



TORONTO STAFF REPORT

August 30, 2000

To: North York Community Council

From: Director, Community Planning, North District

Subject: Final Report
Application to amend the Official Plan and Zoning By-law
Medallion Properties Limited
1555 Jane Street
UDOP-00-12 UDZ-99-42 UDSP-00-047
Ward 6 - North York Humber

Purpose:

This report provides final recommendations respecting applications to amend the Official Plan and Zoning By-law 7625 of the former City of North York and for site plan approval to permit two eight and seven storey apartment buildings with commercial uses on the ground floor and 20 townhouse units.

Financial Implications and Impact Statement:

There are no financial implications associated with this report.

Recommendations:

It is recommended that the application be approved subject to the following:

- (1) That the Official Plan for the lands known as 1555 Jane Street be amended with a site specific development policy as follows:

C9.201 Lands on the east side of Jane Street south of Harding Avenue.

Height and Density: The maximum height of new development on the site shall not exceed 25 metres or eight storeys and the total maximum density on the site shall not exceed 2.3 FSI.

(2) That the zoning of these lands be amended to RM6(101) to provide the following:

SECTION 37 AGREEMENT

Facilities, services or matters which are to be provided pursuant to Section 37 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, in order to permit the increased density and height set out under subsections (g) to (p) of this By-law are:

- (a) The owner agrees:
 - (i) To construct and maintain two additional rental apartment house dwellings on the lands which, in total, will provide 220 rental dwelling units for a twenty five (25) year period, commencing from the date this By-law is in full force and effect;
 - (ii) That the dwelling unit sizes will be in accordance with the limits required to qualify for the Provincial Sales Tax Grant Program;
 - (iii) That the initial rental rates for the dwelling units shall be below the high-end rent threshold as identified annually by the City;
 - (iv) That the rents for the dwelling units shall not be increased beyond that permitted by the rent control guideline for a period of five (5) years from the date of first occupancy of the dwelling units;
 - (v) That no application for condominium conversion or for demolition to construct anything other than rental dwelling units will be made in respect of the two apartment house dwellings during the twenty five year period; and,
- (b) The owner shall convey or cause to be conveyed to the City for a nominal sum, free and clear of all encumbrances, a 6.1 metre radius corner rounding of the intersecting street lines at the south-east corner of Jane Street and Harding Avenue to the satisfaction of the Commissioner of Works and Emergency Services.

EXCEPTION REGULATIONS:

- (c) Retail, service commercial and office uses permitted in the General Commercial Zone C1 and a Day Nursery shall be permitted.
- (d) The maximum number of apartment house dwellings shall be 560.
- (e) The maximum number of multiple attached dwellings shall be 20.
- (f) The maximum building heights shall be as set out on Schedule RM6 (101).

- (g) The maximum gross floor area shall be 51,348 square metres.
 - (h) The minimum yard setbacks shall be as set out on Schedule RM6 (101).
 - (i) Section 20 A 2.4.1 regarding separation space between buildings does not apply.
 - (j) Section 16.2.3 regarding street frontage for multiple attached dwellings does not apply.
 - (k) The landscaped open space shall be 2,371 square metres.
 - (l) A minimum of 812 parking spaces shall be provided of which a minimum of 102 spaces shall be for the use of visitors. A minimum of 120 spaces shall be on the surface.
- (3) That Zoning By-law 20071 is repealed;
 - (4) That prior to the enactment of the Zoning By-law, the Director, Community Planning North District shall have granted site plan approval;
 - (5) That the conditions of the Works and Emergency Services – Development, Works and Emergency Services – Transportation, Economic Development Culture and Tourism, Fire Services Department, North Command and the Public Health Department attached as Schedules “G”, “H”, “I”, “J” and “K” be met, and;
 - (6) That the findings of a review of the proposed site plan and building plans, conducted by the Toronto Police Services in co-operation with community representatives be incorporated into the conditions of site plan approval.

