DATE: January 27, 2016

TO: Toronto and East York Community Council

FROM: Director, Community Planning, Toronto and East York District

WARDS: Ward 32 – Beaches-East York

REFERENCE NUMBER: 15 242710 STE 32 OZ (Zoning By-law Amendment)
15 242712 STE 32 RH (Rental Housing Demolition and Conversion)

SUMMARY

A Zoning By-law amendment application has been submitted for 2301 and 2315 Danforth Avenue to permit an 8-storey mixed use building containing 166 residential units and 259 m² of non-residential gross floor area. The site is located at the southwest corner of Danforth Avenue and Morton Road. The existing mixed use building at 2301 Danforth Avenue contains 14 rental housing units and is proposed to be demolished. The 14 existing rental housing units are proposed to be replaced in the new development. The building at 2315 Danforth Avenue will also be demolished.

An applicant for Rental Housing Demolition and Conversion under Section 111 of the City of Toronto Act (Chapter 667 of the Municipal Code) has been submitted for the requested demolition of the 14 rental housing units at 2301 Danforth Avenue and will be reviewed concurrently with the Zoning By-law application.

This report provides preliminary information on the above-noted applications and seeks Community Council’s directions on further processing of the applications and on the community consultation process.
It is intended that a community consultation meeting be scheduled in consultation with the Ward Councillor's designate. A Final Report and Public Meeting under the *Planning Act* is targeted for the 2nd quarter of 2016 provided all required information is submitted by the applicant in a timely manner.

**RECOMMENDATIONS**

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 2301 and 2315 Danforth Avenue together with the Ward Councillor's designate.

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.

**Pre-Application Consultation**

Several pre-application consultation meetings were held with the applicant in 2015 which included discussions on complete application submission requirements. Staff raised concerns related to matters such as appropriate transitions, massing, and rental housing requirements.

**ISSUE BACKGROUND**

**Proposal**

The proposal consists of an 8-storey mixed use building containing 166 units with a total gross floor area (GFA) of 12,568 m² and a density of 4.8 times the lot area. A total of 100 vehicle parking spaces are proposed in two levels of underground parking. Access to the underground garage is proposed to be from the public laneway in the rear of the site. The proposal would require the demolition of two buildings, one of which contains 14 rental dwelling units. The applicant proposes to replace the 14 rental dwelling units in the new development.

The proposed height along the Danforth Avenue frontage is approximately 27.3 metres. The principle access to the residential units will be from Danforth Avenue. Commercial entrances will also be from Danforth Avenue.

Additional information is provided in Attachment 4 - Application Data Sheet.
Site and Surrounding Area

The property is located on the southwest corner of Danforth Avenue and Morton Road. The property has a frontage of 85.8 metres on Danforth Avenue. A public laneway exists in the rear of the site but is not continuous to Morton Road. The topography of the 2,608.7 m$^2$ site is relatively level. The site has an existing 3-storey mixed use building and a one-storey institutional building (Canada Post). The existing 3-storey mixed use building contains 14 rental dwelling units, consisting of 4 bachelor and 10 one-bedroom units. At the time of application, all 14 rental dwelling units were vacant.

Land uses and form of development surrounding the property include the following:

North: There is a Honda automobile dealership and main street type buildings on the north side of Danforth Avenue.

East: There is a Toronto Hydro building opposite Morton Road. This property is listed on the City's heritage inventory.

West: There is a gas bar and convenience store adjacent to the site.

South: A public laneway separates most of the subject property from the low density neighbourhood to the south. The neighbourhood comprises primarily bungalows and 1 ½ storey detached dwellings.

Provincial Policy Statement and Provincial Plans

Section 2 of the Planning Act sets out matters of provincial interest which City Council shall have regard to in carrying out its responsibilities. The matters include: the orderly development of safe and healthy communities; the adequate provision of a full range of housing; and the appropriate location of growth and development, amongst others.

The Provincial Policy Statement (PPS), 2014, provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities by accommodating a range and mix of uses; providing an appropriate range of housing types and affordability to meet projected requirements of current and future residents; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. 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; providing housing options to meet the needs of people at any age; 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 Planning Act and the PPS, and for conformity with the Growth Plan for the Greater Golden Horseshoe.

**Official Plan**

The property is designated *Mixed Use Areas* in the Official Plan. *Mixed Use Areas* achieve a multitude of planning objectives by combining a broad array of residential uses, offices, retail and services, institutions, entertainment, recreation and cultural activities, and parks and open spaces.

*Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service employment in Toronto in the coming decades, as well as much of the new housing. Not all *Mixed Use Areas* will experience the same scale or intensity of development. Development along the *Avenues* will generally be at a much lower scale than in the *Downtown* and most often at a lower scale than the *Centres*.

