

## **2494 Danforth Avenue – Zoning Amendment Application – Final Report**

Date: August 20, 2021

To: Toronto and East York Community Council or City Council

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

Ward: Ward 19 - Beaches-East York

**Planning Application Number:** 17 278384 STE 31 OZ

### **SUMMARY**

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This report reviews and recommends approval of the application to amend the Zoning By-law to permit a retirement home in a 10-storey (38 metres, excluding mechanical penthouse) building with a retail store (887 square metres) at grade. A total of 146 bed-sitting rooms and 53 vehicular parking spaces are proposed.

The proposed development is consistent with the Provincial Policy Statement (2020) and conforms with the Growth Plan for the Greater Golden Horseshoe (2020). The proposed development also conforms with relevant policies of the Official Plan and, specifically, Official Plan Amendment 420.

### **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. City Council amend Zoning By-law 438-86 for the lands at 2494 Danforth Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 12 to the August 20, 2021 report from the Director, Community Planning, Toronto & East York District.
2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 2494 Danforth Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 13 to the August 20, 2021 report from the Director, Community Planning, Toronto & East York District.
3. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.
4. Before introducing the necessary Bills to City Council for enactment, require the owner to enter into an Agreement pursuant to Section 37 of the Planning Act as follows:

- a) The community benefits recommended to be secured in the Section 37 Agreement are as follows:
- i. prior to the issuance of the first above-grade building permit, the owner shall pay to the City a cash contribution of \$387,500.00 to be allocated towards capital improvements that will benefit the community in the vicinity of the subject site, such as, but not limited to, non-profit licensed daycare facilities, community centres, recreation facilities, libraries, arts-related community space, local streetscape improvements, BIA capital projects, capital improvements to Toronto Community Housing in Ward 19, or public parks in the area, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor;
  - ii. the cash contribution referred to in Part 4.a.i. above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for the Toronto Census Metropolitan Area, reported quarterly by Statistics Canada in Building Construction Price Indexes Table 18-10-0135-01, or its successor, and calculated from the date of the Agreement to the date of payment; and
  - iii. in the event the cash contribution referred to in Part 4.a.i. above has not been used for the intended purpose within three years of the Zoning By-law Amendments coming into full force and effect, the cash contribution may be directed for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided the purpose is identified in the Official Plan and will benefit the community in the vicinity of the lands.
- b) the following matters of convenience are also recommended to be secured in the Section 37 Agreement:
- i. the owner to pay for and construct any improvements to the municipal infrastructure in connection with the accepted Functional Servicing Report, to be submitted for review and acceptance by the Executive Director, Engineering & Construction Services, should it be determined that improvements to such infrastructure are required to support this development; and
  - ii. the owner will construct and maintain the development of the site in accordance with Tier 1 of the Toronto Green Standard and the owner will be encouraged to achieve Tier 2 of the Toronto Green Standard, where appropriate.

## 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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A pre-application meeting was held on May 2, 2017. The application was submitted on December 21, 2017 and deemed complete on December 21, 2017.

A Preliminary Report (dated March 15, 2018) for this application was adopted by Toronto and East York Community Council on April 4, 2018. The report can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.TE31.59>

## SITE AND SURROUNDING AREA

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The L-shaped property is located on the north side of Danforth Avenue west of Main Street. The property has a 61 metre frontage on Danforth Avenue, a 65 metre frontage on Chisholm Avenue, and a 30.5 metre frontage on Harris Avenue. The topography of the 2,290 square metre site is relatively level along Danforth Avenue. The site slopes up from Danforth Avenue on Chisholm Avenue. The site has an existing 2-storey drug store (Shoppers Drug Mart).

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

**North:** There is a stable low-rise residential neighbourhood to the north of the site.

**East:** There is a 1-storey stand-alone take-out restaurant on the opposite side of Chisholm Avenue and a 7-storey residential building further to the east.

**West:** There are 2-storey main street type buildings fronting onto Danforth Avenue. On the Harris Avenue frontage is a stable residential neighbourhood characterized by 2-storey semi-detached dwellings on both sides.

**South:** There is a stand-alone Sobeys grocery store and surface parking on the south side of Danforth Avenue.

## PROPOSAL

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The proposal is for a 10-storey (38 metres, excluding mechanical penthouse) retirement home building containing 887 square metres of retail space at-grade and 146 bed-sitting rooms. The proposed density is 4.1 times the area of the lot.

Assisted living and memory care rooms (47 rooms) will be located on floors 2 and 3. Residents in assisted living rooms will be provided regular support with daily living including dining, activities, and professional care and support tailored to each

individual's needs. Memory care rooms will serve seniors living with dementia or memory loss with support from experts certified in Alzheimer's care. Independent living units (99 units) will be located on floors 4 to 10 and will provide residents with all-inclusive living with on-site amenities, services and activities, plus access to professional care and support if needed.

The proposed 10-storey building steps down in height from east to west, with the westernmost portion of the building being 6 storeys (21.7 metres) in height. The rear portion of the building facing Harris Avenue is 4 storeys (14.6 metres) in height.

A total of 53 vehicle parking spaces are located in a 1 storey underground garage via a driveway and pick-up/drop-off courtyard off of Chisholm Avenue. A total of 30 bicycle spaces are proposed. An enclosed Type 'B' loading space is proposed.

A total of 1,334 square metres of indoor amenity space and 555 square metres of outdoor amenity space is provided.

### **Reasons for Application**

The Zoning By-law amendment is required for non-compliance with the proposed height, density and a number of other performance measures in both Zoning by-laws.

## **APPLICATION BACKGROUND**

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### **Agency Circulation Outcomes**

The application has been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the applications and to formulate appropriate Zoning By-law standards.

### **Statutory Public Meeting Comments**

In making their decision with regard to the applications, City Council members have an opportunity to consider the submissions received prior to and at the statutory public meeting held by the Toronto and East York Community Council for the application. Oral submissions made at the meeting are broadcast live over the internet and recorded for review.

## **POLICY CONSIDERATIONS**

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### **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. Policy 4.6 of 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 municipal comprehensive review (MCR), the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs plan for the prescribed densities.

### **Toronto Official Plan**

The site is located on lands shown as *Avenues* on Map 2 - Urban Structure of the Official Plan. *Avenues* are 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 Official Plan designates the southern portion of the property *Mixed Use Areas*, which are made up of a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities. The northerly portion of the site is designated *Neighbourhoods* in the Official Plan.

*Neighbourhoods* are considered to be physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes, townhouses and apartments that are no higher than four storeys. These land use designations are identified on Map 17 of the Official Plan.

### **Official Plan Amendment 420 (Danforth Avenue Planning Study)**

In July 2014, City Council requested the City Planning Division to undertake a study of Danforth Avenue, in two segments, between the Don River and Coxwell Avenue and Coxwell Avenue and Victoria Park Avenue. On July 23, 2018, City Council adopted Official Plan Amendment 420 with respect to Phase 1 of the Danforth Avenue Planning Study, applying to Danforth Avenue from Coxwell Avenue to Victoria Park Avenue. OPA 420 added Site and Area Specific Policy 552 (SASP 552 to Chapter 7 of the Official Plan, respecting the Phase 1 lands. The subject site falls within the boundaries of SASP 552. City Council's decision can be accessed online at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.TE34.22>

The Official Plan Amendment was appealed to the Ontario Planning Tribunal (OLT); however, on January 29, 2020, City Council accepted a settlement on the appeals to OPA 420. On August 5, 2020, the OLT approved a modified SASP 552.

