

2801 Jane Street – Zoning By-law Amendment Application – Preliminary Report

Date: November 26, 2021

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Ward: 7 - Humber River-Black Creek

Planning Application Number: 21 199452 WET 07 OZ

Date of Complete Application: August 27, 2021

Current Use on Site: A 17-storey apartment building with surface parking and landscaped open spaces.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application to amend the former City of North York Zoning By-law 7625 and city-wide Zoning By-law 569-2013 for the site at 2801 Jane Street. The application proposes to permit an 11-storey apartment building with a gross floor area of 19,081 square metres containing 221 dwelling units, and a one level underground garage with 120 vehicular parking spaces. The existing 17-storey apartment building is proposed to be retained.

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

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 2801 Jane Street 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

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

There has been no *Planning Act* applications submitted on the site within the last 10 years.

ISSUE BACKGROUND

Pre-Application Consultation

On March 18, 2021, a pre-application consultation meeting was held between City Planning staff and the applicant for a 17-storey apartment building with a gross floor area of 19,392 square metres on the site. Staff raised concerns regarding the proposed building's height and mass, in particular the resulting separation distance to the existing building on-site and the southern property line, and appropriate transition towards the lower scale built form to the east. As well, staff suggested the proposed site layout be revised in order to provide for better pedestrian connectivity.

Application Description

This application proposes to amend the former City of North York Zoning By-law 7625 and city-wide Zoning By-law 569-2013 for the property at 2801 Jane Street to permit an 11-storey apartment building (43.3 metres including the mechanical penthouse) with a gross floor area of 19,081 square metres containing 221 residential dwelling units, and a one level underground garage containing 120 parking spaces. The existing 17-storey apartment building and the one level underground parking garage are proposed to be retained on the site. A Floor Space Index of 2.64 times the area of the lot is proposed.

Of the 221 residential dwelling units proposed, 112 (51 percent) would be one-bedroom units, 87 (39 percent) would be two-bedroom units, and 22 (10 percent) would be three-bedroom units. A total of 442 square metres of indoor amenity space and 442 square metres of outdoor amenity space located on the ground floor and the ninth storey are proposed.

Vehicular and loading access to the proposed building would be provided by the existing driveway entrance on Yorkwoods Gate. The proposed 120 vehicular parking spaces in the one level underground garage would be connected to the existing underground garage that serves the existing apartment building. A total of 167 bicycle parking spaces are proposed in the underground garage and at-grade. Loading spaces consisting of one type "G" and one type "C" are proposed.

Detailed project information is found on the City's Application Information Centre at: www.toronto.ca/2801JaneSt

See Attachments 1 and 2 of this report for a three dimensional representation of the project in context, and Attachment 4 for the proposed site plan drawing.

Site and Surrounding Area

The subject site is rectangular in shape with an area of 15,374 square metres. The site has a 165-metre frontage on Jane Street to the west, and a 91-metre frontage on Yorkwoods Gate to the north. An existing 17-storey apartment building with a gross floor area of 21,560 square metres containing 234 dwelling units, and a one level underground parking garage is on site and proposed to be retained.

Surrounding land uses include:

North: Across Yorkwoods Gate is a vacant site that was subject to a City Council approved Zoning By-Law Amendment application for a 12-storey mixed use building, file no. 17 208607 NNY 08 OZ. Further north is a one-storey commercial plaza with surface parking.

East: The two-storey Yorkwoods Public School and playing field. Further east is a series of two-storey residential buildings known as Yorkwoods Village.

South: A 17-storey apartment building with surface parking and landscaped open space.

West: Across Jane Street are six and 13-storey apartment buildings and Firgrove Crescent. Northwest is the Toronto Community Housing Firgrove-Grassways community with two storey townhouses, a 12-storey apartment building, and four storey apartment buildings currently subject to a Zoning By-Law Amendment application and a Draft Plan of Subdivision application (file nos. 20 122745 WET 0Z and 20 122857 WET 07 SB, respectively).

See Attachment 3 for the location map.

Provincial Policy Statement and Provincial Plans

Any decision of City 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).

The Growth Plan (2020) as amended 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 are planned for the prescribed densities.

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 *Apartment Neighbourhoods* on Maps 13 and 16 of the Official Plan. See Attachment 5 for the land use designation of the Official Plan.

