

## **49 Jackes Avenue – Official Plan and Zoning Amendment Application – Request for Direction Report**

Date: August 20 2021

To: Toronto and East York Community Council

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

Ward: University-Rosedale - Ward 11

**Planning Application Number:** 20 226916 STE 11 OZ

### **SUMMARY**

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On December 8, 2020, an Official Plan and Zoning By-law Amendment application was submitted to permit a 29-storey residential building with 217 dwelling units at 49 Jackes Avenue.

On April 23, 2021, the Applicant appealed the application to the Ontario Land Tribunal ("OLT") due to Council not making a decision within the 120-day time frame in the Planning Act.

This report recommends that the City Solicitor with the appropriate City staff attend the OLT hearing to oppose the application in its current form and to continue discussions with the Applicant to resolve outstanding issues.

### **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. City Council direct the City Solicitor and appropriate City staff to attend the Ontario Land Tribunal in opposition to the current Application regarding the Official Plan and Zoning By-law Amendment appeal for the lands at 49 Jackes Avenue and to continue discussions with the Applicant in an attempt to resolve outstanding issues.
2. In the event that the Ontario Land Tribunal allows the appeals in whole or in part, City Council authorize the City Solicitor to request that the issuance of any final Orders be withheld until such time as the City Solicitor advises that:
  - a) the final form and content of the draft Official Plan and Zoning By-laws are to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning;

- b) the owner has provided confirmation of water, sanitary and stormwater capacity to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, or the determination of whether holding provisions are required in the Zoning By-law amendment;
- c) the owner has addressed all outstanding issues raised by Parks, Forestry and Recreation as they relate to an on-site parkland dedication, having a minimum size of 125 square metres located along the full length of the eastern property boundary of the development site, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor;
- d) the owner has addressed all outstanding issues raised by Urban Forestry, Tree Protection and Plan Review as they relate to the Official Plan and Zoning By-law Amendment application, to the satisfaction of the Supervisor, Tree Protection and Plan Review; and,
- e) community benefits and other matters in support of the development are secured in a Section 37 Agreement executed by the owner and registered on title to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.

3. City Council authorizes the City Solicitor and City staff to take any necessary steps to implement City Council's decision.

## **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.

## **DECISION HISTORY**

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At its meeting on January 29, 2020, City Council requested the Director, Community Planning, Toronto and East York District to study the *Apartment Neighbourhoods* designated lands to the northwest and southeast of the Yonge Street and St. Clair Avenue intersection and to report back to the Toronto and East York Community Council with a Planning Framework providing guidance on managing development pressures no later than the fourth quarter of 2020. The subject site is located within the study area.

A Preliminary Report was adopted by Toronto and East York Community Council on February 24, 2021 authorizing staff to conduct a community consultation meeting with an expanded notification area. The decision of the Toronto and East York Community Council can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.TE23.49>

## SITE AND SURROUNDING AREA

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**Site Description and Dimensions:** The site is located at the east end of Jackes Avenue, on the south side of the street, adjacent to David A. Balfour Park. The rectangular site is 1,246 square metres in size, has a frontage of 21.8 metres on Jackes Avenue and 56.4 metres along David A. Balfour Park.

**Existing Use:** A three-storey office building with surface parking fronting Jackes Avenue is currently on the site.

### **Surrounding uses include:**

North: of Jackes Avenue is an apartment complex known as Bretton Place. The complex includes two apartment buildings, a 24-storey building fronting onto Jackes Avenue and a 28-storey building fronting onto Rosehill Avenue. The site also includes a recent zoning approval for a 31-storey apartment building at the northwest corner of the site fronting onto Rosehill Avenue.

East: of the site is David A. Balfour Park, which includes the Rosehill Reservoir. Further to the east is a forested ravine.

South: of the site is a 4-storey building fronting onto Woodlawn Avenue, occupied by YWCA Toronto. Woodlawn Avenue is part of a low-rise neighbourhood extending south to Shaftesbury Avenue, consisting predominantly of detached dwellings 2 to 3-storeys in height.

West: of the site is a 3-storey house form building fronting onto Jackes Avenue known as the "Laidlaw House" (35 Jackes Avenue). The Laidlaw House is a designated heritage building. To the south of Laidlaw House is a 10-storey residential building (33 Jackes Avenue). Further to the west are a 6-storey residential building (9 Jackes Avenue) and a 28-storey residential building (7 Jackes Avenue).

## THE APPLICATION

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### **Description**

**Height:** 29-storey (99.0 metres, including 6.0 metre mechanical penthouse) residential building.

**Density (Floor Space Index):** 12.5 times the area of the lot.

**Unit count:** 217 dwelling units (104 one-bedroom units (48%), 90 two-bedroom units (42%) and 23 three-bedroom units (10%)).

## **Additional Information**

See Attachments 1-5 of this report for a location map, Application Data sheet, three dimensional representations of the project in context and a site plan of the proposal. The Application Data Sheet contains additional details on the proposal including: site area and dimensions; floor area; unit breakdowns; and parking counts.

All plans and reports submitted as part of the application can be found on the City's Application Information Centre at:

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

## **Reasons for Application**

The Zoning By-law Amendment Application proposes to amend Zoning By-laws 438-86 and 569-2013 to vary performance standards including: building height; building setbacks; floor space index; amenity space and parking space requirements. Additional amendments to the Zoning By-law may be identified as part of the ongoing application review.

The Official Plan Amendment Application is proposed to permit a tall building on the site, whereas the Yonge-St. Clair Secondary Plan permits a maximum height of 12 metres on this site.

## **Site Plan Control**

The proposal is subject to Site Plan Control. A Site Plan Control application has not yet been submitted.

