master planning between land owners will ensure comprehensive and coordinated redevelopment.

Public planning objectives for new mixed use development on Block 7 (Map 36-2) will be secured with new development, and will include:

- 9.3.1 Block master planning between all owners of Block 7, in accordance with 11.13.2 of this Secondary Plan, will ensure comprehensive and coordinated redevelopment.
- 9.3.2 A network of new local public streets will be introduced through Block 7. Appropriately scaled blocks will provide address and enhanced connectivity to Dufferin Street, Samor Road and Apex Road. The location of the new public streets will be determined through a comprehensive Block Master Plan process.
- 9.3.3 A new public park will be introduced as a focal point for the block. The park will have continuous frontage on at least one public street. The exact size and configuration of the park will be determined as part of the Zoning Amendment and Plan of Subdivision process. New Parks will meet the design criteria outlined in Section 3.3.4 of this Secondary Plan.
- 9.3.4 In Low-Rise Areas identified in Map 36-10, low-rise buildings, such as townhouses, will provide transition in height and scale from Mid-Rise Areas.

9.4 **Block 8**

The intersection of Dufferin Street and Lawrence Avenue West are where two *Avenues* meet and is a gateway to the Secondary Plan Area from the south. The vision for this large block includes a network of new public streets and smaller blocks, and a new public park. Street related mixed use development will be sensitively designed, and sensitive uses appropriately buffered from adjacent *Employment Areas*

Tall buildings are envisioned at the corner with a new east- west street defining the limit of tall building sites as well as mirroring the limit of tall buildings on the east side of Dufferin Street. Generous setbacks and an urban plaza will define the intersection, connect to the open space network and create a focal point for social activity. Block master planning involving land owners will ensure comprehensive and coordinated redevelopment.

Public planning objectives for new mixed use development on Block 8 (Map 36-2) will be secured with new development, and will include:

- 9.4.1 Block master planning between all owners of Block 8, in accordance with Section 11.13.2 of this Secondary Plan, will ensure comprehensive and coordinated redevelopment.
- 9.4.2 A network of new local public streets will be introduced through the block. The location of the new public streets will be determined through a comprehensive block master plan process.

- 9.4.3 A new public park will be introduced as a focal point for the block. The park will have generous frontage on at least one public street. The exact size and configuration of the park will be determined as part of the Zoning Amendment and Plan of Subdivision process. New Parks will meet the design criteria outlined in Section 3.3.4 of this Secondary Plan.
- 9.4.4 Tall buildings are permitted on Block 8 in Tall Building Areas and are limited to the Dufferin Street and Lawrence Avenue West intersection. The design of tall buildings will meet all setbacks, transition and built form policies in this Secondary Plan. Tall buildings will be designed according to the applicable policies of the Official Plan and consistent with the Tall Building Design Guidelines for the City of Toronto.

9.5 **Block 14**

Block 14 is the north eastern most site in the Dufferin Street Secondary Plan Area and comprises the westerly frontage of Yorkdale Shopping Centre. Together with Block 1 and the lands within the Highway 401 interchange, Block 14 forms part the north gateway to the Secondary Plan.

The Secondary Plan Vision for these lands is for a landmark destination with a retail commercial focus. New development within Block 14 will positively address and animate Dufferin Street with new public and/or publicly accessible streets, pedestrian routes and an urban plaza. Block master planning will ensure comprehensive and coordinated redevelopment.

There are no residential uses planned on Block 14 at this time. Residential uses were not considered for this Block. However, should residential uses be considered with future development, further analysis, study and community consultation would be required in consultation with the local area Councillor and at the discretion of City Council.

Public planning objectives for new retail and commercial development on Block 14, additional to policies in the Lawrence Allen Secondary Plan for the Yorkdale Shopping Centre, include the following:

- 9.5.1 Block Master Plans for Block 14, in accordance with Section 11.13.2 of this Secondary Plan, will ensure comprehensive and coordinated redevelopment.
- 9.5.2 Stormwater management methods to address existing site impacts on the environment resulting from extensive surface parking and to manage future development in an environmentally responsive manner.
- 9.5.3 Comprehensive improvements to pedestrian and cycling conditions on the site and connections to surrounding neighbourhoods.
- 9.5.4 A comprehensive strategy to provide a network of streets, including a new public street connecting Dufferin Street to Yorkdale Road. Where possible, new streets will align with the proposed street network for Block 1 in Map 36-6.
- 9.5.5 New streets and pedestrian routes will create smaller blocks and a more urban scaled frontage along Dufferin Street.

- 9.5.6 A Transportation Demand Management Strategy.
- 9.5.7 A Traffic and Parking Management Program.
- 9.5.8 Active uses along the edges of public streets.
- 9.5.9 Block 14 forms part of the Dufferin Landscape Gateway. Implementation of the Landscape Gateway will be encouraged with new development along the Dufferin Street frontage, consistent with the policies of this Secondary Plan and the Dufferin Street Urban Design Guidelines.
- 9.5.10 A privately owned, publicly accessible space is encouraged as a focal point on Block 14. This open space feature will form an attractive focal point and enhance the pedestrian experience of the Shopping Centre. The POPS will be designed consistently with Section 3.3 of this Secondary Plan and the Dufferin Street Urban Design Guidelines. The layout and configuration of this privately owned publicly-accessible open space will be determined through the development approval process.
- 9.5.11 Land uses for Block 14 will be predominantly commercial. Retail at grade will be encouraged in new development and along the Dufferin Street edge to provide a streetwall oriented toward Dufferin Street.
- 9.5.12 New buildings will reflect an urban character and scale appropriate to create a pedestrian-scaled environment along Dufferin Street and within the larger block.
- 9.5.13 Block 14 is restricted by the Airport Height Limits and will generally consist of low-scale buildings.

10. HOUSING and COMMUNITY SERVICES AND FACILITIES

The introduction of residential uses provided for in this Secondary Plan will require additional community services and facilities to service a growing population. Community services and facilities which were identified through the Community Service and Facilities Study as priority for community benefits through Section 37 contributions with new development should be provided in the new community in a timely fashion. The housing policies in this Secondary Plan reflect a desire for a new community with a range of housing opportunities in terms of tenure and affordability.

10.2 Housing

- 10.2.1 To support the achievement of a complete and inclusive community, a full range of housing in terms of tenure and affordability will be provided throughout the Secondary Plan Area to meet the different and changing household needs over time, including units that are suitable for families with children, larger households, and units designed as accessible for seniors.

- 10.2.2 To ensure the provision of housing suitable for larger households, including families with children, the development of larger units with at least 2 and 3 bedrooms at a minimum size of 100 square metres is strongly encouraged. At a minimum, 10% of all residential units in new developments, excluding any replacement rental housing units required, shall be built to contain 3 or more bedrooms.
- 10.2.3 Development of new affordable and mid-range rental housing, and new affordable ownership housing is encouraged with new residential development to contribute to the full range of housing.
- 10.2.4 Affordable housing units provided in new development in the Secondary Plan Area will be encouraged to be of the same type and size as market development.
- 10.2.5 New buildings which include residential uses are encouraged to provide interior and exterior amenity areas that can accommodate a range of programming to support the needs of a variety of households.

10.3 Community Services and Facilities

- 10.3.1 Where new development generates community benefits under Section 37 of the *Planning Act*, the provision of the following community services and facilities will be prioritized for delivery in a timely manner:
- (a) Flexible multi-purpose space to provide for a wide range of programs and services including: community recreation programs, supplemental library space and/or human agency programs;
 - (b) Two to three new child care facilities to serve the projected population growth;
 - (c) Capital improvements to the Glen Long Community Centre and potential expansion;
 - (d) Capital improvements to library branches servicing the lands subject to this Secondary Plan; and
 - (e) Small scale improvements for large existing parks.
- 10.3.2 The priority community facilities identified above will be secured through the development approvals process, including as community benefits contributions secured through Section 37 of the *Planning Act*.
- 10.3.3 The provision of appropriate community facilities will be monitored as development proceeds. All development proposals will be assessed to determine their impact on both existing and proposed community facilities. All necessary steps will be taken to secure community facilities as development proceeds and the co-ordination of joint community facilities among various public agencies is encouraged.

- 10.3.4 In particular, the impact of development will be assessed through monitoring of the following:
- (a) The amount of parkland per capita, its distribution, and the adequacy of recreational facilities;
 - (b) The adequacy of existing and proposed school facilities to serve the student population which new residential development may generate. The advice of the Toronto District School Board and the Toronto Catholic District School Board will be sought as to the adequacy of school facilities when considering rezoning applications for proposed residential developments; and
 - (c) The adequacy of other community facilities such as libraries.

11. IMPLEMENTATION AND INTERPRETATION

- 11.1 This Secondary Plan should be read as a whole and with the policies of the Official Plan to understand its comprehensive and integrative intent as a policy framework for decision making.
- 11.2 Where the general intent of the Secondary Plan is maintained, minor adjustments to the boundaries of the Building Type Areas shown on Map 36-10 will not require amendment to this Secondary Plan.
- 11.3 Where the policies of this Secondary Plan limit the Floor Space Index (FSI) of development, FSI calculations will exclude the gross floor area of City-owned and non-profit community facilities. Net FSI calculations will exclude new public streets, parkland, and existing local public streets. Where land to be conveyed as a local public street or park is shared between development blocks, the land area will be considered to be proportionately divided between the adjoining blocks for the purpose of the FSI calculations.
- 11.4 The City will use its powers as the municipal approval authority to ensure that residential development does not outpace provision of infrastructure, facilities, and amenities needed to support intensification of the Secondary Plan Area.
- 11.5 The City may enact Zoning By-laws and approve Block Master Plans and Plans of Subdivision to permit the development of residential uses on Blocks 1, 6, 7 and 8 provided that proposals meet all applicable policies and legislation. The City may enter into Agreements pursuant to the *Planning Act*, including Sections 37, 41, and 53 and the *City of Toronto Act*, to secure matters required to support the development provided for by this Secondary Plan.
- 11.6 To provide for the orderly sequencing of development and appropriate infrastructure and services, the Holding (H) symbol provisions of Section 36 of the *Planning Act*, as amended, may be used.

- 11.7 Urban Design Guidelines for the Dufferin Street Secondary Plan Area adopted by City Council will, among other matters, establish a context for coordinated development of the Area. The Urban Design Guidelines will also be used as a tool to determine standards that will be included in the Zoning By-law(s) and to evaluate applications for Plans of Subdivision and Site Plan Control.
- 11.8 All development will have appropriate and meaningful regard for all Council-adopted urban design guidelines, including but not limited to those that address specific building types such as tall buildings, mid-rise buildings, and townhouses.
- 11.9 For the purposes of this Secondary Plan the term 'sensitive land uses' shall have the same meaning as in the Provincial Policy Statement. In the Provincial Policy Statement (2014) sensitive land uses: means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.
- 11.10 New development will protect for the long term vision of Dufferin Street within the planned right-of-way consistent with the policies of this Secondary Plan, the Dufferin Street Urban Design Guidelines, the Transportation Master Plan and Infrastructure and Stormwater Management Master Plan.
- 11.11 The policies of the Official Plan apply to the Dufferin Street Secondary Plan Area, except in the case of a conflict, the Dufferin Street Secondary Plan policies will prevail.
- 11.12 **Plans of Subdivision**
- 11.12.1 New residential development, including the passage of an implementing Zoning By-law, will not proceed within Blocks 1, 6, 7, 8 and 14 without the approval by the City of a Draft Plan(s) of Subdivision for the associated lands which implement(s) new streets and blocks.
- 11.12.2 Applications for Plan of Subdivision within the Large Blocks identified in Section 11.12.1 will comply with the statutory complete application submission requirements of the *Planning Act*, the Official Plan, and the requirements of Appendix 2 to this Secondary Plan.
- 11.12.3 Division of land will be in conformity with this policy document and will create land parcels that facilitate development consistent with the intent of this Secondary Plan.
- 11.12.4 Applications for Plan of Subdivision within the Blocks identified in Policy 11.12.1 will be submitted with corresponding applications for Zoning By-law Amendment pursuant to Policy 11.13.