Jane Finch Initiative

At its meeting on June 29 and 30, 2020, Council gave direction to begin the Jane Finch Initiative (JFI), a collaborative community planning initiative and associated resident, stakeholder, and Indigenous engagement process to plan for the future of the Jane Finch area as it changes over time with the opening of the Finch West Light Rail Transit line. Council requested that staff implement an inter-divisional approach as part of the initiative, which include:

- Undertaking an engagement process with community members, including local residents, businesses, stakeholder groups, and Indigenous communities, to identify needs, priorities, and aspirations as part of the JFI;
- Reporting to Council on a draft Community Development Plan for the Jane Finch area and a summary of community input received;
- Reporting to Council with a Proposals Report recommending land use policy directions for the Jane Finch area and a summary of community input received; and
- Establishing a Jane Finch Community Advisory Committee that is composed of a diverse and equitable representation of residents, stakeholders, and business representatives to provide community oversight and accountability in the creation of the engagement strategy and the development of a Community Development Plan and an updated land use planning framework for the JFI.

The subject site is within the JFI study area, generally bounded by Steeles Avenue West to the north, Black Creek to the east, Sheppard Avenue West to the south and Highway 400 to the west. Information on the JFI can be found here:

www.toronto.ca/janefinch

Zoning By-laws

The site is zoned "Multiple-Family Dwellings Sixth Density" RM6 (19) in the former City of North York By-law 7625, as amended. The zone permits residential uses in various forms including single detached, semi-detached, duplex and apartment buildings. The maximum building height is 11 metres, with permission for increased building height dependent on the building's setback from the property line. A maximum lot coverage of 35 percent of the lot, and a maximum gross floor area of 150 percent of the lot area are

permitted. Exception (19) requires the subject site, in conjunction with the site to the south a maximum of 428 residential dwelling units.

The site is zoned "Residential Apartment Commercial" RAC (f30.0; a1375; d1.5) (x109) in the city-wide Zoning By-law 569-2013, as amended. The standards of Zoning By-law 7625 are carried forward into Zoning By-law 569-2013. In addition, the site has a maximum height limit of 24 metres and various non-residential uses are permitted including retail stores and take-out eating establishments contained within an apartment building.

See Attachment 6 for the zoning designation of the subject site.

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:

- City-wide Tall Building Guidelines;
- Mid-rise Building Performance Standards and Addendum;
- Growing Up: Planning for Children in New Vertical Communities;
- Pet Friendly Design Guidelines for High Density Communities;
- Toronto Green Standard; and
- Bird Friendly Development Guidelines.

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 not been submitted.

COMMENTS

Reasons for the Application

The proposal requires amendments to the former City of North York Zoning By-law 7625 and city-wide Zoning By-law 569-2013 for the site at 2801 Jane Street to vary the following performance standards: the increase in building height, increase in Floor Space Index, increase in the number of dwelling units, and a reduction in vehicular parking spaces, among other standards.

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

The application will be evaluated against the policies and objectives of the *Planning Act*, PPS and the Growth Plan (2020). In particular, the proposal will be evaluated in regards to the promotion of well-designed built form, providing for a range of housing options, and whether the proposal complies with the municipal direction for growth.

Official Plan Conformity

The Official Plan states that *Apartment Neighbourhoods* are stable areas of the City where opportunities for compatible infill development may be permitted provided such development improve on the existing conditions.

Staff are reviewing the application to determine its conformity to the Official Plan. Key Official Plan policies that will be used to evaluate this application include, but are not limited to: Healthy Neighbourhoods policies in Chapter 2; the Public Realm, Built Form, Housing and Parks and Open Spaces policies in Chapter 3; and the development criteria for *Apartment Neighbourhoods* in Chapter 4.

This application will also be evaluated against the early policy directions of the JFI.

Built Form, Planned and Built Context

The suitability of the proposed built form will be assessed based on Section 2 (j), (p), and (r) of the *Planning Act*; the PPS and the Growth Plan (2020). The proposed built form will also be assessed based on the City's Official Plan policies, and Urban Design Guidelines. An evaluation will be made to confirm whether the proposal is contextually appropriate and fits within its planned and built context. In particular, staff will be evaluating:

- The appropriate building siting, mass, and height;
- The appropriate separation distances between the proposed and existing building on-site, and the existing and planned buildings surrounding the site;
- The appropriate transition towards the lower scale buildings to the east;
- An appropriate site layout that provides for pedestrian connectivity and integrates the surrounding public realm;
- The appropriate location and quantity of indoor and outdoor amenity space;
- Incremental shadow impacts to the existing and proposed public realm; and
- Access to sunlight and natural light for existing and future occupants.