Background:

Site Description

The site is located on the east side of Jane Street at Harding Avenue and is developed with an 18 storey apartment building and a separate one-storey grocery store. A restaurant and gas bar occupies the property immediately to the south, between the site and Trethewey Drive. To the south east and east are single detached homes and two high rise apartment buildings. Single detached dwellings are located on the north side of Harding Avenue with two high rise apartment buildings further north on the east side of Jane Street. Two mid- rise apartment buildings are located across Jane Street to the west. East of the existing apartment building is a mature stand of oak trees that provides amenity for the apartment building and for the existing houses on Tedder Street. A Community Vicinity Map is contained in Appendix 1.

The Proposal

Four new elements are proposed; an eight and seven storey apartment building at the corner of Jane Street and Harding Avenue, a seven storey apartment building in front of the existing grocery store with new retail stores in the base of both new buildings linked by a colonnade to the existing grocery store and 20 new condominium and freehold townhouse units proposed on the eastern portion of the property centred on the grove of existing, mature trees.

The site will ultimately contain 580 residential units, which breaks down as follows:

- the existing apartment building contains 324 units
- a 1999 approval by the Committee of Adjustment for an additional 18 units on the ground floor of the existing building which has subsequently been reduced to 16 units by the applicant
- 220 units in the two new apartment buildings
- 20 townhouses

A 158 square metre (1,700-sq. ft.) privately operated Daycare is proposed to be located on the ground floor of the existing apartment building. An outdoor playspace for the Daycare is proposed adjacent to the facility.

The two areas of open space proposed on the site include the stand of trees to be preserved and its associated open space and the playspace for the Daycare. These two areas are accessible from the new private road that is proposed from Harding Avenue and proceeding southerly through the site. Access to the at-grade retail uses and surface parking will be through one driveway off Jane Street. Access for the residential uses will continue to be the existing underground garage access located at Harding Avenue. Half of the residential visitor parking will be underground and the surface parking will be shared by patrons of the grocery store, the Daycare, the new ground floor retail uses and visitor parking for the apartment building. The Site Plan is shown on Schedule C and the trees to be protected are shown on Schedule D.

The pertinent statistics are shown below:

Project Element	Existing	Proposed	Total
Site area	2.23 ha. (5.52 ac.)	-	-
Frontage	152.93 metres	-	-
Lot depth	152.87 metres	-	-
Lot coverage	23.2%	8.4%	31.6%
FSI	1.26	1.07	2.3
Residential G.F.A.	26,004 M2	22,223 M2	48,227 M2
Residential Units	324	-two apt. bldgs. 220 -new units existing	580

		apt. bldg. -townhouses	16 20	
Daycare G.F.A	N/A	158 M2		158 M2
Restaurant G.F.A	55 M2	37 M2		37 M2
Retail G.F.A	2,248 M2 minus 794 M2 which is to be displaced	North bldg. 479 M2 South bldg. 993 M2		2,926 M2
Grocery Store	1,454 M2			
Parking provided	445	369		814
Total GFA		51,348 M2		

Community Consultation

Comments were received from the Black Creek Business Area Association and from residents who attended two community consultation meetings held on April 4, and June 1, 2000. The concerns include; compatibility of the proposed development with the existing character of the community, the intensity of the proposed development, traffic and parking impacts, loss of mature trees and safety.

The comments are that the proposed development is out of character with the area that, in their view, consists predominately of single detached housing. There is however, an acknowledgement of the existing apartment buildings in the community and, on the part of some representatives, that if there is to be development that it should be no higher than six storeys to remain more in keeping with the existing character of the community.