11.13 Zoning By-law Amendments

11.13.1 In addition to the submission requirements of Policy 11.12, a complete application to amend the Zoning By-law for Blocks 1, 6, 7, 8 and 14 identified in Map 36-2, will include a Block Master Plan, in consultation with all land owners in the respective blocks.

11.13.2 Block Master Plans acceptable to the City will be submitted for consideration to City Council concurrent with the consideration of an implementing Zoning By-law. If the Block Master Plan is adopted by City Council, the Block Master Plan will be appended to the Urban Design Guidelines to guide future development within the respective Block.

The Block Master Plan will demonstrate how the proposed development addresses the vision and principles of the Secondary Plan by illustrating:

- (a) The location, size and design of public and private streets;
- (b) The location and size of lands to be conveyed to the City as parkland;
- (c) The location and design of the pedestrian and cycling network;
- (d) The building location and organization, including entrances and ground floor uses;
- (e) Building massing, including the proposed heights of buildings, including setbacks and stepbacks, and distribution of density on the block;
- (f) The location, dimensions and character of interior and exterior publicly accessible private open spaces showing their continuity and complementary relationship to adjacent public spaces and streets and their pedestrian amenity including weather protection;
- (g) The general location of parking facilities and vehicular access points which are of sufficient detail to assess the effect of these facilities on the public sidewalk and on adjacent signalized intersections; and
- (h) A phasing plan for development. Holding (H) policies and Holding (H) zones may be used as mechanisms to ensure that large developments proceed in step with infrastructure and community services and facilities.

11.13.3 Zoning By-law provisions for each Block identified in Section 11.13.1 will include, but not be limited to, the following:

- (a) Permitted uses;
- (b) Limits on Floor Space Index;
- (c) Front setbacks and/or build-to lines, including minimum requirements for building walls which are sufficient to establish the continuity and scale of building frontages;
- (d) The definition of areas within each block where development is permitted including, but not limited to:
 - (i) Side and rear yard setbacks, building heights and stepbacks, angular planes, facing distances between buildings;
 - (ii) Built form envelopes; and
 - (iii) Height limits and/or angular planes;
- (e) Requirements for indoor and outdoor amenity space;
- (f) Minimum and maximum vehicular and bicycle parking standards;
- (g) Defined conditions for the use of a Holding (H) symbol pursuant to Section 36 of the *Planning Act*;
- (h) The permitted uses of the lands and buildings when the Holding (H) symbol is removed by amendments to the by-law; and
- (i) Matters to be secured pursuant to Section 37 of the *Planning Act*.

11.14 **Holding (H) Symbol**

The redevelopment of Blocks 1, 6, 7, and 8 provide the greatest opportunity for significant change and the establishment of residential, mixed-use neighbourhoods with new streets, blocks and open spaces.

11.14.1 City Council may enact a zoning by-law pursuant to Section 34 and 36 of the *Planning Act*, with an 'H' holding symbol in respect of the residential uses on lands within the area shown on Blocks 1, 6, 7 and 8.

11.14.2 Criteria for Removal of the 'H' Holding Symbol

In order to appropriate sequence development within a phase and otherwise address the provisions of a development site, any implementing Zoning By-law may define and incorporate a Holding (H) symbol pursuant to Section 36 of the *Planning Act*. When a Zoning By-law has been enacted that incorporates a Holding (H) symbol, it will specify both the use of the lands and buildings that are permitted upon

removal of the Holding (H) symbol by amendment to the By-law and any uses, including existing uses, interim uses and minor alterations thereto, that are permitted while the lands remain subject to the Holding (H) symbol.

The Zoning By-law for the large Blocks identified in Map 36-2 with special provisions, will define and incorporate the conditions that must be satisfied prior to the removal of the Holding (H) symbol. In addition to those conditions identified in the City's Official Plan, conditions to be met or secured to the City's satisfaction prior to the removal of a Holding (H) symbol may include:

- (a) Registration of a Plan of Subdivision;
- (b) Construction of or securing of required water, sewer and stormwater infrastructure;
- (c) Construction of or securing of required public streets;
- (d) Provision of sites for the construction of schools, either as stand-alone buildings or as part of mixed-use development;
- (e) Conveyance of new parkland;
- (f) Construction of or securing of required community facilities;
- (g) Site-specific design guidelines for individual development blocks; and
- (h) Confirmation of funding or financing of transportation infrastructure, servicing infrastructure, parks, and/or community facilities required to support development to be secured through Section 37 of the *Planning Act*.

The City may remove the Holding (H) symbol only as the associated conditions have been satisfied and matters appropriately secured through an agreement or agreements entered into pursuant to the *Planning Act*, including Sections 37, 41, 51, and 53, and the *City of Toronto Act*.

- 11.14.3 No changes will be made through rezoning, minor variance or consent or other public action that are out of keeping with the vision for the Dufferin Street Secondary Plan Area.

11.15 Section 37

- 11.15.1 Prior to enacting implementing Zoning By-laws or removing Holding (H) symbols, Section 37 of the Planning Act will be used to secure priorities for community benefits in the area, which include:

- (a) Provision of additional child care spaces within the base of new multi-storey developments;
- (b) Enhancement of existing library facilities already serving the Secondary Plan Area (Barbara Frum, Evelyn Gregory and Maria A. Schuka branches);

- (c) Capital improvements to the Glen Long Community Centre and other nearby community centres, and potential expansions;
- (d) The provision of 1% for public art;
- (e) Small scale improvements to existing large parks servicing the area; and
- (f) Improvements to new parks above base condition.

11.15.2 Community services and facilities identified in policy 11.15.1, with the exception of schools, secured through Section 37 agreements may take the form of facilities constructed and furnished within the Secondary Plan Area or monetary contributions provided to help the City achieve the Community Services and Facilities objectives of this Secondary Plan.

11.16 **Implementation**

- 11.16.1 The City will encourage major landowners within the boundaries of Large Blocks to collaborate in the development of Block Master Plans and the preparation of development applications for lands within the Block.
- 11.16.2 To achieve the Dufferin Secondary Plan Area vision, lot consolidation is required for typical Mid-rise blocks identified on Map-2. Land owner cooperation is encouraged in realizing the Secondary Plan Area vision through the Block Master Plan process.

12. SITE AND AREA SPECIFICS

12.1 3140 – 3170 Dufferin Street and 60-68 Apex Road

- 12.1.1 A maximum increase of 710m² above the existing gross floor area existing in 2015 (7,100m²) is permitted on the lands municipally known as 3140 – 3170 Dufferin Street and 60-68 Apex Road (for the purposes of this section to be referred to as the “Site”).
- 12.1.2 Notwithstanding Section 1.1, a site specific zoning by-law will be brought forward in accordance with Section 11.13 and the provisions noted below.
- 12.1.3 Notwithstanding Section 3.2.5, a grocery store not exceeding 6,000 square meters of gross floor area is permitted on the Site.
- 12.1.4 Notwithstanding Sections 3.3.3, 3.3.4(a), 3.3.4(g), Map 36-3, Map 36-5 and Map 36-8, a new public park will be located on the Site generally as shown on the Site Specific Plan (Map 36-12) or the Conditional Site Specific Plan (Map 36-13), and shall be a minimum of 15% of the total Site area, excluding new streets.
- 12.1.5 Notwithstanding Sections 3.4.1 and 11.10 all minimum building setbacks shall be provided as shown on the Site Specific Plan (Map 36-12) or the Conditional Site Specific Plan (Map 36-13). For greater certainty, below grade structures are permitted within any building setback provided such structures are located a minimum of 1.5 metres below grade.
- 12.1.6 Notwithstanding Sections 3.5.1, 3.5.2 and Map 36-9 any redevelopment of the Site shall provide the following minimum building step-backs:
- (a) A minimum of a 3-metre step-back shall be provided above the 6th storey along Dufferin Street, Apex Road and the new east-west street.
 - (b) A minimum of a 3-metre step-back shall be provided above the 4th storey along the new north-south street.
- 12.1.7 Upon completion of a land use compatibility study in accordance with the applicable Ontario Environmental Land Use Planning Guideline D-6 Compatibility Between Industrial Facilities requirements to the satisfaction of the Chief Planner and Executive Director, and General Manager, Parks, Forestry, and Recreation, the following additional uses, beyond those listed in Section 3.6.2, are permitted within the rear 20-metre setback from Employment Areas, subject to Section 12.1.8 below:

- (a) privately owned publicly accessible space (POPS); and
 - (b) a portion of the public park.
- 12.1.8 Notwithstanding Section 3.3.4 (g), and any provisions in the Secondary Plan to the contrary, up to 33% of the new public parkland conveyance may be located within the rear 20-metre setback from Employment Areas, as shown on the Site Specific Plan (Map36-12), subject to a land use compatibility study in accordance with the applicable Ontario Environmental Land Use Planning Guideline D-6 Compatibility Between Industrial Facilities requirements to the satisfaction of the Chief Planner and Executive Director, and General Manager, Parks, Forestry, and Recreation.
- 12.1.9 Only if the findings of the study set out in Section 12.1.7 prohibit any portion of the new public park from being located within the rear 20-metre setback from Employment Areas, necessitating a shift of the proposed building to accommodate the public park size requirements found in Section 12.4, then nothing in this Secondary Plan shall prohibit residential, commercial and retail uses within the rear 20-metre setback from Employment Areas as shown on the Conditional Site Specific Plan (Map 36-13), subject completion of a land use compatibility study in accordance with the applicable Ontario Environmental Land Use Planning Guideline D-6 Compatibility Between Industrial Facilities requirements to the satisfaction of the Chief Planner and Executive Director, and General Manager, Parks, Forestry, and Recreation.
- 12.1.10 Notwithstanding Sections 3.7.1.1, 3.7.1.2, 3.7.1.5, 3.7.1.7, Map 36-2 and Map 36-10 the building typologies shown on the Site Specific Plan (Map 36-12) and the Conditional Site Specific Plan (Map 36-13) are permitted.
- 12.1.11 Notwithstanding Sections 3.7.2.1, 3.7.2.2, 3.7.2.4, 9.3.4, and Map 36-10 the height of all buildings on the Site shall not exceed the number of storeys as shown on the Site Specific Plan (Map 36-12) and the Conditional Site Specific Plan (Map 36-13).
- 12.1.12 Development facing Dufferin Street, Apex Road to the east of the north-south street and the new east-west street shall comply with a 45 degree angular plane extending from the front property line at a height of 24 metres. Development facing Apex Road to the west of the new north-south street shall comply with a 45 degree angular plane extending from the front property line at a height of 16 metres.
- 12.1.13 Notwithstanding Section 5.1 and Map 36-11 comprehensive redevelopment of the Site shall have a maximum gross density of 2.99 FSI, calculated in accordance with the applicable gross floor area definition in By-law 569-2013, as amended. FSI shall be calculated on a gross site area basis, including all lands to be conveyed to the City.
- 12.1.14 Notwithstanding Section 6.1 intensification of the Site will be supported by upgrades to municipal servicing infrastructure. Where infrastructure capacity is inadequate to support the proposed redevelopment of the Site, upgrades and improvements to infrastructure may be required concurrently

with development to provide adequate capacity.