## **POLICY CONSIDERATIONS**

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**Official Plan Designation:** The site is designated Apartment Neighbourhoods and located in the Yonge-St. Clair Secondary Plan Area, and is subject to Site and Area Specific Policies 4 and 7 of the Secondary Plan.

**Zoning:** The site is not subject to Zoning By-law 569-2013. Under Zoning By-law 438-86, the site is zoned Residential, with a density of 2 times the area of the lot and a height limit of 11.0 metres.

### **Additional information:**

See Attachment 6 for applicable policy documents.

## **COMMUNITY CONSULTATION**

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A Virtual Community Consultation Meeting was hosted by City staff on April 19, 2021. Approximately 80 people participated, as well as the Ward Councillor. Following a

presentation by City staff and the Applicant, the following comments and issues were raised:

- proposal disregards the planning policies for the area;
- appropriateness of the proposed height, density and massing;
- compatibility and fit with adjacent residential areas, including transition, setbacks, built form and streetscape;
- insufficient transition to adjacent low-rise residential area and David A. Balfour Park;
- insufficient setbacks and step backs;
- shadowing on adjacent low-rise residential areas and David A. Balfour Park;
- wind impacts;
- impact on transit capacity;
- traffic generated as a result of the proposed development;
- construction impacts;
- excellent architecture;
- development in close proximity to high order transit should be supported; and
- the proposal fills the need for additional housing units in the city.

## **COMMENTS**

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The proposal has been reviewed against the Planning Act, PPS, Growth Plan and Official Plan policies, planning studies and design guidelines.

### **Planning Act**

The review of this application has had regard for the relevant matters of provincial interest set out under Section 2 of the Planning Act.

### **Provincial Policy Statement (2020)**

Planning staff have reviewed the current proposal against the policies of the PPS, as described in the Policy Considerations Section and Appendix in this report and find the proposal is generally consistent with the PPS. A City Council decision to oppose the proposal is also consistent with the PPS given the non-conformity with the Official Plan.

### **Growth Plan (2020)**

Planning staff have reviewed the current proposal against the policies of the Growth Plan, as described in the Policy Considerations Section and Appendix in this report and find the proposal generally conforms with the Growth Plan. A City Council decision to oppose the proposal conforms with the Growth Plan given the non-conformity to the Official Plan as described below.

## **Built Form**

Planning staff have reviewed the proposed built form, including height, massing and transition, against the policies of the Official Plan and the Yonge-St. Clair Secondary Plan, as well as relevant design guidelines.

## **Height and Transition**

The proposed 29-storey building is too tall and does not achieve the policies of the Official Plan, Yonge-St. Clair Secondary Plan including Site and Area Specific Policy Nos. 4 and 7, or the Tall Building Design Guidelines.

The proposed building does not provide adequate transition to the low-rise Neighbourhood to the south or to David A. Balfour Park to the east, as required by the Official Plan and the Yonge-St. Clair Secondary Plan.

## **Massing**

The proposed building massing, including setbacks, step backs, and separation distances, is not acceptable and does not achieve the policies of the Official Plan, the Yonge-St. Clair Secondary Plan including Site and Area Specific Policy Nos. 4 and 7, or the Tall Building Design Guidelines.

The proposed front yard setback is unacceptable and does not fit within the character of the area. The front yard setback does not provide sufficient space to facilitate the planting of large shade trees or street furniture in the setback area, as required by the Yonge-St. Clair Secondary Plan.

The setback to the east is insufficient to accommodate the required parkland dedication detailed in this report. The setback to the west is not acceptable, it does not provide appropriate separation to the 10-storey building at 33 Jackes Avenue, and results in a blank wall located 0.0 metres from the property line.

## **Sun and Shadow**

The shadow impacts resulting from the proposal are unacceptable and do not meet the policies of the Official Plan and the Yonge-St. Clair Secondary Plan, including SASP No. 4.

The proposed building will have shadow impacts on David A. Balfour Park, starting around 12:00pm and increasing throughout the afternoon, at both the spring and fall equinoxes. The Yonge-St. Clair Secondary Plan requires that development on this site be designed to maintain sunlight on the park.

## **Wind**

The wind impacts resulting from the proposal are unacceptable and do not meet the policies of the Official Plan and the intent of the Tall Buildings Guidelines.

A Pedestrian Level Wind Study prepared by Gradient Wind, dated November 10, 2020, shows a number of areas on the site and in the adjacent public realm that will be negatively impacted by the proposed development. The study also indicates that the proposed outdoor amenity space will not be suitable for sitting at all times during the spring/fall months.

### **Streetscape**

The proposed streetscape along Jackes Avenue is not acceptable. The proposed setbacks are not in keeping with the character of the area. The proposed canopy and driveway lay-by, and lack of soft landscaping are not acceptable. Additionally, the proposed sidewalk width of 1.66 metres is not acceptable.

### **Servicing**

A Functional Servicing and Stormwater Management Report and associated plans have been submitted for the site and are currently under review by Engineering and Construction Services.

In the event that the OLT allows the Zoning By-law Amendment appeal in whole or in part, the final Order should be withheld pending the confirmation of water, sanitary and stormwater capacity from the Chief Engineer and Executive Director, Engineering and Construction Services, or the determination of whether holding provisions are required in the Zoning By-law amendment.

### **Parkland**

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. The site is in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

The applicant is required to satisfy the parkland dedication requirement through an on-site dedication in order to expand the adjacent David A. Balfour Park along the eastern property boundary of the current site in conformity with the Official Plan.

The parkland dedication requirement is 125 square metres, having a frontage of 2.2 metres on Jackes Avenue and a depth of 56.39 metres. Any proposed building must be setback at least 3 metres from the new parkland, and any trees near the new park boundary should be preserved and retained.

