

TORONTO STAFF REPORT

April 20, 2006

To: Toronto and East York Community Council

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

Subject: Preliminary Report
OPA & Rezoning Application 06 114921 STE 27 OZ
Applicant: Calvin Lantz, McCarthy Tetrault LLP
Architect: Page + Steele Architects Planners
1233 Yonge Street and 9 Woodlawn Avenue East
Ward 27 - Toronto Centre-Rosedale

Purpose:

To provide preliminary information on the above-noted applications and to seek Community Council's directions on further processing of the application and on the community consultation process.

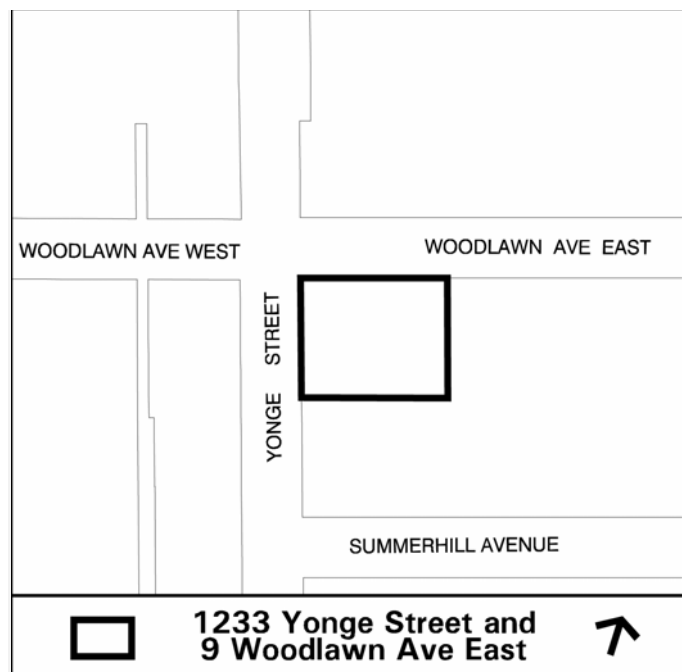
Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that:

- (1) staff be directed to schedule a community consultation meeting together with the Ward Councillor;
- (2) notice for the community consultation meeting be given to landowners and residents within 120 metres of the site; and



- (3) notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act.

Background:

In 1991, the City of Toronto granted approval for a four-storey mixed-use building at 9 Woodlawn Avenue East (excluding 1233 Yonge Street). As this proposal was never realized, the Development Agreements for the property have now been released, allowing this application to proceed unencumbered.

Comments:

Proposal

The applicant proposes a nine-storey building containing a total of 103 units, of which 14 are proposed to be rental and the remainder, condominium tenure. At the ground level, retail uses would front onto Yonge Street and three rental live-work units would face Woodlawn Avenue East. The proposed height of the building is 28 metres; the proposed gross floor area is 10,629 m² at a density of 5.6 times the area of the lot. A total of 104 parking spaces (87 for residents and 17 for visitors) are proposed in three underground parking levels to be accessed from Woodlawn Avenue East. More detailed information about the proposal is contained in the Application Data Sheet (Attachment 1).

Site Description

The site is located on the southeast corner of Yonge Street and Woodlawn Avenue East. According to information submitted by the applicant, the combined properties total approximately 1907.4 m² in area. There is currently a three-storey apartment building containing 40 rental units at 1233 Yonge Street and a 2½-storey houseform building containing two commercial units and one dwelling unit at 9 Woodlawn Avenue East.

The following uses surround the site:

North: a 2½-storey commercial building and a 3½-storey commercial building on the block north of Woodlawn Avenue;

South: a 4-storey converted residential building with retail uses at grade;

East: a 30-metre wide parcel of land comprising the TTC Yonge subway right-of-way;

West: 2 and 3-storey retail stores along Yonge Street and an 8½-storey commercial office building at the northwest corner of Yonge and Woodlawn Avenue West.

Official Plan of former Metropolitan Toronto (Metroplan)

Metroplan identifies Yonge Street as a Metropolitan Corridor as well as a Metropolitan Rapid Transit Line. The site is located just south of the Yonge-St. Clair Intermediate Centre. Metroplan encourages the efficient use of land, infrastructure and other services within Centres and along Corridors, through intensification that creates a safe, comfortable and accessible public realm, and provides a transition in scale from new development to the surrounding area.

Former City of Toronto Official Plan

The Part I Official Plan shows two designations for this site. The majority of the site is designated Low Density Mixed Commercial-Residential Area. This designation contemplates a mix of commercial, residential and institutional uses in low-rise form, generally within the range of 3 to 5 storeys and with a density up to 3.0 times the area of the lot. The northwest portion of the site is identified as a Natural Area, reflecting the Lake Iroquois shoreline escarpment.