- 12.1.15 Notwithstanding Section 7.1.1 the requirements from the Dufferin Street Transportation Master Plan will be reviewed and refined through the development process for the Site.
- 12.1.16 An Official Plan amendment is not required to alter the number of local streets, their location, or alignment from those shown on the Site Specific Plan (Map 36-12) or the Conditional Site Specific Plan (Map 36-13).
- 12.1.17 Notwithstanding Section 7.2.4 and Appendix 1 to this Secondary Plan, the right of way widths for the new north-south street, and the portion of the new east-west street, on the Site shall be as shown in the Site Specific Plan (Map 36-12) or the Conditional Site Specific Plan (Map 36-13).
- 12.1.18 Notwithstanding Section 7.2.5 driveways are permitted off of, and all parking garages will be accessed from, either the new north-south street or the new east-west street.
- 12.1.19 Notwithstanding Section 7.5.2, quantitative multimodal transportation assessments and site related mitigation measures provided with future development applications will demonstrate that sufficient and safe transportation infrastructure exists within the Secondary Plan Area to support the proposed new development, consistent with the Dufferin Street Transportation Master Plan and the analysis shall identify any shortfalls in transportation infrastructure and will recommend strategies to address the same.
- 12.1.20 Notwithstanding Sections 9.3.1, 9.3.2, 9.3.3, 9.3.4, 11.2 and Map 36-10, the redevelopment of the Site, including the location of new public streets and new the public park, will be generally as shown on the Site Specific Plan (Map 36-12) or the Conditional Site Specific Plan (Map 36-13).
- 12.1.21 Notwithstanding Sections 11.7 and 11.8 all of the elements shown on the Site Specific Plan (Map 36-12) and the Conditional Site Specific Plan (Map 36-13) are deemed to have appropriate and meaningful regard for relevant Council adopted Urban Design Guidelines.
- 12.1.22 Notwithstanding Sections 3.2.1, 9.3.1, 9.3.2, 11.13.1, 11.13.2, 11.16.1, 11.16.2, lot consolidation shall not be required for the redevelopment of the Site.
- 12.1.23 If a grocery store is proposed as part of a comprehensive mixed-use redevelopment of the Site, a Transportation Impact Assessment shall be required.
- 12.1.24 Notwithstanding Section 11.14.3, any changes made through rezoning, minor variance or consent applications, or other public action, will be in accordance with applicable official plan policy and legislation.

12.2 3450 Dufferin Street

12.2.1 A maximum total gross floor area (GFA) of 63,689 square metres is permitted in the area shown conceptually on Figure 1, with a minimum total non-residential GFA of 520 square metres and a maximum 63,169 square meters GFA of residential gross floor area, calculated in accordance with applicable gross floor area definition in By-law 569-2013, as amended, is permitted on the Site. Any GFA for the provisions of facilities secured through a Section 37 agreement will not be considered as gross floor area as defined in the applicable zoning by-law.

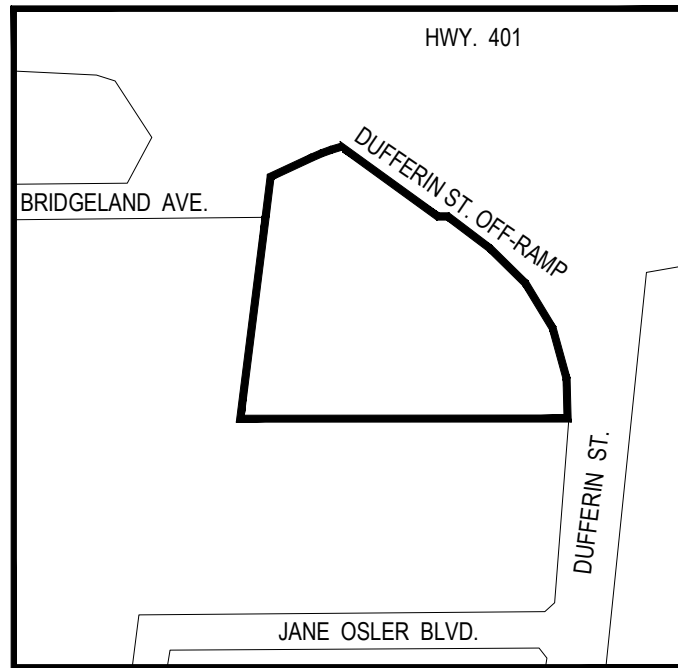


Figure 1

- 12.2.2 Minimum building setbacks and step backs shall be provided on the Site as shown on Map 36-14 “Site Specific Plan”.
- 12.2.3 Notwithstanding Policies 3.7.2.1, 3.7.2.2, and 3.7.2.4 three towers of up to 29, 27 and 23 storeys are permitted on the Site. The height of all buildings on the Site, shall not exceed the number of storeys and height in metres, as shown on Map 36-14 “Site Specific Plan”.
- 12.2.4 Mechanical penthouses are permitted to a maximum height of 7.0m. Architectural expression is permitted to a maximum height of 10.0m. These heights are not permitted to be combined.
- 12.2.5 The maximum height shown on Map 36-14 may be exceeded only for mechanical penthouses or architectural expression.
- 12.2.6 Angular planes are to be extended at a 45 degree angle measured from the west side of the Dufferin street right of way at the height of 80% of the width of the Dufferin Street right of way. No portion of a building may exceed this angular

plane.

- 12.2.7 Where a conflict exists between a permitted height and the angular plane described in 12.2.6, the angular plane prevails.
- 12.2.8 The maximum floorplate size of the maximum 29 storey tower is 800 square metres, Gross Floor Area (GFA) calculated in accordance with the gross floor area definition pursuant to By-law 569-2013, as described in 12.2.1 above. All other tall buildings have a maximum floorplate of 750 square metres (GFA calculated in accordance with the gross floor area definition pursuant to by-law 569-2013, as described in 12.2.1 above).
- 12.2.9 Notwithstanding the density identified on Map 36.11 a maximum density of 3.1 times the gross lot area on lands in Figure 1 hereto shall be permitted on the lands depicted in Figure 1.
- 12.2.10 A site specific zoning by-law amendment will be brought forward in accordance with Policy 11.13 and the provisions noted above to permit the development of the Site in accordance with this Policy 12.2.
- 12.2.11 In the event that the size or configuration of the Site is modified due to public works including a modification to the Ministry of Transportation's Dufferin Street Off-Ramp, development may proceed in accordance with the forgoing or in the alternative as follows:
- a) Base Building setbacks
 - 5 metres from Dufferin Street.
 - 3 metres from all other public streets.
 - 11 metres from the south property boundary.
 - A setback from the MTO highway to the satisfaction of the MTO in consultation with the City.
 - b) Tower setbacks: a minimum of 3 metres from the base building abutting proposed public roads and south property boundary abutting the maximum 23 storey building, with the exception of the maximum 23 storey building which has a minimum setback of 1 metre at the southwest corner above the base building.
 - c) Minimum tower separation distance: a minimum of 25 metres.
 - d) Maximum heights and storeys as in Map 36-14.
 - e) Location of streets and parks as in Map 36-14.
 - f) In the case of a conflict between Policy 12.2.11 and Map 36-14, Policy 12.2.11 prevails.

12.3 3400 Dufferin Street

Lands municipally known in 2018 as 3400 Dufferin Street and as shown on Map 36-15 (defined as the “Site” for purposes of policy 12.3) shall be developed in accordance with the following provisions. Should there be any conflict between a policy in the remainder of the Secondary Plan and its implementing plans, strategies and guidelines, policy 12.3 will prevail.

- 12.3.1 Despite Sections 3.3.3, 3.3.4(a), 9.1.4, Map 36-3, Map 36-5 and Map 36-8, a new public park will be provided as shown on Map 36-15 and will not exceed 10% of the Site area excluding public streets.

- 12.3.2 Despite Sections 3.4.1 and 11.10, minimum above-grade building setbacks shall be provided as shown on Parcels A and B of the Map 36-15. For greater certainty, below grade structures are permitted anywhere on the Site, with the exception of under public parks and public streets, provided they begin at a minimum depth of 1.5 metres. An exception to the prohibition on underground structures below public streets may be considered if and when a zoning by-law amendment application is made, with sufficient justification, to allow a two-way underground driveway beneath the public street connecting below-grade parking garages and/or loading facilities between Parcels A and B.
- 12.3.3 Despite Sections 3.5.1, 3.5.2 and Map 36-9, the minimum permitted building step-backs are shown on the Map 36-15.
- 12.3.4 Despite Sections 3.7.1 and 3.7.2, Map 36-2 and Map 36-10, the maximum permitted building heights on Parcels A and B are shown on Map 36-15.
- 12.3.5 Despite Sections 3.7.1 and 3.7.2, Map 36-2 and Map 36-10,
- 12.3.5.1 Angular planes are to be extended at a 45 degree angle from the Build-to line shown on Map 36-15 to be measured at a height of 24 metres.
- 12.3.5.2 Angular planes are to be extended at a 45 degree angle measured at ground level from the nearest property line of *Neighbourhoods* designated property.
- 12.3.5.3 No portion of a building may penetrate the angular planes described in 12.3.5.1 and 12.3.5.2.
- 12.3.6 Despite Section 5 and Map 36-11, a maximum total gross floor area (GFA) of 41, 906 m² is permitted in the area shown on Map 36-15, calculated in accordance with the applicable gross floor area definition in Zoning By-law 569-2013, as amended.
- 12.3.7 Despite Section 7.1.1, the requirements from the Dufferin Street Transportation Master Plan will be reviewed and refined through the development process for the Site and may include the use of Travel Demand Management policies and practices such as those provided in Section 7.5.
- 12.3.8 An Official Plan Amendment is not required to alter the location or alignment of public streets and private lanes from those shown on Map 36-15.
- 12.3.9 Despite Sections 9.1, 11.2 and Map 36-10, the redevelopment of the Site, including the location of new public streets and the new public park, will be generally as shown on Map 36-15. For clarity, until such time as the 23m wide public street connection to Dufferin Street has been

constructed, ingress access from Dufferin Street to 3450 Dufferin Street will continue to be provided as shown on Map 36-16 - Conceptual Temporary Ingress Access Schedule or in such other location as may be approved by the General Manager of Transportation Services. The temporary ingress must be closed and repurposed for public realm improvements for the portion of the temporary ingress within the public road right-of-way, when the 23 metre wide public street connection to Dufferin Street is constructed.

12.3.10 An Official Plan Amendment for the removal of the temporary access as per Map 36-16 and in conformity with policy 12.3.9 shall not be required.

12.3.11 Despite Sections 11.7 and 11.8, the permitted location and built form of development shown on Map 36-15 is recognized as having appropriate and meaningful regard for relevant Council adopted Urban Design Guidelines.

12.3.12 Despite Section 3.2.5, the continued use, operation and expansion of an automotive dealership on the Site including sales, leasing, showroom, storage, service and repair facilities is permitted. Should the Site, or portions of the Site, be redeveloped in accordance with the provisions of this site-specific policy and as shown on Map 36-15, a new automotive dealership including sales, leasing, showroom and related facilities above, may be permitted subject to Rezoning and provided those uses are integrated on the ground floor of a new mixed-use building or below grade.

