# M TORONTO

# STAFF REPORT ACTION REQUIRED

# 2839 Jane Street - Zoning By-law Amendment Application - Preliminary Report

Date:	October 27, 2017
То:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 8 – York West
Reference Number:	17 208607 NNY 08 OZ

# SUMMARY

This application proposes to amend the City's Zoning By-law #569-2013 and Zoning Bylaw #7625 for the former City of North York to permit development of the lands at 2839 Jane Street for a 12 storey, 36.9 metre high mixed use building. The proposed

development would incorporate 869 square metres of commercial space on the ground floor, and 12,125 square metres of residential space including 172 residential units. The proposed density is 3.92 times the lot area. The proposal would incorporate a 3 level below grade garage and have a total of 212 parking spaces, which includes 34 resident visitor spaces and 13 commercial spaces of which 5 would be at grade. A total of 141 bicycle parking spaces are proposed.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the applications and on the community consultation process.



Should the applicant provide any additional required information in a timely manner, it is anticipated the

final report will be prepared and a public meeting scheduled provided all outstanding issues are addressed.

## RECOMMENDATIONS

#### The City Planning Division recommends that:

- 1. Staff be directed to schedule a community consultation meeting for the lands at 2839 Jane Street together with the Ward Councillor.
- 2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
- 3. Notice for the public meeting under the *Planning Act* be given according to the regulations of the *Planning Act*.

#### **Financial Impact**

The recommendations in this report have no financial impact.

## **DECISION HISTORY**

On January 29, 2015, an application was made to the City for Site Plan approval to permit a 3-storey (approximately 3,603 square metre) commercial building with ground floor retail and 2-storeys of office with 64 at grade parking spaces (File #15-109987 NNY 08 SA). This application was in circulation for comments, but has since been revised to reflect the proposed 12 storey development which is subject to this report.

## **Pre-Application Consultation**

A pre-application consultation meeting was held with the applicant on March 8, 2017 to discuss a zoning by-law amendment application for a 12 storey mixed use building. Issues discussed were:

- Opportunities to incorporate additional lands adjacent to the site to the north;
- Mid-rise guidelines and how they would apply to the proposal;
- Vehicular access and parking including bicycle parking;
- Angular plane and impact on neighbouring residential communities; and
- Complete application submission requirements.

## **ISSUE BACKGROUND**

#### Proposal

The applicant is proposing to develop the northeast corner of Jane Street and Yorkwoods Gate for a 12-storey (36.9 metre high), 172 unit residential condominium building with 212 vehicular parking spaces in a 3-level below grade parking garage. A total of 141 bicycle parking spaces are proposed to be provided. As proposed, the development would consist of a total of 14,376 square metres of gross floor area, and represents a lot coverage of 38% and a total density of 3.92 times the lot area. The proposed development would incorporate 869 square metres of commercial space on the ground floor, and 12,125 square metres of residential space. The proposal would provide for 354 square

metres of residential indoor amenity space and 613 square metres of outdoor amenity space. This portion of Jane Street has a 36 metre right-of-way, however it does not have an Avenues Overlay as per Map 2, Urban Structure, in the City of Toronto Official Plan. A 6.1 metre corner rounding is proposed for the northeast corner of Jane Street and Yorkwoods Gate.

The applicant proposes a building height generally with a 1:1 ratio of the Jane Street right of way. The residential building entrance would be at the northeast corner of Jane Street and Yorkwoods Gate. Retail entrances would be located along both the Jane Street and Yorkwoods Gate frontages. Vehicular access for both residential and commercial uses would be via a 7 metre wide driveway from Yorkwoods Gate. This route would provide access to 2 loading spaces at the rear of the building. The loading spaces are proposed to be outside of the building.

Site and proposal statistics are found in Attachment 5: Application Data Sheet and the chart below.