The Official Plan contains policies for assessing development in *Mixed Use Areas*. Specifically, Policy 2 states that development will:

a) create a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;

b) provide for new jobs and homes for Toronto's growing population on underutilized lands in the *Downtown*, the *Central Waterfront*, *Centres*, *Avenues* and other lands designated *Mixed Use Areas*, creating and sustaining well-paid, stable, safe and fulfilling employment opportunities for all Torontonians;

c) 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 setbacks and/or a stepping down of heights, particularly towards lower scale *Neighbourhoods*;

d) locate and mass new building so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes;

e) locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;

f) provide an attractive, comfortable and safe pedestrian environment;

g) have access to schools, parks, community centres, libraries, and childcare;

h) take advantage of nearby transit services;
i) provide good site access and circulation and an adequate supply of parking for residents and visitors;

j) locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and

k) provide indoor and outdoor recreation spaces for building residents in every significant multi-unit residential development.

The entire length of Danforth Avenue is identified as an *Avenue* in the Official Plan's Urban Structure map. *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.

The framework for new development on each *Avenue* will be established through an Avenue Study, resulting in appropriate zoning and/or design guidelines created in consultation with the local community. The Official Plan states that development in *Mixed Use Areas* on an *Avenue*, prior to an Avenue Study has the potential to set a precedent for the form and scale of reurbanization along the *Avenues*. In addition to the policies of the Plan for *Mixed Use Areas*, proponents of such proposals will also address the larger context and examine the implications for the segment of the *Avenue* in which the proposed development is located.

Policy 2.2.3 (b) states that the review of the segment will:

- include an assessment of the impacts of the incremental development of the entire *Avenue* segment at a similar form, scale and intensity, appropriately allowing for distinguishing circumstances;

- consider whether incremental development of the entire *Avenue* segment as identified in the above assessment would adversely impact any adjacent *Neighbourhoods*;

- consider whether the proposed development is supportable by available infrastructure; and

- be considered together with any amendment to the Official Plan or Zoning By-law at the statutory public meeting for the proposed development.

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 set a positive precedent for future development of the remainder of the *Avenue*. 
Section 3.2.1 of the Official Plan provides specific policies to address rental housing. Policy 3.2.1.6 requires that new development that would result in the loss of six or more rental housing units which have affordable or mid-range rents will not be approved unless the following are secured:

- at least the same number, size and type of rental housing units are replaced and maintained with rents similar to those in effect at the time the redevelopment application is made;

- for a period of at least 10 years, rents for replacement units will be the rent at first occupancy increased annually by not more than the Provincial Rent Increase Guideline or a similar guideline as Council may approve from time to time; and

- an acceptable tenant relocation and assistance plan addressing the right to return to occupy one of the replacement units at similar rents, the provision of alternative accommodation at similar rents, and other assistance to lessen hardship.

The Toronto Official Plan is available on the City’s website at: www.toronto.ca/planning/official_plan/introduction.htm

**Mid-Rise Design Guidelines**

In July 2010, Toronto City Council adopted the Mid Rise Design Guidelines and directed City Planning staff to monitor implementation. The site is located on an Avenue as identified on the Urban Structure (Map 2) of the Official Plan. Avenues are areas in the City where the Mid Rise Design Guidelines are applicable for evaluating mid rise developments.

**Danforth Avenue Planning Study**

In July 2014, City Council directed Planning staff to undertake a planning study of Danforth Avenue in two segments, from the Don River to Coxwell Avenue and from Coxwell Avenue to Victoria Park Avenue. The subject property is located in the study area. A preliminary report for the Danforth Avenue Planning Study is anticipated in the second quarter of 2016.

**Avenue Segment Study**

The City is in receipt of two Avenue Segment Studies that include the subject lands at 2301 and 2315 Danforth Avenue. One Avenue Segment Study was in support of the development at 2055 and 2057 Danforth Avenue (Carmelina Condos) and the second study in support of the development at 2359 Danforth Avenue. The form and scale of development which previous Avenue Segment Studies predicted for the subject site is not determinative with respect to the current proposal. However, staff will review previous Avenue Segment Studies with respect to their analysis of existing and planned context.
The existing Avenue Segment Studies are sufficient for context and a new study is not required at this time.

Zoning
The site is zoned MCR T3.0 C2.0 R2.5 in the former City of Toronto Zoning By-law 438-86 which permits residential and non-residential uses. Residential units are permitted in an apartment building or mixed use building. The total permitted density for all uses is 3.0 times the area of the lot. The height limit is 14 metres.