Housing

A Housing Issues Report is required for Zoning By-law Amendment applications that seek to demolish existing rental properties, intensify existing rental sites, convert existing rental housing to condominiums or that propose residential development in excess of five hectares.

The applicant submitted a Housing Issues Report as an appendix to the Planning Rationale Report prepared by Bousfields Inc. The report states the existing rental dwelling units on site have either affordable or mid-range rents. As part of the review of

the application, the applicant will be required to conduct a tenant survey to identify improvements and/or renovations to the existing building and associated amenities in consultation with staff.

A construction mitigation plan and tenant communication strategy will also be required to mitigate the impacts of construction on existing and future residents.

Residential Unit Size Mix

On July 28, 2020, City Council adopted the Growing Up: Planning for Children in New Vertical Communities Urban Design Guidelines (Growing Up Guidelines). The objective of the Guidelines is to steer the delivery of multi-unit tall building proposals that increases liveability for larger households, including families with children at the neighbourhood, building and unit scale. In particular, the Growing Up Guidelines direct development to provide a minimum of 25 percent of its total residential unit count towards large units, including a minimum 10 percent as three-bedroom units. The Guidelines also direct two-bedroom units be in the range of 87 to 90 square metres and three-bedrooms be in the range of 100 to 106 square metres. The application currently proposes 87 (39 percent) two-bedroom units, and 22 (10 percent) three-bedroom units. Staff will continue to review the proposal against applicable policies and guidelines in supporting a broad range of households.

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 submitted an Arborist Report prepared by Kuntz Forestry Consulting Inc., a Landscape Plan, and Soil Volume Plan both prepared by Land Art Design Landscape Architects. The Arborist Report indicates the proposal would result in the protection of 15 trees, and the removal of eight trees. The submitted documentation was reviewed by City staff and additional information is required.

Infrastructure/Servicing Capacity

The application will be reviewed to determine if there is sufficient infrastructure capacity to accommodate the proposed development. The applicant submitted a Functional Servicing and Stormwater Management Report prepared by Counterpoint Engineering, and Preliminary Geotechnical and Hydrogeological Studies prepared by DS Consultants. The purpose of these reports is to evaluate existing subsurface conditions and the effects of the development on the City's municipal servicing infrastructure and watercourses, and to identify and provide the rationale for any new infrastructure or upgrades to existing infrastructure necessary to adequately service the proposed development. The studies were reviewed by City staff and revisions are required.

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.

The applicant has submitted the TGS Checklist indicating they are pursuing Tier 1 performance measures. Staff are reviewing the TGS Checklist submitted by the applicant for compliance with the Tier 1 performance measures. Planning staff will encourage the applicant to pursue Tier 2 or higher performance measures through the application review process.

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.

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 submitted a Community Services and Facilities Study as an appendix to the Planning Rationale report prepared by Bousfields Inc. The report is being reviewed by City staff to determine whether any capital improvements or expansion of existing facilities are required.

Section 37 Community Benefits

The Official Plan 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 by the applicant of community benefits in the form of capital facilities and/or in the form of cash towards capital facilities. It is standard to secure community benefits in a Section 37 Agreement which is then registered on title.

The proposal at its current height and density will be subject to Section 37 contributions under the *Planning Act*. Section 37 benefits have not yet been discussed. City staff may apply Section 37 provisions of the *Planning Act* should the proposal be approved in some form. In the event the applicant provides in-kind benefits pursuant to Section 37 of the Planning Act, the City's Fair Wage Policy and Labour Trades Contractual Obligations will apply to such work.

Discussions with the Ward Councillor, City staff, residents and the applicant will be undertaken to determine the extent and nature of the required Section 37 community benefits should the application be recommended for approval. The City Council approved Implementation Guidelines and Protocol for Negotiating Section 37 Community Benefits will be used to determine appropriate Section 37 benefits.