Appendix 1 to Secondary Plan No. 36

The table below provides the details of certain street segments

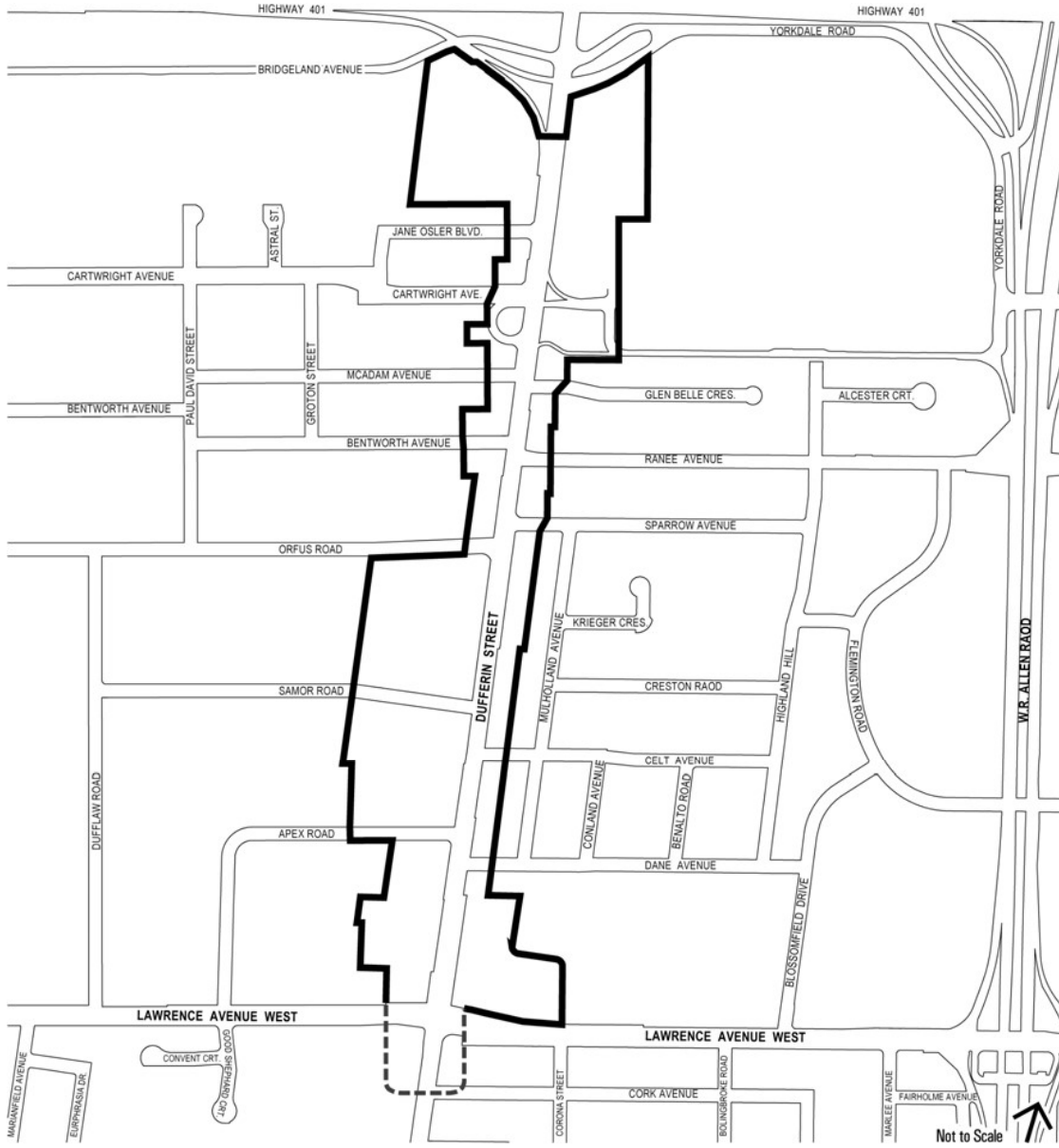
Location ID Map 2	Street Name	Proposed Classification	Right-of-Way (m)
Block 1	New north-south and new east-west streets	Local Commercial	23
Blocks 6, 7	New north-south street (between Orfus Road and Apex Road parallel to Dufferin Street) plus two east-west connections to Dufferin Street	Local Residential	20
Block 8	New north-south street (between Apex Road and Lawrence Avenue West parallel to Dufferin Street) plus an east-west connection to Dufferin Street	Local Residential	20
Block 14	Proposed South Yorkdale Road (southern limit of Yorkdale Shopping Centre)	Collector	23

Appendix 2 to Secondary Plan No. 36

Plan of Subdivision

Applications for Plan of Subdivision within the Large Blocks identified in Section 11.12.1 will comply with the statutory complete application submission requirements of the *Planning Act*, the Official Plan, and the following:

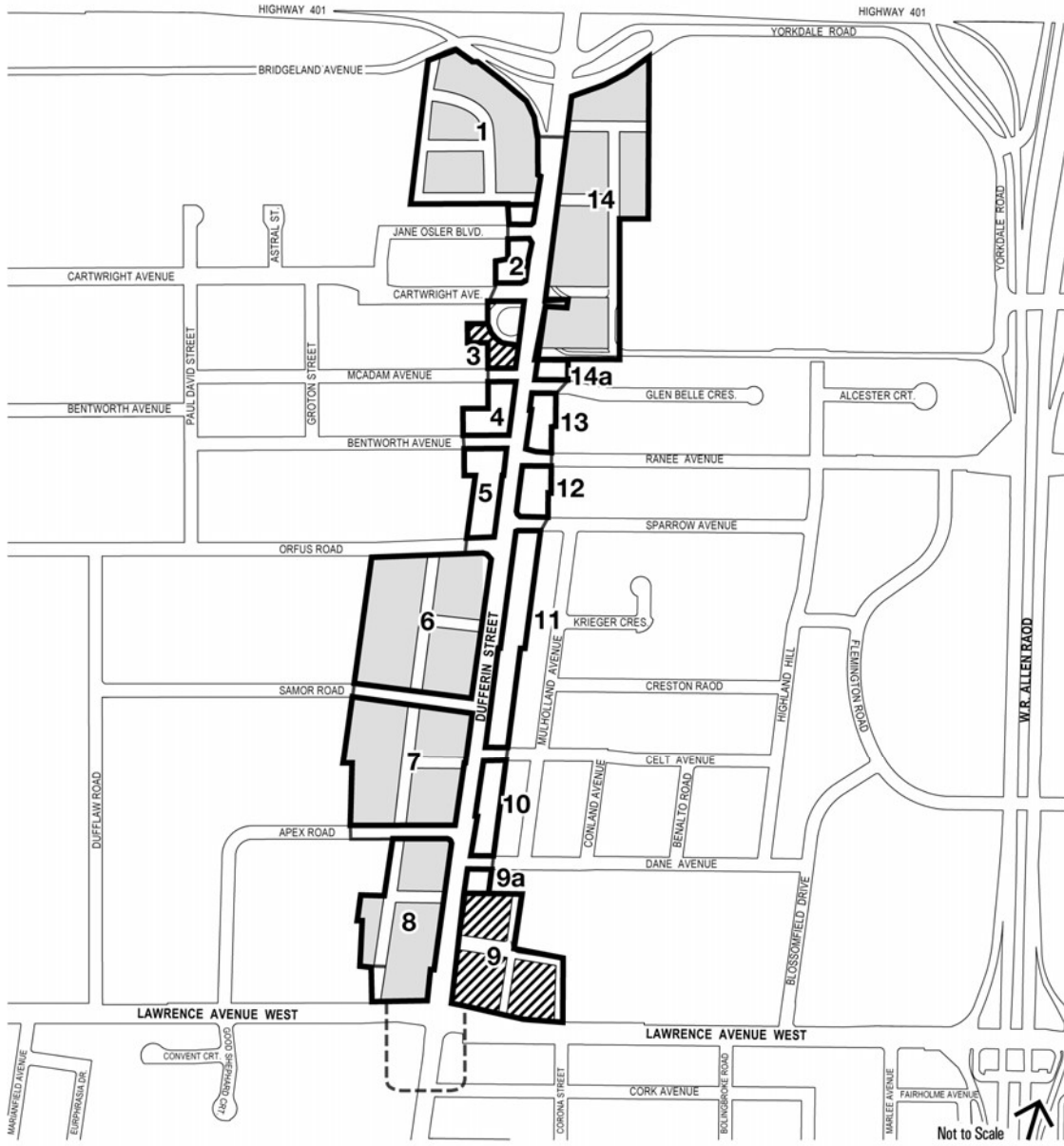
1. A plan indicating the location, elevations, dimensions and intersection details of all existing and proposed public highways, public streets, and private roadways within the Blocks required to serve the existing and incremental vehicular traffic created by the development provided for by this Secondary Plan.
2. A plan and description of lands to be conveyed to the City for proposed public highways.
3. A plan indicating the location, elevation, dimensions and intersection details of all existing and proposed sidewalks adjoining the existing and proposed streets in the Block required to meet the needs of pedestrians travelling in and through the Block as a result of development provided for by this Secondary Plan.
4. A description of the general treatment of all public sidewalks and public streets, referred to above, including:
 - Paving materials;
 - Street trees;
 - Street lighting including pedestrian scale lighting; and
 - The general locations of street furniture.
5. Functional Servicing Report.
 - Infrastructure within the Blocks to support development
 - Infrastructure outside the Blocks and within the Secondary Plan Area to support development.
6. A plan and description of the location, dimensions and areas of any lands to be conveyed to the City for parks purposes in conjunction with the development of the Block.
7. A description of the phasing of construction within the Block, including the phasing of key infrastructure construction, to ensure that the provision of servicing remains on pace with the orderly development of the Block. When municipal services or infrastructure are identified as required external to the District, the phasing description will demonstrate the cost effective and efficient implementation of this external infrastructure and its relationship to the planned intensification of the Dufferin Street Secondary Plan Area.
8. Traffic Impact Assessment and Quantitative multimodal transportation assessments and site related mitigation measures.
9. Infrastructure Costing Analysis.



Dufferin Street Secondary Plan

MAP 36-1 Secondary Plan Area

- Secondary Plan Area Boundary
- Blocks South of Lawrence



Dufferin Street Secondary Plan

MAP 36-2 Specific Block Policies Plan

- Secondary Plan Area Boundary
 - - - Blocks South of Lawrence
 - ▭ Mid-rise Blocks
 - Large Blocks
 - ▨ Existing and/or Approved Development
- 1 Block Number

October 2015

Note: the proposed designation of the McAdam Loop as "Public Park" remains under appeal by Oxford.



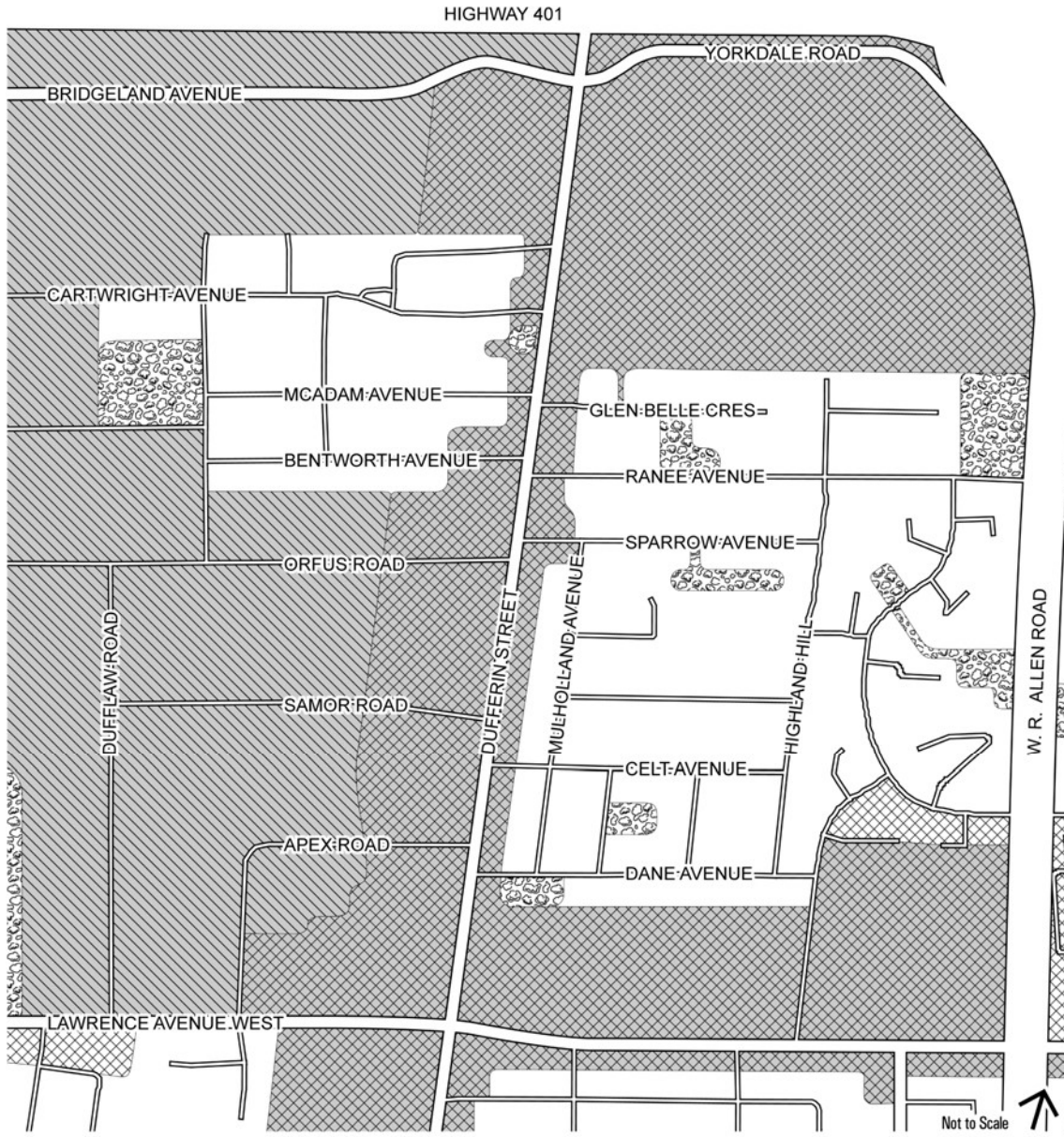
Dufferin Street Secondary Plan
MAP 36-3 Structure Plan

- Secondary Plan Area Boundary
- - - Blocks South of Lawrence
- ┌ Possible Building Edge
- █ New Public Streets
- ← - - - New Public Streets: Conceptual
- ▨ Public Park
- ★ Urban Plazas
- ▨ Dufferin Gateway
- Dufferin Promenade
- █ Development Block

Note: The public streets identified on this map are conceptual. The exact number and location of these streets will be determined at the Block Master Plan stage.

