

## **380 Donlands Avenue – Zoning By-law Amendment Application – Preliminary Report**

Date: March 16, 2021

To: Toronto and East York Community Council

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

Wards: Ward 14 - Toronto-Danforth

**Planning Application Number:** 20 216953 STE 14 OZ

**Related Applications:** 20 216958 STE 14 SA

**Notice of Complete Application Issued:** November 26, 2020

**Current Use(s) on Site:** Single storey plaza with surface parking.

### **SUMMARY**

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This report provides information and identifies a preliminary set of issues regarding the application located at 380 Donlands Avenue for 7-storey mid-rise, mixed use building with retail at-grade, and residential uses above. Staff are currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting for the application with the Ward Councillor.

### **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 380 Donlands Avenue together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

## **FINANCIAL IMPACT**

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The City Planning Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

## **ISSUE BACKGROUND**

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### **Application Description**

This application proposes to amend relevant zoning by-law provisions for the property at 380 Donlands Avenue to permit a 7-storey (29.3 metres, including mechanical penthouse) mixed-use building with a total gross floor area of 5,575 square metres, of which 394 square metres is allotted to retail at grade (see Attachment 3). The proposed building will contain 73 residential units, 58 vehicular parking spaces, 110 bicycle parking spaces, and indoor and outdoor amenity space on the subject site. The resulting floor space index is 3.79 times the lot area.

Detailed project information is found on the City's Application Information Centre at:

<https://www.toronto.ca/city-government/planning-development/application-information-centre/>

See Attachment 1 of this report for a three dimensional representation of the project in context.

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

Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2020) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

### **Growth Plan for the Greater Golden Horseshoe (2020)**

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan (2020)") came into effect on August 28, 2020. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan (2020) establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the Planning Act.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space, and better connected transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- 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.

The Growth Plan (2020), builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan (2020) take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. In accordance with Section 3 of the Planning Act all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2020).

### **Toronto Official Plan Policies and Planning Studies**

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from The Planning Act of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship, may be applicable to any application. Toronto Official Plan policies may be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The current application is located on lands designated as Mixed Use Areas on Land Use Map 20, as shown on Attachment 4.

## **Official Plan Amendment 479 and 480 – Public Realm and Built Form Official Plan Policies**

On September 21, 2020, the Ministry of Municipal Affairs and Housing issued Notices of Decision approving OPA 479 and OPA 480. OPA 479 (Public Realm) and OPA 480 (Built Form) were adopted as part of the Five-Year Official Plan Review. The OPAs replace Sections 3.1.1, 3.1.2 and 3.1.3 of the Official Plan with new and revised policies for the public realm, built form and built form types, which respond to Council's direction to amend the urban design policies of the Official Plan.

The Official Plan Amendment can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.PH11.4>

## **Zoning By-laws**

The former Borough of East York Zoning By-law No. 6752 currently zones the subject site as C (Commercial) which includes a number of performance standards for mixed-use buildings.

The former Borough of East York Zoning By-law No. 6752 is not available online but may be requested through the City of Toronto Archives department.

Under Zoning By-law 569-2013, the subject site is zoned CR 2.5 (c2.5; r1.0) SS2 (x1163) (Commercial Residential) with a maximum permitted height of 14 metres and a maximum density of 2.5 times the lot area. Exception 1163 states that no residential may locate on the ground floor of a mixed-use building.

The City's Zoning By-law 569-2013 may be found here: <https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

## **Design Guidelines**

The following design guidelines will be used in the evaluation of this application:

- Mid-Rise Buildings Performance Standards (including Addendum)
- Retail Design Manual
- Accessibility Design Guidelines
- Growing Up: Planning for Children in New Vertical Communities
- Pet Friendly Design Guidelines for High Density Communities

The City's Design Guidelines may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

## **Site Plan Control**

The application is subject to Site Plan Control. A Site Plan Control application has been submitted.

## **COMMENTS**

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### **Reasons for the Application**

An application for Zoning By-law Amendment is required to facilitate a number of amendments to zoning standards under both applicable zoning by-laws.