She Statistics	r
Residential Gross Floor Area	13,507.1 m2
Commercial Gross Floor Area	869 m2
Total Gross Floor Area	14,376.1 m2
Land Area	3668 m2
Floor Space Index	3.92
Lot Coverage Ratio	37.7
Height – ground floor	4.5 m
Total	36.9 m
Typical upper floor floorplate- Floors5 to 7	1,238 m2
Floors 8 and 9	1,250 m2
Floor 10	1,199 m2
Floor 11	1,102 m2
Floor 12	1,116 m2
Residential Units - (condominium tenure)	
1 Bedroom	98 (57%)
2 Bedroom	62 (36%)
3 Bedroom	12 (7%)
Total	172 units
Indoor Amenity Space: 2nd floor	354.6 m2
Outdoor Amenity Space: ground level	56.7 m2
2 <sup>nd</sup> floor	43.9 m2
13 <sup>th</sup> level (roof)	512.4 m2
	613 m2
Vehicular Parking: residential	164
residential visitor	34
commercial	13

#### Site Statistics

Total	211
Bicycle Parking: residential	117
residential visitor	12
commercial	12
Total	141

#### **Building Setbacks and Stepbacks**

0									
Building	West – along Jane Street: 4.8 m at ground floor and 3 m at the second floor.								
Setbacks	East: 19.6 m at ground and second floors.								
	South – along Yorkwoods Gate: ranges from 4.8 m min. to 8 m max. at								
	ground floor.								
	Ranges from 2.5 m min to 5.7 m max at the second floor.								
	North: ranges from 5.9 m min. (northeast corner of building) to 10 m max.								
	at Jane Street frontage at ground floor.								
	Ranges from 4.2 m min. (northeast corner of building) to 8.3 m max. at								
	Jane Street frontage at second floor.								
Building	West:								
Stepbacks	3rd floor – 2.93 m								
	$8^{\text{th}}$ floor – 1.6 m								
	East:								
	3rd floor – 1.5 m								
	South:								
	3rd floor – 0.7 m								
	$10^{\text{th}}$ floor – 1.6 m								
	North:								
	Zero								

## Site and Surrounding Area

The subject lands formerly used as a gasoline station are located at the northeast corner of Jane Street and Yorkwoods Gate, south of Finch Avenue West. The site has been decommissioned and is presently vacant of all buildings and trees. The total site area is 3,668 square metres. The subject lands are flat and have a frontage 64 metres along Jane Street and a depth of 67 metres along Yorkwoods Gate.

Surrounding the property are:

- North: An existing commercial plaza known as Yorkwoods Plaza containing an assortment of local retail establishments. Immediately afterward are located residential townhomes, after which is located a shopping centre known as Jane-Finch Mall located at the southeast corner of Jane Street and Finch Avenue West.
- South: Yorkwoods Gate and beyond is located a 17 storey residential building, further south along Jane Street are located additional apartment towers and interspersed stacked residential townhouses ranging in height from 4 to 17 storeys.

- West: Jane Street and beyond are a 13-storey residential building and 2 to 3 storey townhouse complex, including the Firgrove Toronto Community Housing complex.
- East: Immediately adjacent is located an approximately 19 metre wide driveway that provides access to the neighbouring plaza to the north, as well as approximately 20 parking spaces; further east is located Yorkwoods Park and further east a 2-storey residential townhouse complex, and 12 storey residential building. Yorkwoods Public School is also located just to the southeast, across Yorkwoods Gate.

## **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (2014) provides policy direction Province wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The City of Toronto uses the PPS to guide its Official Plan and to inform decisions on other planning and development matters. The PPS is issued under Section 3 of the Planning Act and all decisions of Council affecting land use planning matters "shall be consistent with" the Provincial Policy Statement.

The Growth Plan for the Greater Golden Horseshoe (2017) provides a strategic framework for managing growth in the Greater Golden Horseshoe region including:

- Setting minimum density targets within settlement areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;

- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

Like other provincial plans, the Growth Plan for the Greater Golden Horseshoe (2017) builds upon the policy foundation provided by the Provincial Policy Statement (2014) and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. All decisions by Council affecting land use planning matters are required by the *Planning* Act, to conform, or not conflict, as the case may be, with the Growth Plan.

Staff will review the proposed development application so it is consistent with the Provincial Policy Statement (2014) and conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe (2017).

## **Official Plan**

The City of Toronto Official Plan designates the subject lands as Mixed Use Areas as shown on the Land Use Plan, Map 13 in the Official Plan. The Official Plan Policy 4.6.1 states that 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. The Official Plan recognizes that Mixed Use Areas achieve a number of planning objectives by combining a broad array of uses and it outlines in Policy 4.5.2 the following development criteria:

Development in these areas will:

- Create a balance of high quality commercial and residential uses that reduce automobile dependency and meet the needs of the local community;
- Provide for new jobs and homes:
- Locate buildings so that they create a transition between areas of different development intensity and scale, with appropriate setbacks, heights and shadow that respect adjacent lower scale neighbourhoods;
- Locate buildings to frame the streetedge and help create comfortable pedestrian conditions;
- Take advantage of nearby transit services; and
- Provide indoor and outdoor recreation space for building residents. \_