October 2015

Note: the proposed designation of the McAdam Loop as "Public Park" remains under appeal by Oxford.



Not to Scale

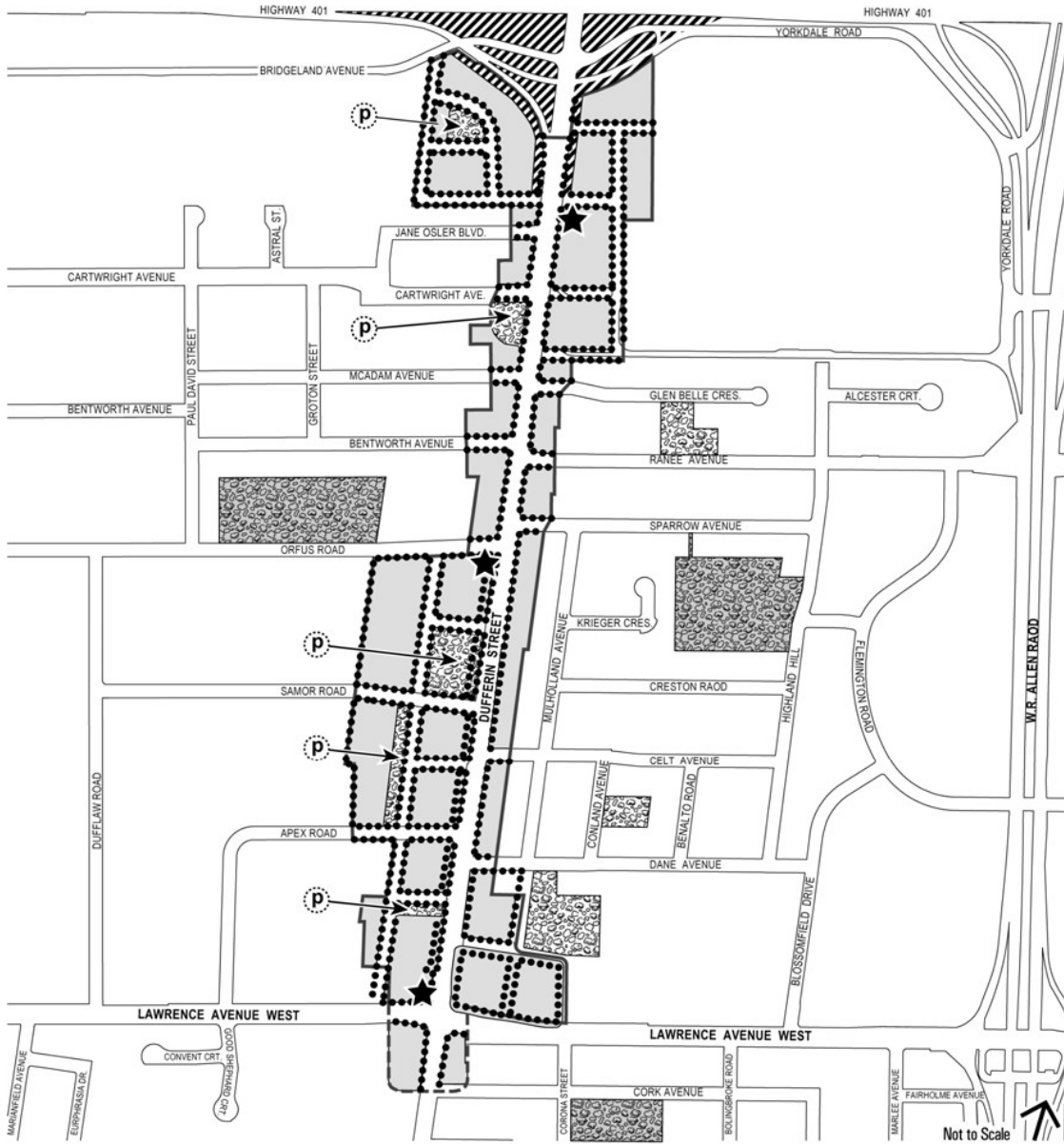


Dufferin Street Secondary Plan

MAP 36-4 Land Uses

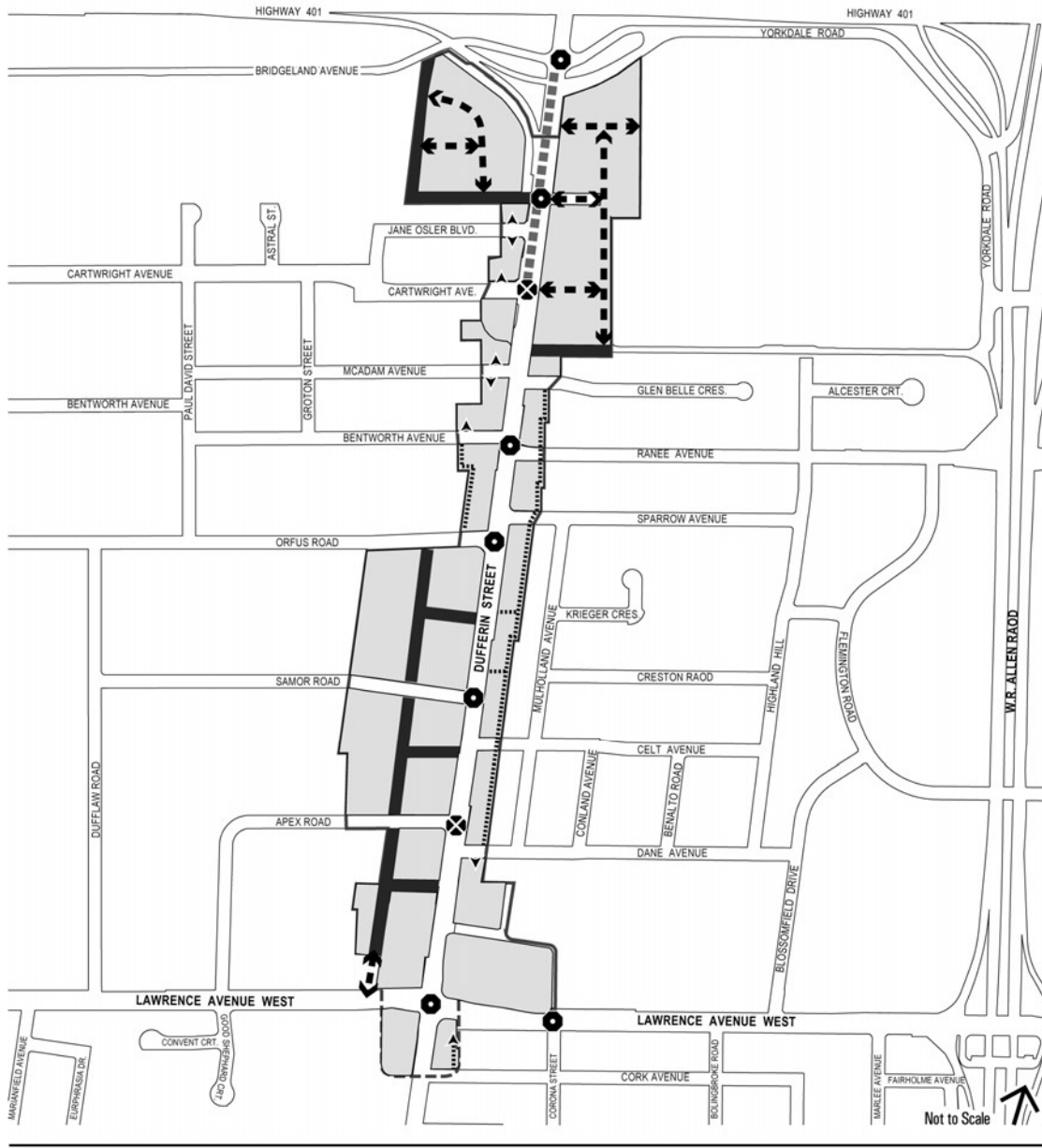
- | | |
|--------------------------|--------------------------|
| Neighbourhoods | Parks & Open Space Areas |
| Apartment Neighbourhoods | Parks |
| Mixed Use Areas | |
| Employment Areas | |

Note: the proposed designation of the McAdam Loop as "Public Park" remains under appeal by Oxford.



Dufferin Street Secondary Plan
MAP 36-5 Greening Plan

- Secondary Plan Area Boundary
- - - Blocks South of Lawrence
- (p) Conceptual Location for Potential New Public Park
- ★ Urban Plazas
- Street Greening
- ▨ Dufferin Landscape Gateway
- ▨ Public Park - New or Existing
- ▨ Other Open Space - Existing
- Development Block