The Yonge-St. Clair Part II Plan prevails over the Part I Plan in the case of conflict between the two. Within the Part II Plan, the site forms part of the Yonge Street strip extending south from St. Clair Avenue, for which lower density “Main Street type” development is contemplated by Section 2.1(e). New development in this mixed commercial-residential area is guided by a series of principles to ensure the maintenance of adjacent Residential Areas and to improve Yonge Street as a public space. To achieve this, the Part II Plan calls for properties fronting onto Yonge Street to be set back 3 metres from the property line. The Plan also sets standards for a minimum 5 hours of sunlight around solar noon on one sidewalk during the period of March 21st-September 21st.

Redevelopment of this site in excess of existing permitted height and/or density limits may be considered subject to a number of design-related criteria, including:

- the provision of grade-related residential units and entrances on side streets;
- the minimization of curb cuts and internalization of parking/loading areas;
- an active, comfortable and safe pedestrian access on all streets;
- the use of stepbacks, recesses and lower scale elements where appropriate;
- setbacks on streets flanking Yonge Street;
- appropriate transition to adjacent houseform buildings;
- design and massing to reflect the change in topography on Yonge Street;
- architectural quality and detail on exposed rear facades and walls; and
- entrances on Yonge Street from the public sidewalk.

The Part II Plan contemplates increases in building heights up to 21 metres provided that the building complies with the above-noted policies and design principles.

For that portion of the site that is a privately-owned Natural Area, any development permitted in a Low Density Mixed Commercial-Residential Area may be considered subject to the environmental policies of the Part I Official Plan, which may require the completion of an environmental impact study.

New Toronto Official Plan

At its meeting of November 26-28, 2002, City Council adopted the new Official Plan for the City of Toronto. The Minister of Municipal Affairs and Housing approved the new Plan, in part, with modifications. The Minister's decision has been appealed in its entirety. The Official Plan is now before the Ontario Municipal Board. The hearing commenced on June 13, 2005 and will continue on June 5, 2006.

Once the Plan comes into full force and effect, it will designate the site a Mixed Use Area. The Natural Area designation will no longer apply to this site or lands in the immediate vicinity. The site also forms part of the Yonge-St. Clair Secondary Plan, whose policies and principles pertaining to height and built form have largely been carried forward from the former City of Toronto Yonge-St. Clair Part II Plan. The Secondary Plan designates this site as part of Mixed Use Area C. Development objectives in Mixed Use Areas include creating a comfortable and spacious impression of Yonge Street through the location and massing of buildings to provide wide sidewalks and landscaped pedestrian space, in accordance with the criteria discussed above.

Zoning

In the former City of Toronto Zoning By-law 438-86, the site is zoned MCR T3.0 C2.0 R2.5. This is a mixed-use designation that permits development up to 3.0 times the area of the lot, of which a maximum of 2.0 times may be non-residential and/or a maximum of 2.5 times may be residential. The maximum permitted height is 16.0 metres.

Site Plan Control

Site Plan Approval is required; an application has not been filed at this time.

Tree Preservation

According to the applicant's Arborist's Report, there are 19 trees on site, of which 14 are protected by the City Street Tree and Private Tree By-laws. Of these 14 trees, five are City-owned, located within the municipal road allowance along Woodlawn Avenue East. In total, the proposal would necessitate the removal of 17 trees, the transplanting of one tree and the preservation of one tree.

Reasons for the Application

The proposed development does not comply with certain policies contained in the Official Plan and Zoning By-law, in particular as they relate to height and density. At 9 storeys and 28 metres in height, the proposal exceeds the maximum 16-metre height limit permitted by the Zoning By-law, as well as the maximum 21-metre height limit contemplated by the Yonge-St. Clair Part II Plan and Secondary Plan. The proposed density of 5.6 times the lot area exceeds the maximum total 3.0 times permitted by the Zoning By-law, notwithstanding the mix of uses. Buildings staff will be reviewing the proposal for other areas of non-compliance with the Zoning By-law.

Issues to be Resolved

Rental Housing Protection

Protection of rental units, and in particular affordable rental units, is a high priority for the City of Toronto as outlined in the Metropolitan Official Plan, the in-force former City of Toronto Official Plan and the new Toronto Official Plan. The policies contained in these plans equip the City to meet the requirements under the *Planning Act* to provide a full range of housing types to meet the needs of current and future residents of the City of Toronto.

