

**2055 and 2057 Danforth Avenue – Rezoning Application
– Final Report**

Date:	June 23, 2010
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 32 – Beaches-East York
Reference Number:	09-160985 STE 32 OZ

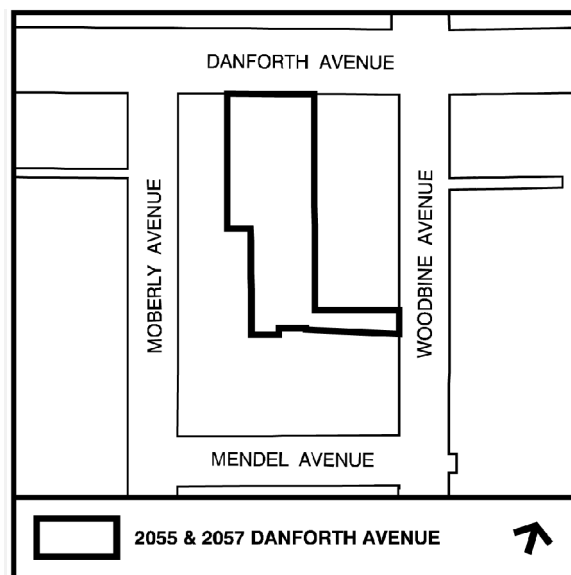
SUMMARY

This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes a 12 storey mixed-use building at 2055 and 2057 Danforth Avenue with retail uses at grade, 148 residential units and 2 levels of below grade parking accessed off of Woodbine Avenue.

The City Planning Division is recommending approval of the proposed development based on its location on an *Avenue* and on its planning and design attributes which include:

- (a) the proposed development provides a transition in scale and density as it steps down from the Danforth Avenue mixed use corridor to the low density neighbourhood;
- (b) the proposed development maintains adequate sunlight for residents in abutting neighbourhoods and at pedestrian level on Danforth Avenue;
- (c) the applicant’s Avenue Segment Review (as adopted by staff) indicates that incremental redevelopments of the



same general scale (but as modified in the future by the Mid-Rise Performance Standards) within the identified Avenue Segment will not negatively impact the adjacent neighbourhoods;

- (d) the site is within a block of the Woodbine subway station and has excellent transit connections to most points within the City;
- (e) the site is on Danforth Avenue with close proximity to retail, service and entertainment facilities and places of employment; and
- (f) the Section 37 benefits that would be secured as a result of approval and construction of this development including contributions towards 3 parks in the vicinity of the proposed development.

This report reviews and recommends approval of the application to amend the Zoning By-law.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 438-86, for the lands at 2055 and 2057 Danforth Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8, to the July 23, 2010 report of the Director of Community Planning, Toronto and East York District.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. The Owner to enter into an Agreement pursuant to Section 37 of the Planning Act, prior to the issuance of the Notice of Approval Conditions for Site Approval, to secure the following:
 - a. The community benefits recommended to be secured in the Section 37 Agreement are as follows:
 - (i) the owner shall make a cash payment to the City in the amount of \$100,000 for conversion of the existing wading pool located in East Lynn Park to a splash pad, such payment to be made prior to execution of the Section 37 agreement or December 31, 2010, whichever occurs first;
 - (ii) the owner shall make a cash payment to the City in the amount of \$100,000 for conversion of the existing wading pool located in Stephenson Park to a splash pad, such payment to be made prior to execution of the Section 37 agreement or December 31, 2010, whichever occurs first; and
 - (iii) the owner shall make a cash payment to the City in the amount of \$100,000 towards the redevelopment of the Moncur Playground, such payment to be made prior to execution of the section 37 agreement or December 31, 2009, whichever occurs first.

- b. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
- (i) as part of the Site Plan Approval process, the owner shall provide 1:50 scale drawings for the first 5 storeys of the north and south elevations of the building with building materials labelled;
 - (ii) the owner shall incorporate in the construction of the building, and thereafter maintain, exterior building and landscape materials to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
 - (iii) the owner shall develop and implement a Construction Mitigation Plan and Communication Strategy, approved by the Director of Community Planning, Toronto and East York District, prior to the issuance of the first building permit (including excavation permit);
 - (iv) the owner shall agree to provide and maintain an irrigation system for the proposed trees within the public road allowances, including an automatic timer designed to be water efficient by a Certified Landscape Irrigation Auditor (CLIA) and construct with backflow preventer to the satisfaction of the General Manager of Parks, Forestry and Recreation; and
 - (v) the owner shall agree to provide any necessary improvements to the municipal infrastructure in connection with the site servicing review, if it is determined that upgrades are required to the infrastructure to support this development, according to the site servicing review accepted by the Executive Director of Technical Services.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

City Council, at its meeting of July 6, 7 and 8, 2010 adopted the recommendations of the Planning staff report as amended by the accompanying supplementary report. Recommendations included a direction to planning staff to use the “Mid-Rise Performance Standards” contained in Section 3 of the report entitled “Avenues and Mid-Rise Buildings Study (May 2010)” in the evaluation of all new and current mid-rise development proposals on the Avenues and in the implementation of future Avenue studies so that the Avenues ‘vision’ can be realized more quickly and effectively. Staff are to use the mid-rise standards for an approximate 2-year monitoring period.

This application, originally submitted in 2009, pre-dates Council’s adoption of the Mid-Rise study. However, staff in its evaluation and analysis of this proposed development, has endeavoured to guide the design according to the emerging performance standards of that study as well as the existing Official Plan policies which they support.

ISSUE BACKGROUND

Proposal

This application proposes a 12 storey 11,604 square metre mixed-use building at 2055 and 2057 Danforth Avenue with retail uses at grade and 148 residential units. The proposed density is 3.51 times the area of the lot. The building steps up from Danforth Avenue with 4 storey, 9 storey and 12 storey components and then steps down at the rear with 9 storey and 4 storey components of the building. Parking for 138 vehicles, including 18 visitor parking spaces, is to be provided in a 2 level underground garage with access off of Woodbine Avenue. (See Appendix 7 – Application Data Sheet)

Site and Surrounding Area

The properties are currently vacant and were formerly occupied by a one storey hardware store and building supply yard and a three storey commercial building. The previous buildings were both demolished following 2 separate fires. The primary frontage is on Danforth Avenue, with a small frontage on Woodbine Avenue. The Woodbine Avenue frontage was previously used to access the parking and loading for the building supply yard.

Properties to the immediate north, east and west along Danforth Avenue are generally 2 to 3 storey mixed-use buildings with retail at grade. The south end of the site is generally surrounded on the east, west and south by two storey homes.

Provincial Policy Statement and Provincial Plans

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

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

City Council's planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The Official Plan designates the front portion of the site, along Danforth Avenue as a *Mixed Use Area* and the rear portion *Neighbourhoods*.

Mixed Use Areas are, made up of a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities.

Mixed Use Areas

The Plan provides a list of development criteria for *Mixed-Use Areas* that include:

- locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of this Plan, through means such as providing appropriate setbacks and/or stepping down of heights, particularly towards lower scale *Neighbourhoods*;
- locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods* particularly during the spring and fall equinoxes;
- provide good site access and circulation and an adequate supply of parking for residents and visitors;
- provide an attractive, comfortable and safe pedestrian environment;
- locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

Avenues

The site is located on an Avenue, as shown on Map 2 – Urban Structure of the Official Plan.