The residents view is that this community has experienced incremental infill development and that recreational facilities, school space and other social amenities have not kept pace with the approved new developments. People commented that the intensity of development would result in increased traffic volumes and that due to the amount of newly approved redevelopment in the area between the 401 and Eglinton Avenue that the existing transportation network would be unacceptably overloaded. Locally, the difficulty in making left hand turns from Harding Avenue onto Jane Street and cut-through traffic were identified as issues. There was objection to the loss of the mature trees and open space on the eastern portion of the property for the proposed townhouses. Comments indicated that the parking as proposed is insufficient and too removed from the retail uses. Residents of Harding Avenue indicated that they would be negatively affected by the underground garage entrance, which faces their dwellings, which will become busier. Residents of Tedder Street indicated they would be negatively affected by the grade differential, which emphasizes the three storey height of the proposed townhouses and may worsen an existing storm water runoff problem.

There is community concern about broader safety issues. The residents noted that the existing problem areas include the loading area behind the Food Basics store and the surface parking area on the site and it is the view that these are made worse by the proposed development. The loading area is made more secluded by the apartment building that is proposed in front of the Food Basic Store and the surface parking lot is no longer visible from Jane Street with the proposed "L" shaped residential building at the corner of Jane Street and Harding Avenue. It is

acknowledged that activity generated by the store loading area, the proposed Daycare and additional residences will promote safety during the day, however, and it is the view that these areas will be unsafe in the evening and night. The residents have requested that improved lighting, surveillance cameras and non-scalable, non-penetrable fencing be used.

The height, built form and intensity of the proposed development have been evaluated with respect to its compatibility with surrounding development and it is considered to be appropriate as described in the Official Plan and Site Plan sections below. Traffic and parking issues are discussed below. The Site Plan section below discusses safety issues and the preservation of the trees on the site.

Comments:

Official Plan

The site is identified as a Potential Reurbanization Area and is designated Arterial Corridor Area (ACA) in the Official Plan (see Schedule A). The ACA designation permits mixed use development including residential, commercial and institutional uses. Generally, a maximum density of 2.0 FSI is permitted and an FSI of up to 2.5 can be considered on sites located at major intersections which have sufficient depth to ensure impacts on low density residential uses are minimal. The height of new buildings shall be compatible in scale with adjacent development and shall generally be from 3 to 6 storeys. Additional building height, up to the planned right-of-way width of the arterial road may be used to define major street intersections where sites are deep enough to ensure that impacts on stable residential areas are minimized.

The intent of the Arterial Corridor Area designation is to promote integrated, mixed use developments which provide housing, retail and commercial services, opportunities for institutional uses, recreational uses and employment opportunities. This is based on the objectives of promoting mixed uses and of directing redevelopment to appropriate locations on major arterials. In 1994, Council of the former City of North York designated Arterial Corridor Areas across the former City including a corridor along Jane Street extending from Black Creek Drive to Trethewey Drive. The subject site was previously designated Commercial with a lower FSI and was included in the ACA designation because it abuts Jane Street and has a large site area that can accommodate redevelopment with minimal impacts on adjacent low density residential uses.

The application has been revised from what was originally submitted in response to staff and community concerns. The height of the proposed apartment building at the corner of Jane Street and Harding Avenue has been lowered from 14 storeys to eight and seven storeys with an additional apartment building of seven storeys to be located in front of the Grocery Store on Jane Street.

The proposed development fulfills the urban design principles for Arterial Corridor Areas contained in the Official Plan. These include a building massing which encourages pedestrian activity at the street, avoids front yard parking, provides generally continuous building facades and does not create significant shadow or overview impacts on adjacent residential uses. The

proposed building height will emphasize and define the street intersection of Jane and Harding, which is another urban design objective.

While the revised proposal slightly exceeds the height and density permitted in the Official Plan, the site size is suitable for what is proposed and the impact on adjacent uses is minimized through the site layout and design. The policies in the Official Plan provide for a height of three to six storeys as appropriate along certain arterials where the lot depth is sufficient and the site abuts major arterials. The proposed development consists of two new apartment buildings; an “L” shaped building at the corner of Jane Street and Harding Avenue with a height of eight storeys on the Harding Avenue frontage stepping down to seven storeys on the Jane Street frontage. This building contains one floor of retail uses on the ground floor at the Jane Street frontage. The eight storey portion of the building is 26 metres in height. This is less than the 30 metre planned right-of-way width of Jane Street.

