

2681 Danforth Avenue - Official Plan and Zoning Amendment Applications - Appeal

Date: January 25, 2024

To: Toronto and East York Community Council

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

Wards: Ward 19 - Beaches-East York

Planning Application Number: 22 241654 STE 19 OZ

SUMMARY

On January 4, 2023 the City received applications to amend the Official Plan and Zoning to permit a 44 and 33 storey tower development including a 8-9 storey podium with a total gross floor area of 79,854 square metres and 905 residential units; 11,066 square metres of non-residential space dedicated for Canadian Tire retail operations; and an onsite park dedication of approximately 958 square metres on the south portion of the site. Road conveyances will be required to facilitate a new north-south public street.

The applicant appealed the applications to the Ontario Land Tribunal ("OLT") due to Council not making a decision within the time frame prescribed in the Planning Act.

This report recommends that the City Solicitor and appropriate City staff attend the OLT hearing to oppose the proposal in its current form and continue discussions with the applicant to resolve outstanding issues. This application is one of a number of applications in the immediate area which have been appealed; the review of these applications has been coordinated to implement the policy framework.

RECOMMENDATIONS

The Director, Community Planning Toronto and East York District recommends that:

1. City Council direct the City Solicitor and appropriate City staff to attend the Ontario Land Tribunal in opposition to the current proposal, specifically regarding the Zoning By-law Amendment application appeal for the lands at 2681 Danforth 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 Amendment is to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning;

b. the final form and content of the draft Zoning By-law is to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning;

c. the plans and studies be revised to the satisfaction of the Chief Planner and Executive Director, City Planning, the General Manager, Engineering and Construction Services, the General Manager, Transportation Services, the General Manager, Solid Waste Management, and the Supervisor, Urban Forestry; and

d. a Draft Plan of Subdivision application is submitted to secure, among other matters, the conveyance of land for and construction of new public roads and parkland.

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

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

On December 17, 2019, City Council adopted Official Plan Amendment 478 (OPA 478) as the result of the Main Street Planning Study. OPA 478 allows for intensification, including tall buildings, within the study area through the achievement of a new road network, new parks and open spaces, and new and improved community services and facilities. The final report and OPA 478 can be found at the following link: [Agenda Item History - 2019.TE11.4 \(toronto.ca\)](#)

On October 21, 2021, City Council adopted a Request for Direction Report in respect of OPA 478, the recommendations of which remain confidential. The City Council decision is available at: [Agenda Item History - 2021.CC36.7 \(toronto.ca\)](#).

The Ontario Land Tribunal issued a Final Order for OPA 478 on June 27, 2022.

On July 19, 2022, City Council adopted the Major Transit Station Area (MTSA) and Protected Major Transit Station Area (PMTSA) Official Plan Amendments pursuant to Sections 16(15) and 26 of the Planning Act, including OPA 540 which would amend Chapter 8 of the Official Plan. Taken together, these OPAs add a combined total of 115 MTSA's and PMTSA's to Chapter 8 of the Official Plan. These OPAs are awaiting a decision by the province and not yet in force. The final report and OPA can be found at the following link:

[Agenda Item History - 2022.PH35.16 \(toronto.ca\)](#)

THE SITE

Description: The site is approximately 11,620 square metres in size, is rectangular in shape and has 103 metres of frontage on Danforth Avenue.

Existing Uses: a two-storey Canadian Tire commercial building is located partially on the site and partially on the abutting property to the east at 2721 Danforth Avenue. In addition, the site includes a one-storey Canadian Tire Garden Centre commercial building and approximately 245 surface vehicle parking spaces at the rear, south portion of the site.

THE APPLICATION

Description: an 8-9 storey base building with two towers rising to a height of 33 and 44 storeys, incorporating setbacks. The frontage along Danforth Avenue is proposed for a 2,610 square metre ground floor retail space (future Canadian Tire store). A public park is proposed along the south side of the site.

Density: 9.31 times the area of the lot.

Dwelling Units: The proposed 905 dwelling units include: 565 one bedroom (62.5%); 249 two bedroom (27.5%) and 91 three bedroom (10%).

Access: The applicant proposes pedestrian access to the site from Danforth Avenue, the future north-south public street along the west side of the site and the future private drive on the south end of the site.

Vehicle Access, Parking and Loading: The proposal includes a new north-south public street along the west side of the site connecting to Danforth Avenue to the north at an existing signalized intersection and the east-west extension of Dawes Road to the south. All vehicular access is proposed from the new public street to an inner service courtyard.

There are two ramps providing access to a two-level consolidated underground garage containing 340 parking spaces for resident, visitor and commercial use. The proposed 969 bicycle parking spaces include 92 short term and 815 long term bicycle parking spaces, and are located at grade and within the first level of the underground garage. Two Type A, one Type B, one Type C and two Type G internalized loading spaces are proposed in the service courtyard.

Additional Information

See Attachments 2, 3, 4 and 8 of this report for a three dimensional representation of the project in context, a site plan of the proposal and the Application Data Sheet, respectively. Detailed project information including 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-details/?id=5210910&pid=606278>

Reasons for Applications

The Official Plan Amendment application proposes to amend the Danforth Avenue Planning Study (Official Plan Amendment (OPA) 420) by adding a site specific policy stating that, notwithstanding the development criteria in OPA 420, new development at 2681 Danforth Avenue is subject to the development policies for Character Areas C and D in the Main Street Planning Study (OPA 478).

The Zoning By-law Amendment application proposes to create site specific performance standards including: gross floor area and floor space index; building height; building setbacks; and vehicular parking space requirements. Zoning By-law 569-2013 does not currently apply to the site; however, the application proposes to bring forward a site specific zoning by-law amendment to include the site in Zoning By-law 569-2013.

Site Plan Control

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

Draft Plan of Subdivision

An application for draft plan of subdivision is required to secure the required public right-of-way conveyances and construction of the new public streets, parks, servicing and public infrastructure requirements. A draft plan of subdivision application has not been submitted.