The site is also zoned CR 3.0(c2.0;r2.5)SS2(x2219) in the City wide Zoning By-law 569-2013 which permits residential and non-residential uses including office, retail store, eating establishment, and vehicle fuel station. Residential units are permitted in an apartment building or mixed use building. The total permitted density for all uses is 3.0 times the area of the lot. The height limit is 14 metres.

Site Plan Control
A Site Plan Control application is required for the proposed development. At the time of writing this report a Site Plan Control application had not been submitted.

Rental Housing Demolition and Conversion By-law
The Rental Housing Demolition and Conversion By-law, contained in Chapter 667 of the City's Municipal Code, implements the City's Official Plan policies protecting rental housing. The By-law prohibits demolition or conversion of rental housing units in buildings containing six or more rental units without obtaining a permit from the City issued under Section 111 of the City of Toronto Act, 2006.

Proposals involving the demolition of six or more rental housing units, or those involving the demolition of at least one rental housing unit and a related application for a Zoning By-law amendment, require a decision by City Council. Council may refuse an application, or approve the demolition with conditions that must be satisfied before a demolition permit is issued. Council approval of demolition under Section 33 of the Planning Act may also be required where six or more residential units are proposed for demolition before the Chief Building Official can issue a permit for demolition under the Building Code Act.

Where an application for rezoning triggers an application under Chapter 667 for rental demolition or conversion, City Council typically considers both applications at the same time. Unlike Planning Act applications, decisions made by City Council under By-law 885-2007 are not appealable to the OMB.

The applicant has submitted an application for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code for the demolition and replacement of 14 rental dwelling units. A Housing Issues Report has been submitted with the required application and is currently under review for consistency with the Official Plan. This application will be reviewed in conjunction with the rezoning application, with the intent of making recommendations on all applications to City Council at the same time.
**Reasons for the Application**

A Zoning By-law amendment is required because the proposed development does not comply with the provisions of the MCR T3.0 C2.0 R2.5 in the former City of Toronto Zoning By-law 438-86, as amended. The MCR T3.0 C2.0 R2.5 zone permits residential units in an apartment building up to 2.5 times the lot area. Commercial uses are permitted up to 2.0 times the lot area. The total permitted density for all uses is 3.0 times the lot area and the maximum permitted height is 14 metres. A Zoning By-law amendment is required to permit the proposed 27.3 metre building, a density of 4.8 times the lot area, and other zoning standards.

A Zoning By-law amendment is also required for the City wide Zoning By-law 569-2013 that is currently under appeal. The proposed development does not comply with the provisions of the CR 3.0(c2.0;r2.5)SS2(x2219) in Zoning By-law 569-2013, as amended. The CR 3.0(c2.0;r2.5)SS2(x2219) zone permits a residential unit in an apartment building up to 2.5 times the lot area. Commercial uses are permitted up to 2.0 times the lot area. The total permitted density for all uses is 3.0 times the lot area and the maximum permitted height is 14 metres. A Zoning By-law amendment is required to permit the proposed 27.3 metre building, a density of 4.8 times the lot area, and other zoning standards.

**COMMENTS**

**Application Submission**

The following reports/studies were submitted with the application:

- Planning Rationale
- Sun/Shadow Study
- Arborist Report and Tree Preservation Plan
- Parking Study
- Functional Servicing Report
- Housing Issues Report
- Green Standards Checklist
- Stormwater Management Report
- Transportation Impact Study

A Notification of Complete Application was issued on November 19, 2015.

**Issues to be Resolved**

Issues to be addressed include, but are not necessarily limited to:

**City of Toronto Official Plan**

Staff will review the proposed development for conformity with the Official Plan policies.
Avenue Segment
Staff will assess the impacts of incremental development within the context of the entire Avenue segment at a similar form, scale, and intensity. Existing Avenue Segment Studies will provide existing and planned context to evaluate the proposed development.

Mid Rise Design Guidelines
Staff will review the proposed development for compliance with the Mid Rise Design Guidelines.

Proposed Uses
The proposed development contemplates 259m² of live/work space on the ground floor along the Danforth Avenue frontage. Staff will review the appropriateness of live/work units within the context of this segment of Danforth Avenue.

Height and Built Form
Planning staff will examine the appropriateness of the proposed height, massing, setbacks, and stepbacks taking into account the existing planning context.

Transition
Staff will review the proposed built form to determine if there is an appropriate transition to the Neighbourhood to the south and the public realm on Danforth Avenue on the north side of the development. The review will include a sun/shadow impact study that was submitted in support of the proposed development.

Density
The proposed floor space index of 4.8 times the lot area exceeds the 3.0 permitted in the Zoning By-law. Planning staff will examine the appropriateness of the requested density.

Public Realm
There is an existing sidewalk along the Danforth Avenue frontage. City Planning staff will review the appropriateness of the proposed treatment on Danforth Avenue and Morton Road and other features of the public realm, including dimensions and pedestrian connections.