Avenues are “important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities, while improving the pedestrian environment, the look of the street, shopping opportunities and transit service for community residents”, according to Section 2.2.3 of the Plan.

The Avenues will be transformed incrementally. They will change building-by-building over a number of years. The framework for new development on each Avenue will be established through an Avenue Study, resulting in appropriate zoning and design guidelines created in consultation with the local community. The zoning by-law will set out the mix of uses, heights, densities, setbacks and other zoning standards.

Section 2.2.3 Avenues: Reurbanizing Arterial Corridors (Policy 3.a) states that development may be permitted on the Avenues prior to an Avenue Study and will be considered on the basis of all of the policies of this Plan. Development applications on the Avenues prior to an Avenue Study are required to be accompanied by an Avenue Segment Study, which discusses the implications for the portion of the Avenue resulting from the proposed development and whether the proposed development would be setting a positive precedent for future development of the remainder of the Avenue. An Avenue Segment Study has been submitted with this application and will be reviewed.

Neighbourhoods

The rear portion of the property is designated *Neighbourhoods* in the Official Plan. *Neighbourhoods* are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. Parks, low scale local institutions, home occupations,

cultural and recreational facilities and small-scale retail, service and office uses are also provided for in *Neighbourhoods*. “Low scale local institutions” play an important role in the rhythm of daily life in *Neighbourhoods* and include such uses as places of worship.

A key objective of the Official Plan is to guide new development to respect and reinforce the general physical patterns in a *Neighbourhood*.

Scattered throughout many *Neighbourhoods* are properties that differ from the prevailing patterns of lot size, configuration and orientation. Typically, these lots are sites of former non-residential uses such as industry, institutions and retail stores. In converting these sites to residential uses, there is a genuine opportunity to add to the quality of *Neighbourhood* life by filling in these “gaps”.

The Official Plan provides special infill criteria to guide new development dealing with the integration of sites with characteristics different from the surrounding neighbourhood such as the properties of 2055 and 2057 Danforth Avenue.

Section 4.1 Policy 9 states that “Infill development on properties that vary from the local pattern in terms of lot size, configuration and/or orientation in established *Neighbourhoods* will:

- a) have heights, massing and scale appropriate for the site and compatible with that permitted by the zoning for adjacent and nearby residential properties;
- b) provide adequate privacy, sunlight and sky views for residents of new and existing buildings by ensuring adequate distance and separation between building walls and using landscaping, planting and fencing to enhance privacy where needed;
- c) front onto existing or newly created public streets wherever possible, with no gates limiting public access; and
- d) locate and screen service areas and garbage storage to minimize the impact on existing and new streets and residences”.

Zoning

The former City of Toronto Zoning By-law 438-86 zones the portion of the site located along Danforth Avenue as MCR T2.0 C1.0 R2.0 and the rear portion of the site, including the Woodbine Avenue frontage is zoned R2 Z0.6.

The mixed-use zoned portion of the site would permit a wide range of commercial and residential uses with a maximum density of 3.0 times the area of the lot, of which a maximum of 2.0 times may be non-residential and a maximum of 2.5 times may be residential. The maximum permitted heights are 14.0 and 12.0 metres within the mixed-use portion.

Within the portion of the site zoned residential, a variety of residential uses and some non-residential uses such as places of worship and public schools would be permitted with a maximum density of 0.6 times the area of the lot. The height limit on this portion is 10 metres.

Site Plan Control

The proposed development is subject to Site Plan Approval. A Site Plan Application has been submitted and is under review.

Reasons for Application

The proposal is for a 12-storey, 38.5 metre high building, with a mechanical penthouse to a maximum height of 43.5 metres, with a density of 3.51 times the area of the lot. The proposed density exceeds current permissions of 3 times the lot area on the front portion and 0.6 times the area of the lot on the rear portion. The proposed height exceeds the current height limits of 14 and 12 metres. A Zoning By-law amendment is therefore required.

Community Consultation

A community consultation meeting was hosted by the Ward Councillor on November 2, 2009 to have the developer present the proposal and to provide for a question and answer period with local residents. There were many concerns raised, primarily relating to the height, density and relationship of the proposed building to the adjacent residential properties.

City Planning hosted a community consultation meeting on Wednesday March 3, 2010 which was attended by approximately 60 residents. Modifications to the development were presented. Comments received at the meeting can be categorized in the following way:

- questions related to the type and height of fencing where the property abuts residential properties;
- questions relating to the proposed tenants of the retail spaces;
- concerns with the safety of left hand turns out of the driveway;
- concern that there was insufficient parking being provided; and
- concerns respecting the size of the development.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

COMMENTS

Avenue Segment Review (ASR)

In response to *Avenue* Policy 2.2.3.3 in the Official Plan, the applicant submitted the Danforth Avenue *Avenue* segment report (prepared by The Planning Partnership) on August 21, 2009 in support of their rezoning application. The review includes properties fronting on Danforth Avenue between the Roseheath Avenue to the west and Morton Avenue to the east.

The ASR provides a background review of relevant policies and an inventory of existing built form, which helps to inform the impacts that incremental development may have on the Avenue Segment. Based on the background review, the ASR presents five General Principles that are later applied to the Staff report for action – Final Report – 2055 and 2057 Danforth Avenue

report's development scenario evaluations. The General Principles reflect the consultant's interpretation of the Official Plan's direction with respect to reurbanization on the *Avenues*.

The ASR recommends that new buildings have a base height of 3 to 4 stories. Additional height should be stepped back and be equivalent to the street width at approximately 9 stories. For larger sites, additional height should be setback to screen the higher portion from the view of pedestrians.

The ASR identified and reviewed five soft sites that could have potential for redevelopment. The consultant chose sites that have characteristics that are similar to those of the subject site (for example, underutilized sites and larger lots), with the intent of projecting future densities and built forms. The consultant's review of each potential development site included identifying podium height, building height, commercial density and number of residential units. The ASR anticipates that heights would range between 8 and 12 stories on these sites and that if all were built out would result in an approximately 2,400 square metres of retail space and approximately 525 additional residential units. The ASR states that given the current economic environment and the nature of the uses existing on these sites currently (i.e. Gas station and car dealership), that these sites are not likely to redevelop in the near future. But rather should be considered for redevelopment as the avenue segment intensifies over time.

Based on the consultant's preferred development scenario and planning rationale, it is staff's opinion that incremental development within the segment would not adversely impact adjacent Neighbourhoods and that the proposed development at 2055 and 2057 Danforth Avenue is supportable by available infrastructure. The proposal creates a positive precedent for the segment in terms of form, scale and intensity of reurbanization. The consultant's preferred development scenario demonstrates a level of reurbanization that, in principle, is in keeping with the Official Plan policies for *Avenues*. The conclusions in the ASR with respect to appropriate building heights, densities and massing are not considered to be conclusive in terms of future consideration of any development applications that the City may receive. Any future development applications submitted in the Avenue Segment will be evaluated on their own merit, with staff having the benefit of reviewing full and detailed development proposal submission materials.

Avenues and Mid-Rise Buildings Study

The Avenues and Mid-Rise Buildings study and staff reports as adopted by Council on July 6, 7 and 8, 2010, focussed on tools and performance standards which are intended to encourage well-designed mid-rise buildings on the *Avenues* located along the edges of some of Toronto's stable neighbourhoods at a faster rate than is currently happening.