This application involves the demolition of 40 rental units in the existing building. The proposed building would replace only 14 rental units on-site. The replacement of fewer than 100% of the rental units that are in the affordable or mid-range rent categories would not be in conformity with Official Plan policies. A Housing Issues Study has been requested by staff but has not yet been received.

Setbacks/Sunlight Standards

The Yonge-St. Clair Part II Plan and Secondary Plan provide setback requirements and sunlight standards for developments on the east side of Yonge Street. The proposed building is set back 1.8 metres from its Yonge Street property line, where a 3 metre setback is required. In preliminary discussions with the applicant, Planning staff had indicated that an appropriate setback would be needed to provide an adequate transition from the generously set back buildings on the north side of Woodlawn Avenue to the four-storey condominium building to the south, which is built with a minimal setback from the Yonge property line. Staff will also review sun/shadow studies to determine the impact of the proposed building on sunlight standards.

Height/Density

The proposal represents a mid-rise form of development that can be considered for this location on the Yonge Street corridor, provided certain design criteria are met to enhance the pedestrian realm and provide transition to the neighbouring context. Recent developments on Yonge Street, between this site and St. Clair Avenue, are comparable examples. Though the building form is generally in keeping with the character of the broader area, the potential impact of the proposed additional height and density beyond that contemplated by the Official Plan and Zoning By-law will need to be considered.

Heritage

The site is located within an area that may be considered for a Heritage Conservation District study, initiated by the Rosedale Main Street Business Improvement Area. To date, the BIA has not come to a conclusion whether to pursue the study.

Section 37 of the *Planning Act*

The Official Plan contains policies pertaining to the exchange of public benefits for increased height and density for new developments, pursuant to Section 37 of the *Planning Act*. The applicant has been made aware that the City intends to apply Section 37 policies to this proposal.

Conclusions:

Planning staff will further review the application to address the issues noted above, as well as other issues that may arise. Staff recommend a consultation meeting with the community, to include notification of the existing tenants, in late May-early June 2006.

Contact:

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Gary Wright
Director, Community Planning, Toronto and East York District

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List of Attachments:

Attachment 1: Application Data Sheet
Attachment 2: Official Plan
Attachment 3: Zoning
Attachment 4: Site Plan (as submitted by applicant)
Attachments 5-8: Elevations (as submitted by applicant)

Attachment 1: Application Data Sheet

Application Type: Official Plan Amendment & Rezoning Application Number: 06 114921 STE 27 OZ
Details: OPA & Rezoning, Standard Application Date: March 6, 2006

Municipal Address: 1233 YONGE ST, TORONTO ON
Location Description: PL 346E LTS 6 TO 9 **GRID S2702
Project Description: 9-storey mixed-use building with 103 dwelling units & retail at grade.

Applicant: MCCARTHY TETRAULT LLP CALVIN LANTZ	Agent:	Architect: PAGE + STEELE ARCHITECTS	Owner: YONGE WOODLAWN DEVELOPMENT
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PLANNING CONTROLS

Official Plan Designation:	Special Commerce Area	Site Specific Provision:	
Zoning:	MCR T3.0 C2.0 R2.5	Historical Status:	n/a
Height Limit (m):	16	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	1907.4	Height: Storeys:	9
Frontage (m):	39.6	Metres:	27.97
Depth (m):	0		
Total Ground Floor Area (sq. m):	1080		Total
Total Residential GFA (sq. m):	10227	Parking Spaces:	104
Total Non-Residential GFA (sq. m):	402	Loading Docks	1
Total GFA (sq. m):	10629		
Lot Coverage Ratio (%):	56.1		
Floor Space Index:	5.57		

