

# Annex Residents' Association: Project Position Statement

Version #1: as at 8 April 2021

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## 374-388 Dupont Street

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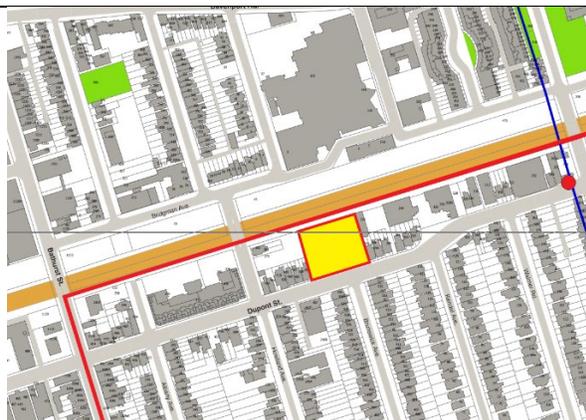
<b>Project Name:</b> 374 Dupont <sup>1</sup>	<b>Date of Application:</b> 23 Dec 2020
<b>Application Number:</b> 20 233616 STE 11 OZ	<b>Date of ARA Board Approval of this Position Statement:</b> 8 April 2021
<b>P+D<sup>2</sup> Draft recommended to Board on:</b> 5 April 2021	<b>P+D Review Group:</b> David S., Terry, Lynne, Henry, Adam, Edward

<b>Project Status: planning and zoning</b>			
pre-Application	application submitted	Project Review Mtg. held 8 March 2021	community meeting held 29 March 2021
TEYCC <sup>3</sup> pending	Council pending	Toronto Preservation Board: n/a	LPAT <sup>4</sup> appeal: none to date
<b>Project Status: Site Plan Control</b>			
application submitted	Staff-led Working Group (WG)	'bumped up' to Councillor	Councillor-led WG
<b>What the Developer Wants Now:</b>			
Official Plan Amendment	Zoning Bylaw Amendment	Site Plan Approval	Heritage approval

**This first Project Position Statement – prepared after the Project Review Meeting on 8 March, 2021 and the Community Consultation on 29 March, 2021, will be updated as the City processes the development application. This Statement, and the views expressed in it, are presented by ARA ‘without prejudice’ to any legal actions arising in the course of the City’s review and possible appeals.**

### Brief Description of Project:

Proposal for an 11-storey mixed-use building containing 230 rental residential dwelling units. The proposed non-residential gross floor area is 756 m<sup>2</sup>, and the proposed residential gross floor area is 17,699 m<sup>2</sup>. Height is 11 storeys: 36.17 m; 42.17 m top of mechanical penthouse.



location: 374-388 Dupont St.



Architects' rendering (looking north east)

<sup>1</sup> Note: City Planner on this file is: Jason Tsang, [Jason.Tsang@toronto.ca](mailto:Jason.Tsang@toronto.ca), 416-392-4237

<sup>2</sup> ARA's Planning and Development Committee

<sup>3</sup> Toronto and East York Community Council

<sup>4</sup> Local Planning Appeals Tribunal

## Planning Context:

2016 mediated Ontario Municipal Board settlement on Official Plan Amendment (OPA) through a Site and Area Specific Policy (SASP) for the north side of Dupont resulting from Dupont Visioning Study that ARA spearheaded in 2011. This Planning Context has a major bearing on ARA's positions on projects along Dupont as it supported the mediated settlement.

## ARA's Issues:

### 1) Uses

- type(s) of use: *need to regulate maximum usable floor area and maximum Dupont frontage for proposed retail to provide for granular, small, neighbourhood-scale shops, cafes, restaurants, bars, and services*
- open spaces and POPS: *compared to some other proposed developments along Dupont, proposal is limited; retail plaza appears as an after-thought*
- *unclear if City guidelines "Growing Up: Planning for Children in New Vertical Communities" have been followed*

### 2) Heritage

- *adjacent to a likely West Annex Heritage Conservation District – needs to recognize historic scale and materiality of residential area south of Dupont*

### 3) Massing + Form

- height(s): *does not conform to OPA and ZBLA; proponent's rationale to P+D of 'transitioning' from 13 storeys (OMB decision) at 316 Dupont, 90 m to the east, is unacceptable*
- density (FSI<sup>5</sup>): *4.62 (this is higher than other projects on north side of Dupont, largely due to the excess height that is proposed)*
- form:
  - *ignores 3-storey street wall and 5 m setback called for in Dupont Regeneration Urban Design Guidelines; ARA does not expect that all Guidelines will be met in every instance, but the current proposal ignores entirely the intent of the Guidelines to define a consistent street wall along north side of Dupont.*
  - *no 5.5 m side setbacks at top of 3-storey streetwall called for in same Guidelines; proposed 5.5 m side setback is at storey # 10*