The proposed height is acceptable because it will not negatively impact low density uses, which are located to the north, south-east and east of the site. The site has sufficient depth to accommodate the proposed height. The eight storey portion is to be stepped back from Harding Avenue in order to preserve a 45 degree angular plane, which will ensure sufficient sunlight on the north side of Harding Avenue.

The 20 townhouses are proposed as freehold and condominium and the tenure of the new apartment building is to be rental. The proposal meets Part C.4 - Housing Section 2.4.2 of the Official Plan which encourages diversity of tenure.

Public Benefits

Section 37 of the Planning Act allows municipalities to enter into agreements to secure public benefits in return for increases in height and/or density of development. The former City of North York Official Plan contains a policy that provides for the achievement of community benefits for residents in exchange for increases in height or density. At its meeting of August 1 – 3, 2000 City Council approved an Implementation Framework which sets out priorities for public benefits and the guidelines for negotiating such benefits. The range of benefits to be achieved include; heritage preservation, daycare facilities and affordable housing for developments which are over 10,000 square metres gross floor area.

For the development proposal at 1555 Jane Street, the density permitted under the Official Plan is 2.0 FSI and the applicant is requesting an increase to 2.3 FSI. The permitted height is a range of three to six storeys and the applicant is requesting a height of eight storeys. The applicant is proposing to retain the existing 324 unit apartment building which is currently rental and to build two new apartment buildings with a total of 220 units which are to be rental. The Implementation Framework takes into account the development of new, purpose-built rental accommodation which is proposed in this application. In addition to the rental housing, twenty townhouse units are proposed and they are to be freehold and condominium in tenure.

Affordable, rental housing is identified as a high priority, city-wide benefit in the Implementation Framework. Accordingly, staff has negotiated with the applicant and

recommend that the two new apartment buildings with 220 units be rental tenure and that the tenure secured for 25 years. To be recognized as a community benefit the rental units must be affordable as defined by the City. This means the initial rents have to be below the high-end threshold, which are shown in Chart 1 below.

Chart 1 - High End Rent Thresholds

Unit Type	High-End Rent Threshold
Bachelor	\$939
1-Bedroom	\$1,158
2-Bedroom	\$1,386
3-Bedroom	\$1,649

Additionally, in accordance with Council policy, the applicant has agreed to vacancy de-control for a five year period in order to maintain affordability. This means that rents would not be allowed to be raised beyond the Provincial guideline increase for a period of five years from first occupancy for all units in the two new apartment buildings. The applicant has agreed that the units will comply with the maximum unit sizes established by the province in order to be eligible under the Provincial Sales Tax Grant Program. Chart 2 below shows the unit size limits.

Chart 2 - Size Limits to Qualify for the Provincial Sales Tax Grant Program

Unit Type	Sq. metres	Sq. feet
Bachelor	46.45	500
1-Bedroom	60.40	650
2-Bedroom	79.00	850
3-Bedroom	92.90	1,000
4-Bedroom	111.50	1,200

In exchange for increased height and density it is recommended that rental tenure for the new apartment buildings be secured for 25 years and that the new units are affordable as defined by rent levels and size of unit. The public benefit to be secured, affordable rental housing, conforms to the Section 37 Implementation Framework approved by City Council.

Zoning

The site is zoned C2 - Local Shopping Centre which permits office, retail and service commercial uses (see Schedule B). Site specific zoning By-law 20071 permits a grocery store and an 18 storey apartment building. In 1999 the Committee of Adjustment approved a variance to permit a one-storey, 57 square metre addition to the existing food retail store and the conversion of the existing retail space on the ground floor of the apartment building into 18 residential units. The present application proposes 16 units rather than 18 units in order to accommodate a Daycare on the ground floor.