### **Heritage Impact**

Heritage Planning staff have reviewed the submitted Heritage Impact Assessment prepared by ERA and dated November 2020. The subject site is not designated under the Ontario Heritage Act or included on the City's Heritage Register. Heritage Planning has determined that the site does not comply with the Provincial criteria for determining significance, and the proposed development would not harm the heritage values of the adjacent heritage property at 35 Jackes Avenue.

## **Tree Preservation**

The Application is subject to the provisions of the City of Toronto Municipal Code. An Arborist Report and Tree Inventory and Preservation Plan were submitted by the Applicant. The Applicant proposes to remove four City-owned trees regulated by the Parks By-law, and three privately-owned trees regulated by the Private Tree By-law, and injure 19 privately-owned trees regulated by the Private Tree By-law.

Urban Forestry does not support the removal of the four City-owned trees regulated by the Parks By-law and requires revisions to the plans to accommodate the preservation of these trees.

## **Indoor/Outdoor Amenity Space**

The application is proposing a total of 380 square metres (1.75 square metres per unit) of indoor amenity space and 298 square metres (1.37 square metres per unit) of outdoor amenity space on the third floor.

Zoning By-law 438-86 requires a minimum of 2.0 square metres per unit each of indoor and outdoor amenity space, and Zoning By-law 569-2013 requires a combined amenity space of 4.0 square metres per unit. Planning staff will continue to work with the applicant to increase the amount of amenity space provided in the proposed development.

## **Parking and Loading**

A total of 55 vehicle parking spaces are proposed in a 4-level below-grade parking garage, accessed from Jackes Avenue. A type-G loading space is proposed on the first level of the below-grade parking garage. A vehicular lay-by is proposed at the front of the building adjacent to Jackes Avenue.

The proposed lay-by is not acceptable. An Urban Transportation Considerations Report was submitted for the site and is currently under review by Transportation Services and Engineering and Construction Services.

## **Section 37**

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the Planning Act.

Section 37 benefits were not discussed in the absence of an agreement on the proposal's density and height. Should this proposal be approved in some form by the OLT, City Planning staff recommends staff be authorized to negotiate an appropriate agreement for Section 37 benefits with the applicant, in consultation with the Ward Councillor.



## **Further Issues**

City Planning continues to receive additional information regarding this application as the result of ongoing review by City commenting divisions, materials submitted in support of the proposal, and through deputation made by members of the public to Community Council. Planning staff may also be required to evaluate supplementary or revised plans and supporting materials submitted by the applicant after the date of this report. As a result Planning staff may continue to identify further issues or supplement the reasons provided in this report. Where substantive changes to the proposal are made by the applicant, Staff may report back to City Council as necessary.

## **Conclusion**

The application has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), the Official Plan, the Yonge-St. Clair Secondary Plan, and applicable City guidelines intended to implement Official Plan policies. As currently proposed, the proposal does not conform to the Official Plan, Yonge-St. Clair Secondary Plan and Tall Building Design Guidelines.

This report recommends that the City Solicitor, with appropriate staff, attend the OLT in opposition to the application in its current form and to continue discussions with the applicant in an attempt to resolve outstanding issues. This recommendation is consistent with the PPS and conforms with the Growth Plan.

## **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**

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Attachment 1: Location Map

Attachment 2: Application Data Sheet

Attachment 3: 3D Model of Proposal in Context Looking Southwest

Attachment 4: 3D Model of Proposal in Context Looking Northeast

Attachment 5: Site Plan

Attachment 6: Policy Considerations

Attachment 7: Official Plan Land Use Map

Attachment 8: Zoning By-law Map

Attachment 1: Location Map



Attachment 2: Application Data Sheet

**Municipal Address:** 49 Jackes Avenue      **Date Received:** December 8, 2020

**Application Number:** 20 226916 STE 11 OZ

**Application Type:** OPA/Rezoning

**Project Description:** 29-storey residential building.

| <b>Applicant</b>   | <b>Agent</b>  | <b>Architect</b>   | <b>Owner</b>   |
|--|---|--|--|
| Lifetime Jackes Inc.,<br>49 Jackes Avenue<br>Suite 200, Toronto,<br>ON M4T 1E2 | Lifetime Jackes<br>Inc., 49 Jackes<br>Avenue Suite 200,<br>Toronto, ON M4T<br>1E2 | Hariri Pontarini<br>Architects, 235<br>Carlaw Avenue,<br>Suite 301, Toronto,<br>ON M4M 2S1 | Lifetime Jackes Inc.,<br>49 Jackes Avenue<br>Suite 200, Toronto,<br>ON M4T 1E2 |

**EXISTING PLANNING CONTROLS**

|                            |                 |   |
|----------------------------|-----------------|---|
| Official Plan Designation: | Mixed Use Areas | Site Specific Provision:<br>Yonge-St. Clair<br>Secondary Plan |
| Zoning:                    | R2 Z1.0         | Heritage Designation:   |
| Height Limit (m):          | 11              | Site Plan Control Area: Y                                     |

**PROJECT INFORMATION**

Site Area (sq m): 1,246      Frontage (m): 22      Depth (m): 56

| <b>Building Data</b>        | <b>Existing</b> | <b>Retained</b> | <b>Proposed</b> | <b>Total</b> |
|-----------------------------|-----------------|-----------------|-----------------|--------------|
| Ground Floor Area (sq m):   | 677             |                 | 841             | 841          |
| Residential GFA (sq m):     |                 |                 | 15,578          | 15,578       |
| Non-Residential GFA (sq m): |                 |                 |                 |              |
| Total GFA (sq m):           |                 |                 | 15,577          | 15,577       |
| Height - Storeys:           | 3               |                 | 29              | 29           |
| Height - Metres:            | 12              |                 | 99              | 99           |