### 4) Streetscape + Public Realm

- *Facades: relying on adjacent house forms to east for guidance on articulation is inappropriate as they: 1) are isolated and could be redeveloped in the future; and 2) are not the intended dominant form on north side of Dupont per the Regeneration Urban Design Guidelines.*
- *Rather than tacked-on retail plaza, an even wider sidewalk with more street trees could better support the public realm;*
- *utility infrastructure: locations of meters and utility (gas etc.) infrastructure are not shown on drawings and could impinge on the public realm.*
- *ground cover: to be reviewed by ARA at Site Plan Control stage*
- *landscaping: to be reviewed by ARA at Site Plan Control stage*
- *lighting: to be reviewed by ARA at Site Plan Control stage*

### 5) Environment + Resilience

- *shadows and shade: long shadows in December eastwards along Dupont would be mitigated by lower height (9-storeys)*
- *noise avoidance and mitigation: rail noise reflection northwards to Casa Loma area needs to be carefully assessed by third party experts*
- *air: quality and circulation: to be reviewed by ARA at Site Plan Control stage*

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<sup>5</sup> Floor-space index: gross building area/site area

- tree cover/shade: *to be reviewed by ARA at Site Plan Control stage*
  - permeability and drainage: *to be reviewed by ARA at Site Plan Control stage*
  - wind, rain, snow and ice protection and mitigation: *to be reviewed by ARA at Site Plan Control stage*
  - bird-friendly measures: *to be reviewed by ARA at Site Plan Control stage*
- 6) Movement
- parking (car + bicycles): *no issues*
  - vehicular circulation: *need for traffic study of Dupont (from Davenport to Ossington) and connecting residential streets is urgently needed to assess cumulative impacts of all approved and likely developments on north side of Dupont, including this project*
  - pedestrian and bicycle circulation: *to be reviewed by ARA at Site Plan Control stage*
  - garbage: *no issues*
  - pickup + deliveries: *e-deliveries not included in Transportation Impact report; no apparent provision in building design – major shortcoming; potential for e-cargo bikes not addressed*
  - emergency vehicle access: *no issues*
  - transit: *no issues*
  - rail safety (along north side of Dupont): *third party assessment for City pending*
- 7) Community Benefits: *P+D will discuss with neighbouring residents, the Councillor and Planning and update this Statement accordingly.*
- affordable housing: should be high priority
  - facilities for
    - children
    - teenagers
    - seniors
    - families
    - vulnerable persons
    - newcomers
  - parks and open spaces
  - community environmental and resilience improvements

ARA's Position:			
	negotiate 1-on-1	mobilize neighbours	request Project Review Meeting
	request Working Group	support: with conditions	support unconditionally
	oppose	appeal	no position yet

**Summary:**

1. While the proposed development is consistent with the mixed use designation and rail safety setbacks arising from the Dupont Visioning Study and subsequent OPA, it does not comply with provisions governing height, massing, and form. ARA's P+D was actively involved with City staff in defining these provisions, and ARA strongly supported their enactment by Council and the subsequent OMB mediated agreement on their appeals.
2. The public realm along the north side of Dupont needs further development with an emphasis on effective use of public and private space by pedestrians and bicyclists.
3. The proposed development does not address a growing phenomenon affecting dense residential and mixed-use buildings in the Downtown area, and exacerbated by the current COVID-19 pandemic restrictions: **e-deliveries by automobiles, delivery vans, bicycles, and cargo-bikes.**
4. The reflection of rail noise north of the site into the Casa Loma community needs to be fully

addressed to the satisfaction of independent, third-party specialists.

5. Many aspects of the project will be decided at Site Plan Control stage. ARA requests structured community consultations at this stage, perhaps including a limited SPC Working Group convened by the Councillor as part of a bump-up.

These outstanding concerns were all raised in various ways by residents at the Community Consultation meeting held by City Planning on 29 March 2021.

The proponent will now receive formal comments from Planning staff, and revise and re-submit their plans for detailed review before staff makes a final recommendation on the application to TEYCC.

At the Project Review Meeting on 8 March 2021, representatives of ARA's P+D Committee suggested that, if the resubmission does not fully address outstanding concerns but shows a substantial effort to do so, the Councillor formalizes a Working Group for this project according to the 'Principles for Working Groups on Development Applications in the Annex' adopted by ARA's Board of Directors on 9 January 2020, following discussions with the Councillor and his staff. A copy of these Principles have been sent to the proponent.

To comment on this interim Project Position Statement, please email Edward Leman, Co-chair, Planning and Development Committee at: [planninganddevelopment@theara.org](mailto:planninganddevelopment@theara.org).