POLICY & REGULATION CONSIDERATIONS

Provincial Land-Use Policies

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement (PPS), and shall conform to provincial plans.

Official Plan

The site is identified as being on an Avenue in the Official Plan. The lands are designated Mixed Use Areas in the Official Plan.

Secondary Plan

The site is subject to Official Plan Amendment 420 (Danforth Avenue Planning Study), implemented by Site and Area Specific Policy 552, (SASP 552) and Official Plan Amendment 478 (Main Street Planning Study), implemented by SASP 577.

OPA 420 includes development criteria for the entire area, which are more fully detailed in OPA 478.

The proposed development is within Character Areas C and D in OPA 478. Character Area C is planned to accommodate transit-supportive development including tall buildings where appropriate. Character Area D abuts Danforth Avenue and has a depth of 37.5 metres. New development in Character Area D will have regard for the Danforth

Avenue Urban Design Guidelines and will define appropriate street wall heights of 8 metres to a maximum height of 14 metres.

The site is also subject to Official Plan Amendment 540 (OPA 540), which includes the Protected Major Transit Station Area (PMTSA) SASP 621 for Main Street Station. OPA 540 is pending approval by the Ministry of Municipal Affairs and Housing and is not currently in effect.

Zoning

The subject site is zoned MCR T3.0, C2.0 R.5 in the Former City of Toronto By-law 438-86. The site is not zoned under the City of Toronto Zoning By-law 569-2013.

Design Guidelines

The following design guidelines have been used in the evaluation of this application:

- Tall Building Design Guidelines;
- Danforth Avenue Urban Design Guidelines;
- Growing Up Guidelines: Planning for Children in Vertical Communities;
- Pet Friendly Design Guidelines;
- Best Practices for Effective Lighting; and
- Toronto Accessibility Design Guidelines.

The City's Design Guidelines can be found here: [Design Guidelines – City of Toronto](#)

Toronto Green Standard

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. The TGS can be found here:

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

COMMUNITY CONSULTATION AND DESIGN REVIEW PANEL

On March 8, 2023, City Planning staff conducted a combined virtual community consultation meeting for this site, along with two adjacent development proposals at 8 Dawes Road and 2575 and 2675 Danforth Avenue. City Planning staff, the Ward Councillor, the applicant team and approximately 80 people attended. Following presentations by City staff and the applicant, the following comments and concerns were raised by participants for this proposed development:

- intensity of the development and the area's ability to sustain it;
- the lack of affordable housing within the City, and the proposal;
- lack of park space and location of park space in the area;
- construction impacts.

On October 5th, 2023, the applicant participated in a joint review at the Toronto Design Review Panel, alongside the six other development applications at the south-east corner of Main Street and Danforth Avenue. The project received a vote of non-support. The panel raised the following concerns:

- bulky massing that creates a canyon-like feel;
- lack of a midblock connection for permeability through the site and block;
- an inefficient layout for truck services; and
- impact of the big box store located at grade, which should have a more fine-grained character.

COMMENTS

Provincial Framework

Staff's review of the application has had regard for the relevant matters of provincial interest set out in the Planning Act. Staff have reviewed the current proposal for consistency with the Provincial Policy Statement (PPS) and conformity with the Growth Plan. 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 to Provincial plans.

The site is located within the Main Street PMTSA and is proposed to be redeveloped in a transit-supportive manner that maximizes the number of potential transit users and increases housing options as required by the Growth Plan. However, the proposed development is not consistent with certain policies of the PPS and does not conform to certain policies of the Growth Plan. The proposal is not consistent with PPS policies concerning the efficient development of land and appropriate development standards and does not conform to Growth Plan policies relating to affordable housing, built form and the implementation of appropriate development standards through the Official Plan and other supporting documents.

Official Plan Amendment

The Official Plan Amendment proposes to amend the Danforth Avenue Planning Study implementing SASP 552 by adding a site specific policy that new development at 2681 Danforth Avenue will be subject to the development criteria policies within the Main Street Planning Study. Staff are not opposed to the intent of the draft Official Plan Amendment.

Policy 7.4.2 within OPA 478 states that new development in Character Area D will not be subject to the policies of SASP 552 except that new development will have regard for the Danforth Avenue Urban Design Guidelines and shall define appropriate streetwall heights and accommodate appropriate sidewalk widths.

Land Use

A mixed use development and a public park are proposed on the site. These uses align with the Mixed Use Areas designation for this site. As discussed in the parkland section of this report, staff have concerns with the location of the proposed park.

Site Organization

Revisions to the site organization to support the provision of an appropriate network of private lanes and mid-block connections discussed in the Public Realm and Streetscape section of this report are required. Policy 5.4 of OPA 478 encourages adjacent developments to consolidate access points from the public street or laneways.

Dwelling Unit Mix

The proposed 905 dwelling units include: 565 one-bedroom (62.5%); 249 two-bedroom (27.5%) and 91 three bedroom (10%).

The proposed unit mix conforms to the Official Plan and meets the policies of Official Plan Amendment 478 that require a minimum of 25% two-bedroom and 10% three-bedroom units within new developments.

Housing Issues

Official Plan policies state that a full range of housing will be provided and maintained to meet the needs of current and future residents, including affordable housing. The Growth Plan also contains policies to support the development of affordable housing and a range of housing to accommodate the needs of all household sizes and incomes. Staff encourage the provision of affordable housing on the subject site to support the City's and Growth Plan's housing policy objectives to provide a full range of housing (tenure and affordability) within new developments.

As no affordable units or seniors housing is currently proposed, the proposal is not consistent with Official Plan Amendment 478 or with provincial policies.

Public Realm and Streetscape

Policy 2.1.1 of OPA 478 requires that new development will create a walkable public street, private lane and/or midblock connection network as shown generally on Map 2A and Map 4. The network will improve pedestrian permeability, and provide access and addresses for new development. Policy 2.1.8 of OPA 478 states that the private lanes will be designed with consideration for safe, accessible and comfortable pedestrian and cyclist movement. The current proposal does not demonstrate a private lane and midblock connection network in conformity to OPA 478 and as such is not supportable.