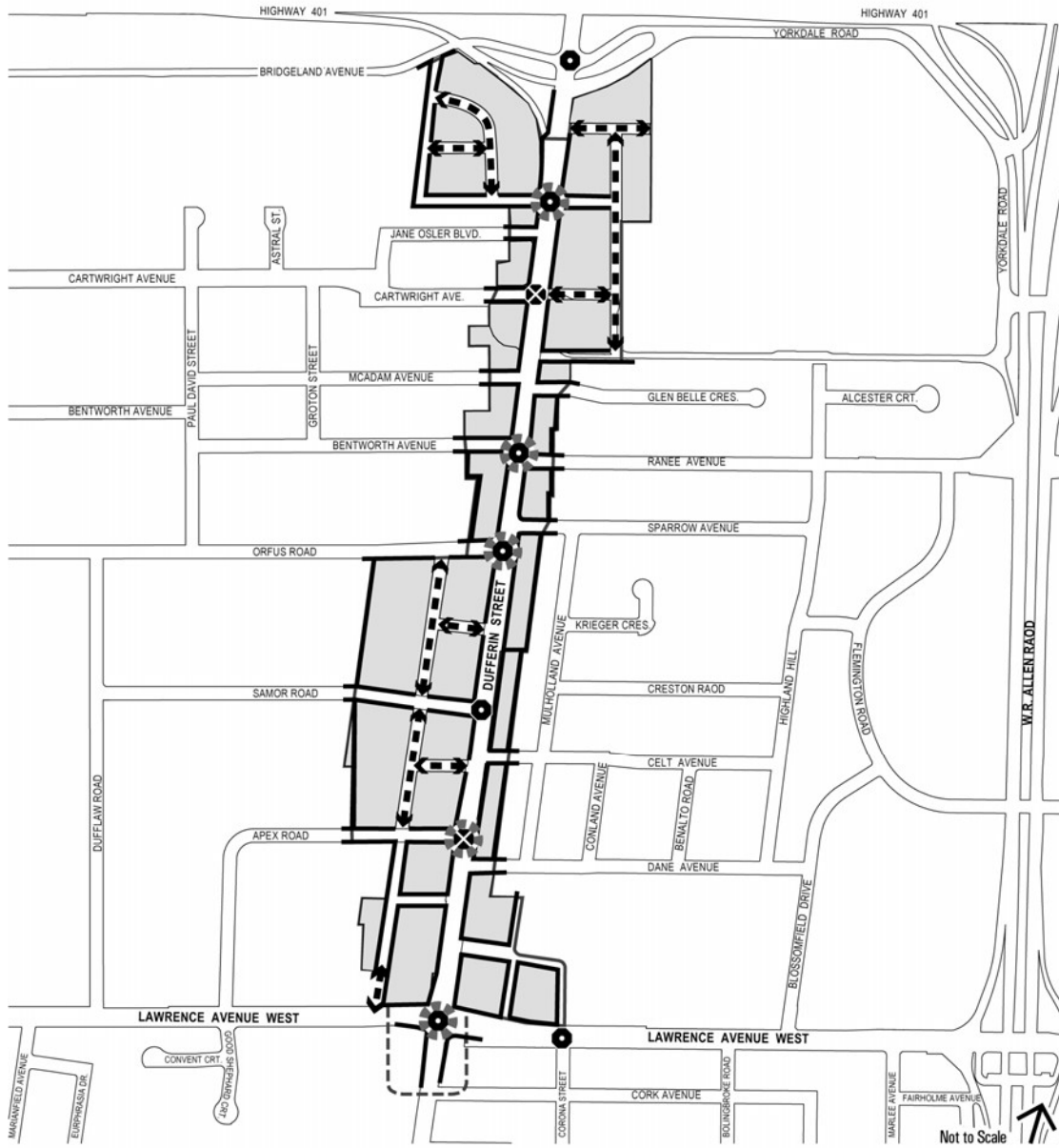


Dufferin Street Secondary Plan

MAP 36-6 Public Streets Plan

- Secondary Plan Area Boundary
- - - Blocks South of Lawrence
- █ New Public Streets
- ← - - - → New Public Streets: Conceptual
- Potential Access Lane
- Signalized Intersection - Existing
- ⊗ Signalized Intersection - Proposed
- ▼ ▲ Site Access
- █ Development Block
- ■ ■ ■ TTC Transit Priority Lane (SB only)

October 2015

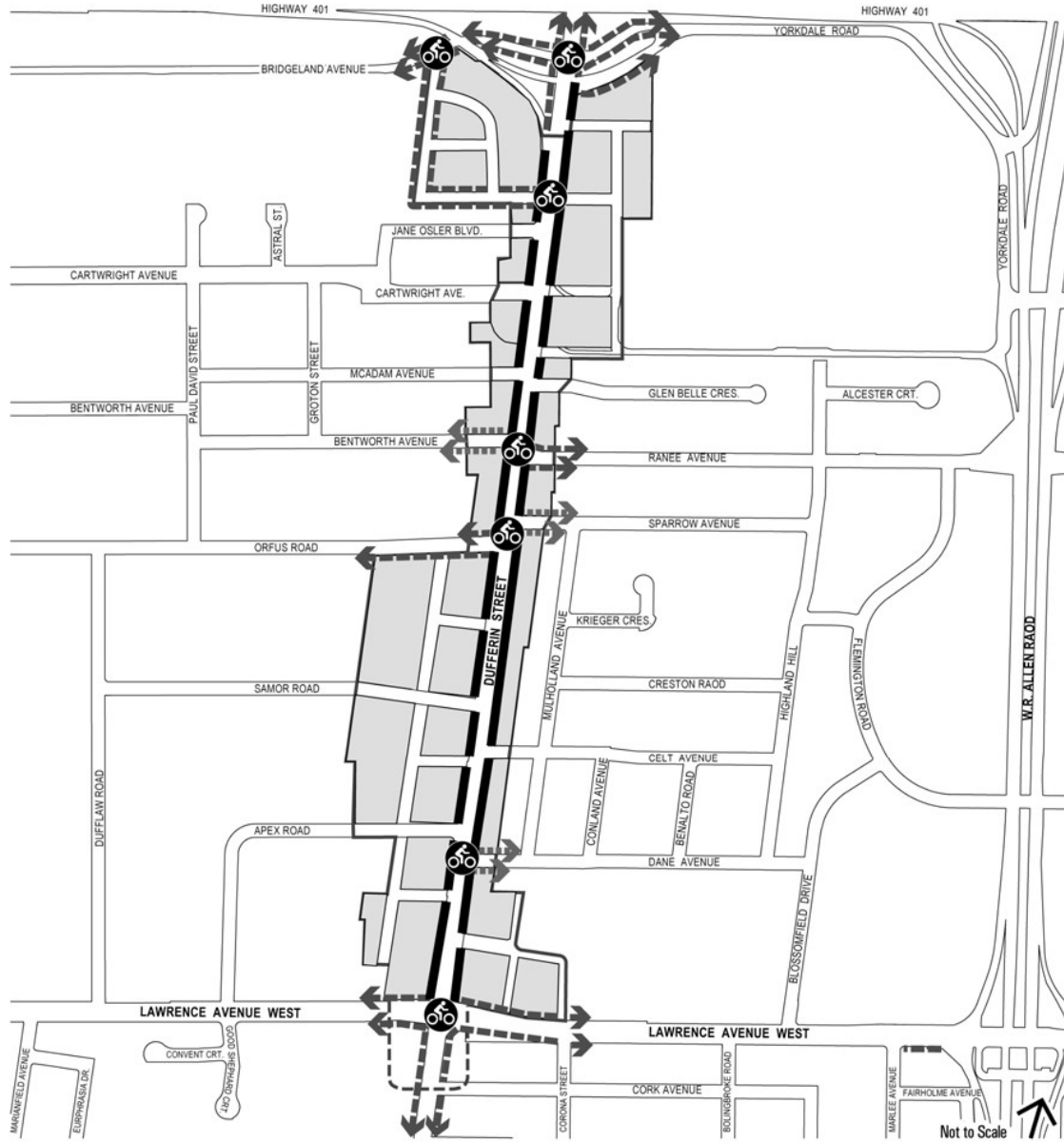


Dufferin Street Secondary Plan

MAP 36-7a Pedestrian Connections

- Secondary Plan Area Boundary
- - - Blocks South of Lawrence
- Pedestrian Routes
- ← - - - - -> New Pedestrian Routes Conceptual
- Signalized Intersection - Existing
- ⊗ Signalized Intersection - Proposed
- ⊗ High Order Pedestrian Zones

October 2015



Dufferin Street Avenue

MAP 36-7b Cycling Connections

-  Study Area Boundary
-  Blocks South of Lawrence
-  Proposed Cycle Track
-  Proposed Bike Lane
-  Proposed Signed Route
-  Proposed Cycling Interchange

October 2015

Note: the proposed designation of the McAdam Loop as "Public Park" remains under appeal by Oxford.



Dufferin Street Secondary Plan
MAP 36-8 Priority Retail Areas

- Secondary Plan Area Boundary
- - - Blocks South of Lawrence
- █ Retail at Grade: Mandatory
- ▒ Retail at Grade: Encouraged but not Required
- ▨ Park Frontage

Note: the proposed designation of the McAdam Loop as "Public Park" remains under appeal by Oxford.

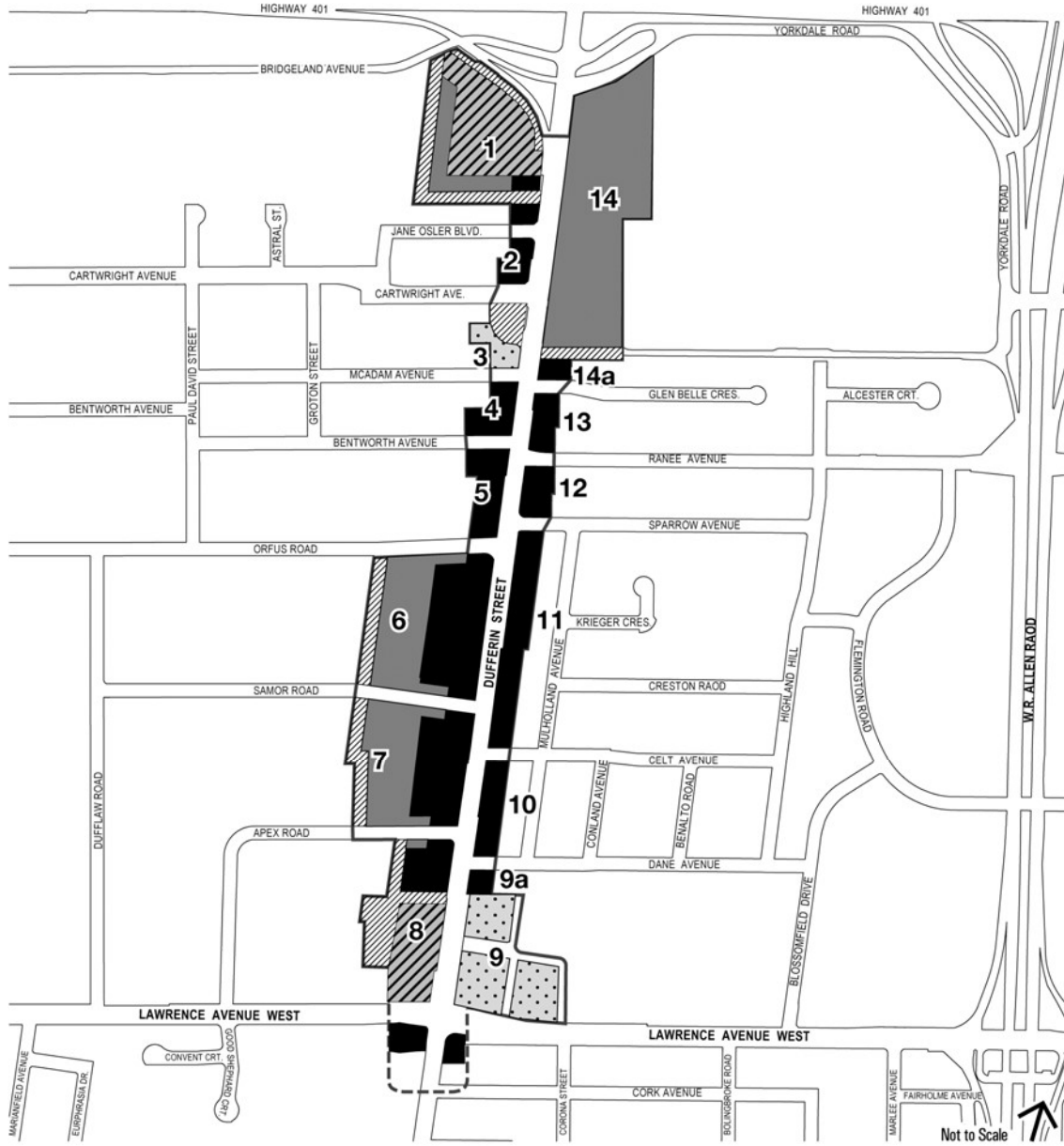


Dufferin Street Secondary Plan

MAP 36-9 Minimum Setback Plan

- Secondary Plan Area Boundary
- - - Blocks South of Lawrence
- ▨ 14.0 m: Setback from MTO Ramps
- ▩ 7.0 m: Dufferin Landscape Gateway
- ▤ 5.0 m: Green Setbacks and Existing East/West Streets
- ▧ 3.0 m: Local Streets
- ▬ 3.0 m: Typical Avenue Setbacks
- ▩ No Setbacks Required: Park or Recent Development

October 2015



Dufferin Street Secondary Plan

MAP 36-10 Building Type Areas

- Secondary Plan Area Boundary
- - - Blocks South of Lawrence
- Existing or Permitted Tall Buildings Areas
- Mid-rise Areas
- Low-rise Areas
- Minimum 20m separation area / No build zone
- Approved Development