**Lot Coverage Ratio (%):** 67.49      **Floor Space Index:** 12.5

| <b>Floor Area Breakdown</b> | <b>Above Grade (sq m)</b> | <b>Below Grade (sq m)</b> |
|-----------------------------|---------------------------|---------------------------|
| Residential GFA:            | 15,577                    |                           |
| Retail GFA:                 |                           |                           |
| Office GFA:                 |                           |                           |

Industrial GFA:

Institutional/Other GFA:

| <b>Residential Units<br/>by Tenure</b> | <b>Existing</b> | <b>Retained</b> | <b>Proposed</b> | <b>Total</b> |
|--|-----------------|-----------------|-----------------|--------------|
| Rental:                                |                 |                 |                 |              |
| Freehold:                              |                 |                 |                 |              |
| Condominium:                           |                 |                 | 217             | 217          |
| Other:                                 |                 |                 |                 |              |
| Total Units:                           |                 |                 | 217             | 217          |

**Total Residential Units by Size**

|              | <b>Rooms</b> | <b>Bachelor</b> | <b>1 Bedroom</b> | <b>2 Bedroom</b> | <b>3+ Bedroom</b> |
|--------------|--------------|-----------------|------------------|------------------|-------------------|
| Retained:    |              |                 |                  |                  |                   |
| Proposed:    |              |                 | 104              | 90               | 23                |
| Total Units: |              |                 | 104              | 90               | 23                |