The Danforth Avenue Planning Study was a multi-disciplinary review conducted as a comprehensive and integrated planning study. The study reviewed the character, placemaking, built form, public realm, retail vitality, community services and facilities; and the heritage and historic character of Danforth Avenue in the context of the various surrounding neighbourhoods.

SASP 552 permits midrise development between 7 to 8 storeys in height depending on a lot's depth. A development may go as high as 10 storeys (or 33 metres) in exchange for a floor of dedicated non-residential use if the site is located in the Office Priority Area. The subject site falls within the Office Priority Area.

The OLT modified SASP 552 includes site specific policies for the subject site. These policies permit a 10 storey building with a retirement home use subject to development criteria that is in keeping with the general built form policies of SASP 552 while recognizing the unique operational requirements of a retirement home use that may impact the massing of the building containing this use.

### **Main Street Planning Study**

On November 7, 2017, City Council requested that the City Planning Division undertake further study of development potential within proximity of the Main Street subway station

and the Danforth GO station. The study area encompasses properties designated as Mixed Use Areas along Danforth Avenue, generally within 500 metres of Main Street subway station, Main Street, Dawes Road, and the intersection of Gerrard Street East and Main Street. At its meeting on December 17-18, 2019, City Council adopted Official Plan Amendment 478 (OPA 478), which implemented the outcomes of the Main Street Planning Study.

The Main Street Planning Study was a multi-disciplinary review of the character, built form, public realm, community services and facilities, and heritage and historic character of the study area. The study also looked at where tall buildings could be accommodated and how those tall buildings could relate to the midrise planned context of Danforth Avenue. The results of the Main Street Planning Study showed that the lots south of Danforth Avenue, west of Main Street, and north of the rail corridor, could support taller buildings as this area is characterized by larger lots and would be within walking distance of higher order public transit. However, the Main Street Planning Study also concluded that in order to unlock the potential for intensification and growth within this area, a new public road network, new public parks, and new community services and facilities would need to be provided.

The intensification and growth anticipated through the Main Street Planning Study supports provincial and municipal policy objectives of intensification, of both jobs and people, in areas well served by surface transit and rapid transit stations. Official Plan policy 2.2.1(a) states the Plan will create a better urban environment, a competitive local economy and a more socially cohesive and equitable city through the integration and coordination of transportation planning and land use planning. Achieving this policy means attracting more people and jobs to targeted growth areas in the City that are supported by good and affordable transit services and other infrastructure.

OPA 478 includes policies that recognize OPA 420 for the portion of the study that overlaps with Danforth Avenue Planning Study. With regard to built form and public realm, OPA 420 would guide development applications on Danforth Avenue.

It should be noted that OPA 478 has been appealed to the Ontario Land Tribunal.

The final report for the Main Street Planning Study can be found here:  
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.TE34.91>

## **Zoning**

The site has split zoning in both applicable Zoning By-laws. The former City of Toronto By-law 438-86 zones the northerly portion of the site R2 Z0.6 and the southerly portion as MCR T3.0 C2.0 R2.5. The new City-wide By-law 569-2013 zones the northerly portion of the site R (d0.6)(x298) and the southerly portion as CR 3.0 (c2.0; r2.5) SS2 (x2219).

The residential zones at the northerly portion of the site in both By-laws permit detached, semi-detached, townhouse and apartment buildings up to a maximum floor space index of 0.6 times the lot area and a height limit of 10 metres. The commercial/residential zone at the southerly portion of the site in both By-laws permit



residential and non-residential uses up to a maximum floor space index of 3.0 times the lot area and the height limit of 14 metres.

## **Design Guidelines**

Policy 5.2.5.6 of the Growth Plan indicates supporting documents will direct the development of a high quality public realm and compact built form in achieving minimum intensification and density targets of the Plan.

Official Plan Policy 5.3.2.1 states that Guidelines will be adopted to advance the vision, objectives, and policies of the Plan. Urban design guidelines are intended to provide a more detailed framework for built form and public improvements.

The following design guidelines were used in the review of this application:

- Danforth Avenue Urban Design Guidelines
- Avenues and Mid-rise Buildings Study

## **Site Plan Control**

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

## **Community Consultation**

Through the direction of Toronto and East York Community Council, Planning staff hosted a Community Consultation Meeting (CCM) on May 31, 2018. The meeting was attended by 80 community members and the local Councillor who engaged in a discussion about the development proposal. The issues raised included concerns with parking and traffic impacts, concerns with the overall building height, and ensuring the built form did not adversely impact nearby low-rise neighbourhoods. In general, the community was supportive of the building's use as a retirement home.

## **COMMENTS**

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The applicant for the proposal was one of two appellants to OPA 420. City Council adopted a settlement on OPA 420 on January 29, 2020 and the Ontario Land Tribunal approved the settlement and brought amended SASP 552 into force on August 5, 2020.

As part of the settlement, a new site specific policy was added to SASP 552. This policy permits a building up to 10 storeys provided it is for a retirement home use. The policy includes several development criteria including requiring the retirement home use to generate employment opportunities. Additionally, the development is required to transition in scale towards properties designated *Neighbourhoods* through the use of setbacks, stepbacks, and angular planes. Though transition is required, such transition must also recognize the operational needs of the retirement home use, which differ from the typical midrise condominium building.

A building that is predominantly a retirement home functions more like an institutional building, requiring larger floorplates to meet the caregiving needs of seniors in need of full time care, especially for the memory care and assisted living suites. In addition to the greater supply of amenity space for dining, health care, and multi-purpose rooms, floors with memory care and assisted living suites cannot have dead ends, which add to the floorplate and also require higher floor to floor heights than typical residential floors. As such, where a typical midrise building proposing condominium units may incorporate a 45 degree angular plane measured from the rear, this proposed retirement home may not adhere entirely to the 45 degree angular plane or to the height regime established in SASP 552. This is recognized in the site specific policies in SASP 552.

Lastly, this kind of housing is needed within the local community and throughout the City to keep up with the demand for seniors housing. It is also important that the retirement home be well-staffed and sized appropriately to ensure living and working conditions are safe and comfortable.

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

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

The proposal is consistent with the Provincial Policy Statement (2020). The proposal provides homes for seniors and a retail use in close proximity to transit. This range of uses benefits the neighbourhood.

Key policies applicable to this application include:

Policies 1.1.1(a, b and e) of the PPS directs that settlement areas promote development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term and which can accommodate an appropriate range and mix of uses and housing types (such as housing for older persons) to meet long-term needs and promote cost-effective development patterns and standards to minimize land consumption and servicing costs.

Policy 1.1.3.3 states that planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, and the suitable existing or planned infrastructure required to accommodate projected needs.

Policy 1.5.1(a) states that healthy, active communities should be promoted by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity.

#### *Growth Plan (2020)*

The proposal conforms to the Growth Plan. The proposed development is located in close proximity to transit and provides an appropriate mix of uses as well as a more compact built form and a vibrant public realm.

Key policies applicable to this application include:

Policy 2.2.1.3 c) directs municipalities to undertake integrated planning to manage forecasted growth which will provide for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact built form.

Policy 2.2.1.4 a) and e) state that applying the policies of the Growth Plan will support the achievement of complete communities that: feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities; and provide for a more compact built form and a vibrant public realm.