Policy 2 of the Mixed Use Areas section of Chapter 4 identifies a number of criteria with regards to transition between developments within Mixed Use Areas and adjacent *Neighbourhoods*. The policies require that new development will locate and mass new buildings to provide a transition between areas of different development intensity and scale through means such as providing appropriate setbacks and a stepping down of heights. Policy 4.5.2(d) also requires that shadowing from new development be limited on adjacent *Neighbourhoods* especially during the spring and fall equinoxes. Staff report for action - Preliminary Report - 2839 Jane Street

Chapter 2 of the Official Plan includes policies to develop the City's transportation network. Jane Street is identified as a major street on Map 3 of the Official Plan with a planned right-of-way width of thirty-six metres. Map 4 of the Official Plan also identifies Jane Street as a Higher Order Transit Corridor with opportunities for expansion of the transit infrastructure.

The public realm policies of Section 3.1.1 of the Official Plan recognize the essential role of our streets, open spaces, parks and other key shared public assets in creating a great City. These policies aim to ensure that a high level of quality is achieved in layout, organization and massing of private developments to ensure that the public realm is beautiful, comfortable, safe and accessible.

The Built Form policies in Section 3.1.2 of the Official Plan relate to ensuring that new development in the city can fit harmoniously within the existing area. This includes providing appropriate transition to the existing surrounding area to ensure that the new development will fit within the existing and/or planned context. Development should be massed with good proportions to fit within the existing and planned context and to ensure sunlight and skyview from adjacent streets. Transition in scale may be achieved with many "geometric relationships and design methods in different combinations" including angular planes, stepping of heights, location and orientation of the building and the use of setback and stepbacks of building mass.

Section 5.1.1 allows the City to approve height and/or density increases greater than permitted by the zoning by-law pursuant to Section 37 of the Planning Act for developments which exceed 10,000 square metres and increase the permitted density by at least 1,500 square metres and/or significantly increase the permitted height. The proposal is in excess of 10,000 square metres and proposes an increase of the permitted height. The Toronto Official Plan is available on the City's website at:

http://www.toronto.ca/planning/official plan/introduction.htm.

## **Official Plan Amendment 320**

As part of the City's ongoing Official Plan Five Year Review, City Council adopted Official Plan Amendment No. 320 on December 10, 2015. OPA 320 strengthens and refines the Healthy Neighbourhoods, Neighbourhoods and Apartment Neighbourhoods policies to support Council's goals to protect and enhance existing neighbourhoods and to allow limited infill on underutilized apartment sites in Apartment Neighbourhoods. OPA 320, as approved by Council is available at:

http://www.toronto.ca/legdocs/bylaws/2015/law1297.pdf

The Minister of Municipal Affairs approved and modified OPA 320 on July 4, 2016. The Ministry received 57 appeals to OPA 320 and it has been appealed in its entirety. As a result, OPA 320 as approved and modified by the Minister is relevant but not determinative in terms of the Official Plan policy framework. The Minister's approval and modification can be found at:

http://www1.toronto.ca/City%20Of%20Toronto/City%20Planning/SIPA/Files/pdf/N/MM A%20Notice%20of%20Decision.OPA%20320.July%204\_2016.pdf

#### Zoning

Under the former City of North York Zoning By-law #7625, the lands are zoned as General Commercial Zone (C1). This zone permits all uses permitted in both the One-Family Detached Dwelling Fifth Density Zone (R5) and in the Multiple-Family Dwellings Fifth Density Zone (RM5) and allows for a variety of residential and commercial uses, including residential apartment buildings.

Within an RM5 zone, Apartment House style buildings require a minimum lot area of 835 square metres, a minimum frontage of 21 metres, and can have a maximum lot coverage of 35%. A minimum front yard setback of 7.5 metres; a minimum side yard setback of one half the height of the building adjacent to the side yard and a minimum rear yard setback of 7.5 metres or the height of the building, whichever is greater, is required. A maximum gross floor area of 100% of the lot area and a maximum height of 11.5 metres is also permitted.