**Parking and Loading**

Parking Spaces: 55      Bicycle Parking Spaces: 217      Loading Docks: 1

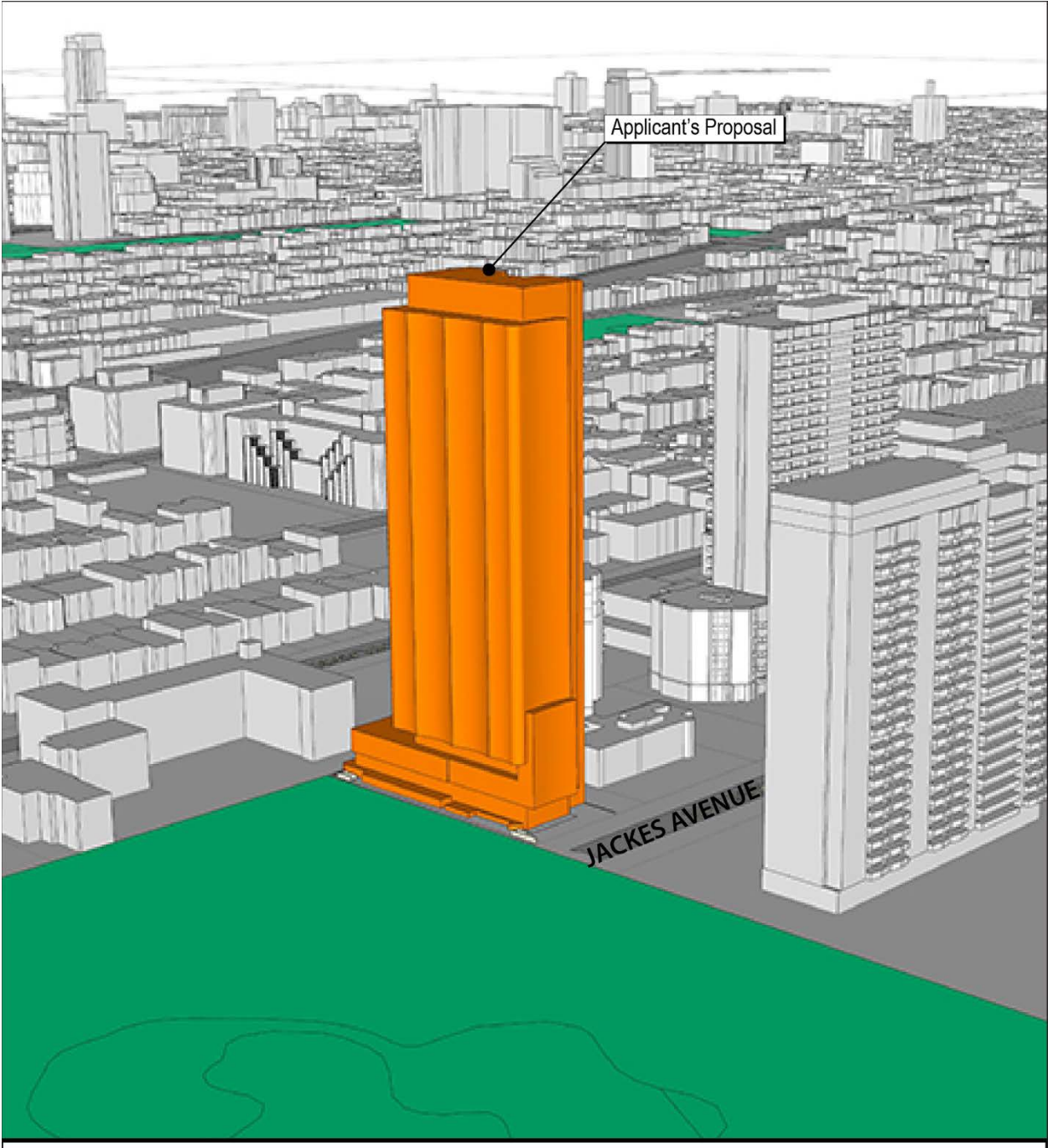
**CONTACT:**

David Driedger, Senior Planner

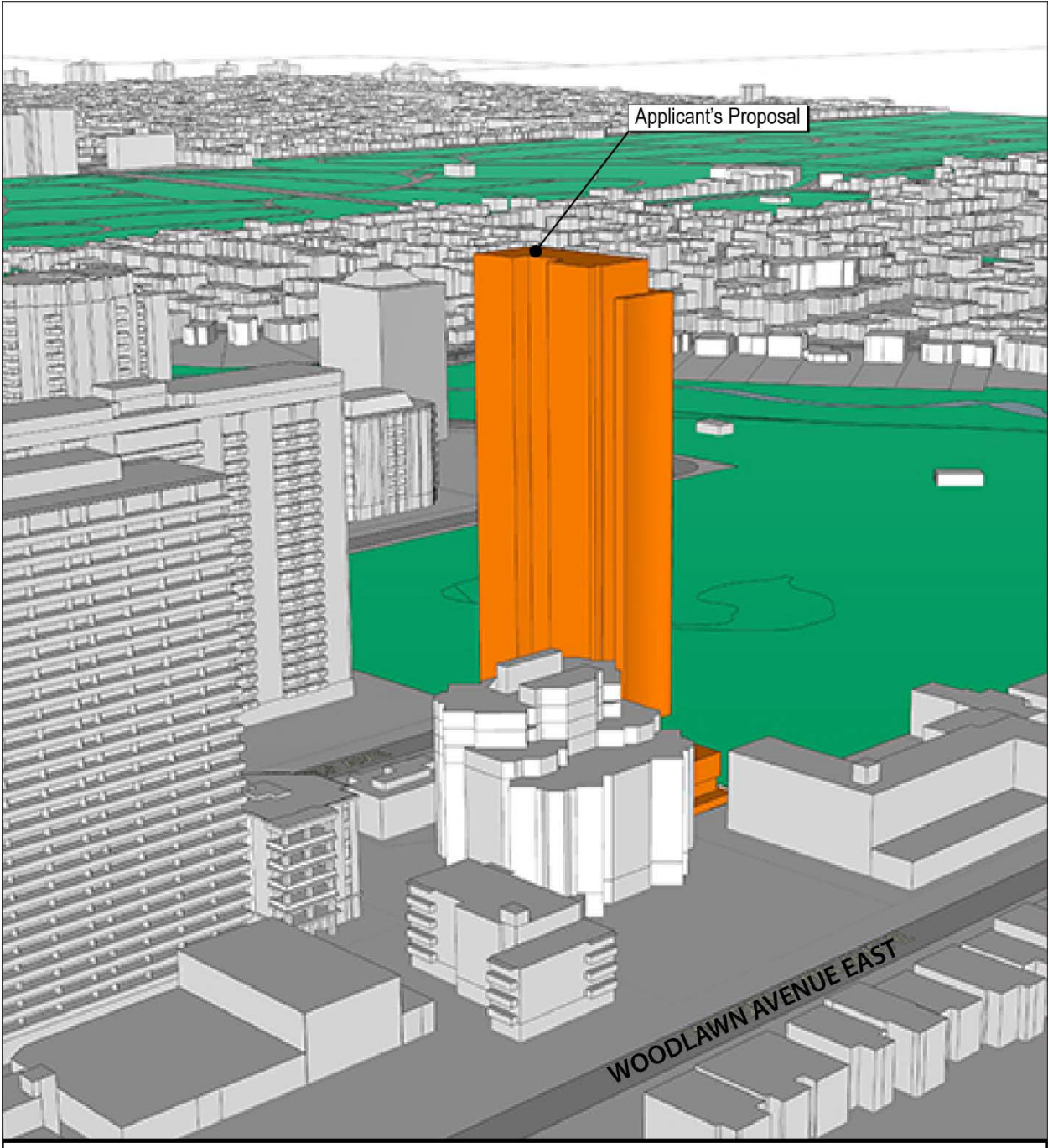
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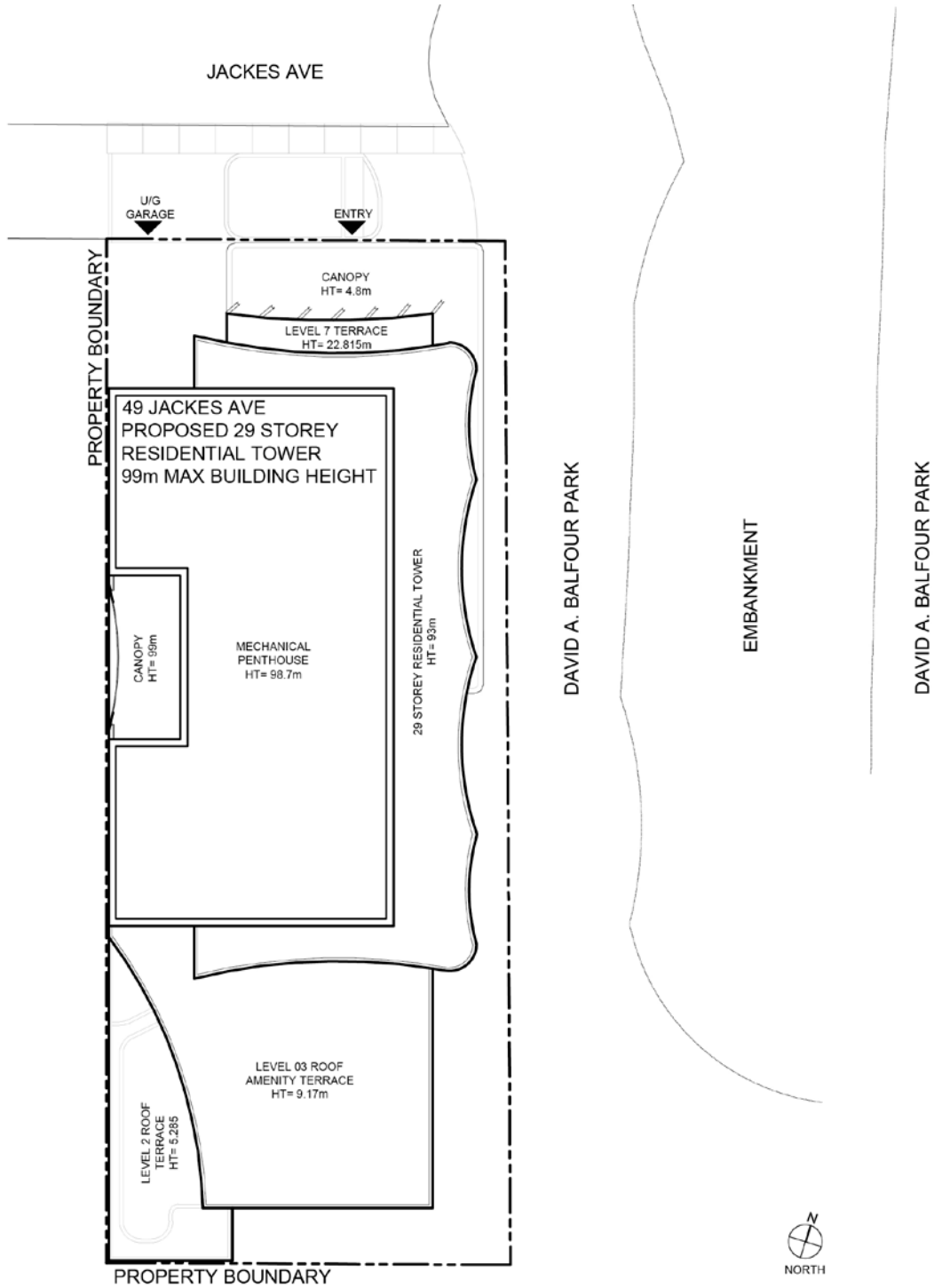
Attachment 3: 3D Model of Proposal in Context Looking Southwest



