

**441 Jane Street - Official Plan and Zoning By-law  
Amendment Application - Preliminary Report**

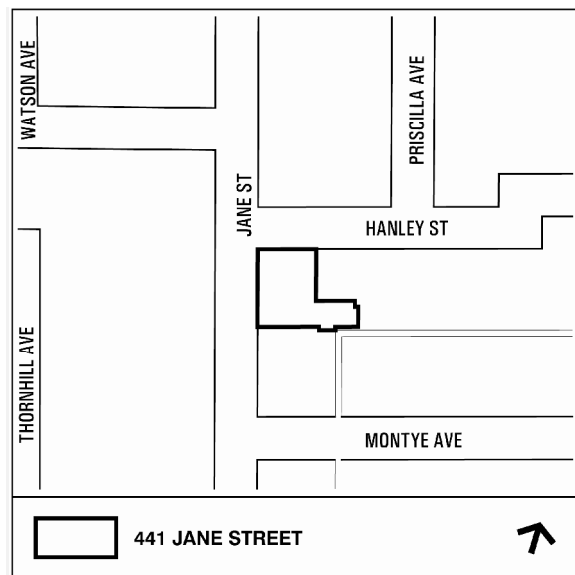
<b>Date:</b>	March 19, 2013
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Director, Community Planning, Etobicoke York District
<b>Wards:</b>	Ward 13 – Parkdale-High Park
<b>Reference Number:</b>	13 118452 WET 13 OZ

**SUMMARY**

This application proposes to amend the Official Plan and the former City of York Zoning By-law 1-83, to permit the construction of a five level multi-unit residential development in a stacked townhouse form at 441 Jane Street. Four storeys would be above grade with a fifth storey partially below grade. A total height of 11m is proposed above grade. The proposed development would contain twenty-three units and twenty-four parkings spaces, of which twenty spaces would be provided in a one-level underground garage.

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

A community consultation meeting scheduled by staff in consultation with the Ward Councillor is to be held in the second quarter of the year. A Final Report and Public Meeting under the *Planning Act* to consider this application is targeted for late 2013 provided any required information is submitted by the applicant in a timely manner.



## RECOMMENDATIONS

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### The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 441 Jane Street 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*.

## DECISION HISTORY

On February 17, 1966, By-law 17778, amended By-law 15955 (now Zoning By-law 1-83), to permit the lands at 441 Jane Street to be used for a gasoline service station.

### Pre-Application Consultation

Pre-application consultation meetings were held with the applicant on April 6, October 25 and November 21, 2012 to discuss the development proposal, complete application submission requirements, and the status of the proposal relative to the City's Official Plan. The initial proposal was a five level multi-unit residential development in a stacked townhouse form. A total of twenty-four dwelling units with a roof top terrace and twenty-seven parking spaces were being proposed. Twenty-five parking spaces of the twenty-seven proposed, would be provided in a one-level underground garage with site access from a rear public lane.

The Ward Councillor also held a community information meeting on June 19, 2012 with Community Planning staff in attendance, to present the proposal to the community and obtain feedback/comments.

During initial and subsequent reviews of the applicant's proposals, staff identified issues related to the proposed built form and its incompatibility with the existing physical character of the surrounding established residential neighbourhood. Staff also noted concerns with the overall mass and scale of the proposed development, site access and circulation, loading and garbage collection.

## ISSUE BACKGROUND

### Proposal

The current proposal is a twenty-three unit stacked townhouse development in a five level building. Four storeys would be above grade with a fifth storey partially below grade. The proposal would also have a one-level underground parking garage and roof top terraces. The residential gross floor area would be 2,035 m<sup>2</sup> with site access proposed

off Jane Street. Twenty-two of the proposed dwellings would be two-storeys and arranged in tandem. A single one-storey through unit is proposed on the main floor above the underground garage. Of the twenty-three units being proposed, twelve units would have access to a roof top terrace, five units would be provided with a balcony and six units would have rear yard amenity space. Both bicycle and visitor parking are provided at grade and vehicular access to all dwellings is proposed off Jane Street. (see Attachments 1, 2a, 2b, 2c and 5)

## **Site and Surrounding Area**

The site is approximately 0.13 ha in size and is irregular in shape due to the consolidation of lots. It is a corner lot with a frontage of approximately 36.5 m on Jane Street and 27.1 m on Hanley Street. An automotive repair and vehicular service centre exist on the site which would be demolished.