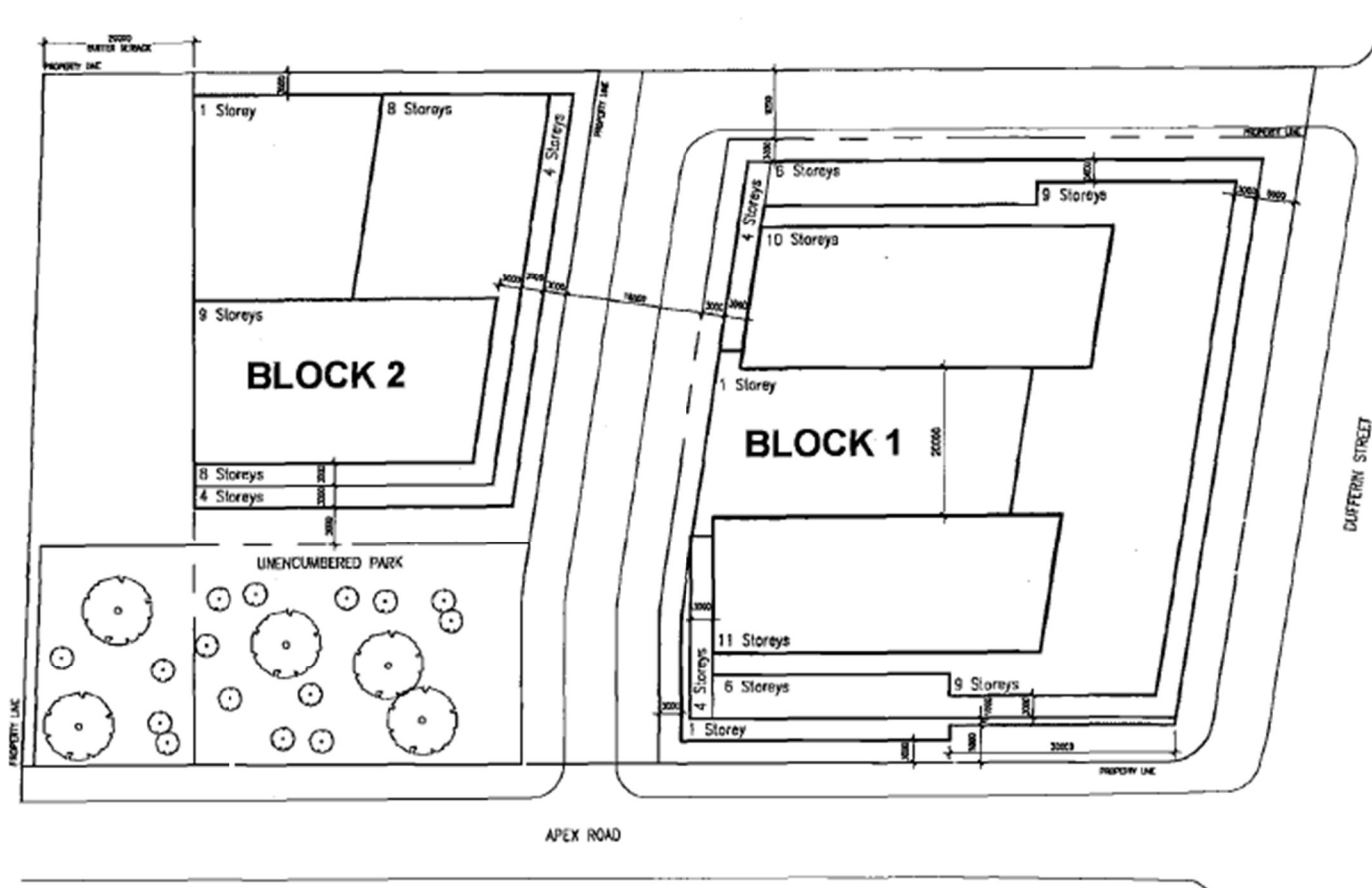
Note: the proposed designation of the McAdam Loop as "Public Park" remains under appeal by Oxford.

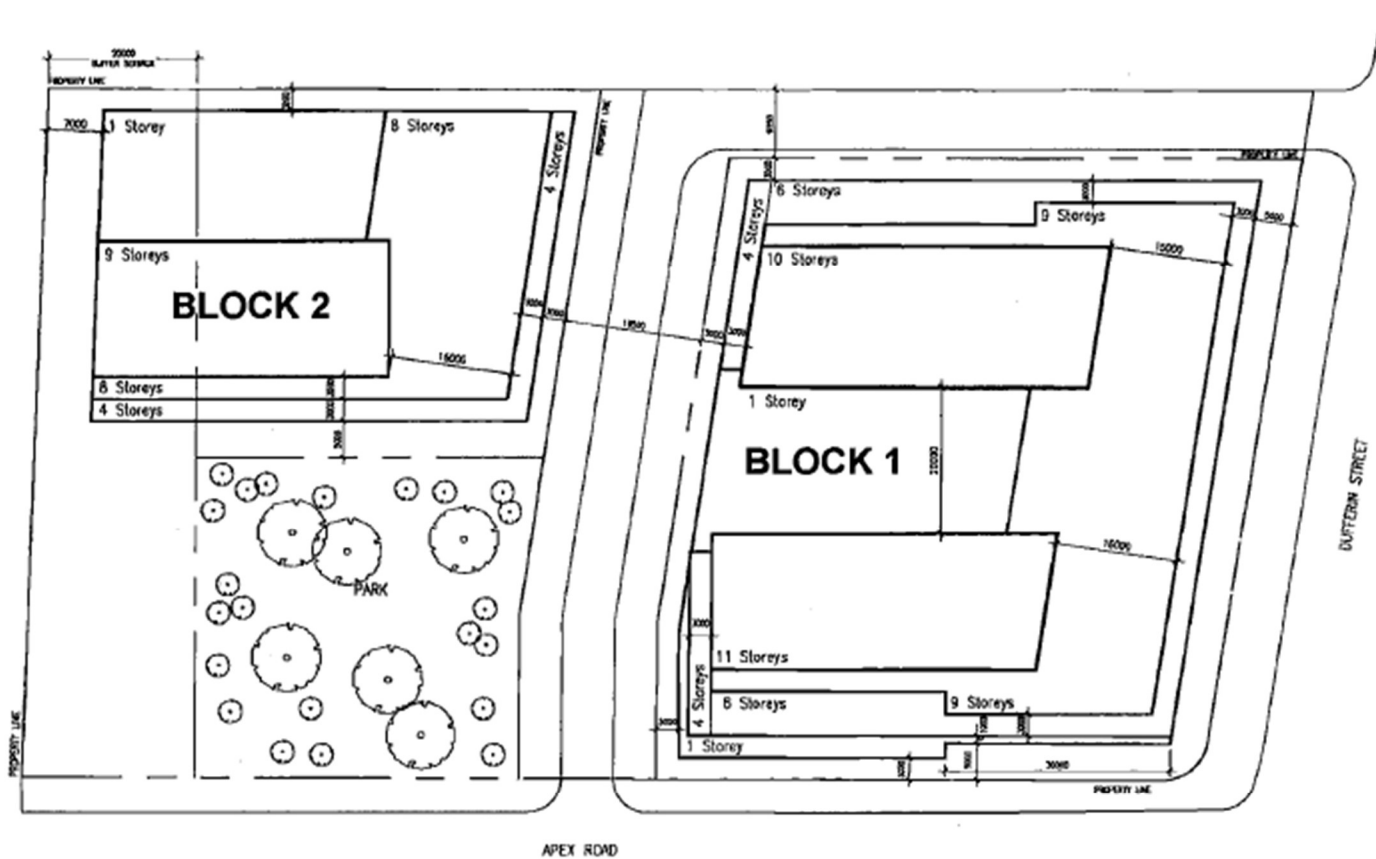


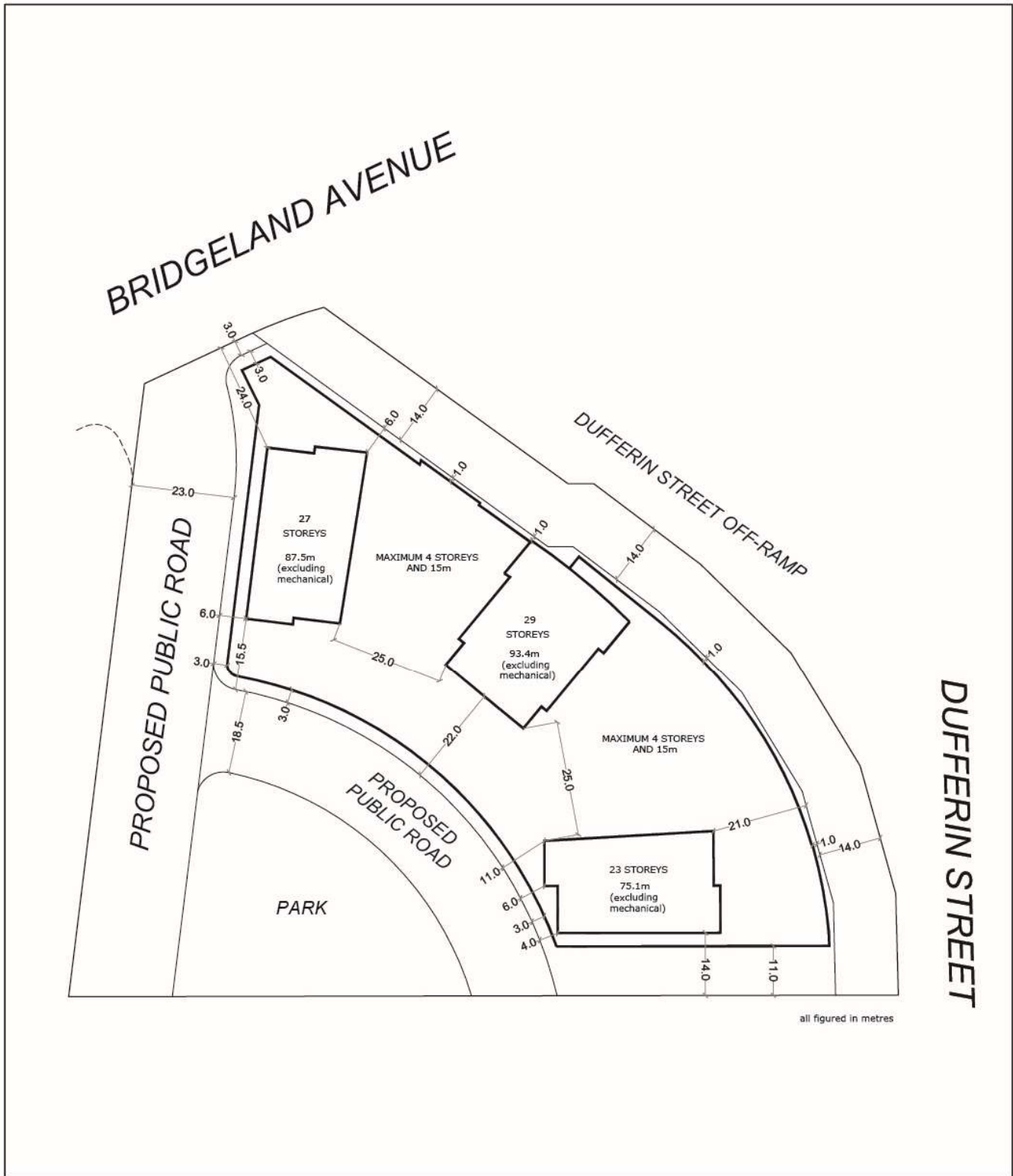
Dufferin Street Secondary Plan

MAP 36-11 Maximum Density

- Secondary Plan Area Boundary
- - - Blocks South of Lawrence
- 0.0 Maximum Overall Block Density
- 3.5x FSI
- 3.0x FSI
- ▨ 2.5x FSI
- ▧ Less than 2.5x FSI
- ▩ Current Redevelopment Site
- ▦ No Density Assigned. Subject to Further Study
- ▧ No Additional Density Permitted