### **ISSUES TO BE RESOLVED**

The application has been circulated to City divisions and public agencies for comment. At this stage in the review, the following preliminary issues have been identified:

#### **Provincial Policies and Plans Consistency/Conformity**

Staff will evaluate these planning applications to determine their consistency with the PPS (2020) and conformity with the Growth Plan (2020). Given the explicit link between Provincial Policy and the Official Plan, consistency with the PPS and conformity with the Growth Plan will largely be determined by conformity with the Official Plan.

#### **Official Plan Conformity**

Staff will continue to evaluate this planning application to determine its conformity to the Official Plan.

#### **Built Form, Planned and Built Context**

Staff will continue to assess the suitability of the proposed height, massing, and other built form components based on Section 2 d), j), p) and r) of the Planning Act; the PPS 2020, the Growth Plan (2020); the City's Official Plan policies; and the applicable City Design Guidelines.

These will include:

- The suitability of the proposed height and massing, including setbacks and stepbacks, in relation to the area's existing and planned built form character and scale;
- The appropriateness of the proposed cantilevers overtop of the public realm;
- The potential for negative impacts of the proposed building to adjacent properties, including shadow, privacy and overlook;
- An assessment of the streetscape improvements proposed relative to other streetscape initiatives in the area;
- The appropriateness of the proposed access to parking and servicing off of O'Connor Drive; and
- The suitability of the proposed size, location and design of the proposed indoor and outdoor amenity spaces.

## **Tree Preservation**

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law). The Applicant has submitted a Tree Inventory and Preservation Plan Report which states that there are only 2 trees on the property: 1 will be protected, and 1 will need to be removed as part of the development proposal. The application has been circulated to Urban Forestry for review and comment.

## **Community Services and Facilities**

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures used for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions. They include recreation, libraries, childcare, schools, public health, human services, cultural services and employment services, etc.

The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community. The Applicant has submitted a CS&F Report which is being evaluated as part of the development review process.

## **Infrastructure/Service Capacity**

The applicant has submitted a Functional Servicing Report, a Transportation Operation Assessment, a Geo-Environment Conditions Letter, and a Hydrogeological Investigation which will be reviewed in detail by Engineering and Construction Services staff to assess completeness, and to ensure that there is sufficient infrastructure capacity to accommodate the proposed development. Further revisions and details may be required in order for these studies to be accepted by staff.

## **Toronto Green Standard**

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives intended to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision. The Application is being reviewed by Staff for compliance with Tier 1 performance standards. Community Planning will encourage the applicant to pursue Tier 2 or higher under the TGS.