There is an approximately 1.5 m wide parcel of City-owned land situated between the subject property and a rear public laneway, which precludes access to/from the site from the laneway. In order to facilitate any access to/from the site from this laneway, the City would have to grant an access easement over the said lands, to the property owner.

The parcel of land was conveyed to the City as a condition to the approval of the 1966 rezoning application (resulting in By-law 17778), to legalize the then legal non-conforming gasoline service station and to allow for its expansion. The purpose of the conveyance was to widen the public lane to improve the turning radius. However, it appears the parcel was not dedicated for laneway purposes and access to the site via the laneway over the conveyed parcel was not permitted by the site specific zoning by-law.

Surrounding land uses in the area are as follows:

North: Single detached and semi-detached dwellings. A number of commercial / retail uses also exist approximately two blocks north of the site on Jane Street.

South: Single detached and semi-detached dwellings. There is also one three-storey and one six-storey apartment building approximately two blocks south of the site. There also exists a mix of commercial/retail uses south of Montye Avenue along Jane Street.

East: Single detached and semi-detached dwellings.

West: Single detached and semi-detached dwellings.

## **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 to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

### **Official Plan**

The subject lands are designated *Neighbourhoods* on Land Use Map 14 in the Official Plan. (see Attachment 4) This designation provides for townhouse developments among other low-rise residential uses.

The proposal is also being considered under Policy 4.1.7 which addresses intensification on major streets in *Neighbourhoods*. This policy applies as Jane Street is identified on Map 3 as a major street and states:

"Proposals for intensification of land on major streets in *Neighbourhoods* are not encouraged by the policies of this Plan. Where a more intense form of residential development than that permitted by existing zoning on a major street in a *Neighbourhood* is proposed, the application will be reviewed in accordance with Policy 4.1.5, having regard to both the form of development along the street and its relationship to adjacent development in the *Neighbourhood*."

The Official Plan criteria to evaluate developments in *Neighbourhoods* is set out in Policy 4.1.5, which requires that developments in established *Neighbourhoods* respect and reinforce the existing physical character of the neighbourhood, including in particular:

- a) patterns of streets, blocks and lanes, parks and public building sites;
- b) size and configuration of lots;
- c) heights, massing, scale and dwelling type of nearby residential properties;
- d) prevailing building type(s);
- e) setbacks of buildings from the street or streets;
- f) prevailing patterns of rear and side yard setbacks and landscaped open space;
- g) continuation of special landscape or built-form features that contribute to the unique physical character of a neighbourhood; and
- h) conservation of heritage buildings, structures and landscapes.

The Built Form policies in Section 3.1.2 of the Plan will also be utilized to assess the proposed development. Specifically, regard will be given to Policy 3.1.2.1 which states: "New development will be located and organized to fit within its existing and/or planned context. It will frame and support adjacent streets, parks and open spaces to improve the safety, pedestrian interest and casual views to these spaces from the development by:

- a) generally locating buildings parallel to the street or along the edge of a park or open space with a consistent front yard setback. On a corner site, the development should be located along both adjacent street frontages and give prominence to the corner. If located at a site that ends a street corridor, development should acknowledge the prominence of that site;
- b) locating main building entrances so that they are clearly visible and directly accessible from the public sidewalk;
- c) providing ground floor uses that have views into and, where possible, access to, adjacent streets, parks and open spaces; and
- d) preserving existing mature trees wherever possible and incorporating them into landscaping designs.

## **Zoning**

The site is zoned R2 (Residential Zone 2) in the former City of York Zoning By-law 1-83. This zoning permits a range of uses including a single detached house, a semi-detached house, a second suite in a semi-detached house, a duplex, a group home, a foster home or private home daycare. (see Attachment 3)

The property also has site specific zoning By-law 17778 dating from 1966 that permits the existing gasoline service station use.

## **Site Plan Control**

The proposal is subject to Site Plan Control. A Site Plan application has been submitted and is being reviewed concurrently with this application.

## **Tree Preservation**

This application is subject to the provisions of the City of Toronto Private Tree Protection By-law. An Arborist Report, Tree Inventory and Tree Preservation Plan were submitted with the application. The Report indicates that six trees are located on private lands, four of which would be preserved and two would be removed.