### **Official Plan Amendment**

In 2017, the applicant had submitted an application to amend the Official Plan in order to construct a 10-storey building on a lot that has both a *Mixed Use Areas* and *Neighbourhoods* land use designation. It has been determined that the Official Plan Amendment is no longer necessary given the site specific policies of the modified SASP 552 approved by the Ontario Land Tribunal. Those site specific policies would permit this 10-storey building, regardless of the land use designation, provided that the building contains a retirement home use.

### **Land Use**

The southern portion of the site is designated *Mixed Use Areas* in the Official Plan. *Mixed Use Areas* permit a broad range of residential and non-residential uses. The proposal contains both residential uses in the form of housing for seniors and a retail store fronting Danforth Avenue. This mix of units in a 10-storey building along Danforth Avenue is appropriate and meets Section 4.5 of the Official Plan with regards to *Mixed Use Areas*. Additionally, the provision of housing for seniors provides an opportunity for residents in the community to age in place.

Section 7.4 of SASP 552 applies specifically to this site and allows the retirement home use, provided that the use generates employment. The applicant provided an analysis of employment opportunities generated from the retirement home use and has demonstrated that the equivalent of 81 full time jobs would be created. The proposal meets the intent of SASP 552 with regard to land use and creating more jobs.

### **Density, Height, Massing**

#### *Density*

The Zoning By-law permits a maximum density of 3.0 times the area of the lot for the southerly portion of the site fronting along Danforth Avenue and 0.6 times the area of the northerly portion of the site fronting Harris Avenue. The 10-storey retirement home proposes a density of 4.1 times the area of the lot. Staff consider this proposed density appropriate. Mid-rise buildings along the City's Avenues typically have a density ranging from 4-6 times the area of the lot. As well, the rear portion of the site, which has a maximum density of 0.6 times the area of the lot according to the existing Zoning By-law permissions, has been massed appropriately to fit within the low-rise *Neighbourhood*

character of Harris Avenue. The proposed density is typical of the mid-rise building typology and supportable in this Avenue location.

### *Height*

The proposed building height is 10 storeys or 38 metres (excluding mechanical penthouse). SASP 552 generally permits buildings of 7-8 storeys; however, sites located within the Office Priority Area may increase their height to 10 storeys or 33 metres (excluding mechanical penthouse) with at least one floor dedicated to office or other non-residential uses that provide employment opportunities. The site specific policy for the subject site also permits a 10 storey building but does not limit the height in metres instead it ensures that the height of the building provides appropriate transition. This development standard can only apply to a building on this site with a retirement home use because, as previously discussed, retirement homes require higher floor to floor heights, particularly for the memory care and assisted living floors.

Given the policies of SASP 552, including the site specific policy that applies to the subject site, City Planning considers the building height supportable. Moreover, the tallest element of the proposed building is located to the southeast corner of the site, furthest from low-rise *Neighbourhoods*.

The proposal's mechanical penthouse also has a height of 4.5 metres. The height of this mechanical penthouse is also acceptable given that the Zoning By-law permits a maximum height for a mechanical penthouse to be 5 metres.

### *Massing*

The Built Form policies of the Official Plan (Section 3.1.2) provide direction and development criteria to locate and mass new buildings in order that new development: a) fits within the existing and planned context; b) gradually transitions down in height to buildings of different scale and intensity; and c) limits and mitigates impacts to surrounding areas.

The Healthy Neighbourhoods policies of the Official Plan (Section 2.3.1) provide guidance for development in *Mixed Use Areas* to ensure the adjacent neighbourhood areas are not adversely affected. In particular, Section 3.1.2 Policy 3 directs that new development will be massed and designed to fit harmoniously into its existing and/or planned context and create an appropriate transition in scale to neighbouring existing or planned buildings.

Section 4.1 of the Official Plan for properties designated *Neighbourhoods* states that these areas are made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplex, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys.

Section 4.5 of the Official Plan for properties designated *Mixed Use Areas* directs that development in *Mixed Use Areas* will be located and massed to provide a transition between areas of different development intensity and scale through means such as providing appropriate setbacks and/or a stepping down of heights, particularly towards lower scale *Neighbourhoods*.

Lastly, SASP 552 has a site specific policy that permits a 10 storey building at the subject site provided that building contains a retirement home use. Moreover, SASP 552 contains development criteria for that 10 storey retirement home which includes: having vertical articulation that is generally in keeping with the existing storefronts along Danforth Avenue; having a ground floor height of up to 6 metres; incorporating a stepback between a height of 8 and 15 metres; and providing a transition in scale towards existing buildings in *Neighbourhoods*.

The proposed development meets the intent of Official Plan policies, including the site specific policy in SASP 552. The proposal provides vertical articulation that is generally in keeping with the existing storefronts along Danforth Avenue and can be further enhanced during the Site Plan Control process in which design and building materiality can assist in developing articulation. The proposal's ground floor height, which includes a mezzanine level, is 6 metres. The proposal includes stepbacks at the fourth floor (14.6 metres), sixth floor (21.7 metres) and eighth floor (28.7 metres).

As discussed previously, a retirement home use requires a building with a larger floorplate and taller floor to ceiling heights to in order to ensure proper operation and functionality of the intended retirement home use. Regardless, SASP 552 requires that the proposal provide an appropriate transition. City Planning worked with the applicant to incorporate various setbacks, stepbacks, and angular planes to ensure an appropriate transition.

This site extends to Harris Avenue, which is a neighbourhood street. The rear portion of the site and the other properties along Harris Avenue are designated *Neighbourhoods*. In order to create an appropriate transition, the proposal provides a four storey portion which meets the intent of Official Plan policies (3.1.2; 2.3.1, 4.1 and 4.5). Moreover there is a 7.5 metre side yard setback from the semi-detached houses to the west. Zoning By-law 569-2013 requires that an apartment building taller than 12 metres provide a 7.5 metre side yard setback.

The rear yard setback serves as a landscape buffer to the neighbourhoods to the north with one section used as a parking ramp. The soft landscaping buffer is 2.3 metres deep. This is an improvement to the existing condition, which provides a 1.2 metre rear yard setback with no soft landscaping.

In order to ensure appropriate transition for this type of building and use, the 10 storey portion of the building is located in the southeastern corner of the site, furthest from the properties designated *Neighbourhoods*. This transition is achieved through appropriate setbacks and stepbacks. Starting on the second floor, the building provides a 6.1 metre stepback above the ground floor. Above the third floor, the building steps back an additional 4.5 metres. From the west property line, the building steps back 5.5 metres above the fifth floor and a further 20 metres from the west above the seventh floor. SASP 552 generally permits buildings of up to 8 storeys, and therefore it was important to mass the ninth and tenth floors of this building, permitted through the site specific policy of SASP 552, in a location that would provide the least amount of impact. The ninth and tenth floors therefore do not stretch across the entire Danforth Avenue frontage.

## **Shadow Impacts**

The Official Plan requires that shadows be limited on properties designated *Neighbourhoods* and *Parks and Open Spaces*. The nearest park is Stanley G. Grizzle Park located northeast of the site. There are no shadow impacts to this park in the Spring and Fall equinoxes nor in June.

Properties on the north side of Harris Avenue, designated *Neighbourhoods*, will experience shadows on the front lawns of eight houses from 9:18 to 11:18 AM during the Spring and Fall equinoxes. There are no shadows during the summer months.