The majority of the big box uses related to the Canadian Tire store should be located on upper floors of the base building to preserve a fine grained retail character along Danforth Avenue in accordance with Policy 6.2 of OPA 478.

Urban Forestry has reviewed the application and provided comments to the applicant. The applicant proposes to remove six trees, largely along the access driveway on the east side of the site and proposes the planting of 11 trees on the east side of the site abutting the new public street and eight trees at the south end of the site, abutting the proposed park. Urban Forestry staff have indicated opportunities to plant more trees along the Danforth Avenue and the new public street frontages should be investigated.

A revised Landscape Plan and details are required to include clarification of the proposed location of trees and soil volumes.

A composite Public Utility Plan (Quality Level-A) is also required to determine where trees can be located, and if additional building setbacks will be required, should there be conflicts.

Built Form

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

The proposal does not conform to the Official Plan policies respecting massing, including setbacks and step backs. The proposal's tower heights, base building height, and transition do not conform to Official Plan policies (including the policies of Official Plan Amendment 478).

Shadow

A shadow study shows the proposed buildings shadow public parks, properties designated Neighbourhoods in the Official Plan and the north sidewalk of Danforth Avenue. Policies (a) and (c) of Policy 7.3 of OPA 478 require new tall buildings to appropriately limit shadow impacts to these spaces. Changes to the built form are required to improve shadow conditions, which are not currently acceptable.

Wind

The wind study demonstrates uncomfortable wind conditions for the outdoor amenity area on the 9th floor. Conditions that are intended for sitting in spring, summer and fall have not generally been provided. Modifications to the built form can improve wind conditions on and around the site.

Transportation

Transportation Services have reviewed the application and its supporting documentation pertaining to vehicular transportation matters. Transportation Services requires revisions to the development. These revisions include providing a 0.4 metre road widening dedication along Danforth Avenue and detailing the radius of the required corner rounding at the northwest corner of the site (the southeast corner of Danforth Avenue/New Public Street), which must have a minimum radius of 5.0 metres, as measured from the new property lines. These lands are to be conveyed to the City, free and clear of any obstructions and encumbrances, for a nominal sum.

Revisions to the applicable plans are required to provide/construct a raised cycle track along the south side of Danforth Avenue from the new public street to Guest Avenue, to the satisfaction of the City.

Revisions and clarifications are required to the Traffic Impact Assessment. The proposal is required to meet accessible parking standards in Zoning By-law 569-2013.

A Draft Plan of Subdivision must be submitted to secure the required public right-of-way conveyances and construction of the new public street. OPA 478 requires the construction of a new 18.5 metre north-south public street on the east side of the lands through both the adjacent site lands and the subject site, connecting to the existing signalized intersection to the north and the east-west extension of Dawes Road to the south.

Given the existing split ownership of the lands forming the new public street, an agreement between owner of this development and owners of the other lands in the Main Street Planning Area may be required to facilitate the developments of all lands. The agreement shall include, among other things, timing of the land conveyance for the provision of road widenings and new public roads, construction of the roads all to the satisfaction of the City.

Servicing

Engineering and Construction Services have reviewed the application and have provided comments to the applicant. Revisions and clarifications are required to the Hydrogeological Report, the Functional Servicing and Stormwater Management Report, Civil and Utility Plans, Landscape Plans and Architectural Plans and supporting calculations and documentation. Moreover, Engineering and Construction Services require the applicant to submit related letters/forms and applications. These letter/forms, applications and the revisions to all plans and reports must be completed to the satisfaction of Engineering and Construction Services in order to ensure that the proposal can be serviced.

A Draft Plan of Subdivision application is required to be submitted to address land conveyances, public roads, servicing and public infrastructure requirements.

Solid Waste

Solid Waste Management have reviewed the application and request revisions to the architectural plans to ensure solid waste matters are appropriately addressed. The architectural drawings lack details and annotations required for Solid Waste Management to accept the drawings.

A portion of the property where a development is or will be proposed lies within 250 metres of a closed municipal landfill. Therefore, the applicant is required to submit a gas investigation report to ensure the possible presence of methane gas can be adequately assessed.

Parkland

The proposal includes a parkland dedication of approximately 958 square metres in size, rectangular in shape, east-west in orientation, and located in the southernmost portion of the site with a 13.4 metre frontage on the new public street to the west. While the proposed park exceeds the minimum required parkland dedication size of approximately 847 square metres, staff have concerns with the proposed park including the narrow frontage and configuration; the location; and the proposed strata parkland conveyance, with an underground garage proposed under the park. The applicant is

required to satisfy the parkland dedication requirement through an on-site dedication that complies with the Official Plan.

Toronto Green Standard

All applications are required to meet Tier 1 of the Toronto Green Standard, Version 4. City staff encourage the applicant to meet a higher tier to support the City's objectives for resilience and achieving net-zero emissions by 2040 or sooner. Should the proposal be approved in some form by the OLT, applicable performance measures for the Tier 1 development features would be secured in the site-specific Zoning By-law at a minimum and others through the Site Plan Control application.

The proposal also needs to demonstrate Green Roof By-law compliance.

Community Services and Facilities

The Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Community services and facilities are the building blocks of our neighbourhoods, foundational to creating complete communities and include matters such as recreation, libraries, childcare, schools, public health, and human and cultural services. Providing for a full range of community services and facilities in areas that are inadequately serviced or experiencing growth is a shared responsibility.

Further Issues

City Planning staff may continue to identify further issues or supplement the reasons provided in this report. 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. Where substantive changes to the proposal are made by the applicant, staff may report back to City Council as necessary.