## **Community Consultation**

On June 19, 2012 the Ward Councillor held a community information session to obtain feedback on the initial concept for twenty-four stacked townhouse units. Planning staff were in attendance with approximately 50-60 area residents. Notification for the meeting was arranged by the Ward Councillor. Issues and concerns raised by the community on this previous concept include:

- increased density, height and built form;
- increased shadow impacts;
- deficiencies in parking being proposed and increased parking demand on local streets;
- lack of green space;
- negative impact on property values;
- site access issues via the rear public laneway;
- increased vehicular traffic;
- increased demands on existing City infrastructure (stormwater, sanitary and water);
- loss of privacy;
- location of the proposed garbage area; and
- lack of loading and service areas for the proposed development.

The applicant agreed to review the comments provided at the meeting and address as many concerns as possible prior to submitting the current application.

### **Reasons for the Application**

An Official Plan Amendment application is required as the proposed development does not conform to Policy 4.1.7 and various criteria in Policy 4.1.5 and 3.1.2.1 of the Plan.

A Zoning By-law Amendment application is required to permit the proposed development as stacked townhouse developments are not permitted by the R2 zoning that applies to the site.

### **COMMENTS**

#### **Application Submission**

The following reports/studies were submitted with the application:

- Planning Rationale
- Toronto Green Standard (TGS) Checklist
- Functional Servicing and Stormwater Management Report
- Arborist Report
- Geotechnical Report
- Sun / Shadow Study
- Draft Zoning By-law Amendment (text only, no schedules were submitted)
- Draft Official Plan Amendment (text only, no schedules were submitted)

A Notification of Complete Application was issued on March 8, 2013.

## Issues to be Resolved

Based on a preliminary review of the proposal, planning staff have identified the following issues/concerns:

- Conformity with the Official Plan and current Zoning By-law;
- Compatibility with the existing physical character, built form and pattern of development prevalent in the established residential neighbourhood;
- Scale, mass and intensity of the development as it relates to the size of the development parcel;
- Conformity with the City's Urban Design Guidelines for infill townhouses;
- Site functionality for pedestrian access to rear units and vehicular access to visitor parking;
- Lack of architectural detailing or design on the north elevation;
- Connection to the public realm and the surrounding neighbourhood;
- Increased traffic on Jane Street where the main vehicular access is being proposed;
- Site circulation, loading and garbage storage and collection;
- Adequacy of the proposed parking supply;
- Review of the Toronto Green Standard Checklist for compliance with Tier 1 performance measures; and
- Addressing the issues raised by the community at the June 19, 2012 community information meeting.

Several of the issues noted above were raised by staff during pre-application meetings with the applicant. Staff requested the applicant review these issues and address these concerns in an application submission. These issues still remain unresolved and additional issues may be identified through the review of the application, agency comments received and the community consultation process.

## CONTACT

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## SIGNATURE

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Neil Cresswell, MCIP, RPP  
Director, Community Planning  
Etobicoke York District