DWELLING UNITS

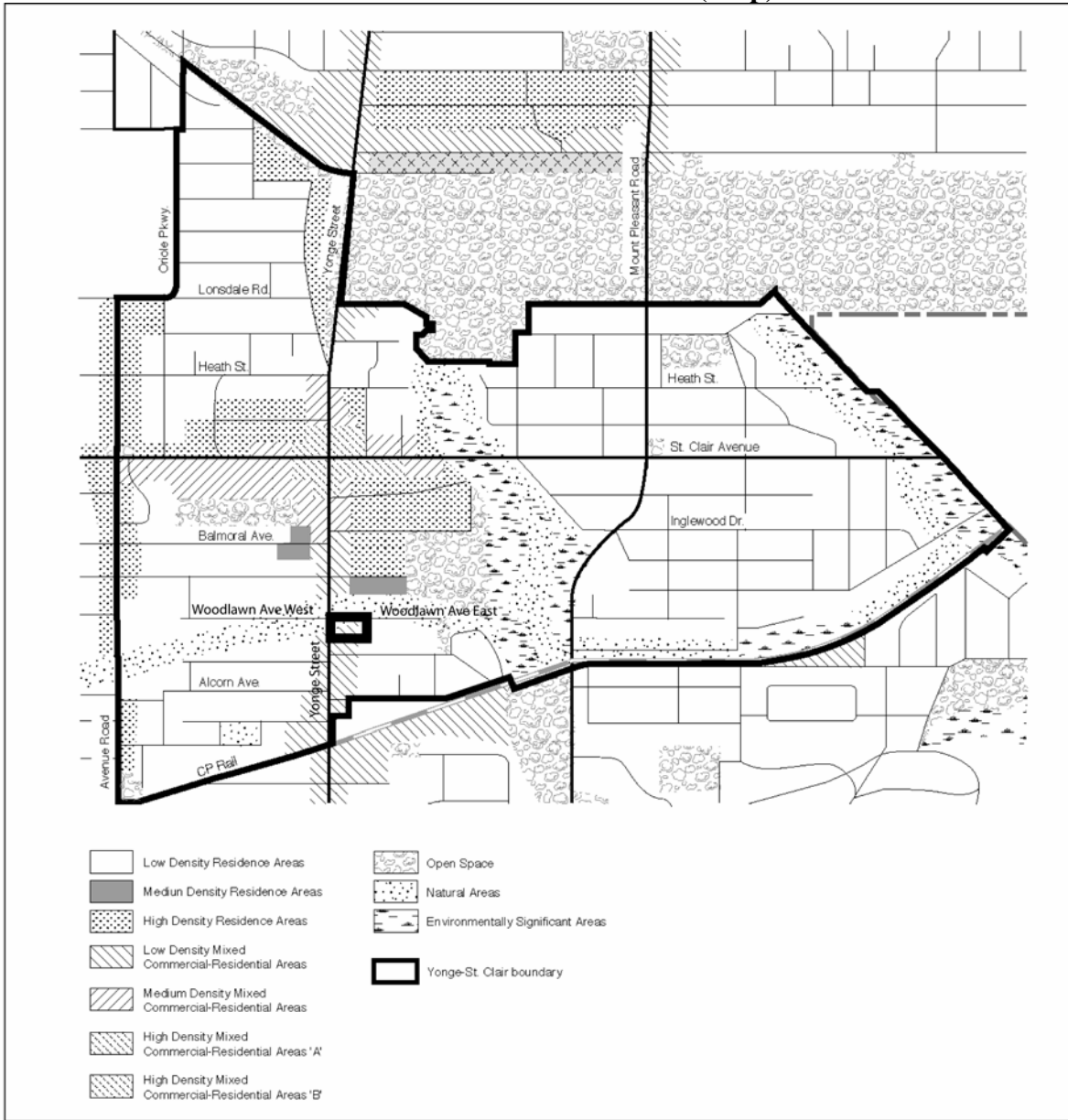
Tenure Type:	Rental, Condo
Rooms:	0
Bachelor:	12
1 Bedroom:	40
2 Bedroom:	51
3 + Bedroom:	0
Total Units:	103

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	10227	0
Retail GFA (sq. m):	402	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

CONTACT: **PLANNER NAME:** **Melanie Melnyk, Planner**
TELEPHONE: **(416) 338-5747**

Attachment 2: Official Plan (Map)