The performance standards contained in that study are intended to be used as tools to implement the Official Plan's *Avenues* and *Neighbourhoods* policies, maintaining a balance between reurbanization and neighbourhood stability.

While the Mid-Rise Performance Standards were not available for the evaluation of this proposal, staff guided the design of the development to follow the Official Plan policies which the performance standards are intended to support.

Provincial Policy Statement and Provincial Plans

This proposal supports the 2005 Provincial Policy Statement (PPS) direction of intensification to achieve growth and urban vitality while making efficient use of existing infrastructure. This application

complies with the policies of the Planning Act that support intensification and require new development to be directed to appropriate locations for growth.

Policy 1.4.3 requires provision to be made for an appropriate range of housing types and densities to meet projected requirements of current and future residents by, among other matters, facilitating all forms of residential intensification and redevelopment and promoting densities for new housing which efficiently uses land, resources, infrastructure and public services facilities and support the use of public transit.

Policy 1.6.5.4 promotes a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and supports the development of viable choices and plans for public transit and other alternative transportation nodes.

The proposed development is consistent with the 2005 Provincial Policy Statement. The proposal allows for intensification on a site that is classified as being in a built up area, along an intensification corridor that has access to a nearby transit station. All these type of classifications apply to lands that are targeted for urban intensification.

The proposal conforms to the Growth Plan for the Greater Golden Horseshoe by proposing a mixed-use building that would intensify a built up area that is adjacent to a major transit system and provides cycling and walking opportunities.

Land Use

The building footprint, with the exception of portions of the underground garage is located wholly within the portion of the site designated as Mixed Use in both Official Plan and Zoning By-law. The proposed mixed-use building with retail uses at grade and 11 levels of residential units is a permitted use.

Density, Height, Massing

The proposed development would result in a density of 3.51 times the area of the lot (11,603 m²). Although the total site area is 3,305 m², it is split zoned, with 1,696 m² (along the Danforth Avenue frontage) being zoned MCR T3.0 C2.0 R2.5 and 1,608 m² (adjacent to the neighbourhood at the rear of the site) being zoned R2 Z0.6. Although the entire site is used for the purpose of calculating density, the building itself (with the exception of the underground garage) is located within the portioned zoned MCR. The as-of-right density that would be permitted on the lot is equal to 5053 m² or 1.83 times the lot area.

The building has a base height of 15.9 metres (4 storey), which is compatible with the lower scale buildings existing on this portion of Danforth Avenue and in keeping with what may be constructed on smaller mixed use zoned properties in the vicinity. The 29.3 metres (9 storey) portion of the building is stepped back 3 metres from the podium and is contained entirely within the 45 degree angular plane, as required by the Zoning By-law. The 38.5 metres (12 storey) portion and the mechanical penthouse is also within the 45 degree angular plane. The building envelope has been broken down into a number of planes which break down the overall mass of the buildings. Setbacks and stepbacks at the corners allow for glazing on the east and west sides of the building avoiding a blank wall condition and help to animate all facades of the building. The stepbacks of the taller portions of the building result in a condition where a person standing on the opposite sidewalk would not be able to see most of the building above the 9 storey height. The building steps down in the same way to the south, the step backs

of the upper floors, reduce the perceived height of the building to the adjacent residential neighbourhood. The proposal has been designed to contain the building above ground within the mixed-use zoned portion of the site (except a portion of the underground garage). A significant portion of the site designated neighbourhood will be landscaped with new large tree specimens lining the rear yards of many of the adjacent residential neighbours. The elevation of the site along the east property line will be elevated to match the existing properties and landscaped to improving the existing condition.

The desire by staff to prevent the development of the rear portion of the site, where there would be a significant impact on the neighbouring low density neighbourhoods, resulted in the building being pushed up to the mixed-use portion of the site. Because of the large size of the site, the resulting density and height can be accommodated without having a negative impact. The stepping back of the building from front to back, as well as from side to side has resulted in a massing that will contribute to the streetscape.

The site is unique in its size, configuration and location, and it would be difficult to replicate the proposed building on smaller sites along Danforth Avenue. The height of this application should not be justification for other applicants on smaller sites to seek similar height permissions.

Sun, Shadow

The submitted shadow drawings show that during the spring and fall equinox there is a significant shadow cast upon buildings located to the north of the property, on the north side of Danforth Avenue. The shadow does not extend past these properties into the neighbourhood to the north. There is an increased shadow during the evening hours on residential properties to the east.

Access, Parking

Pedestrian access is off of Danforth Avenue, with two additional entrances for the retail/commercial spaces. Vehicular access for parking and loading is off of Woodbine Avenue and will allow the entire frontage of Danforth to be utilized for pedestrian purposes. A drop off and pick up area for the residential component of the project will be located at the rear of the building, maximizing the retail potential of the proposal which will contribute to the streetscape along Danforth Avenue.

The proposal includes 120 resident parking spaces and 18 visitor spaces which complies with the requirements of the Zoning By-law. Bicycle parking spaces for both residents and visitors will also comply with the Zoning By-law requirements.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.42 to 0.78 hectares of local parkland per 1,000 people. The site is in the second lowest quintile of current provision of parkland. The site is in a parkland priority area, as per Alternative Parkland Dedication By-law 1420-2007.

The application proposes 148 residential units on a total site area of 0.3305 ha (3,305m²). At the alternative rate of 0.4 hectares per 300 units specified in By-law 1420-2007, the parkland dedication would be 0.1973 hectares (1,973m²). However, a cap of 10% applies and hence the parkland dedication for the residential component of the development would be 0.0330 hectares (330m²).

The non residential component of the development is less than 1000m² and is therefore exempt from the parkland dedication requirements under section 165-7 of the former City of Toronto Municipal Code (which remains in full force and effect).

The applicant proposes to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as there is no suitable location for an on-site parkland dedication and the site would be encumbered with below grade parking.

The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

Streetscape

The proposal has the opportunity to create landscaped pedestrian-oriented street edge along Danforth Avenue. The applicant proposed 3 retail units fronting onto Danforth Avenue, which will continue the pattern of retail along this portion of Danforth, where few larger retail spaces exist. Pedestrian access to the residential component of the building will also be provided along the Danforth Avenue frontage. No curb cuts will be necessary along the Danforth Avenue frontage, as the driveway, which was used for vehicular access to the previous building on the site, will be used to provide vehicular access to the underground parking as well as the servicing areas for the building for both the residential and commercial components.

Street trees and enhanced landscaping are proposed along the Danforth Avenue frontage.