## **ATTACHMENTS**

Attachment 1: Site Plan

Attachment 2a: Elevations

Attachment 2b: Elevations

Attachment 2c: Elevations

Attachment 3: Zoning

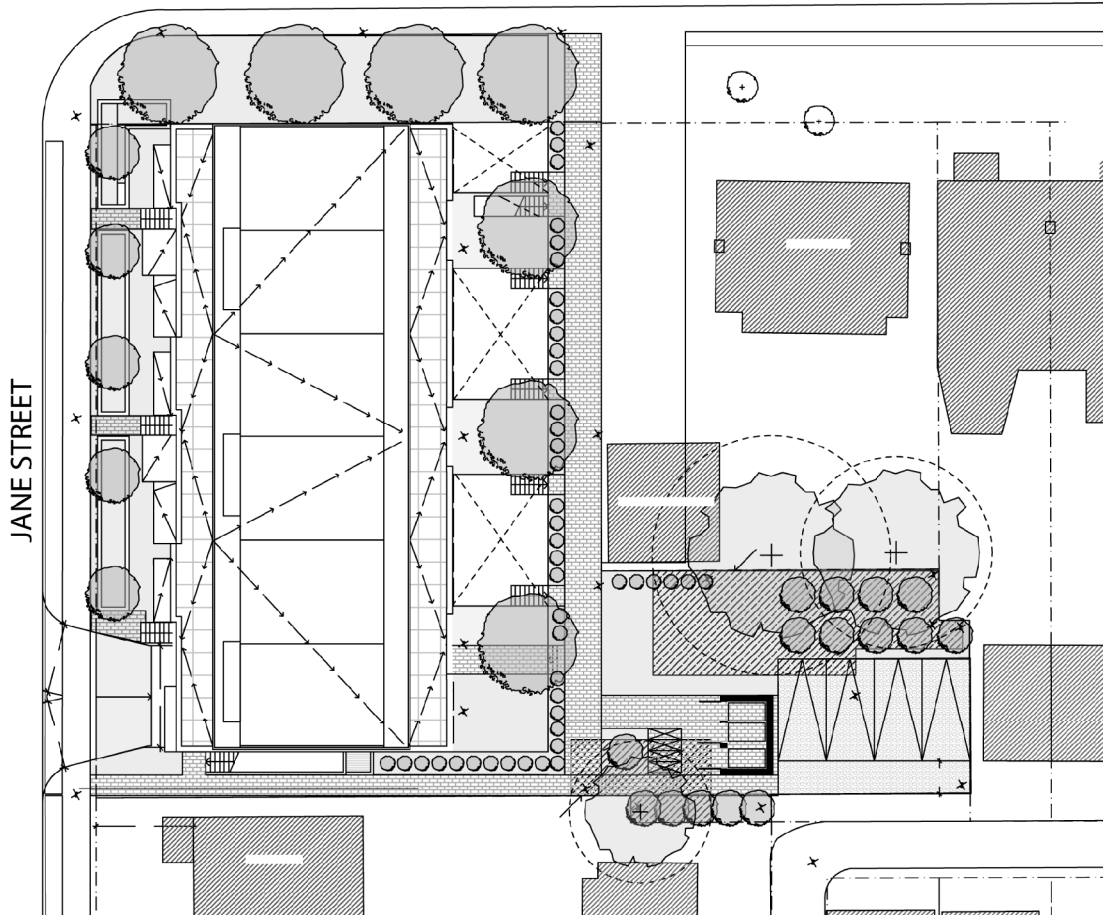
Attachment 4: Official Plan

Attachment 5: Application Data Sheet



**Attachment 1: Site Plan**

HANLEY STREET



**Site Plan**

**441 Jane Street**

Applicant's Submitted Drawing

Not to Scale  
03/07/13



File # 13 118452 WET 13 0Z

# Attachment 2a: Elevations



East Elevation

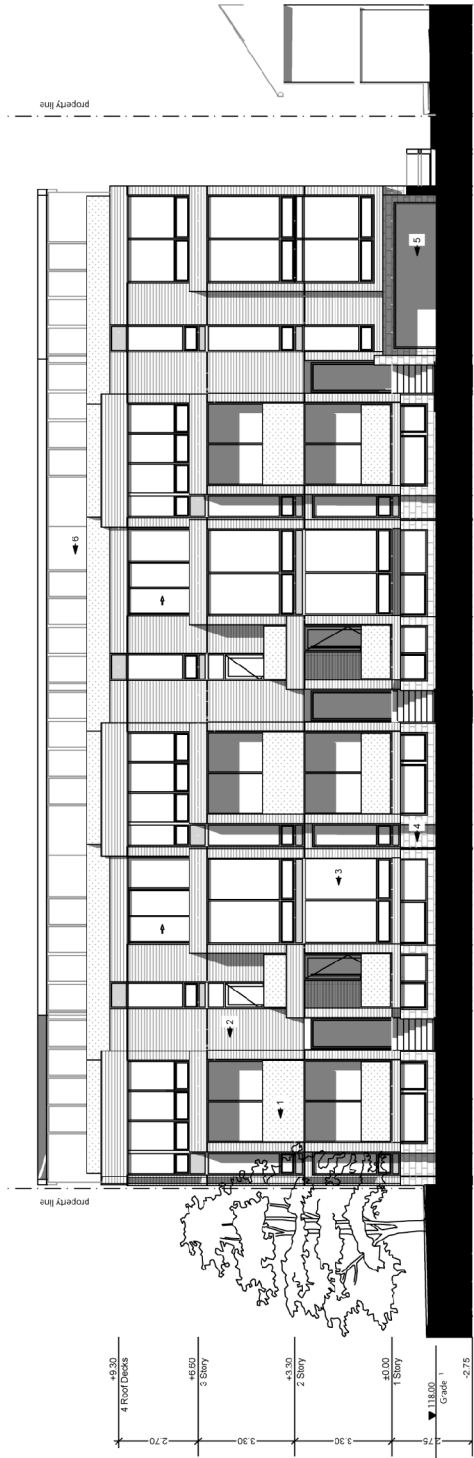
441 Jane Street

**Elevations**  
 Applicant's Submitted Drawing

File # 13 118452 WET 13 0Z

Not to Scale  
 03/07/13

Attachment 2b: Elevations



West Elevation

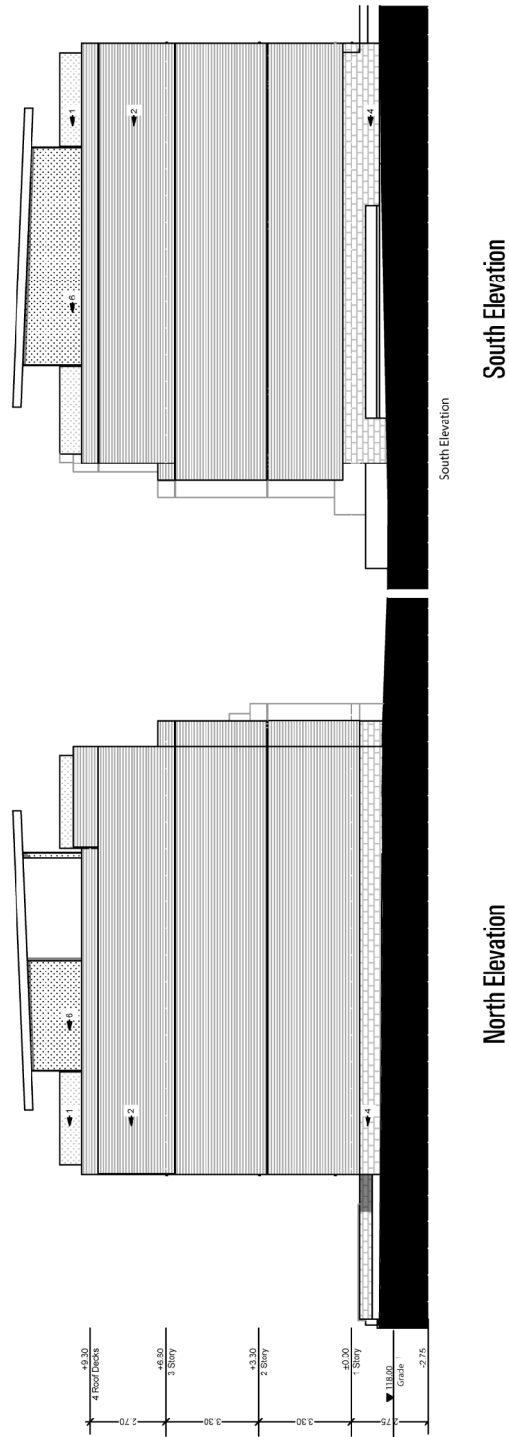
441 Jane Street

Elevations  
 Applicant's Submitted Drawing