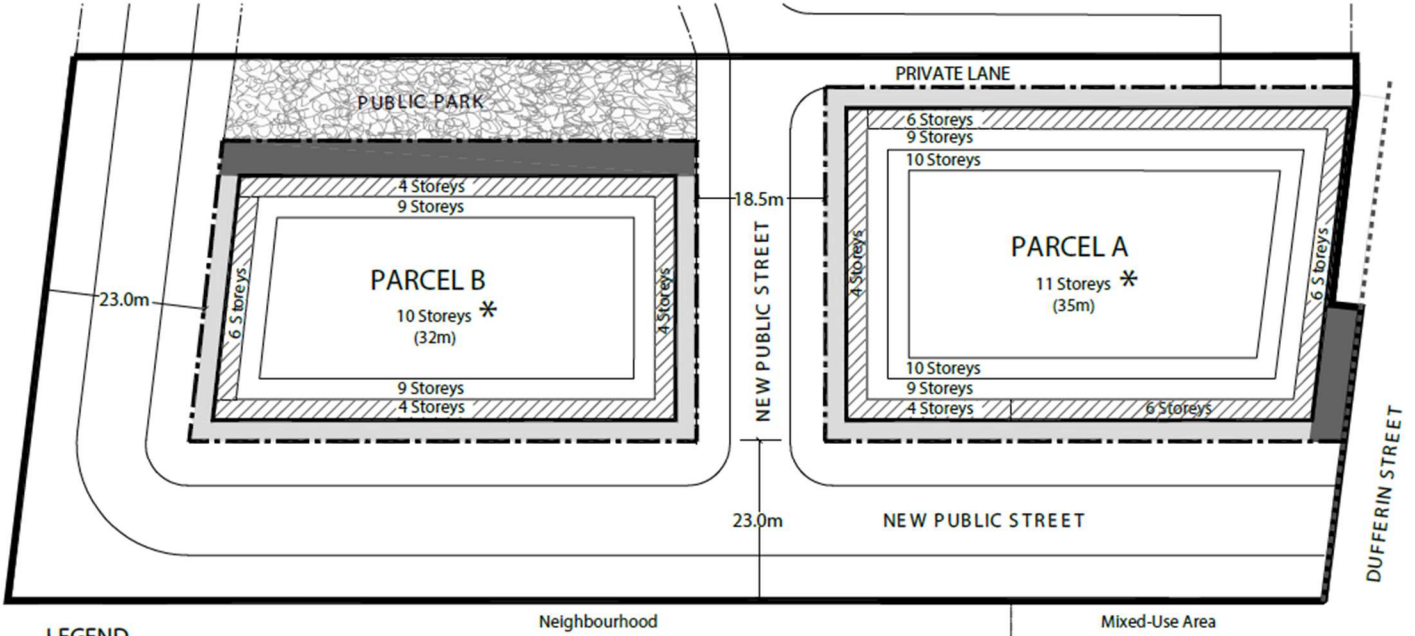






Map 36-15

Site Specific Plan 36-X
 3400 Dufferin Street



LEGEND

Land Use / Structure Plan

- Site Property Line (Gross Area)
- Public Park (Unencumbered)
- Development Parcels
- Building Envelope (Above Grade)
- Build To Line

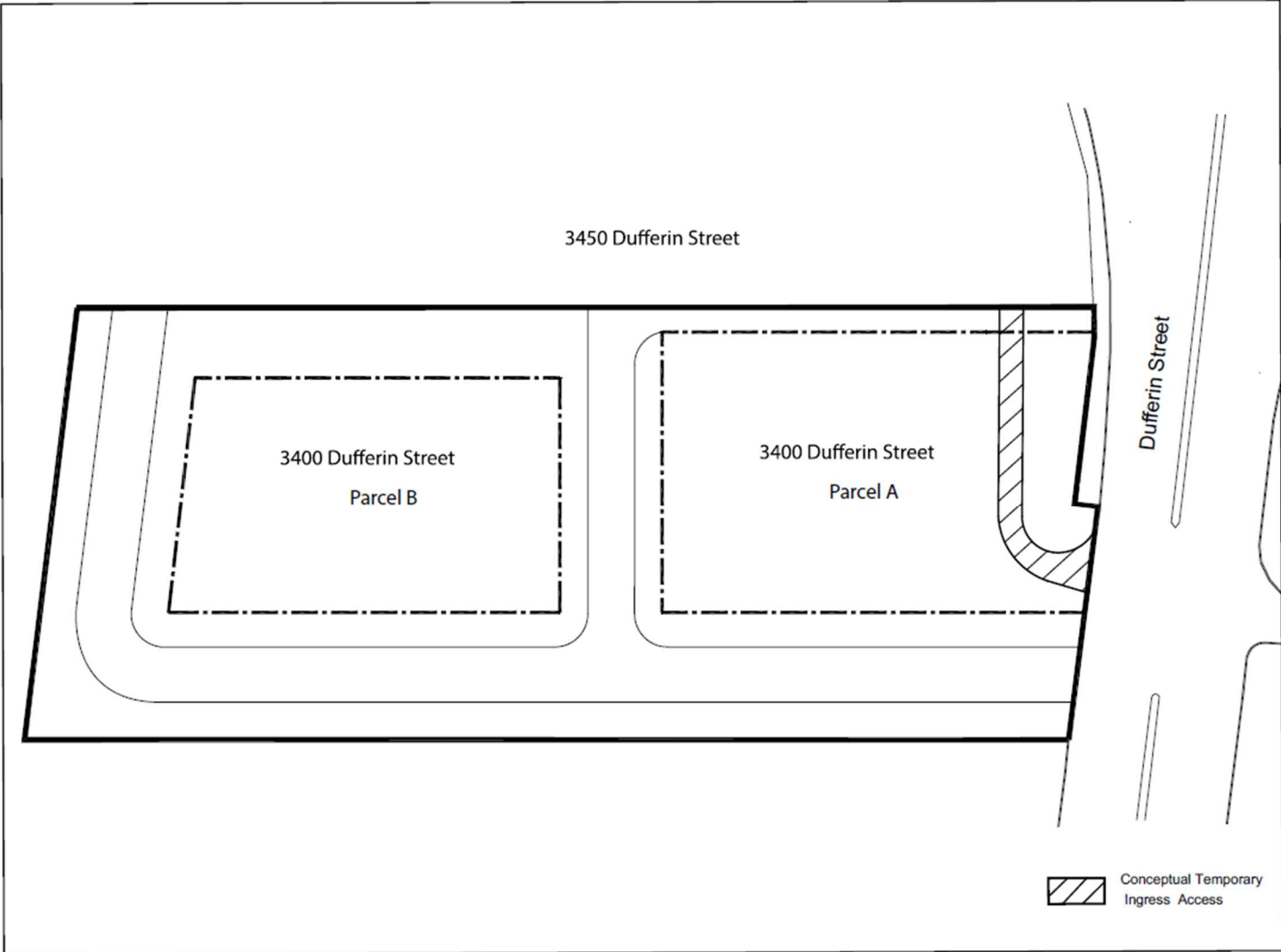
Built Form

Minimum Building Setback

- 5m from Dufferin Street and Public Park
 - 3m from Public Streets and Private Lane
- Minimum Building Set-Back
- 3m (Above 4th or 6th storey)

* Excluding Mechanical Penthouse and Outdoor Amenity Areas
 Note: Setbacks on the drawing are for illustration purposes only.

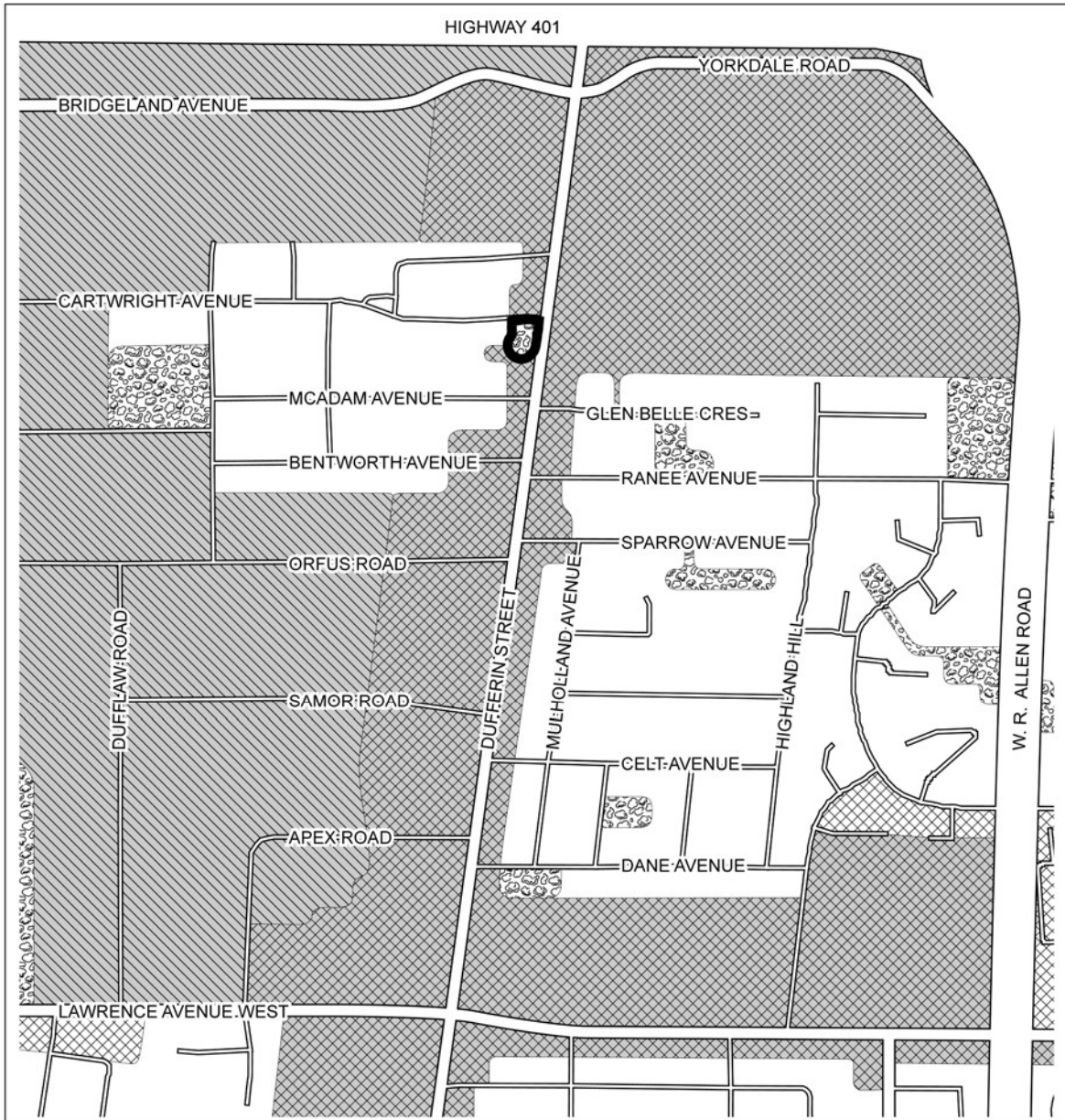
Map 36-16



Site-Specific Plan 36-x
Conceptual Temporary Ingress Access

Schedule II to Secondary Plan No. 36

Note: the proposed redesignation of the "Site Location" lands identified below remains under appeal by Oxford.



Official Plan Amendment 294

Revisions to Land Use Map 16

Dufferin Street Secondary Plan

File # 15 130874 NPS 00 02

- | | | |
|--------------------------|--------------------------|---------------|
| Neighbourhoods | Parks & Open Space Areas | Site Location |
| Apartment Neighbourhoods | Parks | |
| Mixed Use Areas | Employment Areas | |



Not to Scale
10/20/2015