Toronto Urban Development Services
Official Plan

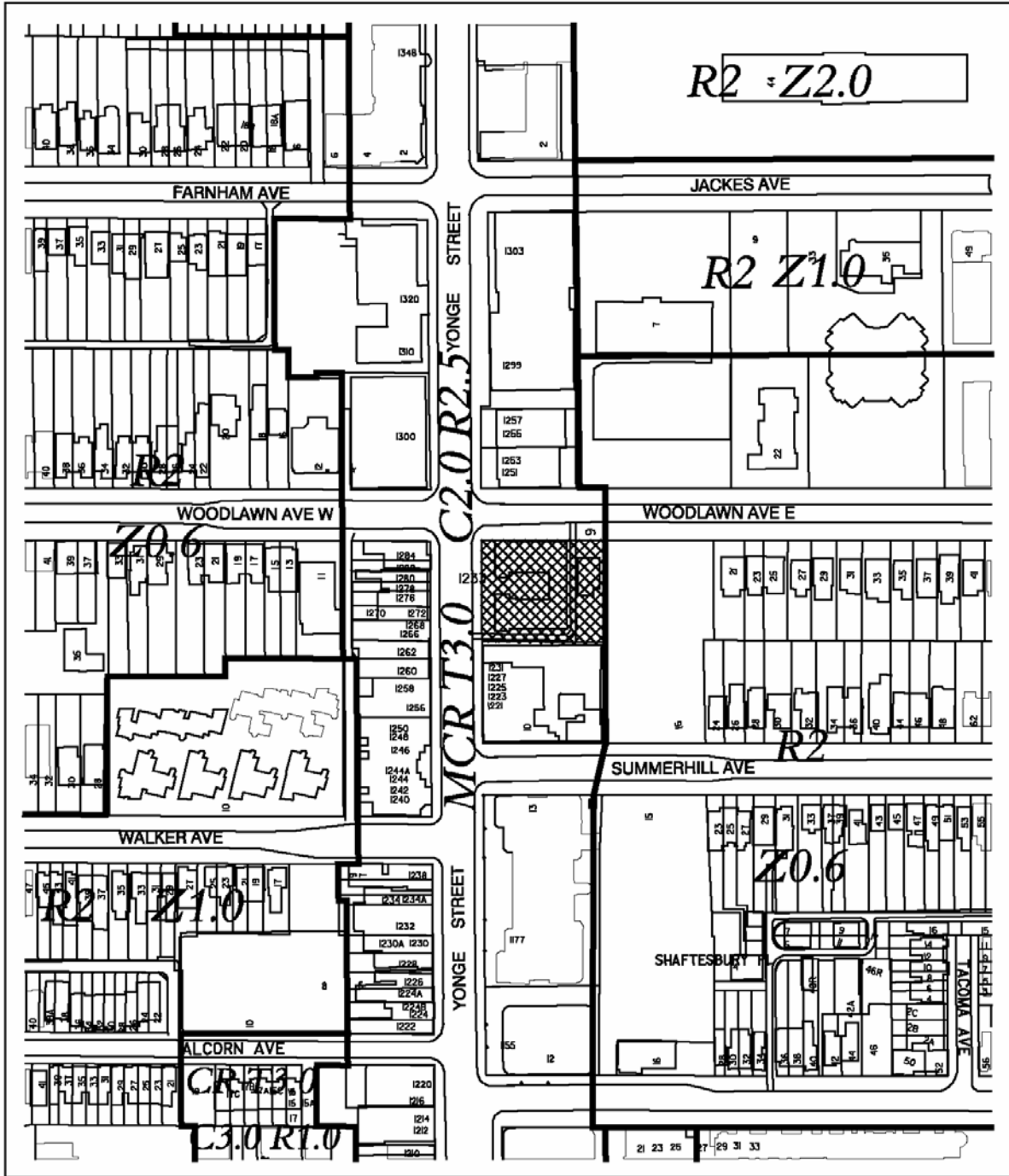
**1233 Yonge Street
and 9 Woodlawn Avenue East**

File # 06_114921

 Site


Not to Scale
04/20/06

Attachment 3: Zoning (Map)