CONTACT

Seanna Kerr, Senior Planner,
Tel. No. 416-395-7053,
E-mail: Seanna.Kerr@toronto.ca

SIGNATURE

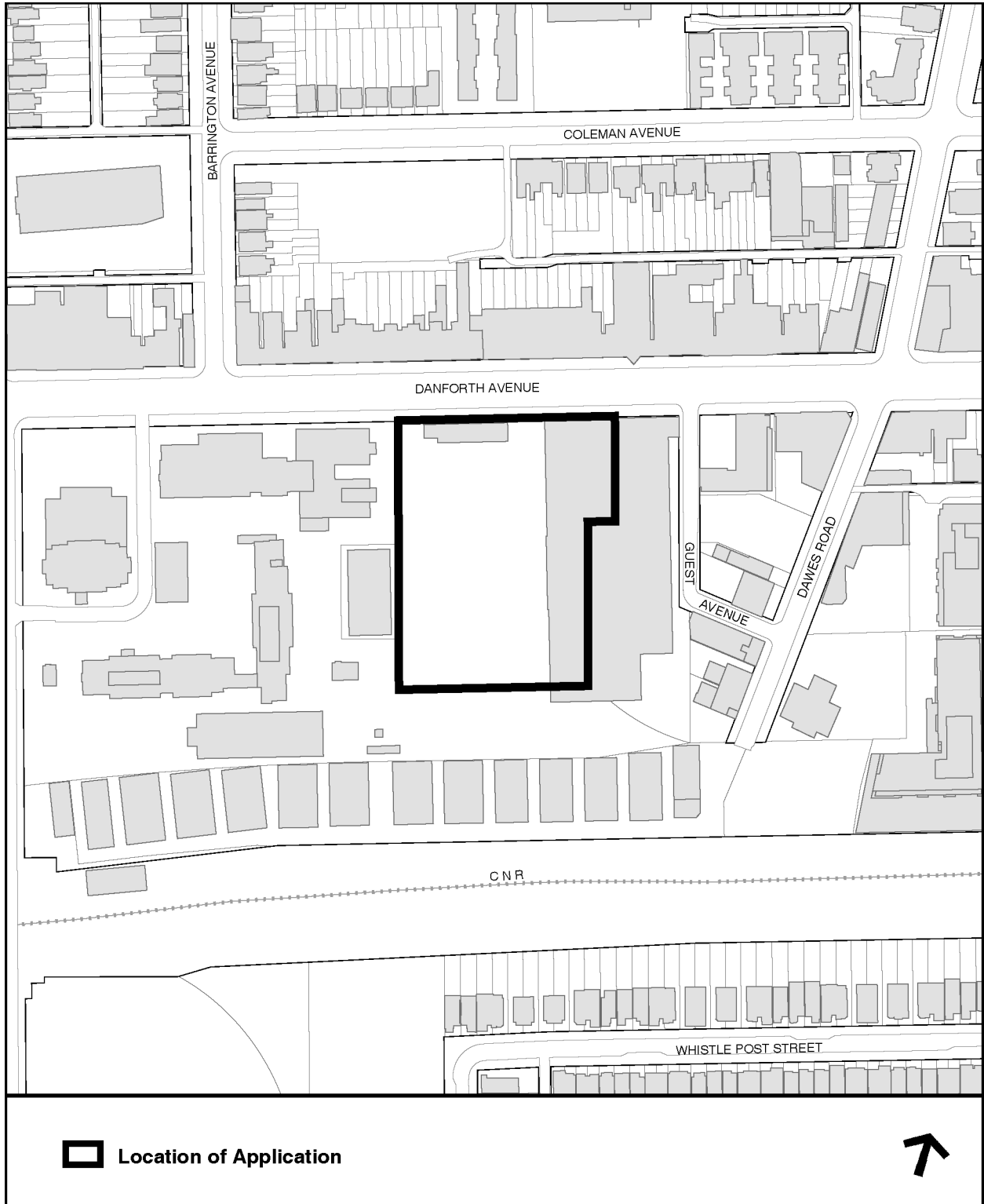


Carly Bowman, M.Sc.Pl., MCIP, RPP
Director, Community Planning
Toronto and East York District