Attachment 4: 3D Model of Proposal in Context Looking Northeast



Attachment 5: Site Plan



Site Plan





## Attachment 6: Policy Considerations

### **Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans**

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

### **The Provincial Policy Statement (2020)**

The Provincial Policy Statement (2020) (the "PPS") 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 use and management of land and infrastructure;
- ensuring the sufficient provision of housing to meet changing needs including affordable housing;
- ensuring opportunities for job creation;
- ensuring the appropriate transportation, water, sewer and other infrastructure is available to accommodate current and future needs; and
- protecting people, property and community resources by directing development away from natural or human-made hazards.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the Planning Act and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. The PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

### **Provincial Plans**

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All

comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with Provincial Plans.

### **A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)**

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) came into effect on August 28, 2020. This was an amendment to the 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).

### **Planning for Major Transit Station Areas**

The Growth Plan (2020) contains policies pertaining to population and employment densities that should be planned for in major transit station areas (MTSAs) along priority transit corridors or subway lines. MTSAs are generally defined as the area within an

approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan (2020) requires that, at the time of the next MCR, the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSA's plan for the prescribed densities.

## **Official Plan**

The 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.

The Official Plan contains policies related to building complete communities, heritage preservation, community services, transportation, and environmental stewardship. The Official Plan also provides for the use of Section 37 of the Planning Act to pass by-laws for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision of community benefits in the form of capital facilities.

The site is designated Apartment Neighbourhoods as shown on Land Use Map 17. See Attachment 7 of this report for the Official Plan Land Use Map.

## **Yonge and St. Clair Secondary Plan**

The site is subject to the Yonge and St. Clair Secondary Plan including Site and Area Specific Policies Nos. 4 and 7. The purpose of the Secondary Plan is, in part, to:

- protect, promote and enhance the existing type and quality of Neighbourhoods and Apartment Neighbourhoods and maintain their stability;
- retain, protect and enhance the special physical character and public spaces of the Yonge-St. Clair Secondary Plan area; and
- ensure that new development meets high urban design standards which contribute to achieving public areas which are attractive, inviting, comfortable and safe.
- The Secondary Plan contains Urban Design Principles for Built Form and Public Amenity relevant to this proposal, including:
- Achieving a harmonious relationship to the built form context through building height, massing, setback, step backs, roof line and profile, architectural expression and vehicle access and loading; and
- providing high quality, co-ordinated streetscape and open space improvements.

Site and Area Specific Policy No. 4 states that any redevelopment of the site must:

- a) be no more than 12 metres in height;
- b) preserve the historically and architecturally significant Laidlaw House, including views of the House from Jackes Avenue; and
- c) be designed so as to:
  - i. maintain sunlight on the park;
  - ii. respect and, to the extent possible, preserve sky views and an appropriate separation from residences in the building known municipally in 1999 as 33 Jackes Avenue; and

iii. be compatible with the walkway immediately east of 49 Jackes Avenue.

Site and Area Specific Policy No. 7 states that the site is in an area of transition between the high-rise buildings on the north side of Jackes Avenue and the lands designated as Neighbourhoods to the south. Development will provide a transition in scale, stepping down to the low-scale residential buildings that front onto Woodlawn Avenue.

The Yonge-St. Clair Secondary Plan can be found here:

<https://www.toronto.ca/wpcontent/uploads/2019/02/9411-CityPlanning-2019-da-cp-official-plan-SP-6- YongeStClair.pdf>

### **Yonge-St. Clair Planning Framework & Apartment Neighbourhoods**

City Council endorsed the Yonge-St. Clair Planning Framework at its meeting on January 29, 2020. The Planning Framework generally applies to properties within Mixed Use Areas 'A' and 'B' in the Yonge-St. Clair Secondary Plan near the intersection of Yonge Street and St. Clair Avenue. The Framework provides direction on how to accommodate changes to the existing built form while maintaining and creating new important public realm areas that support the livability of this mixed-use neighbourhood.