Properties on the south side of Harris Avenue, also designated *Neighbourhoods*, will experience shadow from 9:18 AM to 11:18 AM during the Spring and Fall equinoxes. Four houses nearest to the subject site will experience shadow from 9:18 AM to 4:18 PM; however, the shadow impact decreases into the afternoon. During the summer months, these properties on the south side of Harris Avenue experience shadow from 9:18 AM to 11:18 AM.

In order to mitigate shadow impacts, the tallest element of the proposed building was shifted to the southeast. As such, the shadow impacts are adequately limited.

## **Public Realm**

An important component of the Danforth Avenue Planning Study is the provision of streetscape improvements, particularly the provision of a minimum total sidewalk width of 4.8 metres along Danforth Avenue. The proposal incorporates a 4.9 metre total sidewalk width from curb to building face along Danforth Avenue, which slightly exceeds the minimum 4.8 metre provision in SASP 552. Along Chisholm Avenue, the sidewalk width increases to 5.5 metres. Along Harris Avenue, the sidewalk width is 5.7 metres. Lastly, the landscape plan shows trees to be planted on all public frontages. This landscaping will be secured through the Site Plan Control process.

## **Amenity Space**

The proposal includes 1,334 square metres of indoor amenity space (9 square metres per bed-sitting room) distributed throughout the building which will be programmed for uses including, but not limited to, dining rooms, lounges, libraries, spa, and exercise rooms. The proposal also includes 555 square metres of outdoor amenity space (3.8 square metres per bed-sitting room). Outdoor amenity space includes landscaped open space at grade, and outdoor terraces. The total amenity space proposed is 1,889 square metres (13 square metres per unit). Planning staff are satisfied with the amenity space proposed.

## **Transportation**

### *Road Widening*

The proposal provides for the future conveyance of a 0.4 metre wide strip of land across the southerly property limit adjacent to Danforth Avenue. The proposal also provides for a 5 metre corner rounding at Danforth Avenue and Chisholm Avenue. Both the road widening and corner rounding will be secured through the Site Plan Control process.

### *Traffic Impact*

The transportation studies from the applicant concluded that the site would generate an estimated total of 21 and 41 new two-way trips during the morning and afternoon peak hours, respectively. The studies also demonstrated that the current uses on the site generate 18 and 30 two-way trips during the morning and afternoon peak hours. Given this analysis, the study concludes that the proposal would have minimal impact on traffic operations in the area. Transportation Services reviewed the studies from the applicant's transportation consultants and agree with the conclusions. As such, the impact to traffic is acceptable.

### *Parking*

The proposal provides a total of 53 parking spaces, 44 spaces for the retirement home use and the 9 spaces for the retail use. The spaces are located within a one-level underground parking garage. Zoning By-law 569-2013 would require a total of 51 parking spaces, 43 spaces for the retirement home use and 8 spaces for the retail use. Four of those parking spaces are accessible parking spaces. The proposal slightly exceeds the minimum parking requirements and is therefore acceptable.

The proposal also includes 12 visitor bicycle parking spaces and 18 residential bicycle parking spaces. Given the retirement home use, this provision of bicycle parking spaces is acceptable.

### *Loading*

The proposal is providing one Type "B" loading space. This single loading space type is acceptable for the land uses proposed.

### **Solid Waste**

Solid Waste Services considers the proposal's retirement home use as an institutional development. As such, the proposal is ineligible for City of Toronto waste collection services. All garbage and recyclables will be collected privately.

### **Servicing**

Engineering and Construction Services staff reviewed the Functional Servicing and Stormwater Management Report submitted with the application and are satisfied with the reports for the site specific Zoning By-law.

The provision of any improvements to the municipal infrastructure in connection with the site servicing assessment, should it be determined that upgrades are required to the infrastructure to support this development, will be at the cost of the applicant. Detailed functional servicing and stormwater management plans, and agreements, as necessary, will be entered into as part of the Site Plan Control application.

### **Open Space/Parkland**

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan

shows local parkland provisions across the city. The lands which are the subject of this application are in an area with 12 to 28 square metres of parkland per person. The Site is in the lowest quintile of current provision of parkland.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The non-residential component of this proposal is subject to a 2% parkland dedication and the assisted living and memory care rooms are subject to a 5% parkland dedication while the rest of the independent living residential component is subject to a cap of 10% parkland dedication.

The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. The appraisal will be conducted upon the submission of an application for the first above ground building permit and is valid for six months. Payment will be required prior to the issuance of said permit.

### **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. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner.

### **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. While the proposed development exceeds the height and density limits of the existing Zoning By-law, the application is consistent with the objectives and policies of the Official Plan, conforms to the PPS and Growth Plan and constitutes good planning.

The applicant has proposed a \$387,500.00 Section 37 contribution, which will be allocated to community benefits (such as to non-profit daycare facilities, community centres, libraries, public parks, local streetscape improvements, etc.) in the vicinity of the development to the satisfaction of the Chief Planner and Executive Director, City Planning Division in consultation with the Ward Councillor. The quantum of Section 37 contribution proposed is acceptable to City staff. In the event that the cash contribution has not been used for the intended purpose within three years of the Zoning By-law Amendments coming into full force and effect, the cash contribution may be directed for another purpose.



In addition to the cash contribution, it is recommended that the Section 37 Agreement also secure the owner's obligation to pay for and construct and improvements to the municipal infrastructure, if required to support the development, in connection with the accepted Functional Servicing Report.

## **Conclusion**

The proposal has been reviewed against the policies of the Provincial Policy Statement (2020), the Growth Plan (2020), the Toronto Official Plan, and Official Plan Amendment 420. Staff are of the opinion that the proposal is consistent with the Provincial Policy Statement and conforms to the Growth Plan. Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan, particularly as it relates to the policies in Sections 3.1.2 and 4.5. The proposal also conforms to the policies of Official Plan Amendment 420, implemented through SASP 552.

Staff worked with the applicant to ensure the proposal met the policies established in SASP 552, as approved by the Ontario Land Tribunal. Staff recommend that Council approve the application.

## **CONTACT**

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E-mail: [George.Pantazis@toronto.ca](mailto:George.Pantazis@toronto.ca)