Toronto Green Standard

The Green Development Standard contains performance targets and guidelines that relate to site and building design to promote better environmental sustainability of development in Toronto. Some of the targets the proposed development is intended to achieve include:

- a combination of green roof and light coloured roofing materials for 75% of the roof area;
- a combination of shading and light coloured materials for at least 50% of all landscape, including surface parking, walkways and others;
- 10% of materials harvested, manufactured and supplied will come from within 800km of the project;
- parking supply that does not exceed the minimum requirement in the Zoning By-law;
- Secure bicycle storage for long-term parking and the provision of bicycle parking that meets the 0.75 spaces per dwelling unit and secure bicycle storage for long-term parking is being provided;
- the main entrance is located within 200 metres of a transit stop;
- 45% of materials, including adhesives, sealants, paints, coatings, composite wood and agrifiber products are low emitting;
- Compliance to ASHRAE 62-2004 Thermal Comfort and Ventilation standards;

- Compliance with most pedestrian infrastructure measures;
- Compliance with ASHRAE 55-2004 Thermal Comfort standards;
- 70% of fixtures and appliances are Energy Star compliant;
- Storm water on-site retained to the same level of annual volume of overland runoff allowable under pre-development conditions;
- Drought resistant plant materials;
- High Efficiency Fixtures and appliances respecting water usage;

Staff will continue to work with the applicants through the Site Plan application review to identify further performance targets for the project to promote better environmental sustainability.

Section 37

Section 37 of the Planning Act allows the City to grant increased density and/or height in exchange for community benefits. Community benefits can include (among other capital facilities): parkland, non-profit arts and cultural, community or child care facilities or cash-in-lieu of the provision of those facilities as set out in policy 5.1.1.6 of the Official Plan.

The community benefits must bear a reasonable planning relationship to the proposed development, including a minimum geographic relationship and addressing planning issues associated with the development.

In this case, Planning staff in consultation with City Divisions and the local Ward Councillor's office are recommending that the developer contribute \$300,000.00 to be used for the following community benefits:

1. the owner shall make a cash payment to the City on the amount of \$100,000 for conversion of the existing wading pool located in East Lynn Park to a splash pad, such payment to be made prior to execution of the section 37 agreement or December 31, 2010, whichever occurs first;
2. the owner shall make a cash payment to the City on the amount of \$100,000 for conversion of the existing wading pool located in Stephenson Park to a splash pad, such payment to be made prior to execution of the section 37 agreement or December 31, 2010, whichever occurs first; and
3. the owner shall make a cash payment to the City on the amount of \$100,000 towards the redevelopment of the Moncur Playground, such payment to be made prior to execution of the section 37 agreement or December 31, 2009, whichever occurs first.

The following matters are also recommended to be secured in the Section 37 agreement as a legal convenience to support development:

- (a) as part of the Site Plan Approval process, the owner shall provide 1:50 scale drawings for the first 5 storeys of the north and south elevations of the building with materials labelled;

- (b) the owner shall incorporate in the construction of the building, and thereafter maintain, exterior building and landscape materials to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
- (c) the owner shall develop and implement to the satisfaction of the Director of Community Planning, Toronto and East York District, an appropriate Construction Mitigation Plan and Communication Strategy prior to the issuance of the first building permit (including excavation permit);
- (d) the owner shall agree to provide and maintain an irrigation system for the proposed trees within the public road allowances, including an automatic timer designed to be water efficient by a Certified Landscape Irrigation Auditor (CLIA) and construct with backflow preventer to the satisfaction of the General Manager of Parks, Forestry and Recreation; and
- (e) the owner shall agree to provide any necessary improvements to the municipal infrastructure in connection with the site servicing review, if it is determined that upgrades are required to the infrastructure to support this development, according to the site servicing review accepted by the Executive Director of Technical Services.

Tenure

All residential units will be part of a condominium corporation. A draft plan of condominium will need to be submitted for approval.

Development Charges

It is estimated that the development charges for this project will be \$853,243.00. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

CONTACT

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SIGNATURE

Raymond David, Director
Community Planning, Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: North Elevation