City Council has directed City Planning to build on the Yonge-St. Clair Planning Framework and conduct a study of the Apartment Neighbourhoods designated lands to the northwest and southeast of the Yonge-St. Clair intersection. The subject site falls within the new study area.

### **Heritage**

The subject site is adjacent to a property on the Heritage Register. Robert Laidlaw House, constructed in 1914, is located west of the site at 35 Jackes Avenue.

### **Zoning By-laws**

The site is not currently zoned under Zoning By-law 569-2013. Under Zoning By-law 438-86, the site is zoned Residential (R2 Z1.0), with a density of 2 times the area of the lot and a height limit of 11.0 metres.

See Attachment 8 of this report for the Zoning By-law Map.

### **Urban Forestry/Environment**

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), as well as Chapter 608, Article VII (Park Trees).

### **Design Guidelines**

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

- Tall Building Design Guidelines;

- Growing Up Guidelines Planning for Children in New Vertical Communities; and
- Pet Friendly Design Guidelines.

The City's Design Guidelines can be found here:

<https://www.toronto.ca/citygovernment/planning-development/official-plan/guidelines/design-guidelines/>

### **Tall Building Design Guidelines**

City Council has adopted city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of tall building development Applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts.

The link to the guidelines may be found here:

<https://www.toronto.ca/legdocs/mmis/2013/pg/bqrd/backgroundfile-57177.pdf>.

### **Growing Up Guidelines: Planning for Children in New Vertical Communities**

In July 2020, City Council adopted updated Growing Up Urban Design Guidelines, and directed City Planning staff to apply the "Growing Up Guidelines" in the evaluation of new and under review multi-unit residential development proposals greater than 20 residential units and future city-wide and area-based planning frameworks. The objective of the Growing Up Urban Design Guidelines is that developments deliver tangible outcomes to increase liveability for larger households, including families with children, at the neighbourhood, building and unit scale.

The link to the guidelines may be found here:

<https://www.toronto.ca/citygovernment/planning-development/planning-studies/initiatives/growing-up-planning-for-children-in-new-vertical-communities/>

### **Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings**

The purpose of the Pet Friendly Design Guidelines is to guide new developments in a direction that is more supportive of a growing pet population, considering opportunities to reduce the current burden on the public realm, and provide needed pet amenities for high density residential communities.

The link to the guidelines may be found here:

<https://www.toronto.ca/citygovernment/planning-development/planning-studies/initiatives/pet-friendly-design-guidelines-for-high-density-communities/>