1233 Yonge Street and 9 Woodlawn Ave. East

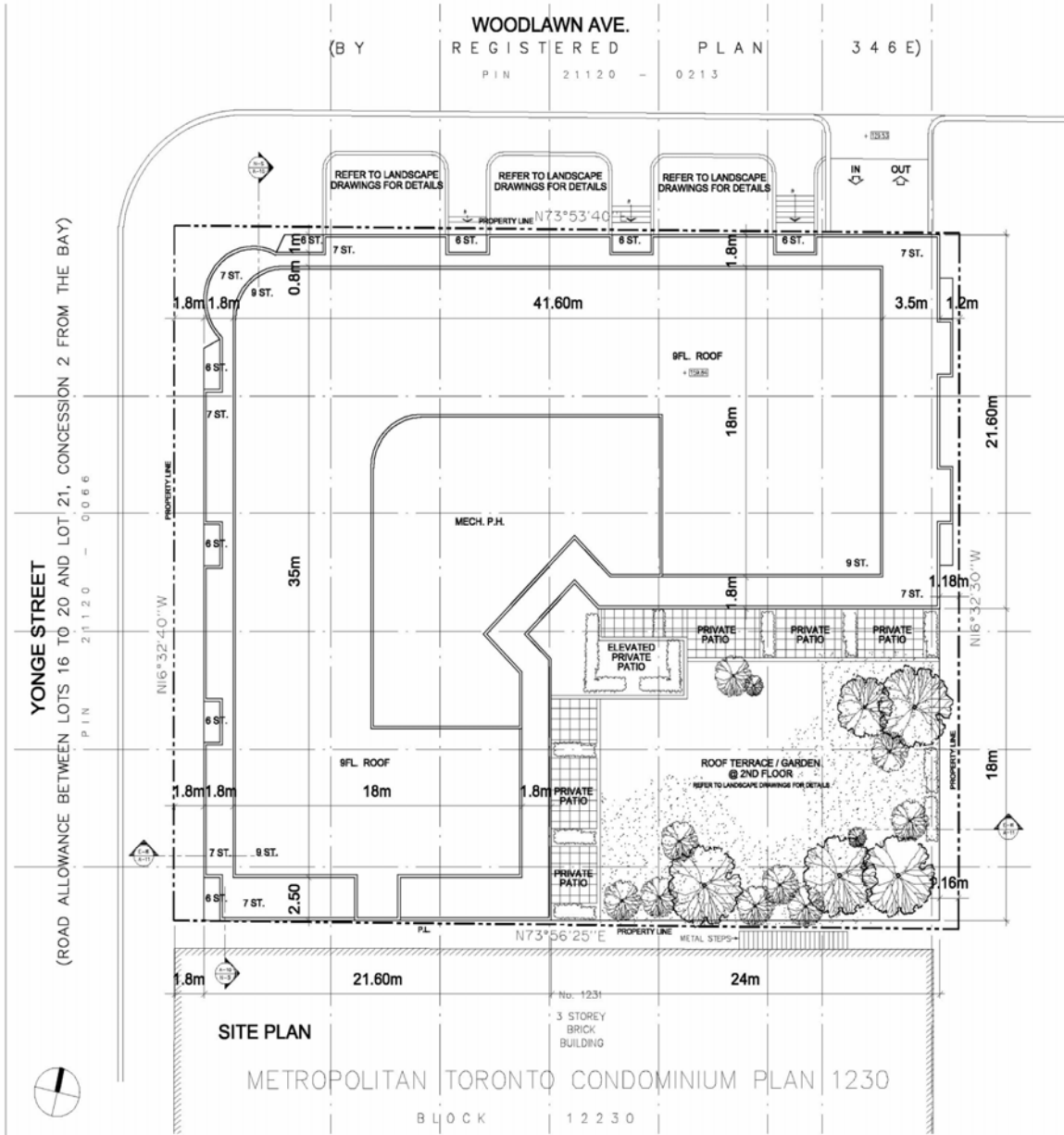
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- R2 Residential District
- CR Mixed-Use District
- MCR Mixed-Use District