## **Other Matters**

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

## **CONTACT**

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## **SIGNATURE**

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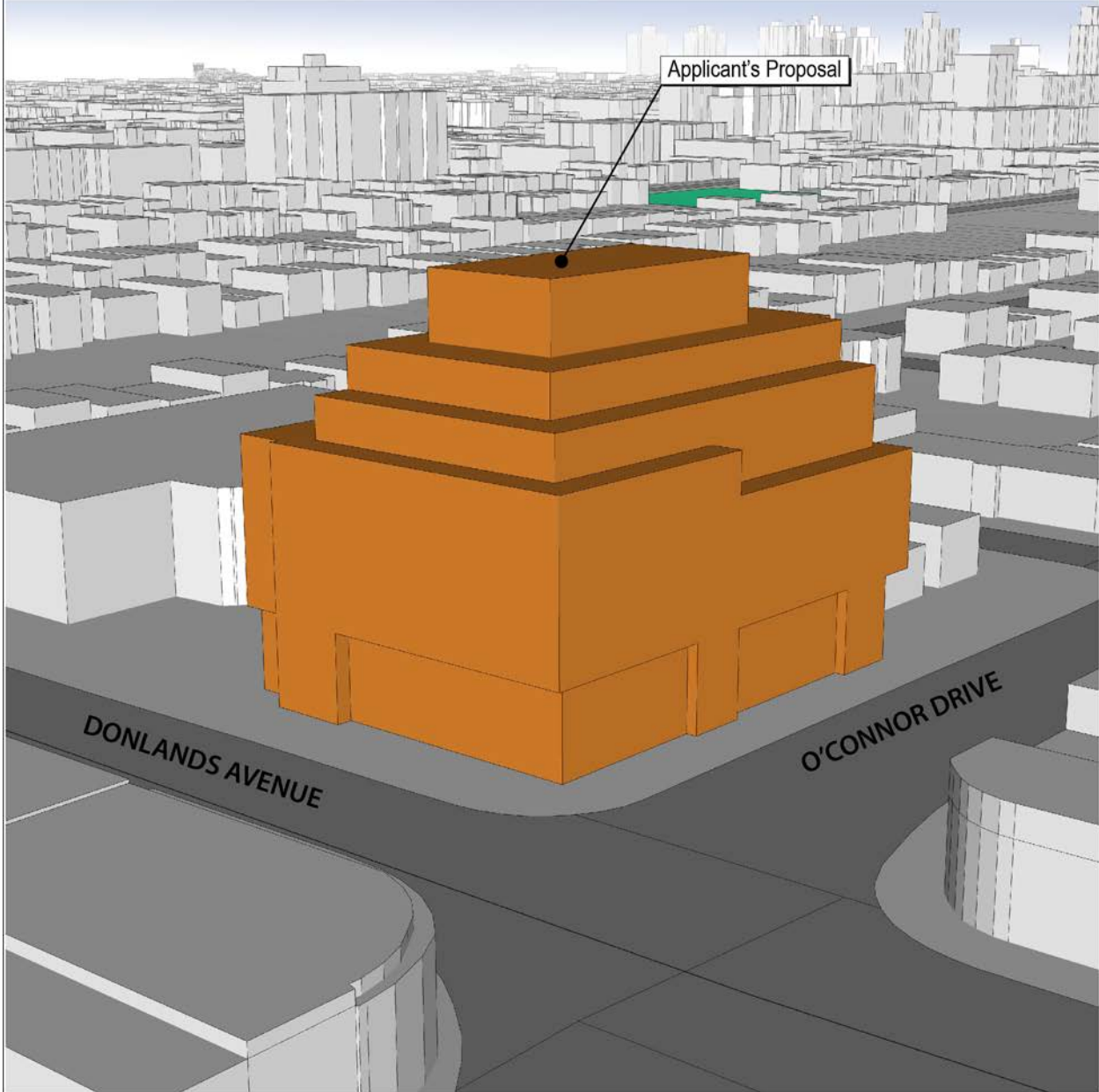
Lynda H. Macdonald, MCIP, RPP, OALA, FCSLA, Director  
Community Planning, Toronto and East York District

## **ATTACHMENTS**

### **City of Toronto Drawings**

Attachment 1: 3D Model of Proposal in Context  
Attachment 2: Location Map  
Attachment 3: Site Plan  
Attachment 4: Official Plan Map  
Attachment 5: Zoning Map (569-2013)  
Attachment 6: Zoning Map (6752)  
Attachment 7: Application Data Sheet