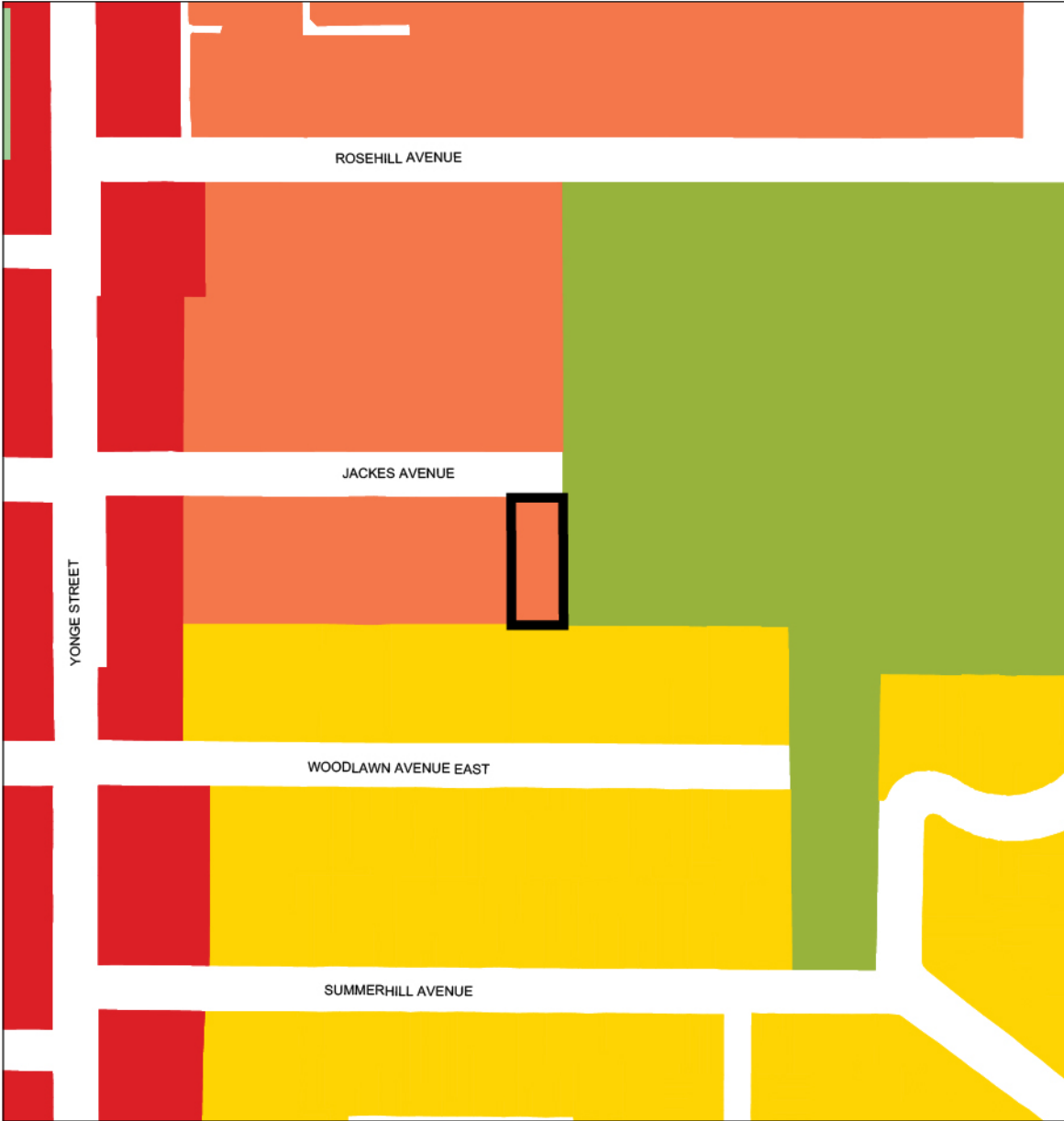
### **Toronto Green Standard**

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.








TGS Version 3.0 applies to new applications submitted on or after May 1, 2018.


Attachment 7: Official Plan Land Use Map



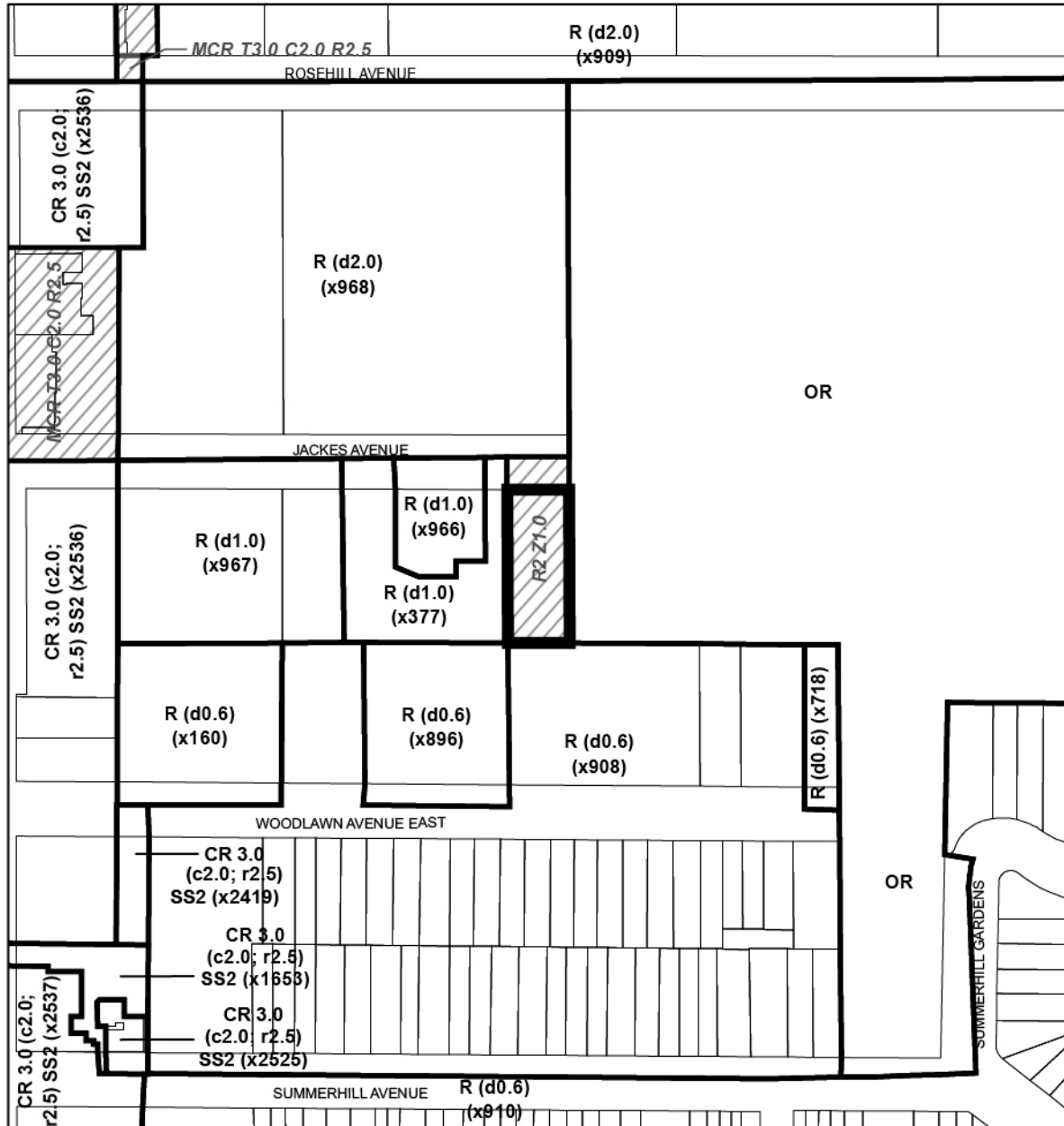
Official Plan Land Use Map #17

49 Jackes Avenue  
File # 20 226916 STE 11 0Z

- |  |  |
|--|--|
|  Location of Application  |  Parks & Open Space Areas |
|  Neighbourhoods           |  Parks                    |
|  Apartment Neighbourhoods |  Other Open Space Areas   |
|  Mixed Use Areas          |  |

  
Not to Scale  
Extracted: 01/08/2021

Attachment 8: Zoning By-law Map



Zoning By-law 569-2013

49 Jackes Avenue

File # 20 226916 STE 11 OZ



Location of Application

R Residential CR Commercial Residential  
OR Open Space Recreation



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

R2 Residential District  
CR Mixed-Use District  
MCR Mixed-Use District



Not to Scale  
Extracted: 01/08/2021