The proposed zoning amendment permits all the existing and proposed uses on the site. This includes all retail, service commercial and office uses which are permitted in the General Commercial Zone (C1) as well as a Day Nursery. The two new residential apartment buildings and the 16 units already approved on the ground floor of the existing apartment building are permitted as well as the 20 townhouse units on the eastern portion of the property.

Site Plan Considerations

The proposed development can be described as “tower in the parking lot” due to the paved, surface parking surrounding the high rise apartment building and Food Basics grocery store. Other than peak hours the parking lot is underutilized leaving an expanse of empty paved space fronting Jane Street (see photograph below). The development that is proposed will improve the appearance of this site with new mid-rise apartment buildings in an “L” shape at the corner of Jane Street and Harding Avenue, bringing a building frontage with retail uses to Jane Street and the corner of Harding Avenue. The retail uses with residential above will provide more pedestrian activity and surveillance on Jane Street.



taken from Jane Street looking east toward the apartment building at 1555 Jane Street

The proposed development incorporates principles of “Crime Prevention through Urban Design” where “eyes on the street” or surveillance is increased through the addition of more uses which generates more activity and people on the site. Community groups have identified three problem areas on the site; the loading area behind the Food Basics Grocery Store, the central surface parking lot which will be enclosed on two sides by the new “L” shaped apartment building and the proposed Daycare Facility in the existing apartment building at the end adjacent to the Food Basics grocery store loading area.

The loading space behind the Food Basics grocery store is a known area for drug related crime. The fence at the property line is continually cut through and is also climbed for escape from police. The residents indicate that the proposed seven storey apartment building in front of the Food Basics grocery store will further block the view from Jane Street into the Food Basics grocery store loading area. It is the view of staff that through additional development, including a proposed Daycare, more pedestrian and shopping activity will be generated, at least during the day. Residents note that most of the undesirable activity will occur after dark and also note that there is the potential for remnant drug paraphernalia to be left littering the proposed Daycare area. Improved lighting, fencing and surveillance cameras to be considered through a Safety Audit as described below will help to deter crime at night in this area. The building that is proposed in front of the existing "Food Basics" store will be located abutting the property line and fence so there is no opportunity for an escape route from police.

While the new "L" shaped apartment building proposed at the corner of Jane Street and Harding Avenue will block the formerly open view of the internal surface parking lot from Jane Street, windows of the new residential units will face onto the lot and additional retail and people generated by the proposed development will increase safety through more "eyes on the street".

The townhouses that are proposed on the eastern portion of the site will bring more people and activity and an "around-the-clock" public presence to the open space behind the existing apartment building.

Toronto Police Services, through the Community Police Liaison Committee (CPLC) will provide comments on the proposed site plan and building plans with respect to safety. The CPLC is comprised of resident and business representatives and have undertaken other safety audits in the community in the past. The review will identify unsafe conditions and where potential criminal activity could occur and make recommendations on design and safety features. The interior layout of ground floor corridors, stairwells and entry points, whether increased lighting is required, the need for security camera surveillance, improvements to fencing and safety measures for underground parking will be considered.

Three rows of townhomes are proposed on the eastern portion of the site; one row fronting onto Harding Avenue and the other two rows fronting onto the mature stand of trees and open space in the centre of the site (see Schedule "C" – Site Plan). The proposal has been evaluated with respect to the draft "Guidelines for Infill Townhouses" released in February 2000. The townhouses which front Harding Avenue meet the requirement that new development use existing public streets for address. A private street provides access to the remaining townhouse units and the outdoor amenity space on the site but will conform to City standards and be publicly accessible at all times. The townhouses fronting onto Harding Avenue are 6 metres in width and, with respect to the draft guidelines, are the minimum width needed to permit front yard parking and garages.