Other Matters

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

CONTACT

Henry Tang, Senior Planner, Community Planning
Tel. No. 416-392-7572
E-mail: Henry.Tang@toronto.ca

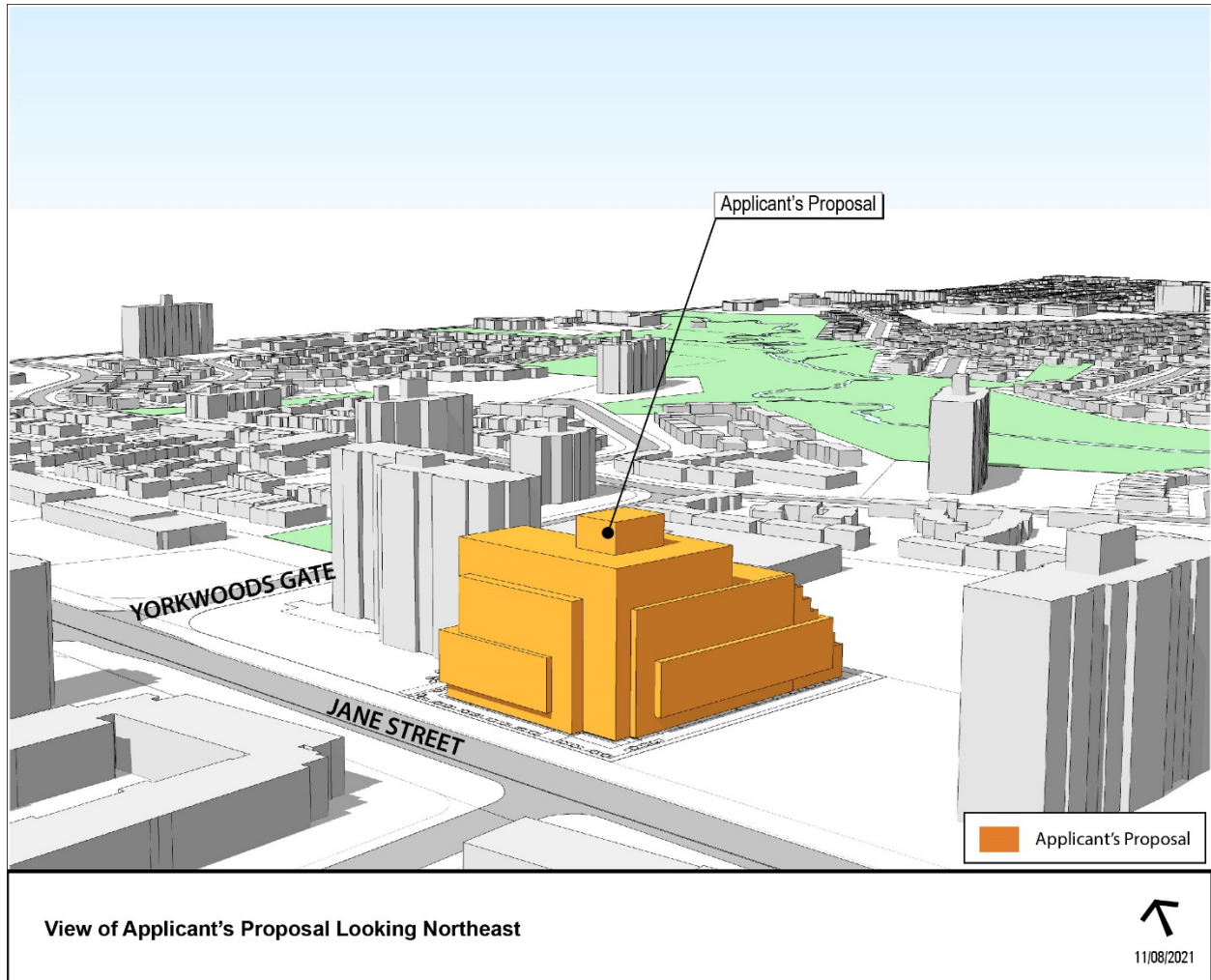
SIGNATURE

Michael Mizzi, MCIP, RPP,
Director, Community Planning
Etobicoke York District