File # 13 118452 WET 13 0Z

Not to Scale  
 03/07/13

**Attachment 2c: Elevations**



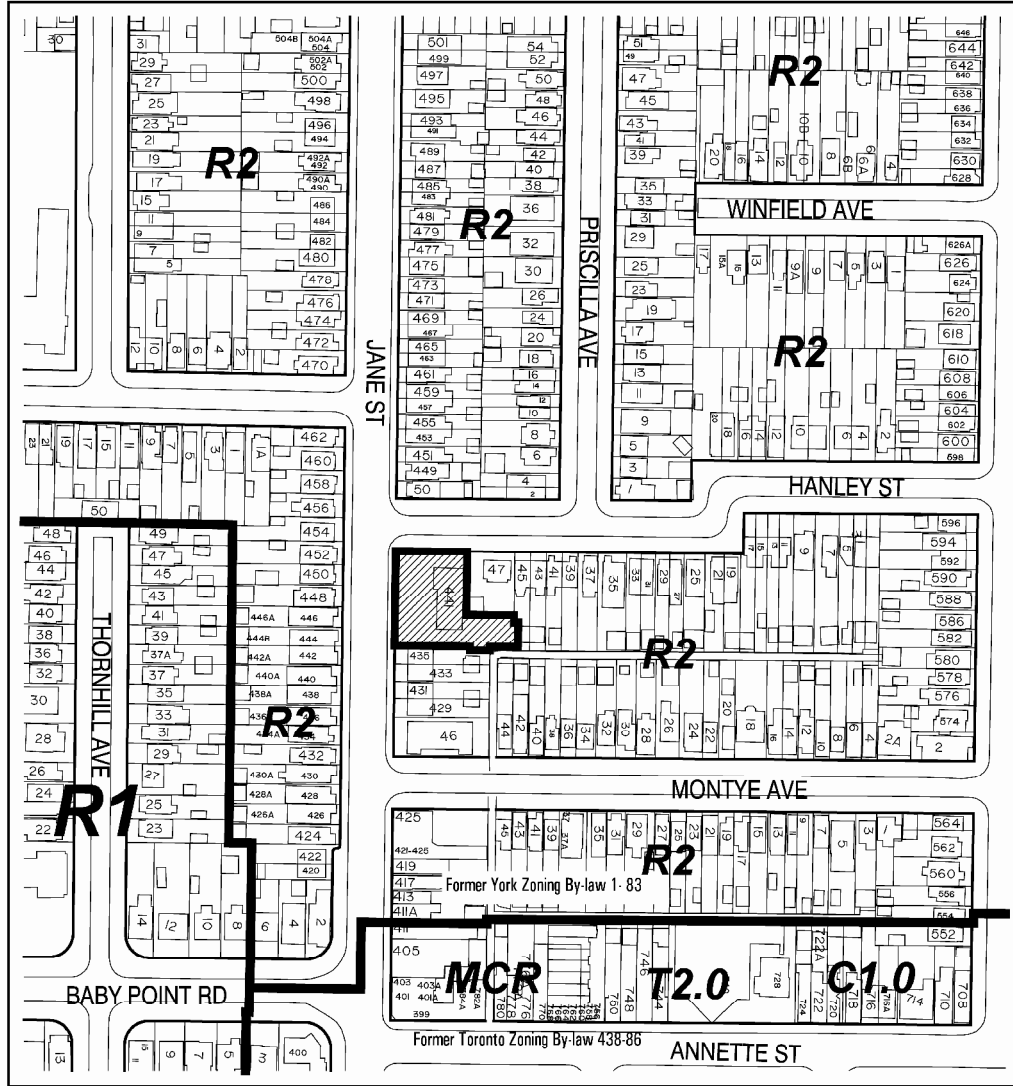
**441 Jane Street**

**Elevations**  
 Applicant's Submitted Drawing

File # 13 118452 WET 13 0Z

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 03/07/13

# Attachment 3: Zoning



441 Jane Street

File # 13 118452 WE 13 0Z

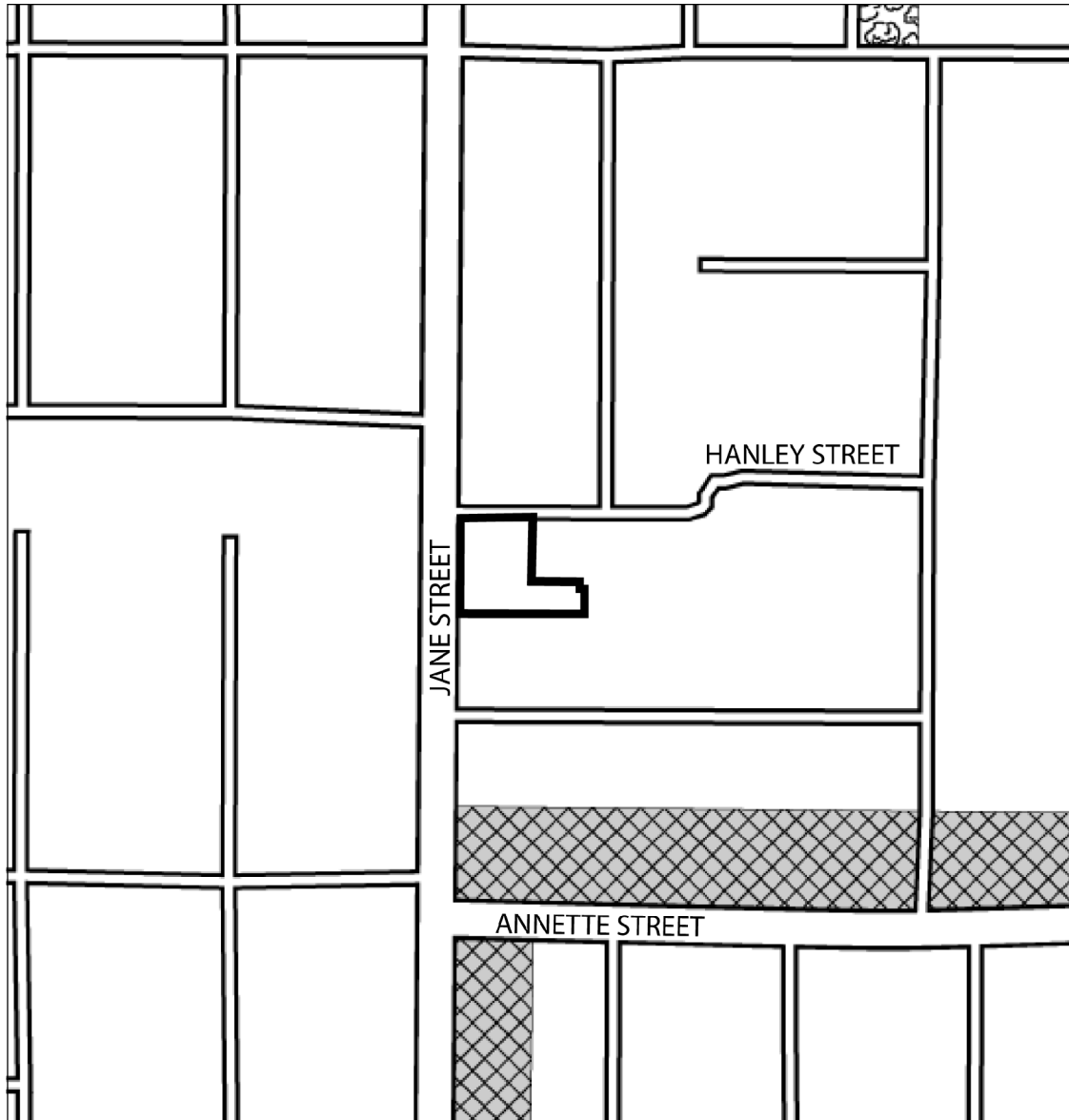
Former York Zoning By-law 1-83  
 R1 Residential Zone  
 R2 Residential Zone

Former Toronto Zoning By-law 438-86  
 MCR Mixed-Use District



Not to Scale  
 Zoning By-law 1-83 as amended  
 Extracted 03/07/2013

### Attachment 4: Official Plan



 **TORONTO** City Planning  
**Official Plan**

441 Jane Street

File # 13 118452 WET 13 0Z

-  Site Location
-  Neighbourhoods