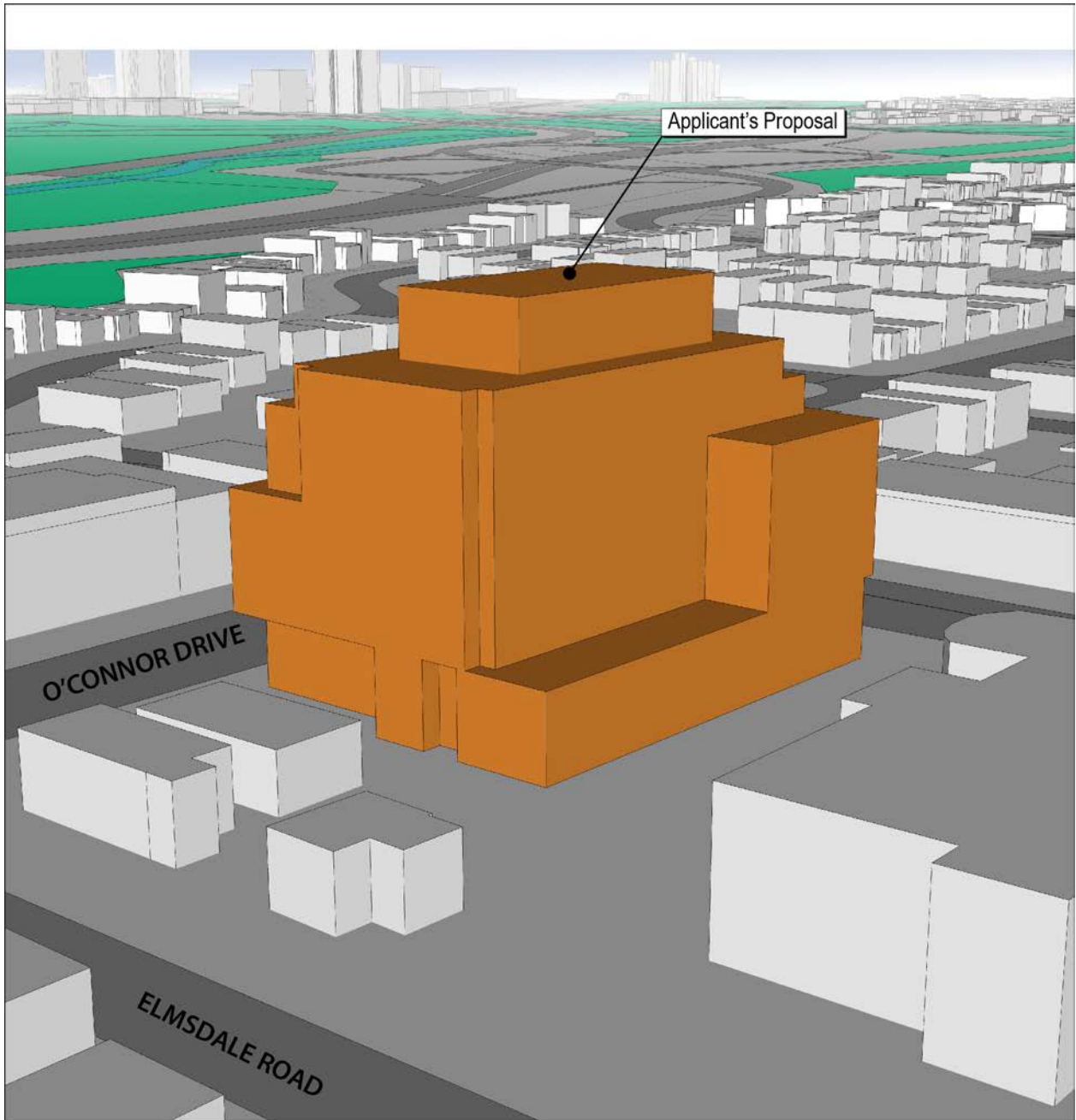
Attachment 1: 3D Model of Proposal in Context