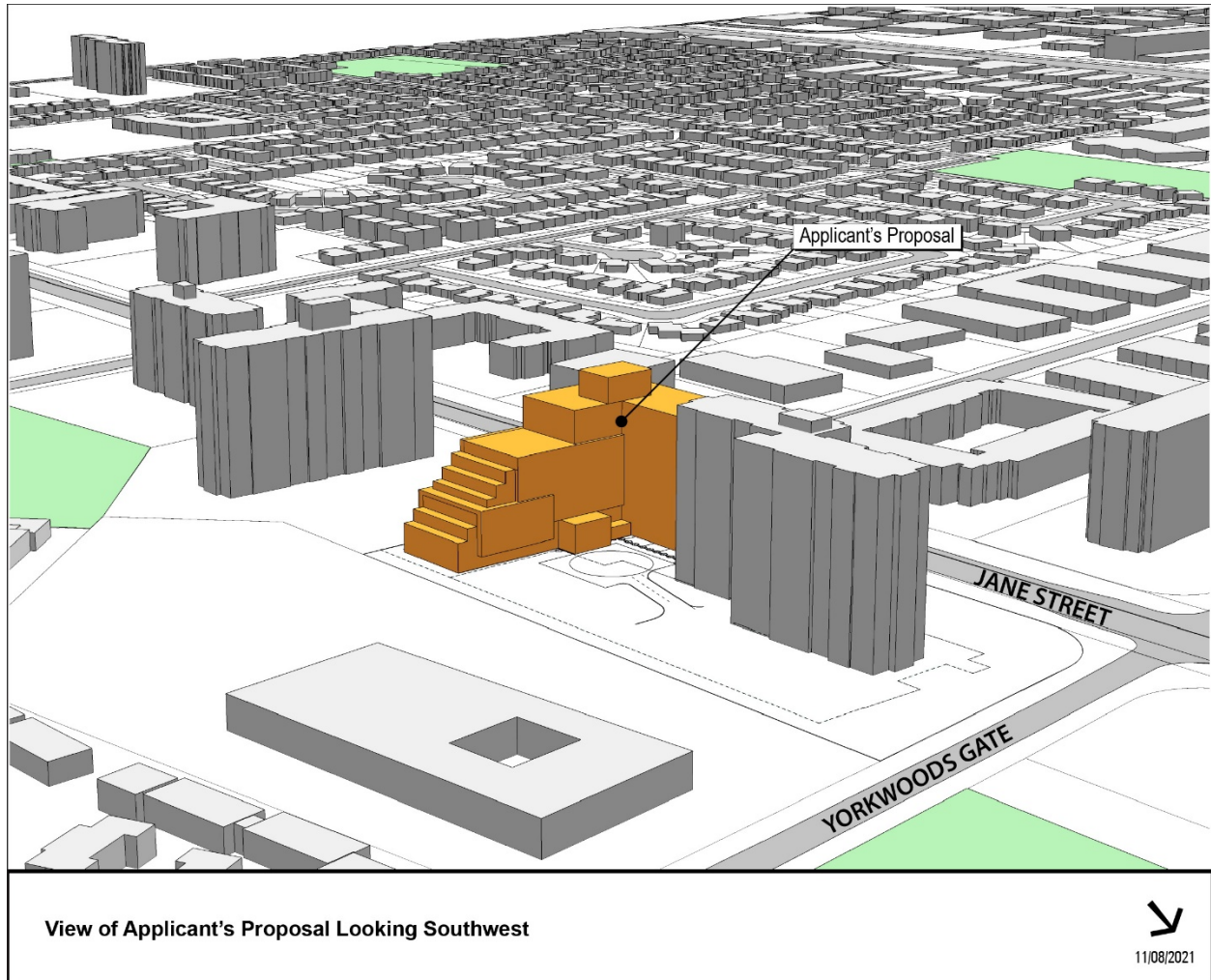
ATTACHMENTS

Attachment 1: 3D Model of Proposal in Context Looking Northeast
Attachment 2: 3D Model of Proposal In Context Looking Southwest
Attachment 3: Location Map
Attachment 4: Site Plan
Attachment 5: Official Plan Map Land Use Map
Attachment 6: Zoning Map