-  Mixed Use Areas

- Parks & Open Space Areas
-  Parks

  
Not to Scale  
03/07/13

## Attachment 5: Application Data Sheet

### APPLICATION DATA SHEET

Application Type	Official Plan Amendment & Rezoning	Application Number:	13 118452 WET 13 OZ
Details	OPA & Rezoning, Standard	Application Date:	February 11, 2013

Municipal Address: 441 JANE ST  
 Location Description: PLAN 893 PT LOTS 21 22 23 24 25 & 26 \*\*GRID W1302  
 Project Description: Proposed amendments to the Official Plan and Zoning By-law to permit the development of 23 stacked townhouses with associated underground parking garage.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
PRISHRAM JAIN			TACT DEVELOPMENT INC

#### PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:
Zoning:	R2	Historical Status:
Height Limit (m):		Site Plan Control Area:

#### PROJECT INFORMATION

Site Area (sq. m):	1252	Height:	Storeys:	4	
Frontage (m):	36.48		Metres:	11	
Depth (m):	27.09				
Total Ground Floor Area (sq. m):	0				<b>Total</b>
Total Residential GFA (sq. m):	2035		Parking Spaces:	24	
Total Non-Residential GFA (sq. m):	0		Loading Docks	0	
Total GFA (sq. m):	2035				
Lot Coverage Ratio (%):	0				
Floor Space Index:	1.6				

#### DWELLING UNITS

Tenure Type:	Freehold
Rooms:	0
Bachelor:	0
1 Bedroom:	5
2 Bedroom:	18
3 + Bedroom:	0
Total Units:	23

#### FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	2035	0
Retail GFA (sq. m):	0	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

**CONTACT: PLANNER NAME: Natasha Laing, Planner**  
**TELEPHONE: (416) 394-8205**