The City of Toronto Zoning By-law #569-2013 designates the lands as Commercial Residential (CR). A variety of commercial and residential uses are permitted in this zone, as are apartment building built forms, having a minimum lot frontage of 9 metres, and a maximum lot coverage of 100%. A minimum side yard setback of 3 metres, a rear yard setback of 7.5 metres and a maximum height of 10.5 metres as well as a maximum density of 1 times the lot area is permitted.

## Site Plan Control

A site plan application was received in January, 2015 for a proposed 3-storey commercial building (File #15-109987 NNY 08 SA). That application has been revised for the proposed 12 storey mixed use development and additional required fees have been received.

#### **Mid-Rise Guidelines**

Toronto City Council, at its meeting of July 8, 2010, adopted the recommendations contained in the staff report prepared by City Planning entitled "Avenues and Mid-Rise Buildings Study", with modifications. The main objective of the Avenues and Mid-Rise Buildings Study is to encourage future intensification along Toronto's Avenues that is compatible with the adjacent neighbourhoods through appropriately scaled and designed mid-rise buildings. Mid-Rise Building Guidelines identify a list of best practices, categorizes the Avenues based on historic, cultural and built form characteristics, establishes a set of performance standards for new mid-rise buildings, and identifies areas where the performance standards should be applied.

## Mid-Rise Building Performance Standards Addendum

In June 2016, City Council approved the Mid-Rise Building Performance Standards Addendum. The Addendum is to be used by City Staff together with the 2010 approved Mid-Rise Building Performance Standards during the evaluation of development applications where mid-rise buildings are proposed and the Performance Standards are applicable. The Performance Standards and Addendum may also be used to help inform the preparation or review of area studies and policies involving mid-rise buildings. The Addendum is approved as an interim supplement to the 2010 Performance Standards until such time as Council considers and adopts updated Mid-Rise Building Design Guidelines, which is targeted for the fourth quarter of 2017. Council's decision can be found here:

http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7

Mid-Rise Building Performance Standards Addendum may be found here: http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf

## **Toronto Strong Neighbourhood Strategy**

In 2014 City Council, approved the Toronto Strong Neighbourhood Strategy (TSNS) 2020 which identified the social planning neighbourhood of Black Creek as one of 31 Neighbourhood Improvement Areas (NIAs) with data from the Urban HEART @ Toronto assessment tool and community consultations. The neighbourhood had previously been identified as part of the Jane Finch Priority Neighbourhood in 2005/6.

TSNS 2020 is a collaborative planning approach involving local stakeholders including resident groups, business owners, agencies, City staff and other levels of government. Through the designation of NIA the neighbourhood is targeted for investments in partnership development, capital and program investments, resident capacity development and engagement.

TSNS 2020 uses a collaborative approach to neighbourhood planning. Local planning prioritizes actions in 5 areas; economic opportunities, healthy lives, Civic participation, social development and physical surroundings. The aim of the Action Plans and mission of the strategy is to activate people, resources and neighbourhood-friendly policies to improve the well being of local residents.

## **Reasons for the Application**

An amendment to the Zoning By-laws is required to permit the proposed 12-storey residential building and establish appropriate performance standards regarding setbacks, density, height, and parking amongst other standards.

## COMMENTS

#### **Application Submission**

The following reports/studies were submitted with the application:

- Cover letter Planning Rationale;
- Site and Architectural plans;
- Massing study;
- Elevation and section drawings;
- Landscape Plans and cost estimate and Landscape lighting plans;
- Surveys plans;
- Site Servicing, Grading and Stormwater Management Report;
- Sun/Shadow study; and
- Traffic Report.

A Notification of Incomplete Application issued on September 26, 2017 identifies the outstanding material required for a complete application submission as follows:

- Community Services and Facilities Study; and
- Hydrogeological Investigation Report.

#### Issues to be Resolved

The proposal represents a significant built form and density on a major corridor which in advance of a City initiated land use study raises precedent and policy implications; the applicant will be required to provide an analysis of the proposal and potential implications on similar sites in the area, and on soft and hard infrastructure in the area.