Attachment 3: East Elevation

Attachment 4: South Elevation

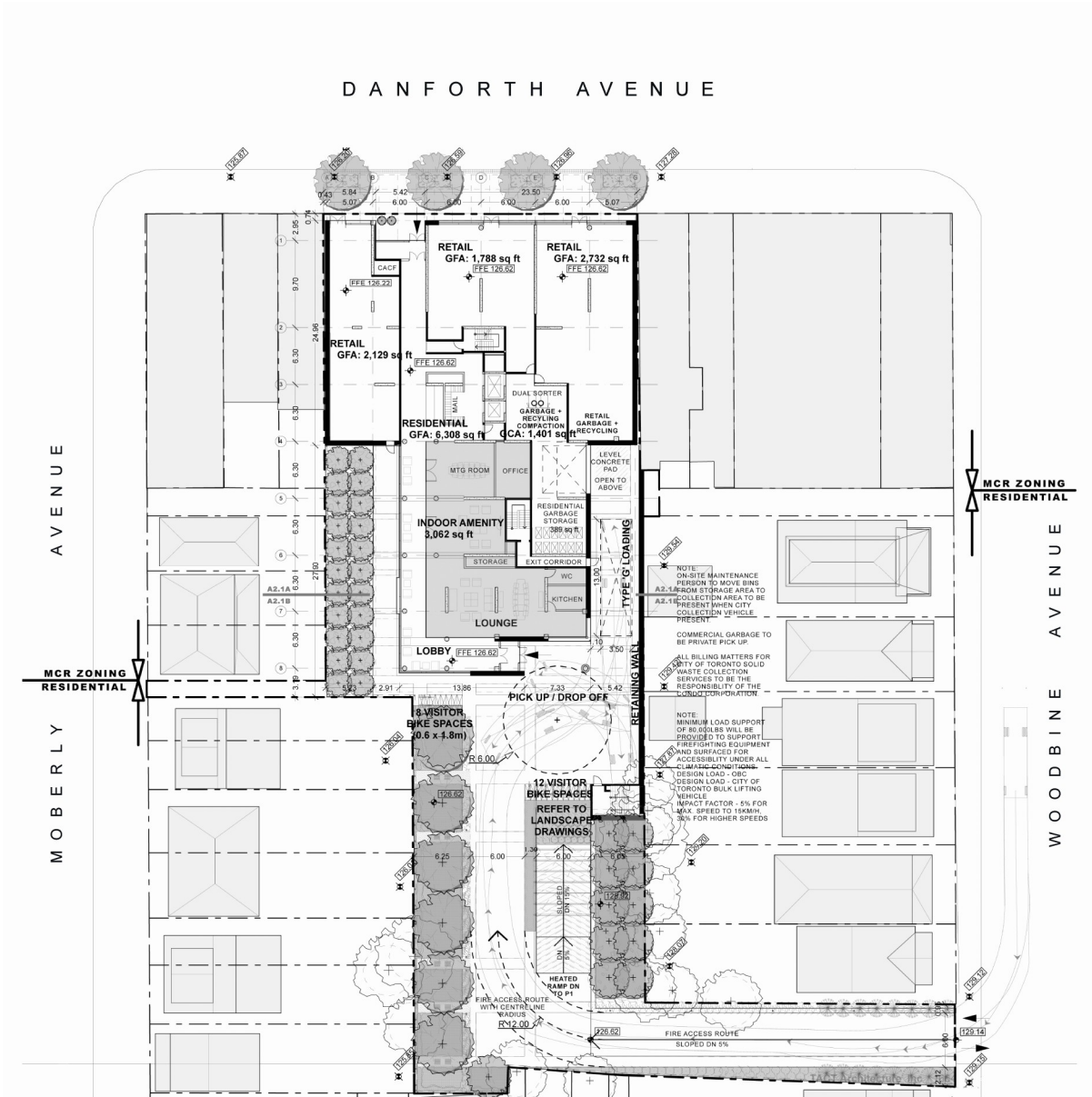
Attachment 5: West Elevation


Attachment 6: Zoning

Attachment 7: Application Data Sheet

Attachment 8: Draft Zoning By-law Amendment

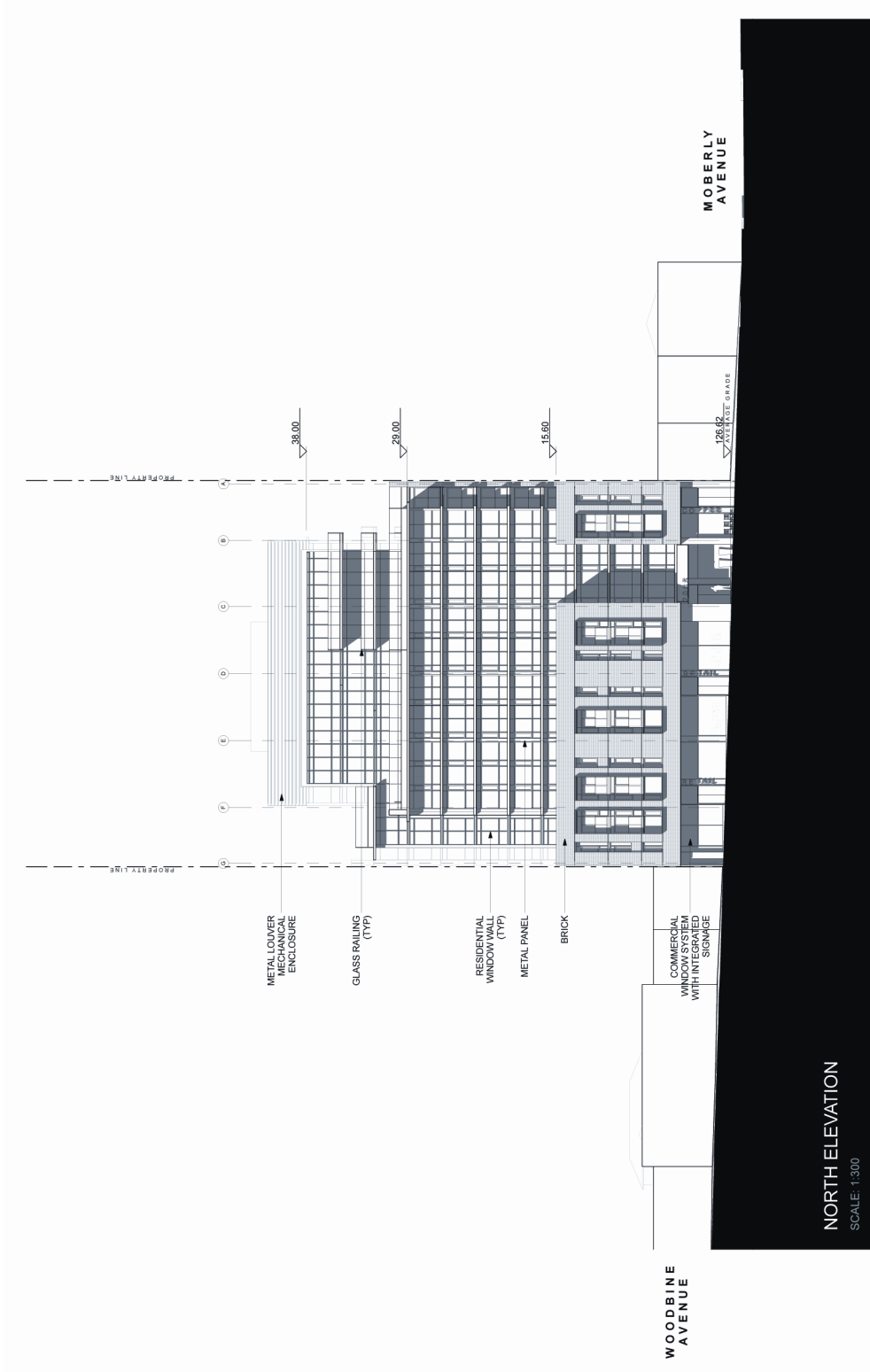
Attachment 1: Site Plan



Site Plan
Applicant's Submitted Drawing
 Not to Scale 
 06/21/2010

2055 & 2057 Danforth Avenue
 File # 09_160985

Attachment 2: North Elevation

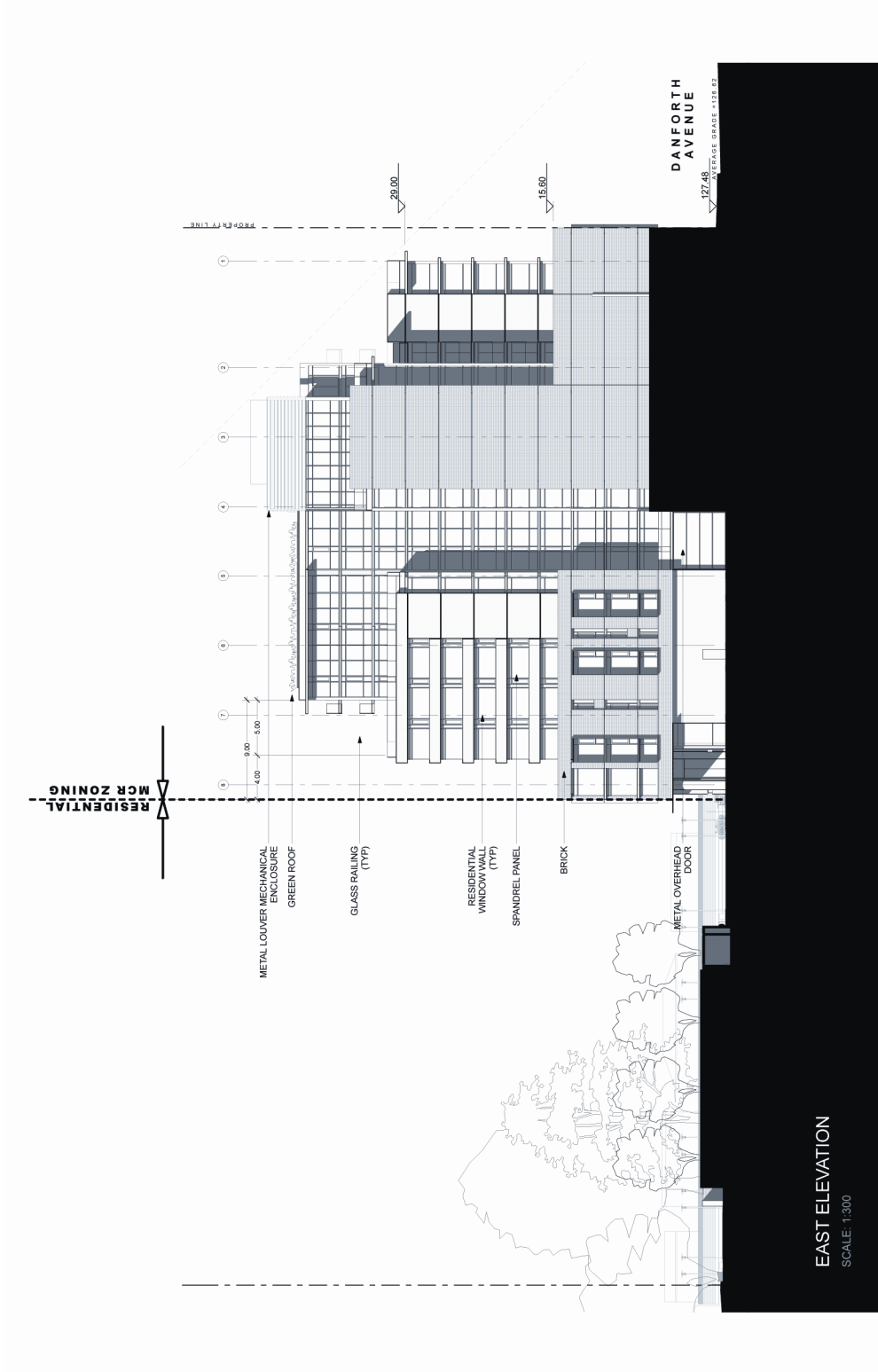


Elevations
Applicant's Submitted Drawing
 Not to Scale
 06/21/2010

2055 & 2057 Danforth Avenue

File # 09_160985

Attachment 3: East Elevation