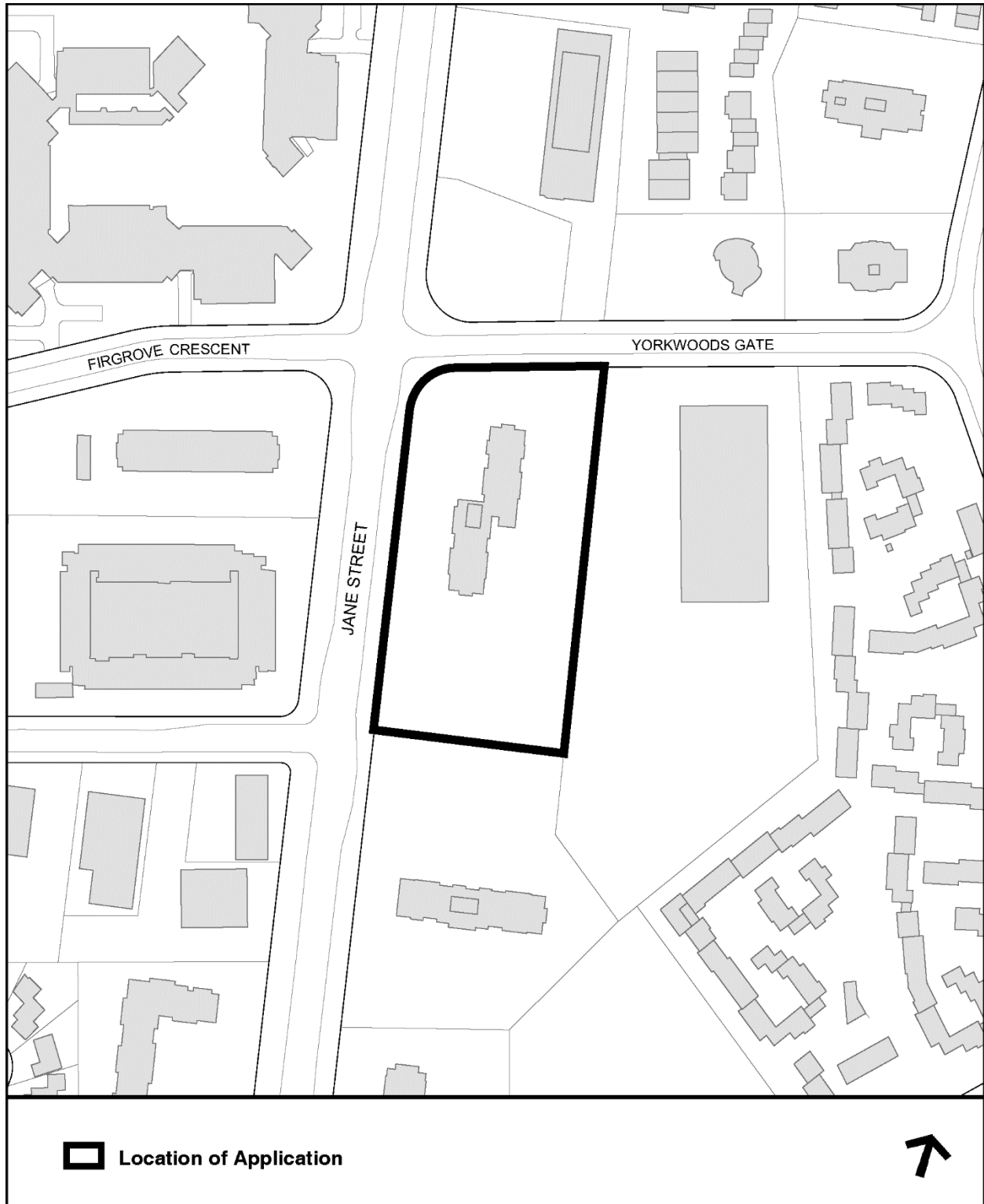
Attachment 1: 3D Model of Proposal in Context Looking Northeast