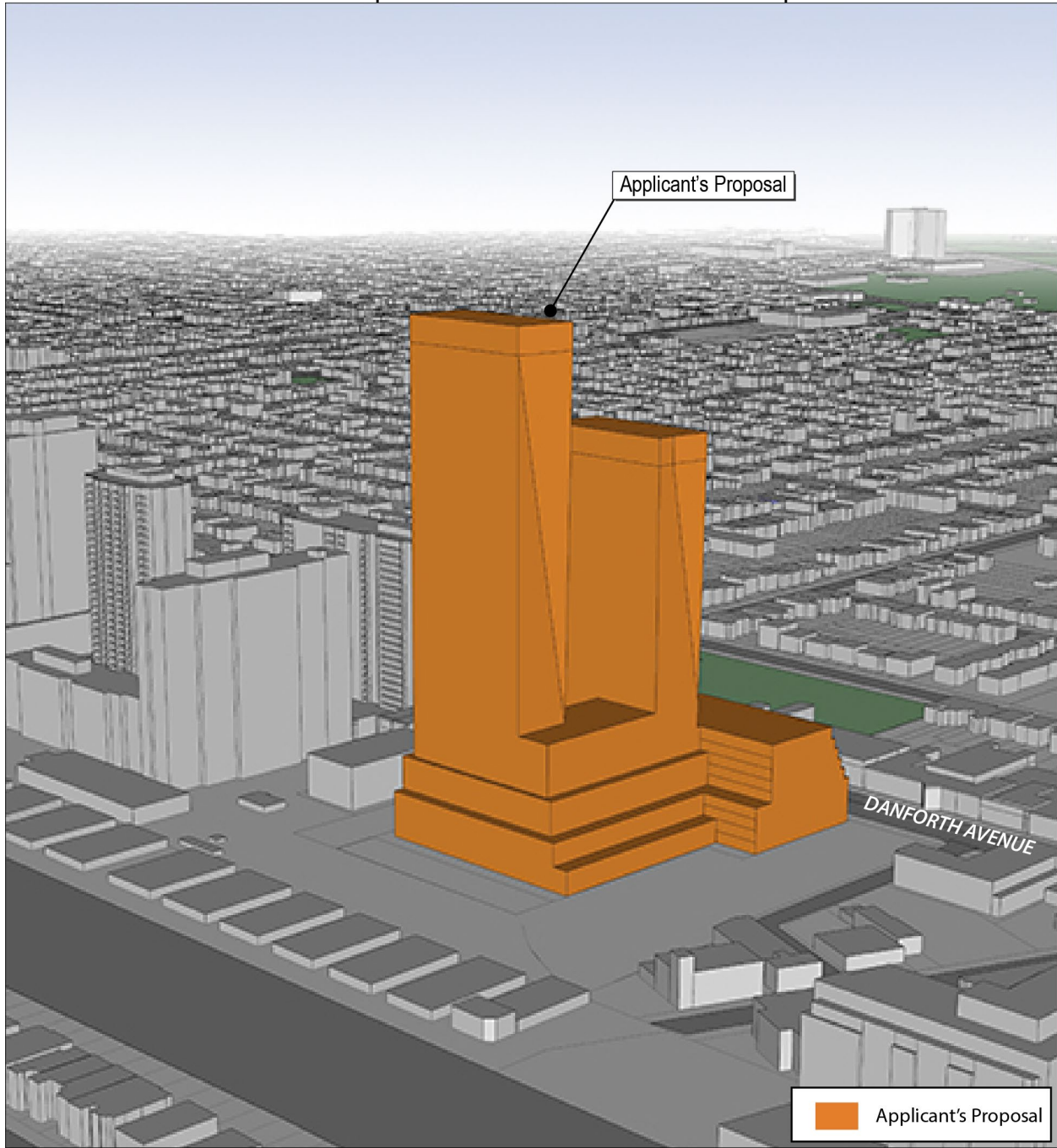
ATTACHMENTS

- Attachment 1: Location Map
- Attachment 2: 3D Model of Proposal in Context: North-West Perspective
- Attachment 3: 3D Model of Proposal in Context: South-East Perspective
- Attachment 4: Site Plan
- Attachment 5: Official Plan Land Map
- Attachment 6: Official Plan Amendment 478 Map
- Attachment 7: Zoning By-law Map
- Attachment 8: Application Data Sheet