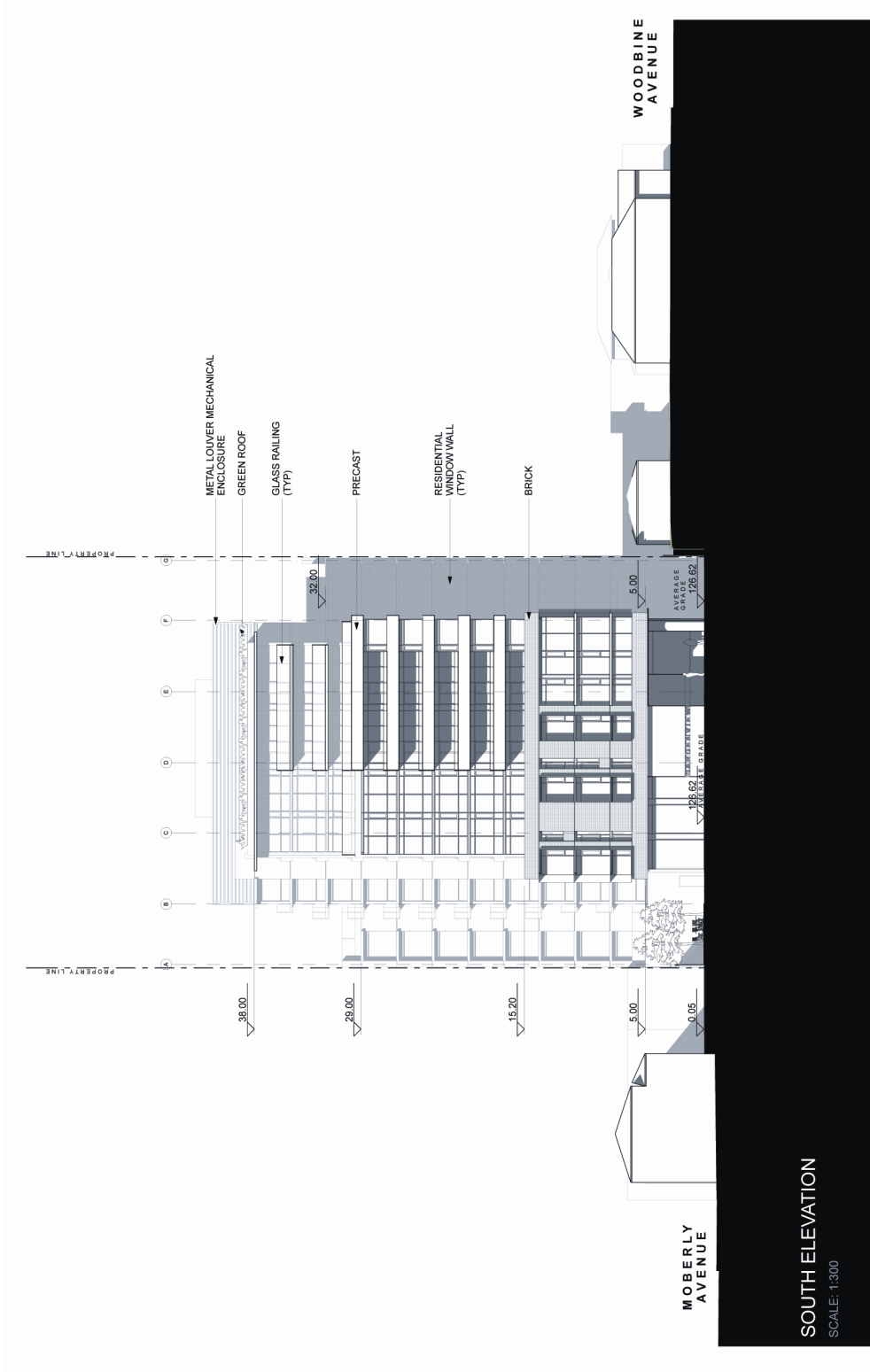
2055 & 2057 Danforth Avenue

Elevations
Applicant's Submitted Drawing

Not to Scale
06/21/2010

File # 09 160985

Attachment 4: South Elevation



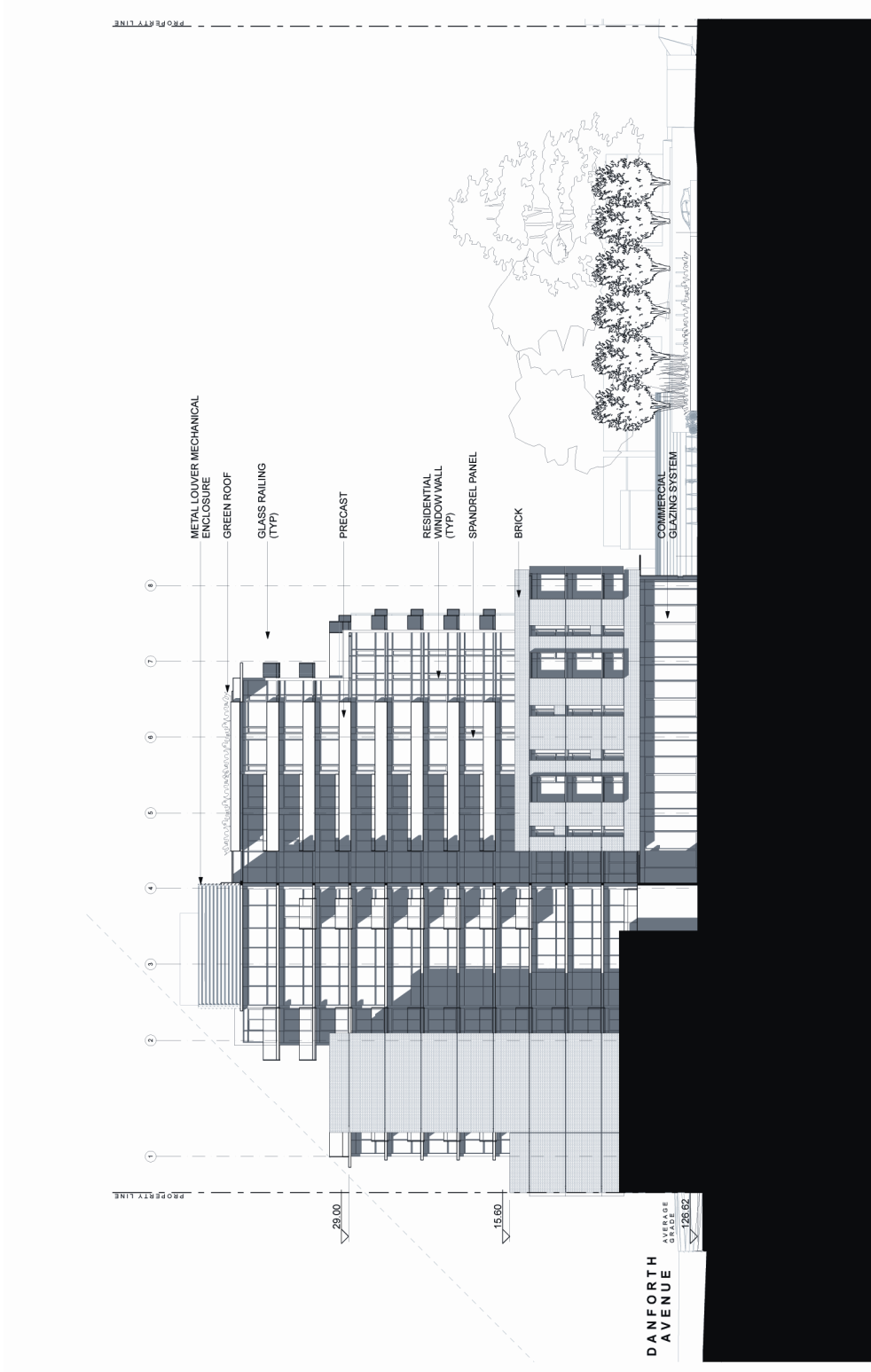
2055 & 2057 Danforth Avenue

Applicant's Submitted Drawing

Not to Scale
06/21/2010

File # 09 160985

Attachment 5: West Elevation



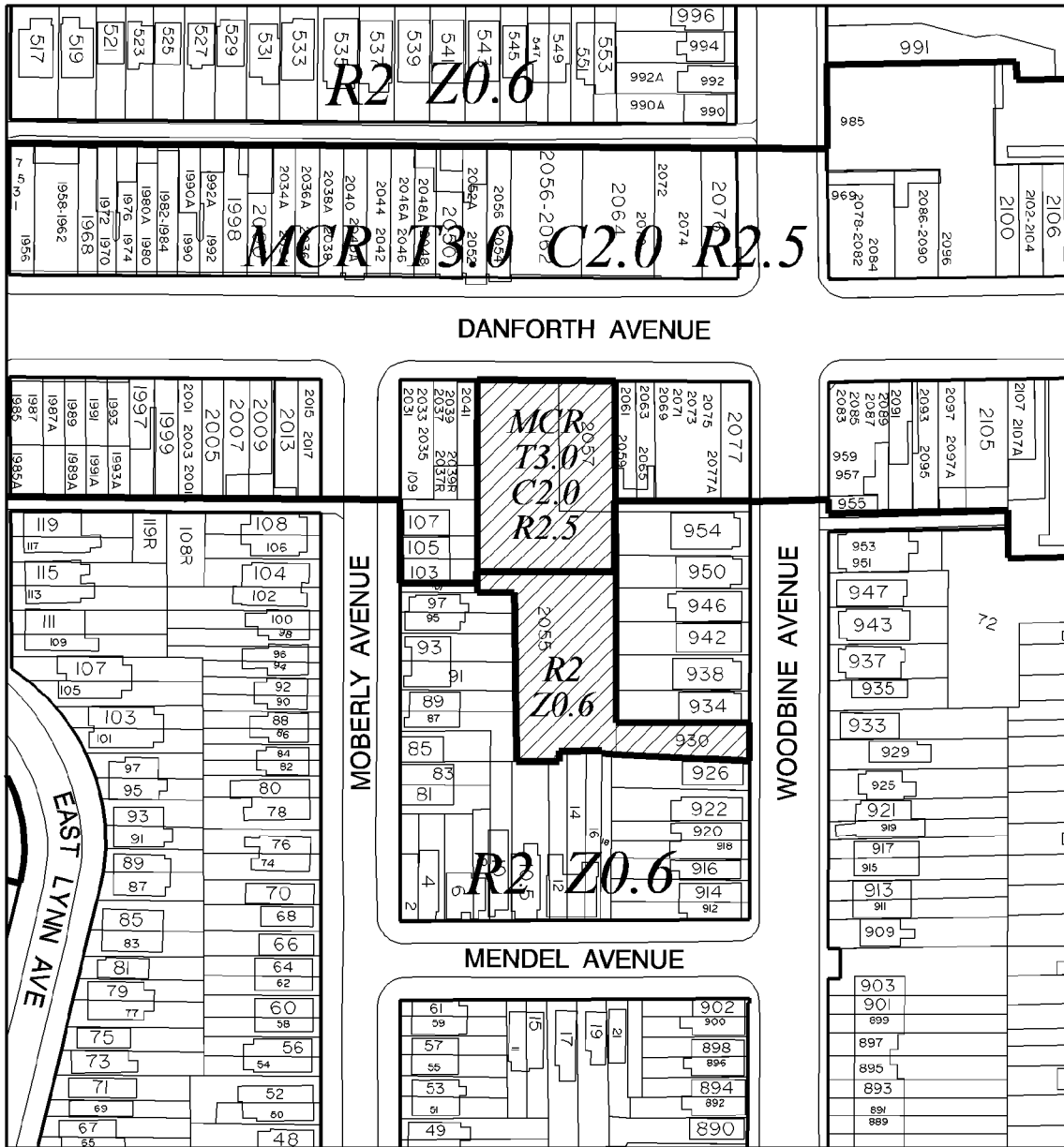
2055 & 2057 Danforth Avenue

File # 09 160985

Elevations
 Applicant's Submitted Drawing

Not to Scale
 06/21/2010

Attachment 6: Zoning



2055 & 2057 Danforth Avenue

File # 09_160985

R2 Residential District
MCR Mixed-Use District



Not to Scale
Zoning By-law 438-86 as amended
Extracted 10/13/2009

Attachment 7: Application Data Sheet

Application Type	Rezoning	Application Number:	09-160985 STE 32 OZ
Details	Rezoning, Standard	Application Date:	August 21, 2009
Municipal Address:	2055 and 2057 DANFORTH AVE		
Location Description:	CON 1 FB PT LT6 **GRID S3201		
Project Description:	Rezoning application to permit the development of the vacant parcel of lands municipally known as 2055 and 2057 Danforth Ave for a new mixed use building 12 storeys in height containing 141 residential dwelling units and ground floor related commercial units (11528m2 of GFA). The project includes a parking area located below grade.		