**View of Applicant's Proposal Looking Southeast**



03/12/2021



**View of Applicant's Proposal Looking Northwest**

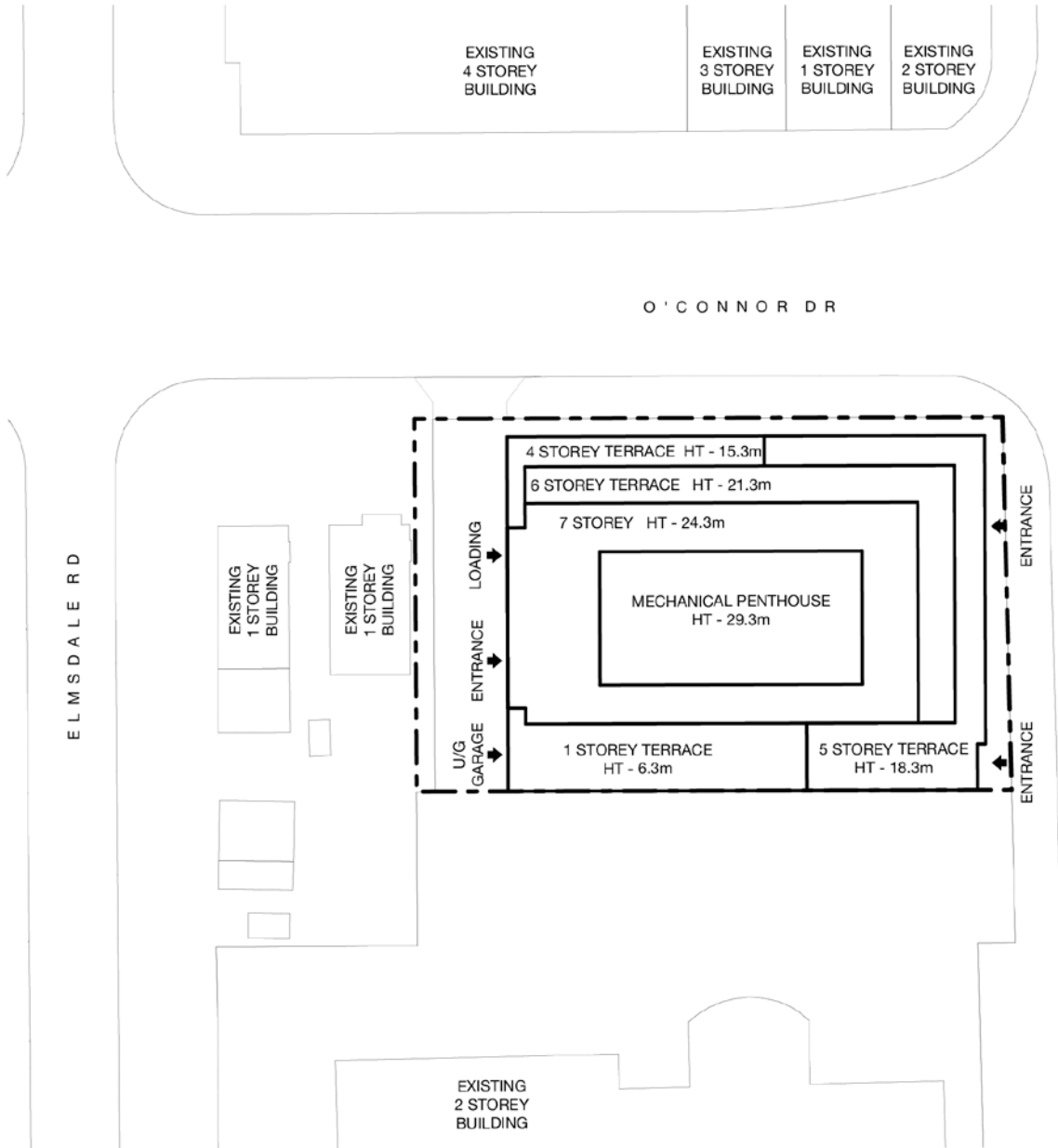


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Attachment 2: Location Map



Attachment 3: Site Plan



Site Plan