Attachment 1: Location Map



Attachment 2: 3D Model of Proposal in Context: North-West Perspective

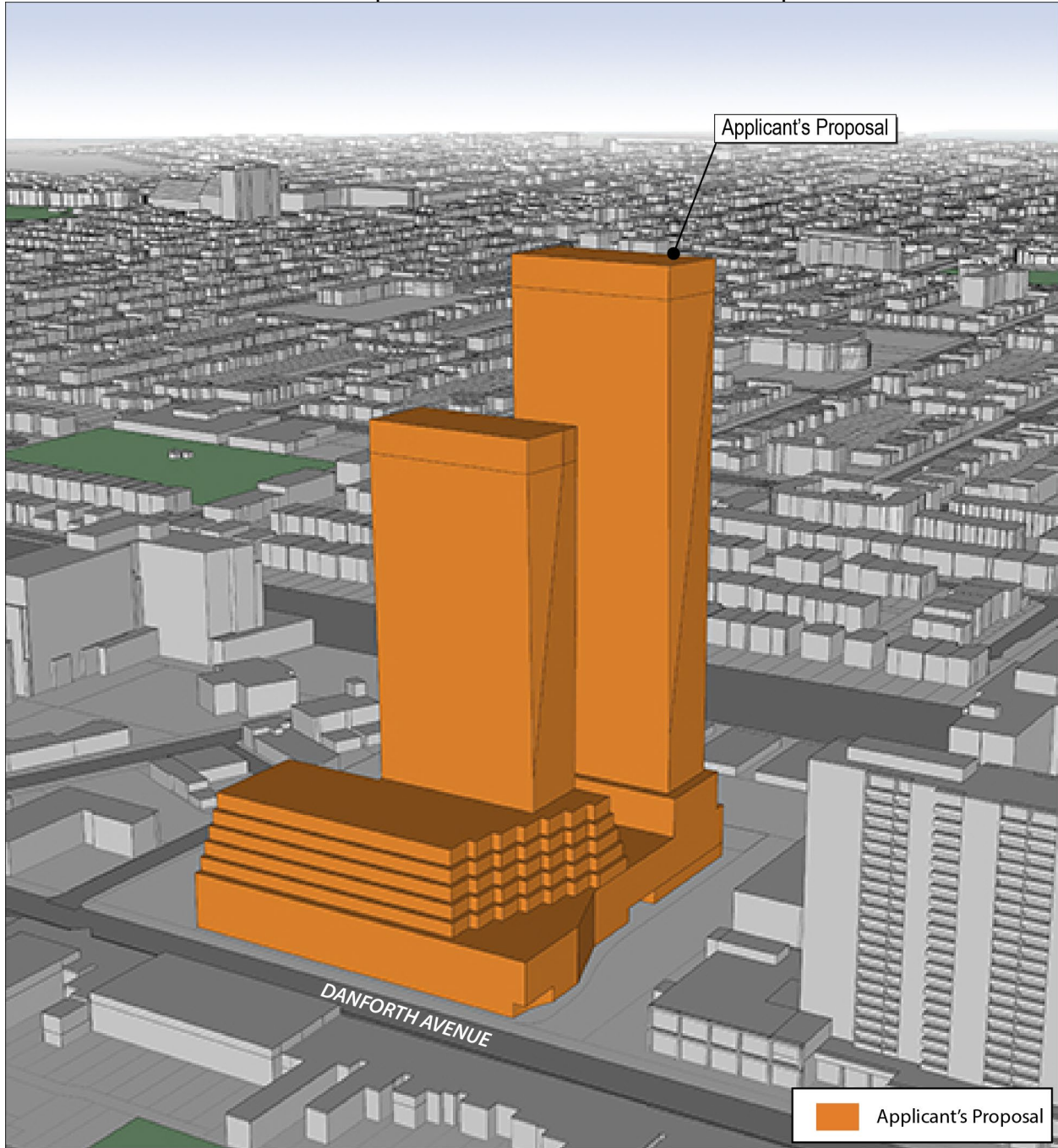


View of Applicant's Proposal Looking Northwest



12/15/2023

Attachment 3: 3D Model of Proposal in Context: South-East Perspective

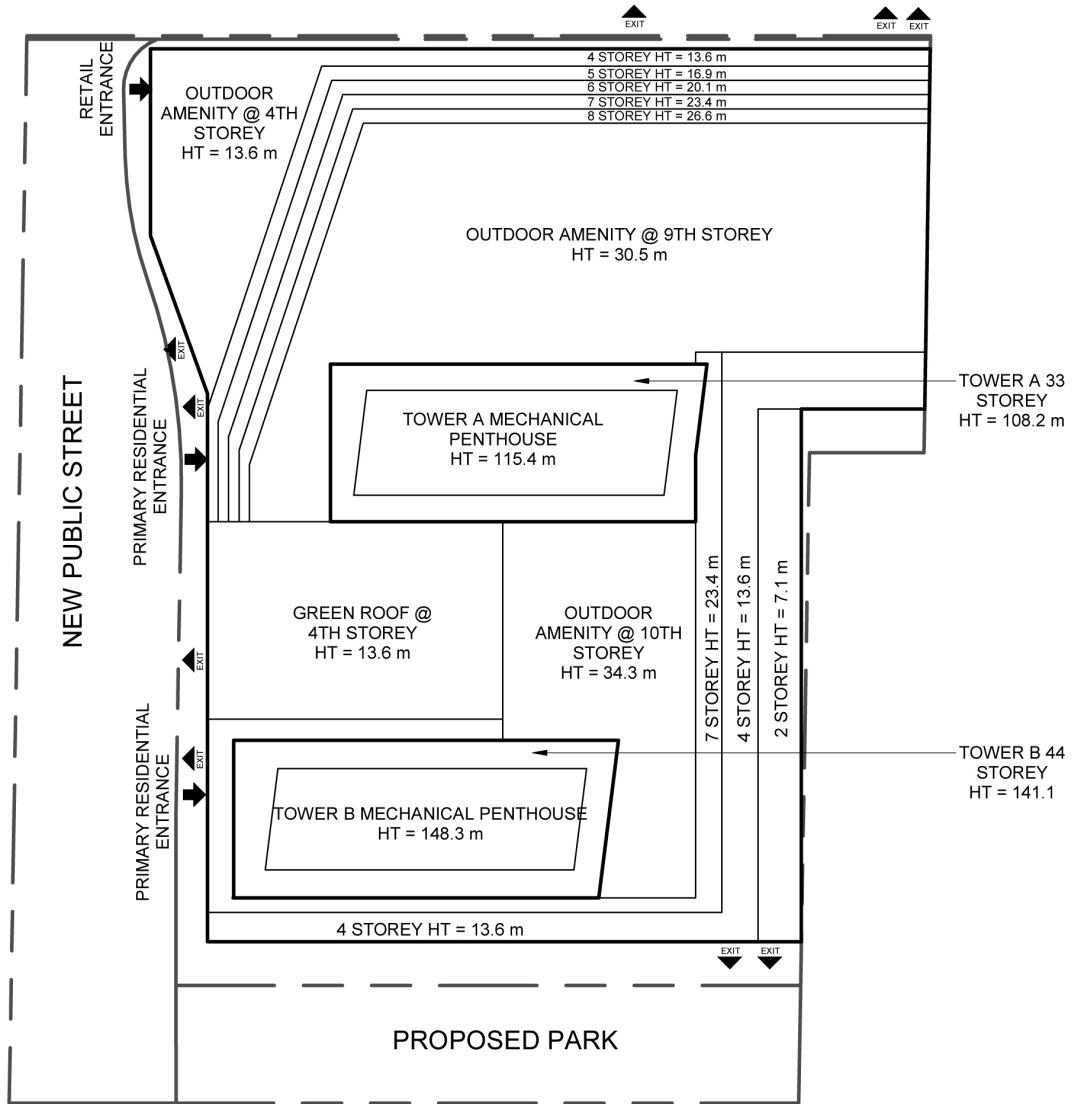


View of Applicant's Proposal Looking Southeast



12/15/2023

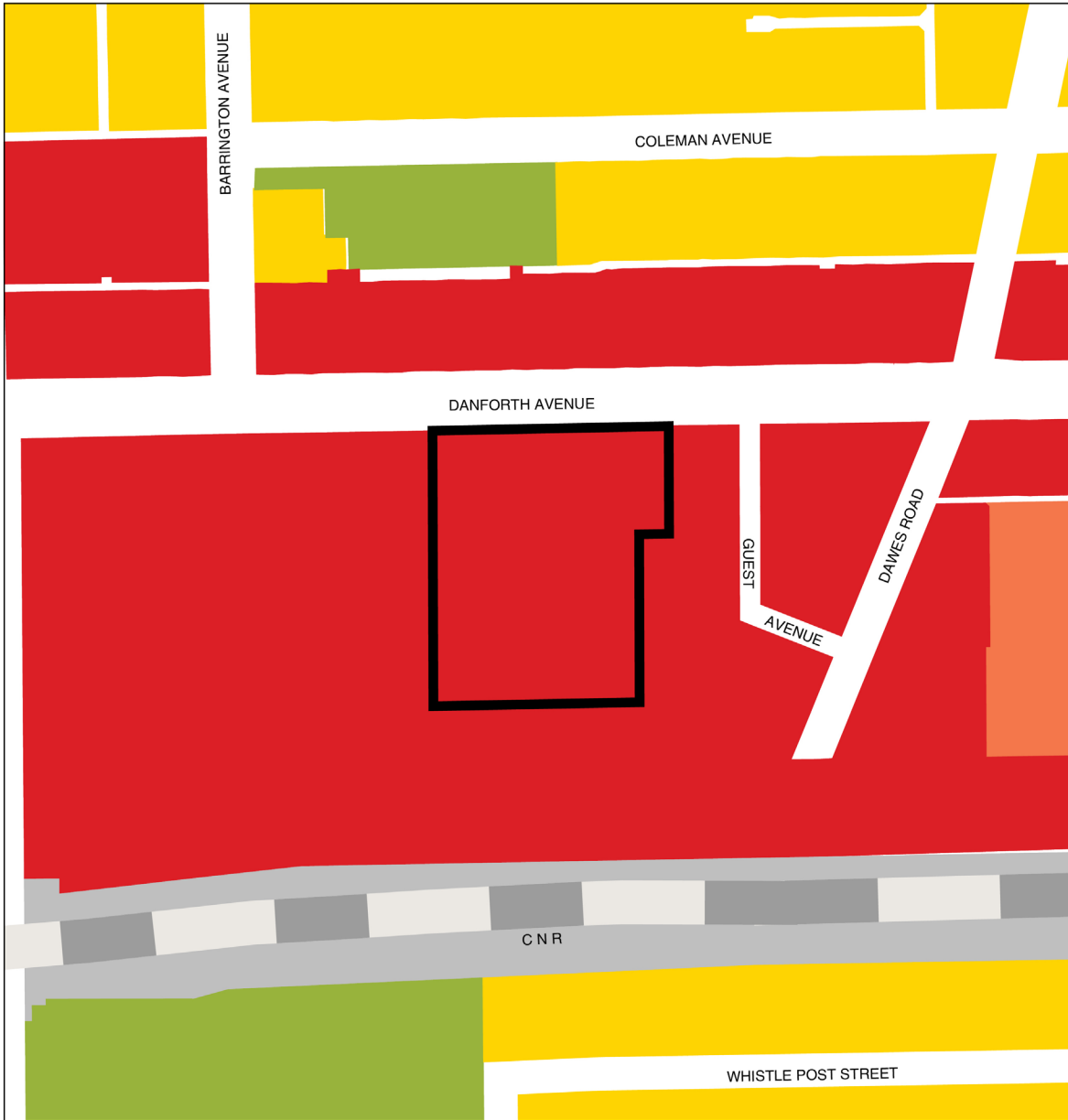
DANFORTH AVENUE



Site Plan



Attachment 5: Official Plan Land Map




Official Plan Land Use Map #21

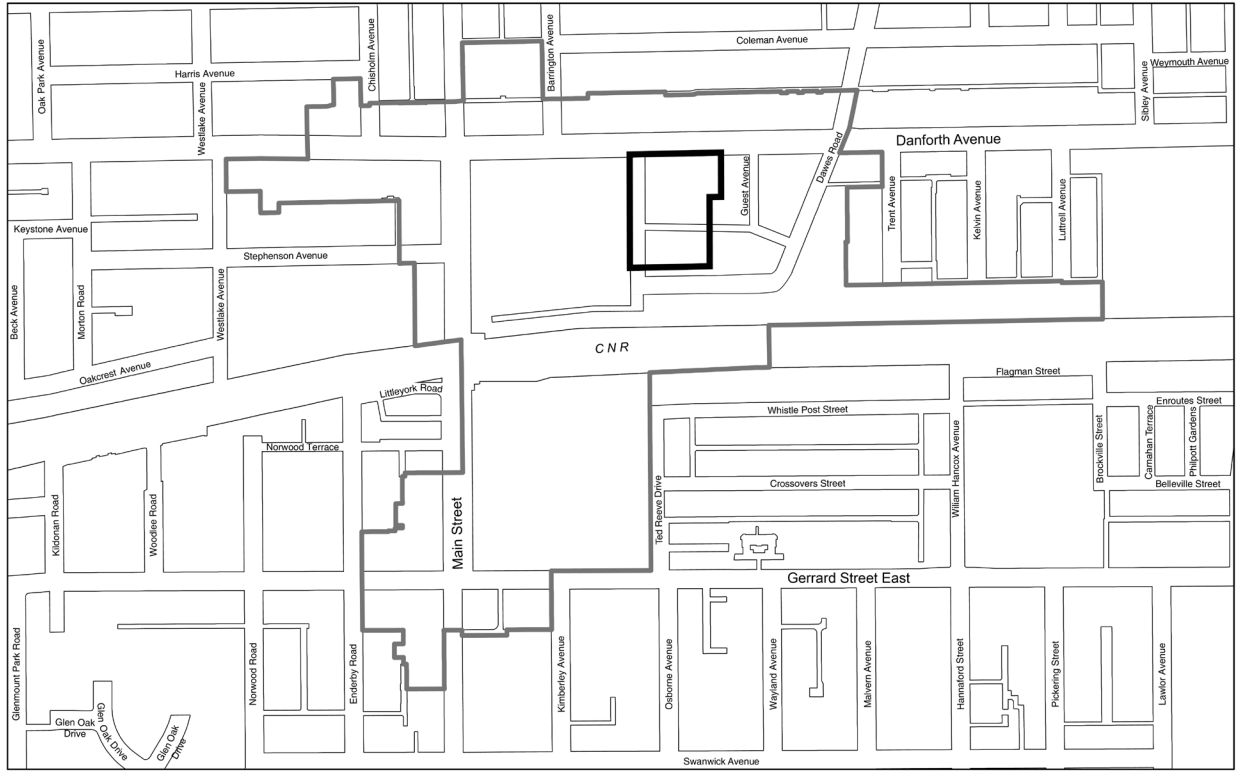
2681 Danforth Avenue

File # 22 241654 STE 19 0Z

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




 Not to Scale
 Extracted: 01/03/2023

Attachment 6: Official Plan Amendment 478 Map



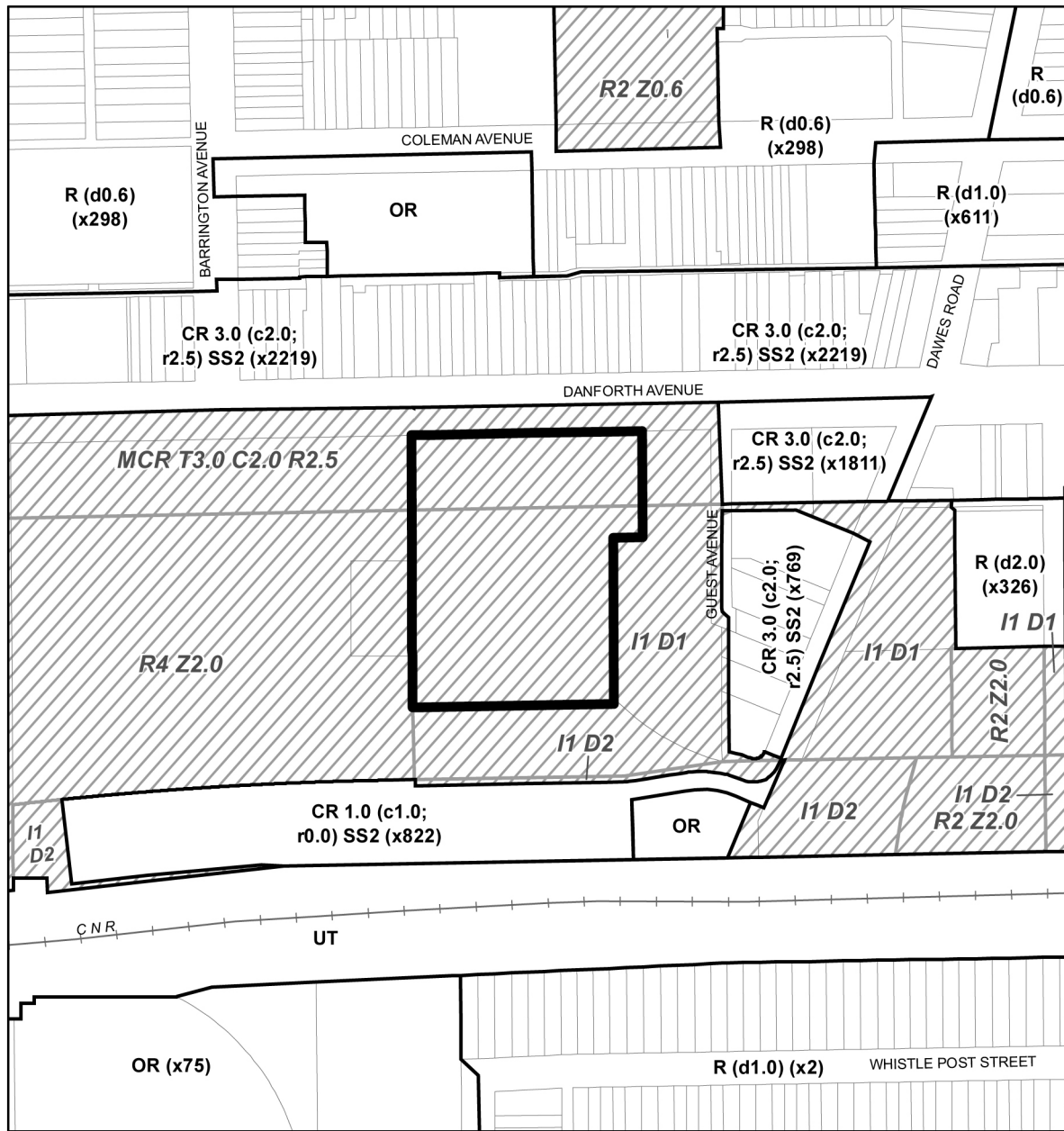
Toronto
Main Street Planning Study (OPA #478)
MAP 2B Streets and Block Plan

2681 Danforth Avenue
File # 22 241654 STE 19 0Z

-  Location of Application
-  Main Street Planning Study Boundary

↑
 Not to Scale
 01/19/2024

Attachment 7: Zoning By-law Map



Zoning By-law 569-2013

2681 Danforth Avenue