Applicant:	Agent:	Architect:	Owner:
JFC Properties Ltd			JFC Properties Inc

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	MCR T3.0 C2.0 R2.5	Historical Status:
Height Limit (m):	14	Site Plan Control Area:

PROJECT INFORMATION

Site Area (sq. m):	3305	Height:	Storeys: 12
Frontage (m):	34.76	Metres:	38
Depth (m):	95		
Total Ground Floor Area (sq. m):	1364		Total
Total Residential GFA (sq. m):	10978	Parking Spaces:	138
Total Non-Residential GFA (sq. m):	626	Loading Docks	1
Total GFA (sq. m):	11604		
Lot Coverage Ratio (%):	41.3		
Floor Space Index:	3.51		

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo	Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	10978
Bachelor:	0	Retail GFA (sq. m):	626
1 Bedroom:	117	Office GFA (sq. m):	0
2 Bedroom:	31	Industrial GFA (sq. m):	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0
Total Units:	148		

CONTACT:	PLANNER NAME:	Leontine Major, Senior Planner
	TELEPHONE:	(416) 397-4079

Attachment 8: Draft Zoning By-law Amendment

Authority: Toronto and East York Community Council Item ~ [or Report No. ~, Clause No. ~] as adopted by City of Toronto Council on ~, 20~
Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To amend Zoning By-law No. 438-86, as amended,
With respect to the lands municipally known as,
2055 and 2057 Danforth Ave**

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

WHEREAS pursuant to Section 37 of the *Planning Act*, the Council of a municipality may in a By-law under Section 34 of the *Planning Act*, authorize increases in the height or density of development beyond those otherwise permitted by the by-law in return for the provision of such facilities, services or matters as are set out in the by-law; and

WHEREAS Subsection 37(3) of the *Planning Act*, provides that, where an owner of land elects to provide facilities, services or matters in return for an increase in height or density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services or matters; and

WHEREAS the owner of the lands hereinafter referred to has elected to provide the facilities, services and matters, as hereinafter set forth; and

WHEREAS the increases in the height or density permitted hereunder, beyond those otherwise permitted in the aforesaid lands by By-law No. 438-86, as amended, are to be permitted in return for the provision of the facilities, services and matters set out in this By-law and are to be secured by one or more agreements between the owner of such lands and the City of Toronto (hereinafter referred to as the "City"); and

WHEREAS Council has required the owner of the aforesaid lands to enter into one or more agreements dealing with certain facilities, services and matters in return for the increases in height and density in connection with the aforesaid lands as permitted in this By-law;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. None of the provisions of Sections 4(2)(a), 4 (4), 4(6)(b), 4(12), 6, 8(3)(Part 1) and 8(3)(Part 2) of By-law 438-86 of the former City of Toronto, being "A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto", as amended, shall apply to prevent the erection or use of a *mixed-use building* on the lot for:

- (a) not more than 148 residential units;
- (b) any uses permitted in an MCR district under Zoning By-law 438-86, as amended.

provided that:

- (1) the *lot* on which the proposed building is to be located comprises at least those lands delineated by heavy lines on Map 1, attached to and forming part of this By-law;
- (2) no portion of any building or structure is located otherwise than wholly within the areas delineated by heavy lines shown on Map 2, attached to and forming part of this By-law, except for the type of structure listed in the column entitled “STRUCTURE” in the following chart, provided that the restrictions set out opposite the structure in the columns entitled “MAXIMUM PERMITTED PROJECTION” are complied with:

STRUCTURE	LOCATION OF PROJECTION	MAXIMUM PERMITTED PROJECTION	OTHER APPLICABLE QUALIFICATIONS
eaves or cornices	Required setback area from any lot line	0.45 metres	None
fences and safety railings	Required setback area from any lot line	No restriction	Height of fence or safety railing not to exceed 2.0 metres
exterior insulation and facing material, including any supporting foundation	Required setback area from any lot line	0.16 metres	None
balconies	Required setback area from any lot line	1.7 metres	None

- (3) the *height* of any building or structure, including the mechanical penthouse, as measured from the average grade of the subject property or portion thereof, does not exceed the height in metres specified by the numbers following the symbol H on Map 2 attached to and forming part of this By-law;
- (4) the *residential gross floor area* of the building erected on the *lot* does not exceed 10,978 square metres;
- (5) the *non-residential gross floor area* of the building erected on the *lot* does not exceed 626 square metres;
- (6) no individual commercial space shall exceed an area of 255 square metres;
- (7) Provide parking for the residential condominium of this project, in accordance with the following minimum ratios:

<u>Unit Type</u>	<u>Parking Ratio</u>
Bachelor	0.3 space/unit
1 bedroom unit	0.7 space/unit
2 bedroom unit	1.0 space/unit
3 + bedroom units	1.2 space/unit
Visitor parking	0.12 spaces/unit

- (8) Provide one *loading space – type G*.
2. For the purposes of this By-law, each word or expression that is italicized in the By-law shall have the same meaning as each such word or expression as defined in By-law No. 438-86, as amended.
 3. Upon execution and registration of an agreement or agreements with the *owner* of the *lot* pursuant to Section 37 of the *Planning Act* securing the provision of the facilities, services or matters set out in Appendix 1 hereof, the *lot* is subject to the provisions of this By-law, provided that in the event the said agreement(s) requires the provision of a facility, service or matter as a precondition to the issuance of a building permit, the *owner* may not erect or use such building until the *owner* has satisfied the said requirements.
 4. Within the lands shown on Map 1 attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
 - (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
 - (c) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.
 5. Building permit issuance with respect to the lands to which this By-law applies shall be dependant upon satisfaction of the provisions in the By-law and in the Section 37 Agreement relating to building permit issuance, including the provision of monetary payments and the provision of financial securities.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Appendix “1”
Section 37 Provisions

The facilities, services and matters set out herein are the matters required to be provided by the *owner* of the *lot* at its expense to the *City* in accordance with an agreement or agreements, pursuant to Section 37(3) of the *Planning Act*, in a form satisfactory to the *City* with conditions providing for indexing escalation of both the financial contributions and letters of credit, indemnity, insurance, GST, termination and unwinding, and registration and priority of agreement:

1. the owner shall make a cash payment to the City in the amount of \$100,000 for conversion of the existing wading pool located in East Lynn Park to a splash pad, such payment to be made prior to execution of the Section 37 agreement or December 31, 2010, whichever occurs first;
2. the owner shall make a cash payment to the City in the amount of \$100,000 for conversion of the existing wading pool located in Stephenson Park to a splash pad, such payment to be made prior to execution of the Section 37 agreement or December 31, 2010, whichever occurs first;
3. the owner shall make a cash payment to the City in the amount of \$100,000 towards the redevelopment of the Moncur Playground, such payment to be made prior to execution of the Section 37 agreement or December 31, 2009, whichever occurs first;
4. as part of the Site Plan Approval process, the owner shall provide 1:50 scale drawings for the first 5 storeys of the north and south elevations of the building with materials labelled;
5. the owner shall incorporate in the construction of the building, and thereafter maintain, exterior building and landscape materials to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
6. the owner shall develop and implement to the satisfaction of the Director of Community Planning, Toronto and East York District, an appropriate Construction Mitigation Plan and Communication Strategy prior to the issuance of the first building permit (including excavation permit);
7. the owner shall agree to provide and maintain an irrigation system for the proposed trees within the public road allowances, including an automatic timer designed to be water efficient by a Certified Landscape Irrigation Auditor (CLIA) and construct with backflow preventer to the satisfaction of the General Manager of Parks, Forestry and Recreation; and
8. the owner shall agree to provide any necessary improvements to the municipal infrastructure in connection with the site servicing review, if it is determined that upgrades are required to the infrastructure to support this development, according to the site servicing review accepted by the Executive Director of Technical Services.