Attachment 4: Official Plan Map



Official Plan Land Use Map #20

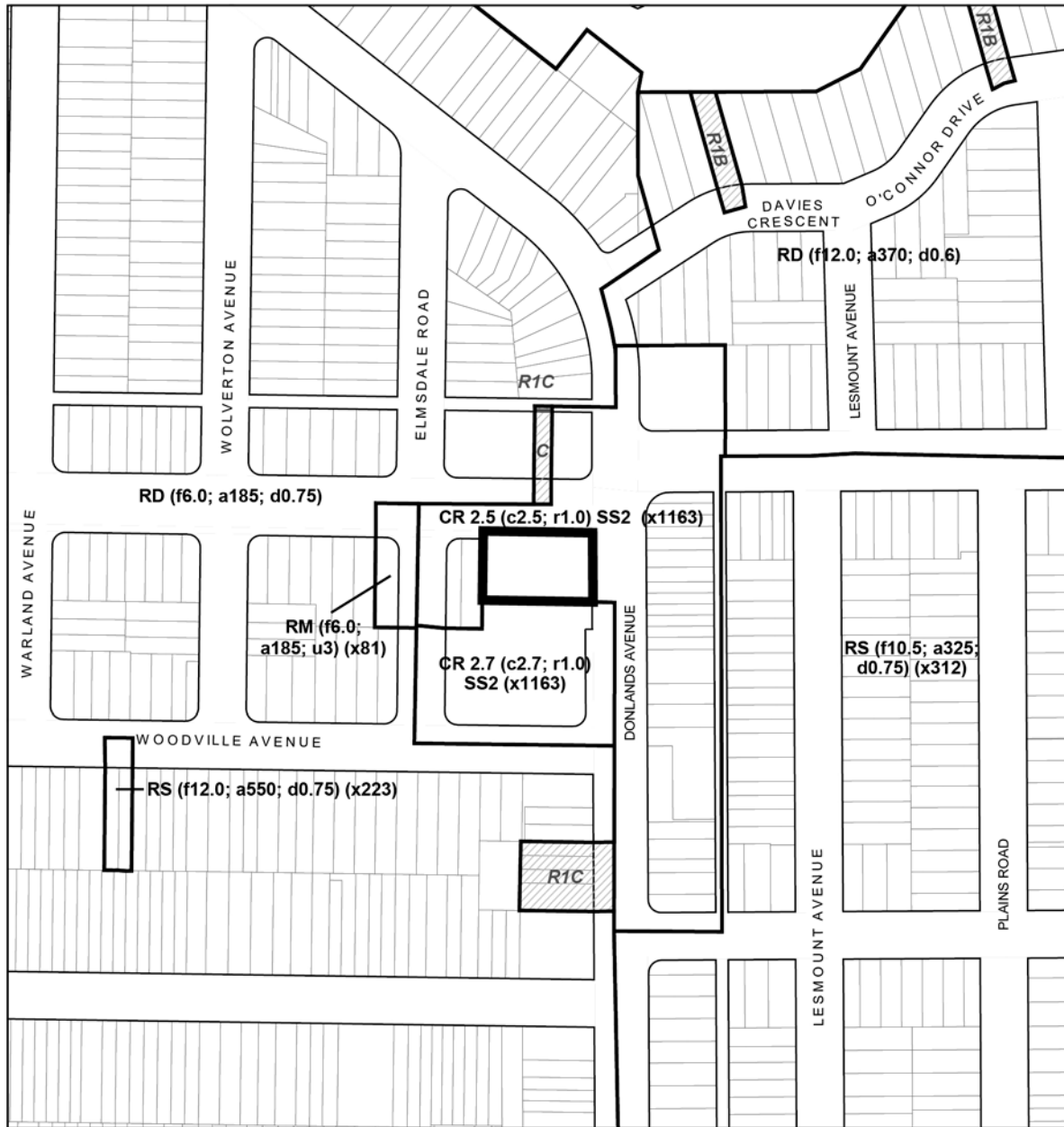
380 Donlands Avenue

File # 20 216953 STE 14 0Z

-  Location of Application
-  Neighbourhoods
-  Mixed Use Areas
-  Natural Areas

  
 Not to Scale  
 Extracted: 03/10/2021

Attachment 5: Zoning Map (569-2013)