Other Issues that have also been identified include:

- Adherence to Official Plan polices for *Mixed Use Areas*;
- Lot coverage and proposed density;
- Proposed building height, massing, setbacks, stepbacks and adherence to the 45 degree angular plane from the lands to the south east of the site and designated *Neighbourhoods*;
- inclusion of more family sized units;
- Vehicular access, traffic impacts and amount and location of proposed parking;
- Location and access to proposed loading areas;
- Landscaping and public realm improvements;
- Opportunity to provide a continuous pedestrian weather protection along Jane Street;
- Landscaped open space and indoor and outdoor amenity space proposed;
- Impact on local community services and facilities;
- Appropriateness of the applicant's anticipated lot addition with the strip plaza to the north including consolidation of driveways and phasing for the overall site;
- Determining parkland dedication and opportunities to improve Yorkwoods Park; and
- Assessment of appropriate community benefits under Section 37 of the *Planning Act*;

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

#### CONTACT

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## SIGNATURE

Joe Nanos, Director Community Planning, North York District

#### ATTACHMENTS

Attachment 1: Site Plan Attachment 2a: North Elevation Attachment 2b: West Elevation Attachment 2c: East Elevation Attachment 2d: South Elevation Attachment 3: City of Toronto Zoning By-law 569-2013 Attachment 4: Official Plan Attachment 5: Application Data Sheet

Attachment 1: Site Plan





#### **Attachment 2a: North Elevation**



# North Elevation

Applicant's Submitted Drawing

Not to Scale 10/12/2017

2839 Jane Street

#### **Attachment 2b: West Elevation**



# West Elevation

2839 Jane Street

Applicant's Submitted Drawing

Not to Scale 10/12/2017

#### **Attachment 2c: East Elevation**



# East Elevation

## 2839 Jane Street

Applicant's Submitted Drawing Not to Scale 10/12/2017

#### **Attachment 2d: South Elevation**



# South Elevation

2839 Jane Street

Applicant's Submitted Drawing Not to Scale 10/12/2017



Attachment 3: City of Toronto Zoning By-law 569-2013



Not to Scale 09/26/2017

Apartment Neighbourhoods

Attachment 5: Application Data Sheet											
Application Type		Rezoning			Application Number:			17 208607 NNY 08 OZ			
Details	Details Rezoning, Sta		g, Stand	ndard Application Date:			e:	July 31, 2017			
Municipal Address: 2839 JANE S			NE ST								
Location Description	on:	PLAN M	1988 PT	T BLK B RP R2254 PART 1 **GRID N0805							
Project Description	:	Proposal for a 12 storey mixed use building with 172 dwelling units; retail uses at ground floor and 3 storey below grade parking for 212 parking spaces. (Related site plan application File # 15 109987 NNY 08 SA).									
Applicant:		Agent:		Architect:				Owner:			
Hatem Nassif 4 Leila Jackson Terrace North York ON M3L 0B3				Hatem Nassif Architects 4 Leila Jackson Terrace North York ON M3L 0B		e	c/o Huucu 1315 Finc		ntario Inc. Nguyen Ave.W,Suite503 CON M3J 2G6		
PLANNING CON	TROLS										
Official Plan Design	nation:	Mixed Use Areas		Site Specific Provision:			Ν				
Zoning:		CR 1.0(x1.0; r1.0) SS3		Historical Status:			Ν				
Height Limit (m): 10.5				Site Plan Control Area:			Y				
PROJECT INFOR	RMATION										
Site Area (sq. m):			3668.4	14	Height:	Storeys:		12			
Frontage (m):		63.9			Metres:	Aetres:		36.9			
Depth (m):		66.7									
Total Ground Floor	Area (sq. m	n):	1381.4	4					Tota	I	
Total Residential G	FA (sq. m):		13507	7.1 Parking S			Spaces: 212				
Total Non-Resident	ial GFA (sq	. m):	869		Loading Dock				2		
Total GFA (sq. m):			14376	.1							
Lot Coverage Ratio	(%):		37.7								
Floor Space Index:			3.92								
DWELLING UNI	ГS			FLOOR A	REA BREAK	DOWN (1	ıpon pr	oject	comple	etion)	
Tenure Type: C		Condo	ndo				Above Grade		ade	<b>Below Grade</b>	
Rooms:		0		Residential C	GFA (sq. m):		13507.1			0	
Bachelor:		0	Retail GFA (		(sq. m):		869			0	
1 Bedroom:		98 (57%)	)	Office GFA	(sq. m):		0			0	
2 Bedroom:		62 (36%)	)	Industrial GF	FA (sq. m):		0			0	
3 + Bedroom:		12 (7%)		Institutional/Other GFA (sq. m):		ą. m):	0			0	
Total Units:		172									
CONTACT: PLANNER NAME: Ben DiRaimo, Planner, Community Planning											
<b>TELEPHONE:</b>				(416) 395-7119; bdiraimo@toronto.ca							