File # 22 241654 STE 19 0Z



Location of Application

R Residential
CR Commercial Residential
OR Open Space Recreation
UT Utility and Transportation



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

R2 Residential District
R4 Residential District
MCR Mixed-Use District
I1 Industrial District



Not to Scale
 Extracted: 12/11/2023

Attachment 8: Application Data Sheet

Municipal Address: 2681 DANFORTH AVENUE Date Received: December 21, 2022

Application Number: 22 241654 STE 19 OZ

Application Type: OPA & Rezoning

Project Description: Rezoning and Official Plan Amendment applications a building with two towers with heights of 44 and 33 storeys inclusive of an 8-9 storey podium with a total gross floor area of 79,854 square metres. The proposal includes: 905 residential units; 11,066 square metres of non-residential space dedicated for Canadian Tire retail operations; and an onsite park dedication of approximately 958 square metres.

Applicant	Agent	Architect	Owner
WALKER NOTT DRAGICEVIC ASSOCIATES LIMITED		TURNER FLEISCHER ARCHITECTS INC.	CANADIAN TIRE CORPORATION LIMITED

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	SASP 621, 623, 552, 577
Zoning:	MCR R3.0, C2.0 R.5	Heritage Designation:	N
Height Limit (m):	14, 12	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 11,620 Frontage (m): 103 Depth (m): 122

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	2,907		5,482	5,482
Residential GFA (sq m):			68,788	68,788
Non-Residential GFA (sq m):	2,907		11,066	11,066
Total GFA (sq m):	2,907		79,854	79,854
Height - Storeys:	1		44	44
Height - Metres:	6		141	141

Lot Coverage Ratio (%):	47.18	Floor Space Index:	9.31
-------------------------	-------	--------------------	------

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	68,610	177
Retail GFA:	9,544	1,522
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			905	905
Other:				
Total Units:			905	905

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			565	249	91
Total Units:			565	249	91

Parking and Loading

Parking Spaces:	340	Bicycle Parking Spaces:	969	Loading Docks:	6
--------------------	-----	-------------------------	-----	----------------	---

CONTACT:

Seanna Kerr, Senior Planner
416-392-7053
Seanna.Kerr@toronto.ca