Zoning By-law 569-2013

380 Donlands Avenue

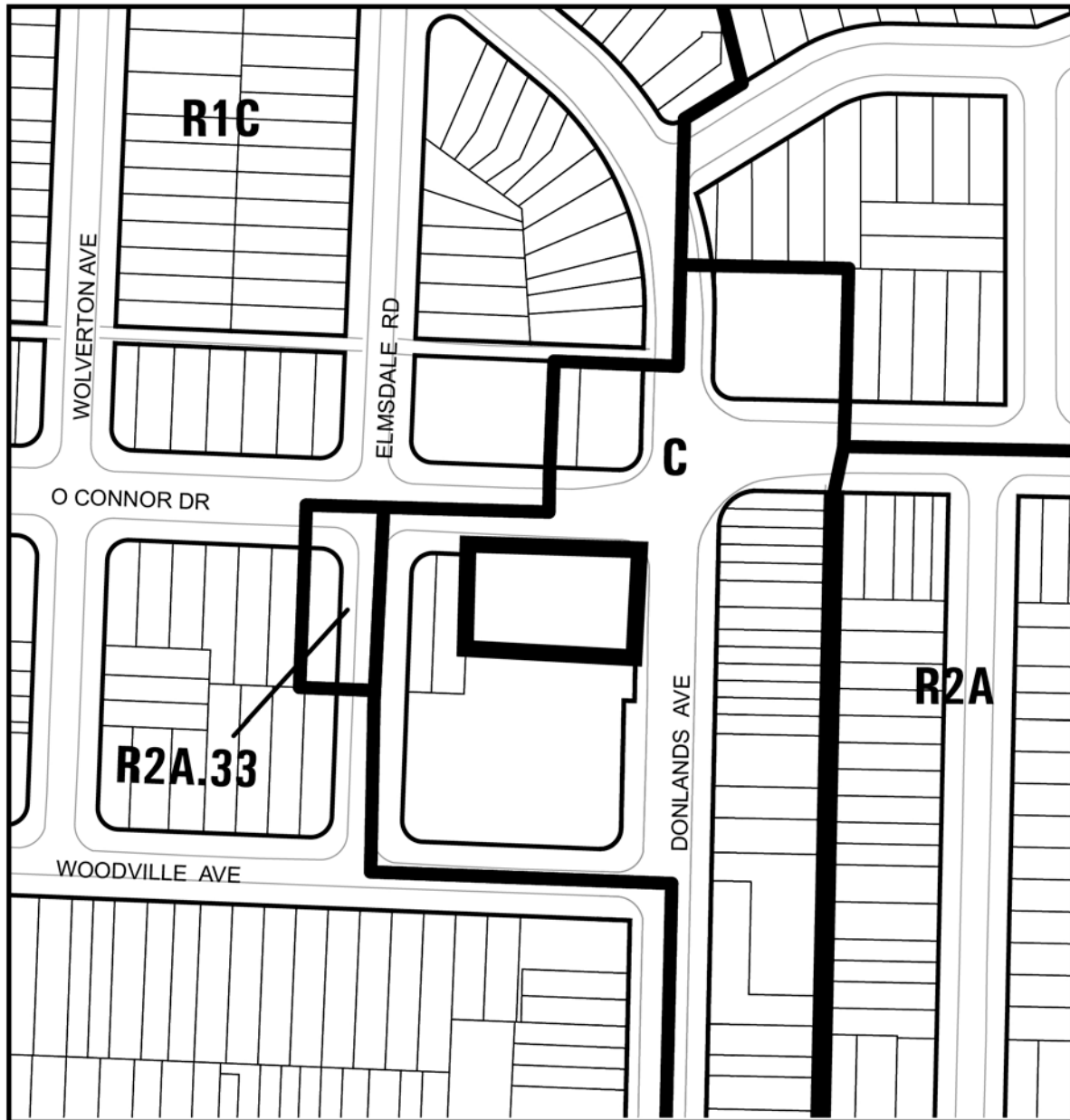
File # 20 216953 STE 14 0Z

-  Location of Application
- RD** Residential Detached
- RS** Residential Semi-Detached
- RM** Residential Multiple
- CR** Commercial Residential
- ON** Open Space Natural

-  See Former Borough of East York By-Law 6752
- R1B** Low Density Residential
- C** Commercial

  
 Not to Scale  
 Extracted: 03/10/2021

Attachment 6: Zoning Map (6752)



East York Zoning By-Law 6752

380 Donlands Avenue

File # 20 216953 STE 14 0Z

 Location of Application

- R1C** *Low Density Residential*
- R2A** *Medium Density Residential*
- C** *Commercial*



Not to Scale  
Extracted: 03/10/2021

## Attachment 7: Application Data Sheet

Municipal Address: 380 DONLANDS AVE Date Received: November 2020

Application Number: 20 216953 STE 14 OZ

Application Type: Rezoning

Project Description: Proposal for 7-storey mixed-use building containing 73 residential dwelling units. The proposed residential gross floor area is 5181 square metres, and the proposed non-residential gross floor area is 394 square metres.

Applicant	Agent	Architect	Owner
MHBC PLANNING LTD	HOWARD D UNGERMAN IN TRUST	TACT	HUD PROPERTIES LIMITED

### EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas

Zoning: CR2.5 (c2.5; r1.0) SS2 (x163)

Height Limit (m): 14 Site Plan Control Area: Y

### PROJECT INFORMATION

Site Area (sq m): 1,472 Frontage (m): 31 Depth (m): 48

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	591		1,031	1,031
Residential GFA (sq m):			5,181	5,181
Non-Residential GFA (sq m):	591		394	394
Total GFA (sq m):	591		5,575	5,575
Height - Storeys:	1		7	7
Height - Metres:	4		24	24

Lot Coverage Ratio (%): 70.06 Floor Space Index: 3.79

Floor Area Breakdown Above Grade (sq m) Below Grade (sq m)

Residential GFA: 5,181  
 Retail GFA: 394

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:			73	73
Total Units:			73	73

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			27	39	7
Total Units:			27	39	7

Parking and Loading

Parking Spaces: 58      Bicycle Parking Spaces: 110      Loading Docks: 1

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