## **SIGNATURE**

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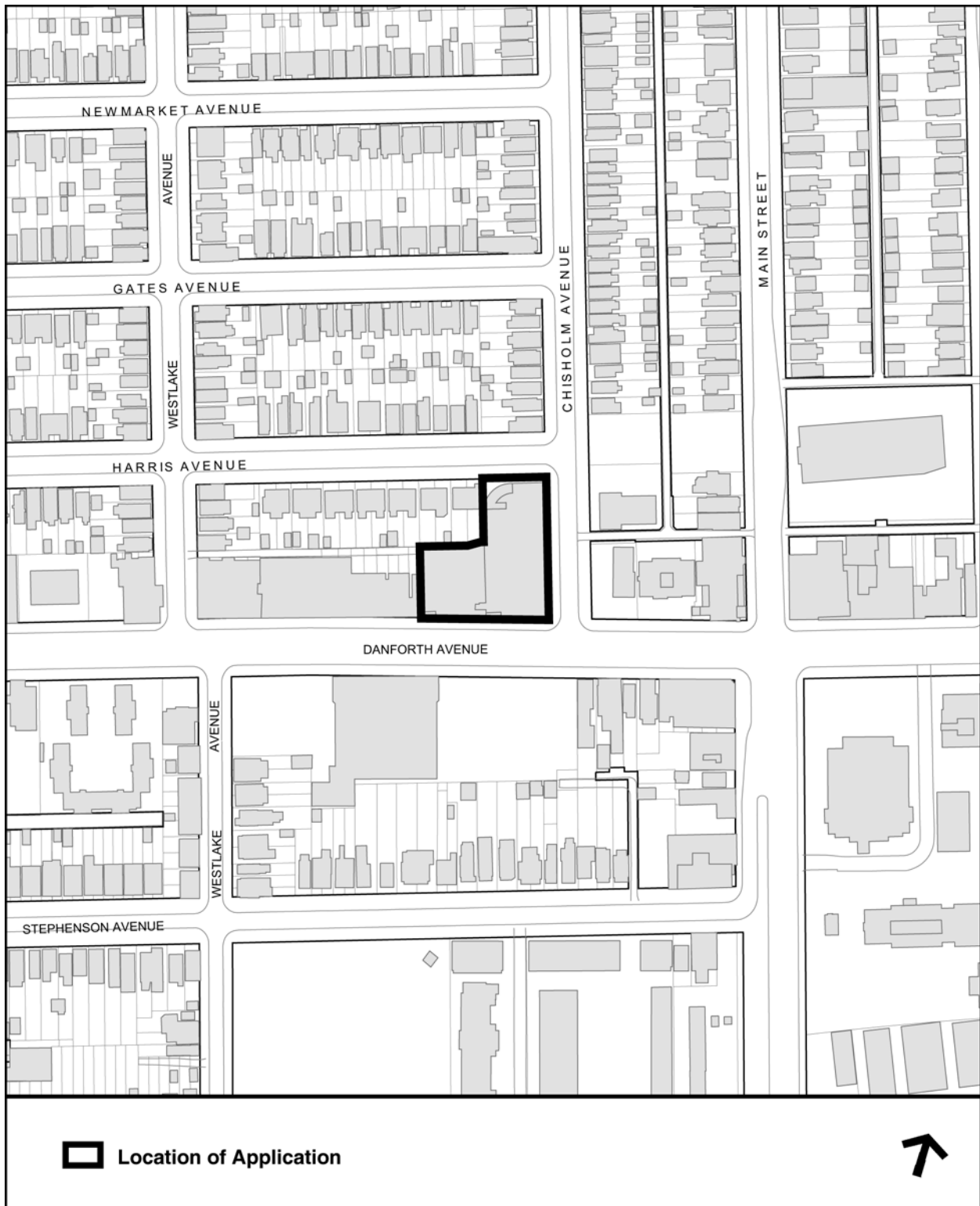
Lynda H. Macdonald, MCIP, RPP, OALA, FCSLA, Director  
Community Planning, Toronto and East York District

## **ATTACHMENTS**

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- Attachment 1: Location Map
- Attachment 2: Application Data Sheet
- Attachment 3: Official Plan Land Use Map
- Attachment 4: Existing Zoning By-law Map
- Attachment 5: 3D Massing Model – Looking Northwest
- Attachment 6: 3D Massing Model – Looking Southeast
- Attachment 7: Site Plan
- Attachment 8: North Elevation
- Attachment 9: East Elevation
- Attachment 10: South Elevation
- Attachment 11: West Elevation
- Attachment 12: Draft Zoning By-law Amendment 438-86
- Attachment 13: Draft Zoning By-law Amendment 569-2013

Attachment 1: Location Map



Attachment 2: Application Data Sheet

Municipal Address: 2494 DANFORTH AVENUE Date Received: December 21, 2017

Application Number: 17 278384 STE 31 OZ

Application Type: OPA / Rezoning, OPA & Rezoning

Project Description: This application proposes to amend the Zoning By-law to permit a retirement home in a 10-storey (38 metres, excluding mechanical penthouse) building with a retail store (887 square metres) at grade. A total of 146 bed-sitting rooms and 53 vehicular parking spaces are proposed.

Applicant	Agent	Architect	Owner
URBAN STRATEGIES	URBAN STRATEGIES	SWEENEY&CO ARCHITECTS	TAWSE REALCO INC

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	CR 3.0 (c2.0; r2.5) SS2 (x2219)	Heritage Designation:
Height Limit (m):	14, 10	Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 2,990 Frontage (m): 61 Depth (m): 65

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	2,840		1,298	1,298
Residential GFA (sq m):				
Non-Residential GFA (sq m):	7,524		11,383	11,383
Total GFA (sq m):	7,524		11,383	11,383
Height - Storeys:	2		10	10
Height - Metres:			38	38

Lot Coverage Ratio (%): 43.41 Floor Space Index: 3.81

Floor Area Breakdown Above Grade (sq m) Below Grade (sq m)  
Residential GFA:

Retail GFA: 887  
 Office GFA:  
 Industrial GFA:  
 Institutional/Other GFA: 10,496

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:				
Other:				
Total Units:				

Total Residential Units by Size

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

Parking and Loading

Parking Spaces:	51	Bicycle Parking Spaces:	30	Loading Docks:	1
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CONTACT:

George Pantazis, Senior Planner  
 416-392-3566  
 George.Pantazis@toronto.ca

Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #21

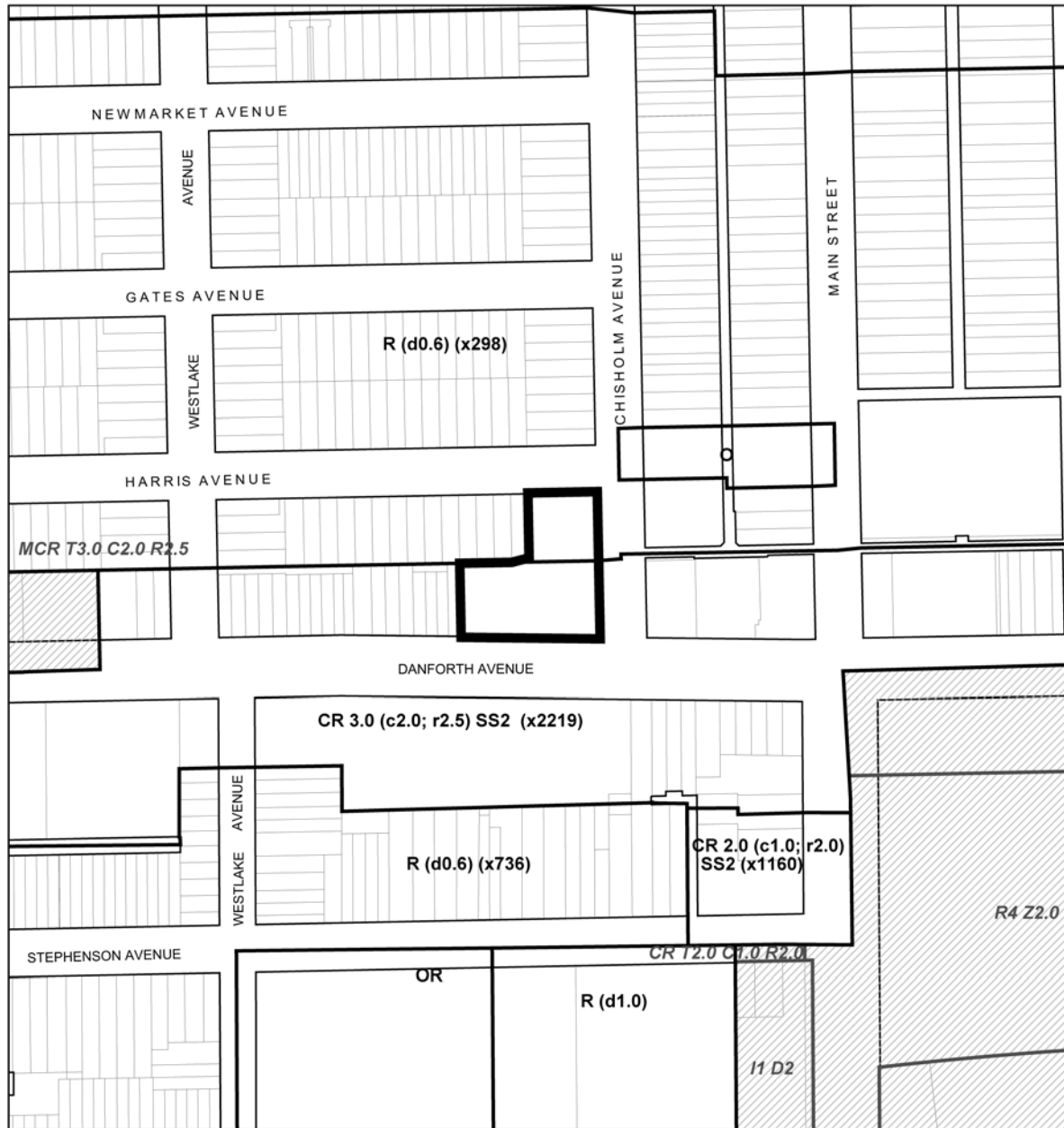
2494 Danforth Avenue

File # 17 278384 STE 31 0Z

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

  
 Not to Scale  
 Extracted: 08/13/2021

# Attachment 4: Existing Zoning By-law Map



**Zoning By-law 569-2013**

**2494 Danforth Avenue**

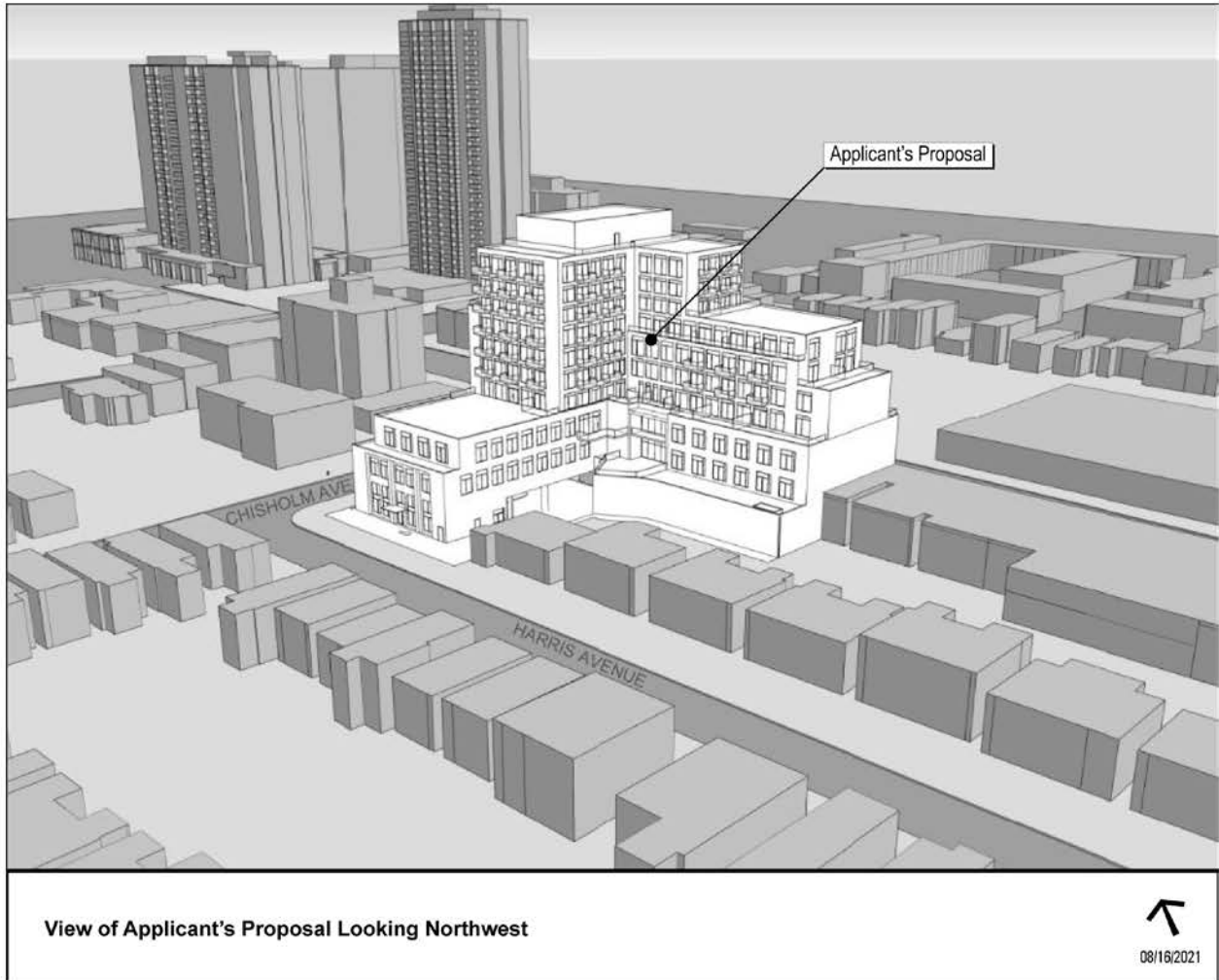
**File # 17 278384 STE 31 0Z**

- Location of Application
- R** Residential
- RD** Residential Detached
- CR** Commercial Residential
- O** Open Space
- OR** Open Space Recreation
- UT** Utility and Transportation

- See Former City of Toronto By-law No. 438-86
- R4** Residential District
- CR** Mixed-Use District
- I1** Industrial District