Not to Scale
Zoning By-law 438-86 as amended
Extracted 04/18/2006 - JC

Attachment 4: Site Plan



Site Plan

Applicant's Submitted Drawing

Not to Scale
04/20/06



1233 Yonge Street
and 9 Woodlawn Avenue East

File # 06_114921

Attachment 5: North Elevation



North Elevation

1233 Yonge Street
9 Woodlawn Avenue East

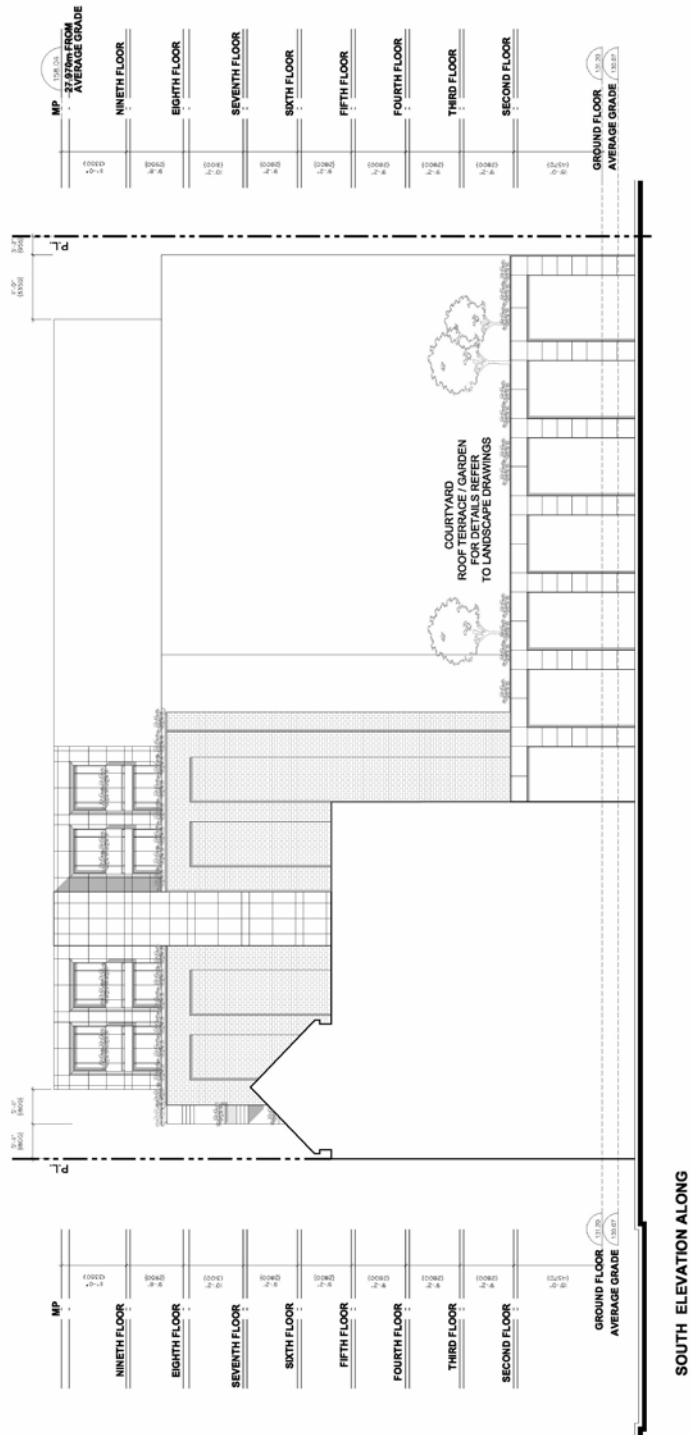
File # 06 114921

Elevations

Applicant's Submitted Drawing

Not to Scale
04/20/06

Attachment 6: South Elevation



South Elevation

Elevations

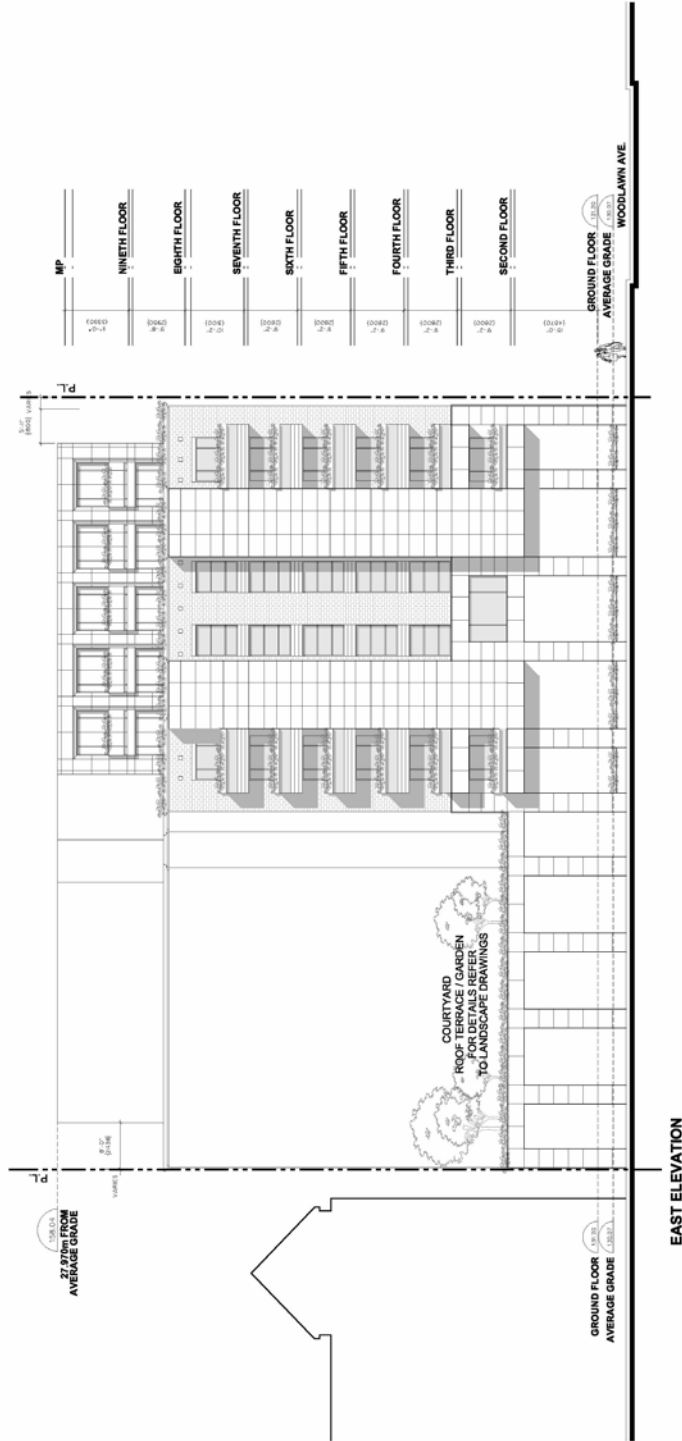
Applicant's Submitted Drawing

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1233 Yonge Street
9 Woodlawn Avenue East