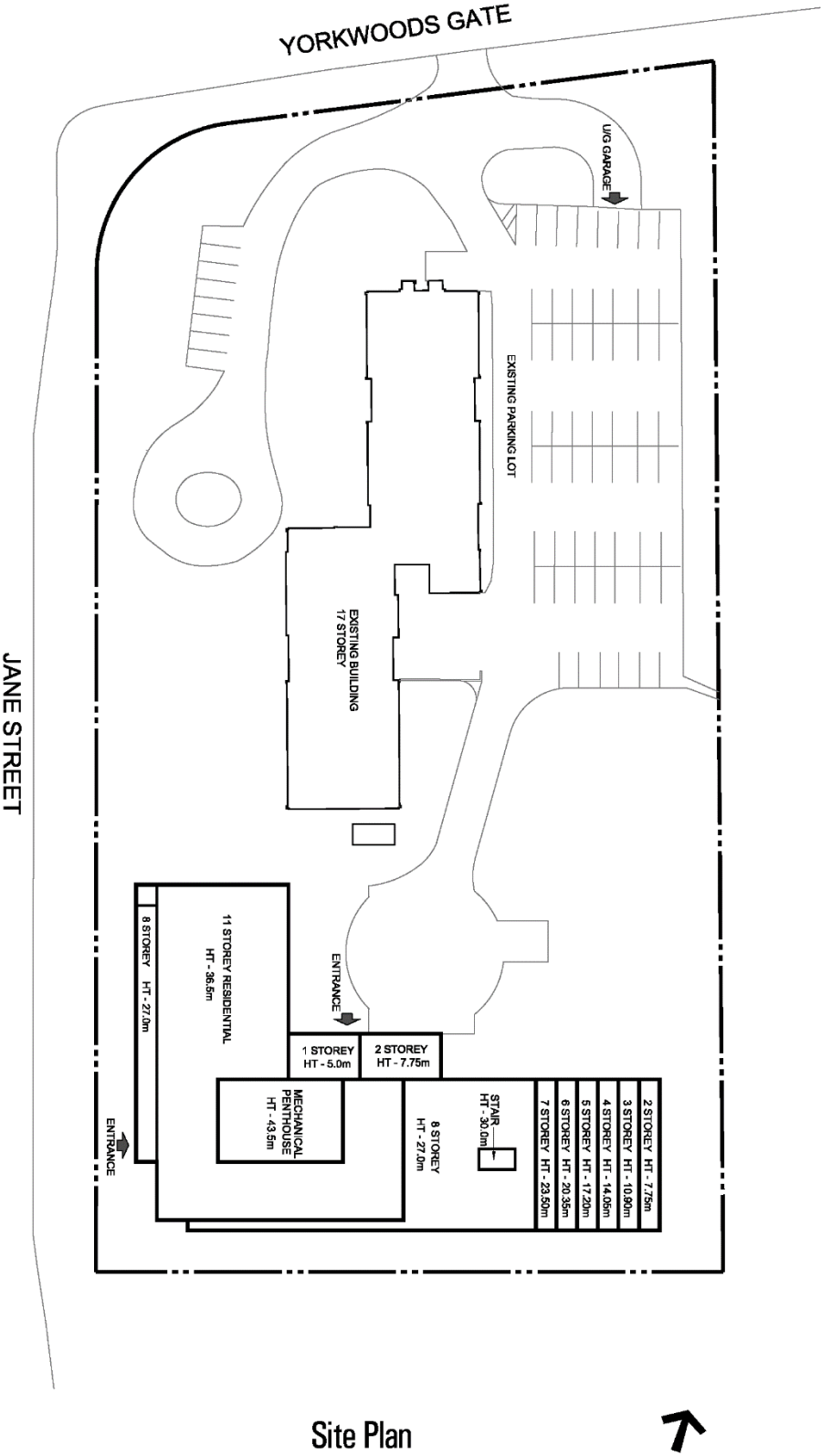


Attachment 2: 3D Model of Proposal in Context Looking Southwest

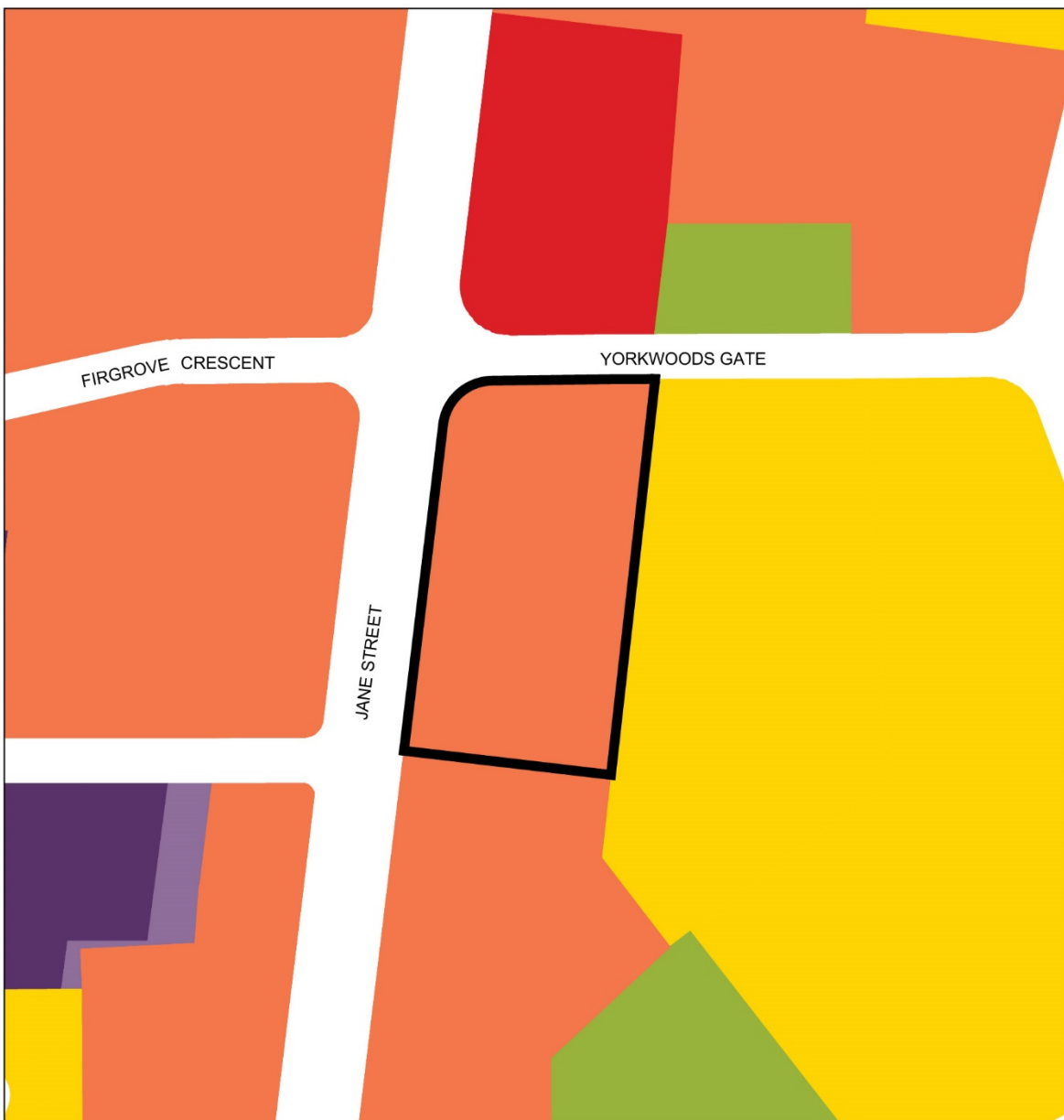


Attachment 3: Location Map



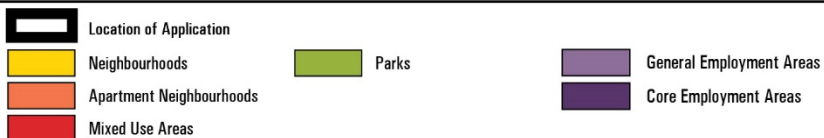


Attachment 5: Official Plan Land Use Map



Official Plan Land Use Map #13

2801 Jane Street
File # 21 199452 WET 07 0Z




Not to Scale
Extracted: 08/24/2021

Attachment 6: Zoning By-law



Zoning By-law 569-2013

2801 Jane Street

File # 21 199452 WET 07 0Z



Location of Application

RD Residential Detached
RM Residential Multiple
RA Residential Apartment
RAC Residential Apartment Commercial
CR Commercial Residential
OR Open Space Recreation



See Former City of North York By-law No. 7625

R4 One-Family Detached Dwelling Fourth Density Zone
RM5 Multiple-Family Dwellings Fifth Density Zone
RM6 Multiple-Family Dwellings Sixth Density Zone
C1 General Commercial Zone
MC Industrial-Commercial Zone



Not to Scale
 Extracted: 08/24/2021