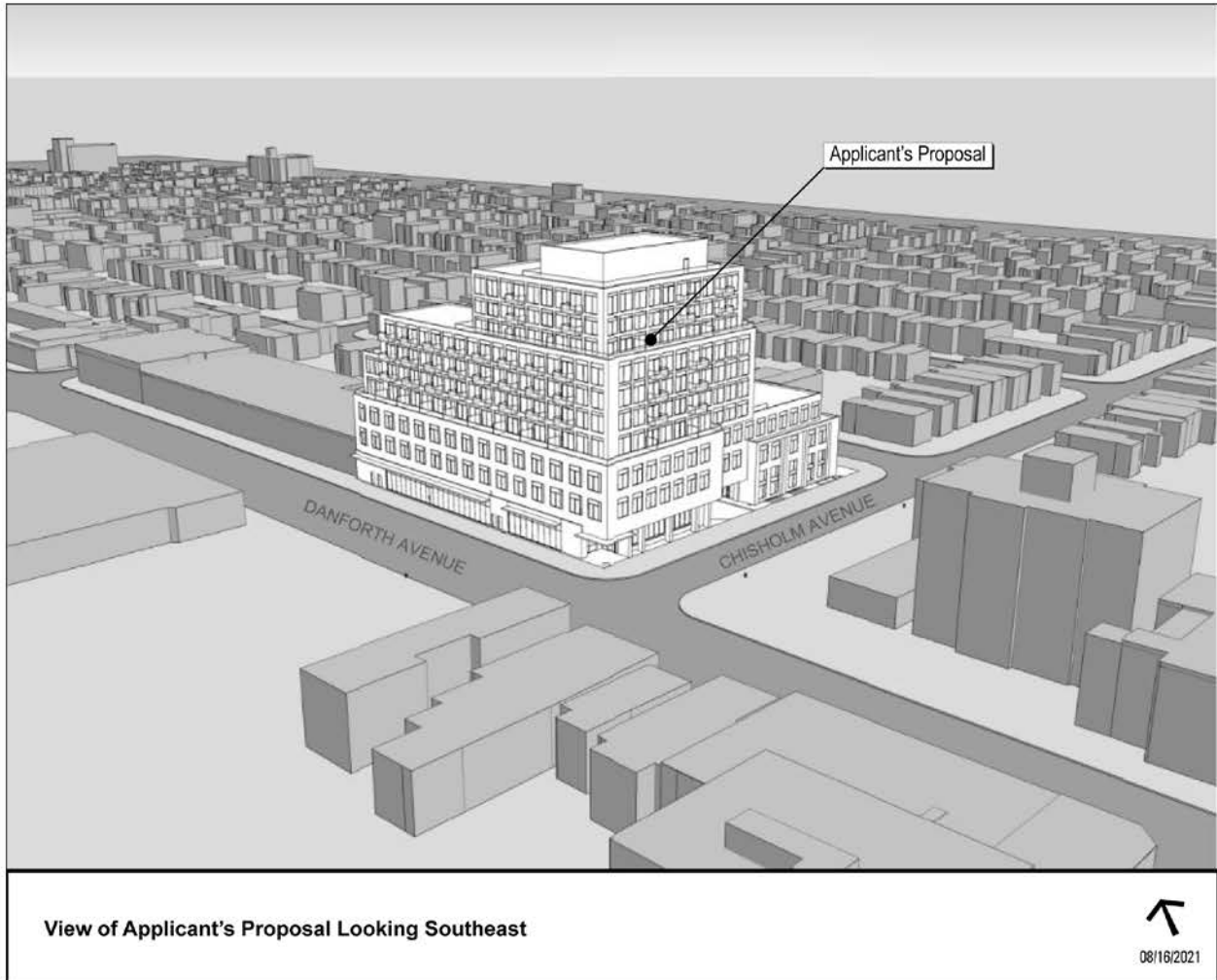
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Attachment 5: 3D Massing Model – Looking Northwest





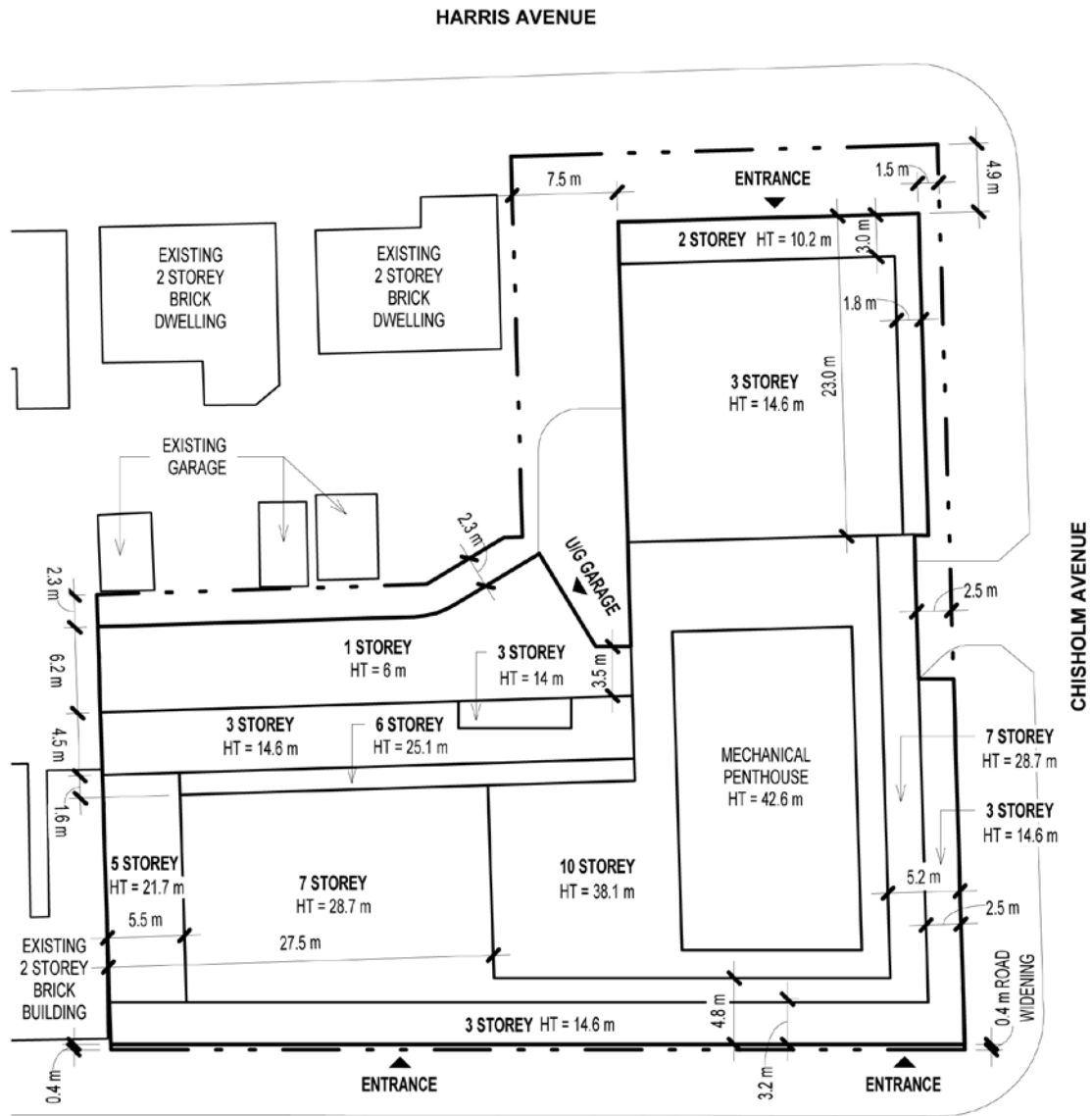
Attachment 6: 3D Massing Model – Looking Southeast