Servicing and Loading
Access to the parking garage will be from the public laneway in the rear of the site. Servicing will also be from the public laneway. Staff will review the access, servicing, loading, and parking layout to determine appropriateness and impact on neighbouring land uses.

Parking
The development proposes 100 vehicular and 166 bicycle parking spaces. Staff will review the adequacy of both vehicular and bicycle parking.
Tree Preservation
A Tree Inventory and Preservation Plan, by NAK Design Strategies, dated October 14, 2015 has been submitted in support of the application. The report indicates a total of nine applicable trees of which six are proposed for removal.

Toronto Green Standards
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.

Rental Housing Replacement
The application for Rental Housing Demolition and Conversion will be assessed under the requirements of the Official Plan and Chapter 667 of the Toronto Municipal Code.

Park Land Dedication
Parks, Forestry and Recreation division has identified the subject lands to be a parkland priority area and have requested parkland dedication accordingly. Planning staff will coordinate the proposed development with the requirements of the Parks, Forestry and Recreation division.

Adjacent Heritage Property
Heritage Preservation Services has identified the adjacent site at 2357 Danforth Avenue as listed on the City's heritage inventory. A Heritage Impact Study is required to determine if the proposed development will have any impact.

Section 37
The proposed development is greater than 10,000 m² and meets the threshold for Section 37 benefits under the Planning Act. Should the proposed development be recommended for approval staff will recommend an appropriate package of benefits.

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

CONTACT
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Tel. No. (416) 392-0776
E-mail: dwong3@toronto.ca

SIGNATURE

_______________________________
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District
ATTACHMENTS
Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Zoning
Attachment 4: Application Data Sheet
Attachment 2: Elevations
Elevations

Applicant's Submitted Drawing

Not to Scale
11/12/2015

2301 & 2315 Danforth Avenue

File # 15 242710 STE 32 OZ
Attachment 3: Zoning

2301-2315 Danforth Avenue

Zoning By-Law No. 569-2013

Location of Application

| R | Residential |
| RD | Residential Detached |
| CR | Commercial Residential |

See Former City of Toronto By-Law No. 438-86

Residential District

MCR | Mixed-Use District

See Former Borough of East York By-Law No. 6752

R1C | Low Density Residential

Net to Scale

Extracted: 11/13/2015

Staff report for action – Preliminary Report – 2301 and 2315 Danforth Avenue 15
Attachment 4: APPLICATION DATA SHEET

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<th>Application Type</th>
<th>Rezoning</th>
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<td>Details</td>
<td>Rezoning, Standard</td>
<td>Application Date:</td>
<td>October 26, 2015</td>
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<tr>
<td>Municipal Address:</td>
<td>2301 and 2315 DANFORTH AVENUE</td>
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<td>Location Description:</td>
<td>PLAN 478E LOT 25 **GRID S3202</td>
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<td>Project Description:</td>
<td>The application proposes a new 8-storey mixed use building having a gross floor area of 12,568 square metres with 166 residential units (of which 14 will be rental replacement units). 259 square metres of street-related retail use and live/work units are also proposed along Danforth Avenue. A total of 100 vehicular and 166 bicycle parking spaces will be provided.</td>
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<tr>
<td>Applicant:</td>
<td>BOUSFIELDS INC. c/o LAURIE MCPHERSON</td>
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<tr>
<td>Agent:</td>
<td>GRAZIANI + CORAZZA ARCHITECTS INC.</td>
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<tr>
<td>Architect:</td>
<td>EAST VILLAGE DEVELOPMENT INC</td>
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**PLANNING CONTROLS**

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<th>Official Plan Designation:</th>
<th>Mixed Use Areas</th>
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<td>CR 3.0(c2.0; r2.5)SS2 (x2219) in 569-2013 MCR T3.0 C2.0 R2.5 in 438-86</td>
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<td>Height Limit (m):</td>
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<td>Site Specific Provision:</td>
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**PROJECT INFORMATION**

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<tr>
<td>Total GFA (sq. m):</td>
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<td>Lot Coverage Ratio (%):</td>
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**Dwelling Units**

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<td>2 Bedroom:</td>
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**Floor Area Breakdown** (upon project completion)

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<th>Below Grade</th>
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<td>Retail GFA (sq. m):</td>
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<td>Industrial GFA (sq. m):</td>
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<td>Institutional/Other GFA (sq. m):</td>
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**CONTACT:**

<table>
<thead>
<tr>
<th>Planner Name:</th>
<th>Derrick Wong, Planner</th>
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<tbody>
<tr>
<td>Telephone:</td>
<td>(416) 392-0776</td>
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