There are two significant areas of vegetation on this site; one area along the east property line consisting of Manitoba Maples and Siberian Elms and a stand of Red Oak in the centre of the eastern portion of the site. In order to preserve the majority of these trees, the number of townhouses proposed has been decreased from 28 to 20 and the site plan has been reconfigured

to maintain the trees by clustering the townhouse units at each end of the tree stand. The proposed underground garage extends under some of the trees to be protected. Measures to protect the trees during construction of the development and afterward will be secured through site plan approval as well as an agreement to replace any trees that are damaged or destroyed. The City Arborist concurs that the trees, which the applicant is showing to be preserved, are the most significant and healthy trees. A Plan showing the trees to be protected is contained in Schedule "D".

Transportation Considerations

Transportation considerations included assessing the traffic impact, and parking associated with the proposed mixed use development and included a review of Traffic and Parking submissions (March 2000) prepared by the applicant's transportation consultant Marshall Macklin Monaghan. Transportation related concerns raised as part of the community consultation are addressed as part of this review.

Traffic

The site is well served by a high capacity transportation system that includes Jane Street, a major north-south arterial, with connections to Black Creek Drive/ Highway 401. Surface transit is also available to complement the system. The proposed development, in mixing commercial, daycare and residential uses, serves in part to balance travel demand. The Traffic Impact Study considered development in the immediate area as well as background traffic reflecting increases in traffic associated with general corridor growth. Vehicular traffic associated with the proposed development can be accommodated on the area road network with local intersections operating at acceptable levels of service.

Parking

It is recommended that a total of 812 parking spaces be provided of which a minimum of 102 spaces shall be for visitors. A minimum of 120 spaces shall be on the surface. The parking recommendations were based on comprehensive assessment of development's existing and proposed parking and review of a Parking Study (February 2000) prepared by Marshall Macklin Monaghan and site statistics prepared by the Kirkland Partnership (August 2000).

Consideration of grandfathering parking requirements for existing development necessitated deriving parking in the context of governing by-law(s). A review of the required parking in light of a refined breakdown of existing uses indicates that the governing by-law would yield a total of 445 spaces.

In deriving the parking requirements for the proposed uses, the consultant's report conforms to By-Law 7625 for the retail and daycare uses and proposes parking at 1.25 spaces per unit for apartment units. By-law 7625 requirements for apartment units is 1.5 spaces. Consideration of a reduced parking standard for the apartment units was reviewed in light of the opportunity for shared parking between commercial and residential uses, accessibility to surface transit and

parking requirements in other areas of the City of Toronto that distinguish by household type and tenure.

Accordingly, the recommended parking requirements for the proposed development are as per By-Law 7625 with the exception of apartment units, which are at 1.25 spaces per unit. Included is a minimum number of visitor parking spaces reflecting .25 spaces per unit for new units.

The existing parking supply is contained in an underground parking structure and a surface lot that is shared between the existing apartment building along with ground floor retail and a grocery store. The proposed parking scheme includes retaining the existing garage with modifications, providing a new underground parking garage and a reduced surface parking area. A parking utilization analysis undertaken as part of the parking study indicates that there is demand for surface parking. Accordingly a minimum surface parking area of 120 spaces should be maintained.

Conclusions:

The proposed development meets the intent of the Official Plan and provides affordable, rental housing as a public benefit as identified in the Implementation Framework for Section 37. The Official Plan and Zoning By-law amendments are recommended for approval.

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List of Attachments: (on file)

Appendices

Appendix 1 – Community Vicinity Map

Schedules

- A Official Plan Map
- B Zoning Map
- C Site Plan
- D Trees to be protected
- E Elevations
- F Schedule RM6 (101) to By-law
- G Works and Emergency Services, Development Services
- H Works and Emergency Services, Transportation Services

I Economic Development, Culture and Tourism
J Fire Services Department, North Command
K Public Health Department
L Toronto Catholic District School Board
M Toronto Hydro
N City of Toronto, Community Planning, West District
O City of Toronto, Municipal Licensing and Standards
P Public Hearing Notice