View of Applicant's Proposal Looking Southeast

08/16/2021

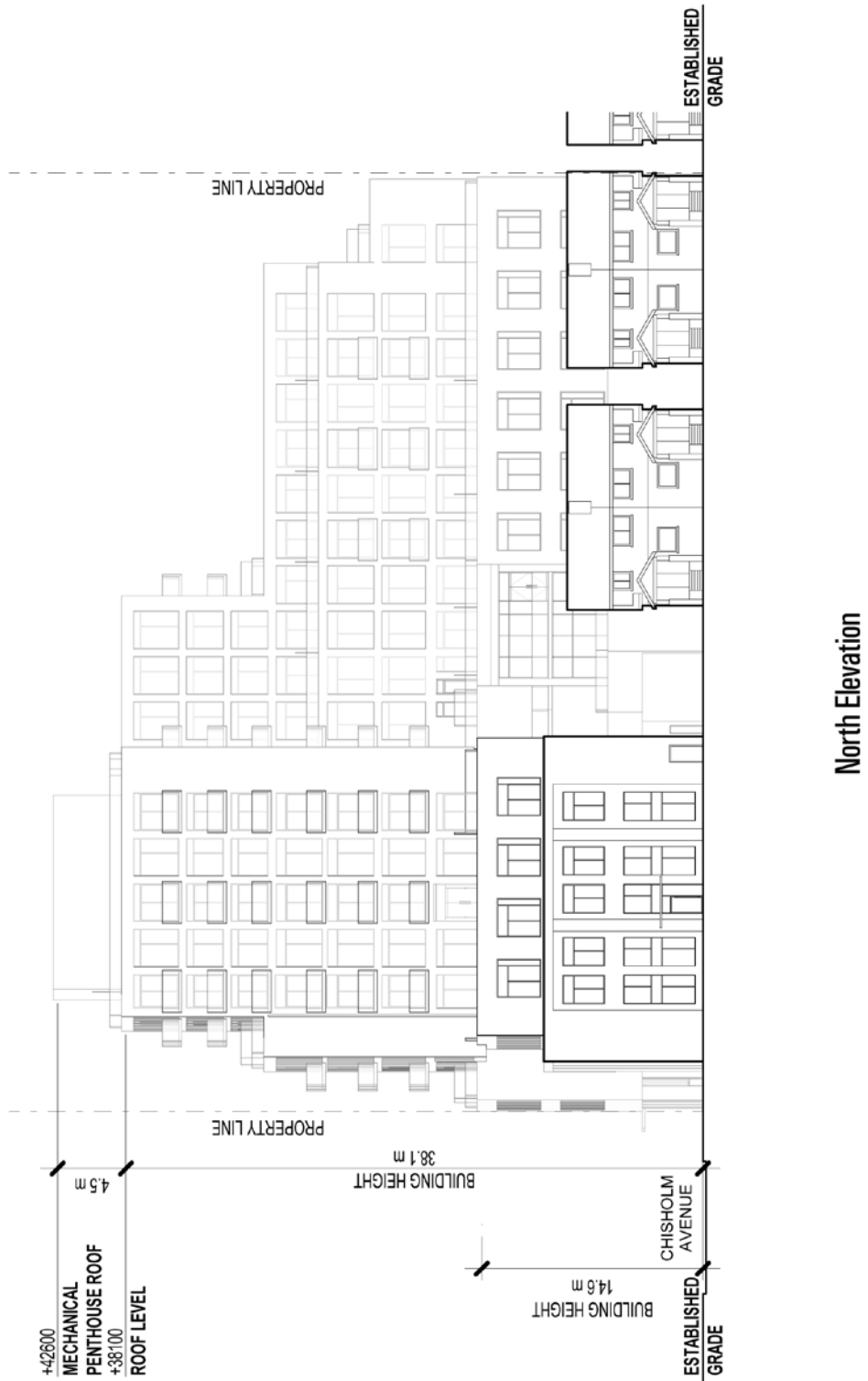
Attachment 7: Site Plan



Site Plan

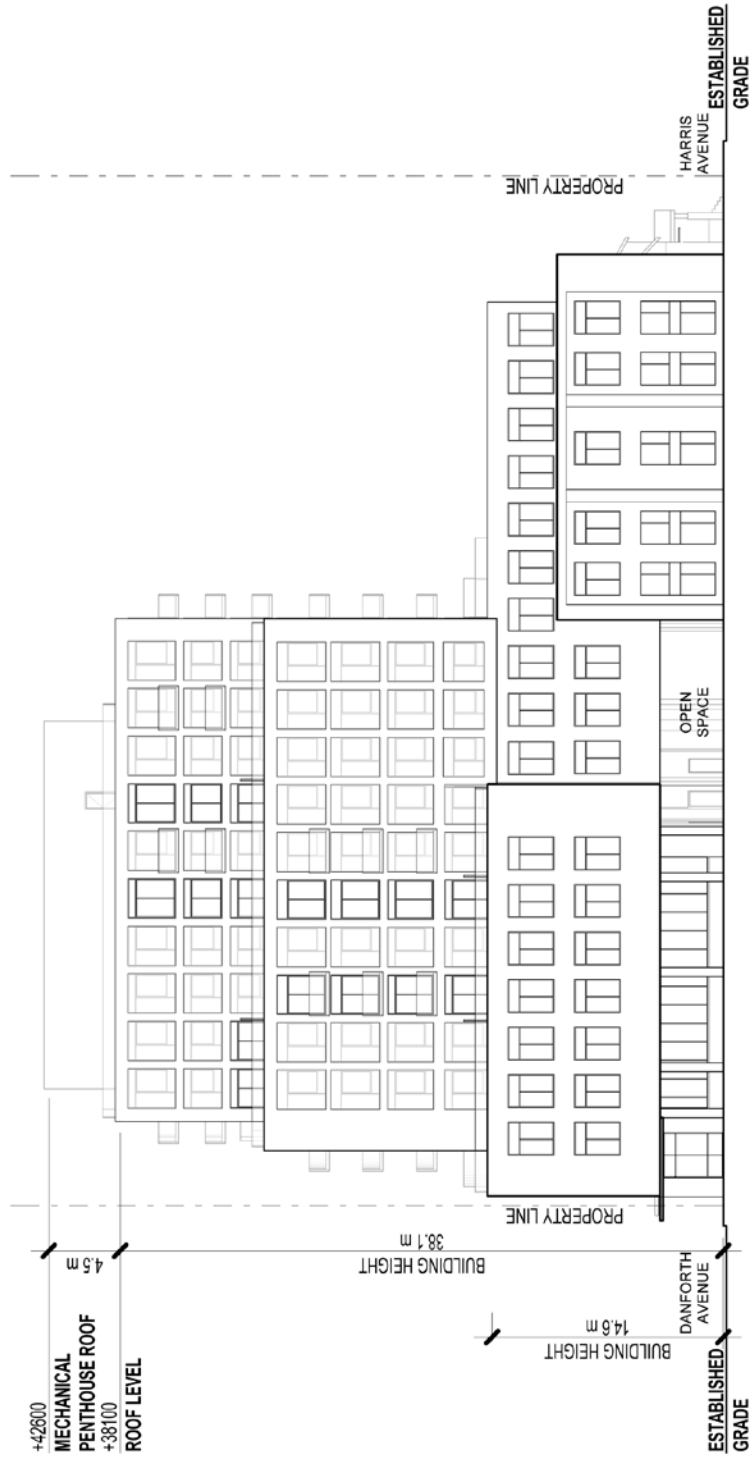


Attachment 8: North Elevation



North Elevation

Attachment 9: East Elevation



East Elevation

Attachment 10: South Elevation



South Elevation

Attachment 11: West Elevation



Attachment 12: Draft Zoning By-law Amendment 438-86

*To be made available on or before the September 9, 2021 Toronto and East York Community Council.*

Attachment 13: Draft Zoning By-law Amendment 569-2013

*To be made available on or before the September 9, 2021 Toronto and East York Community Council.*