File # 06 114921

Attachment 7: East Elevation



East Elevation

Elevations

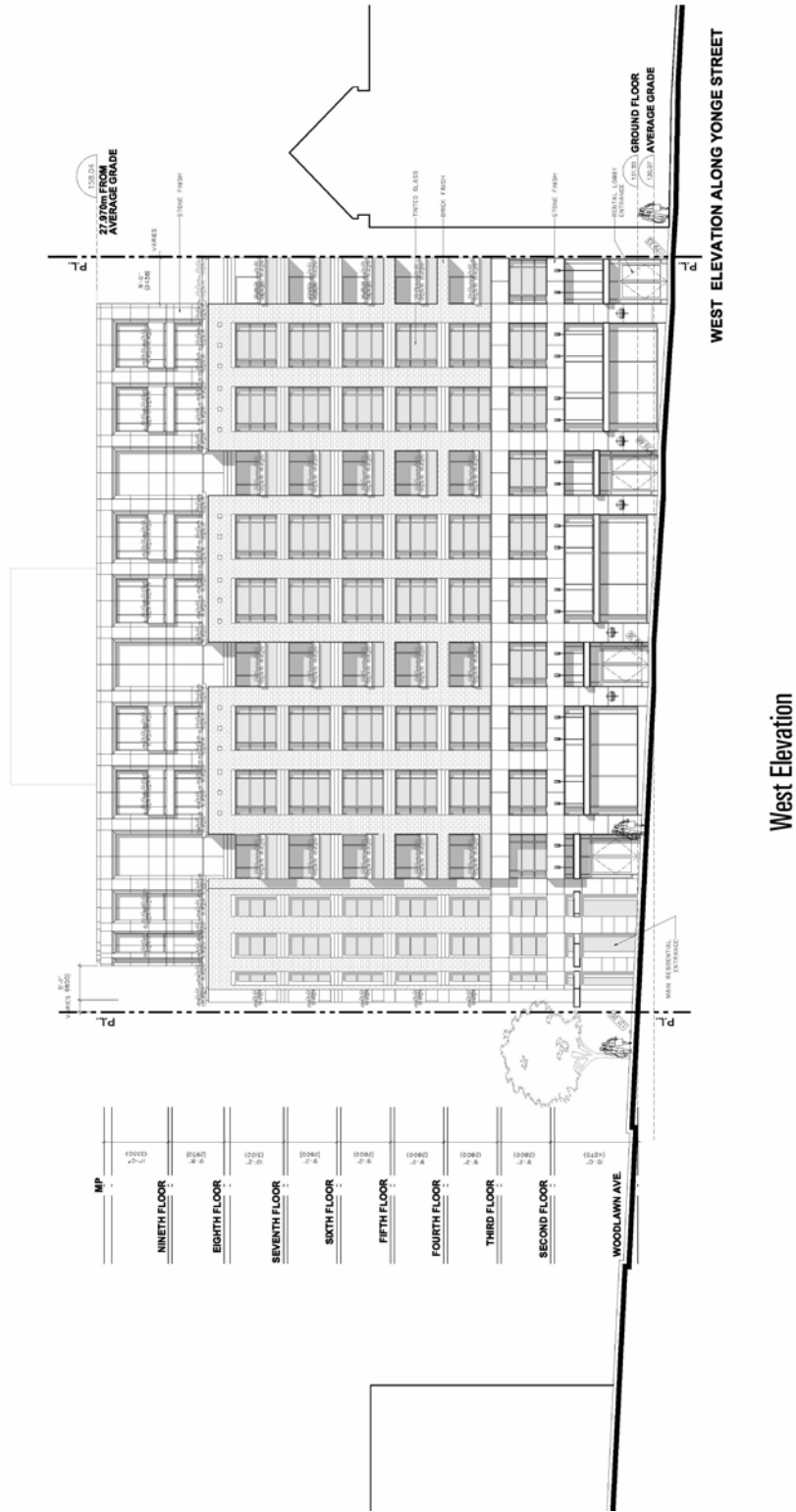
Applicant's Submitted Drawing

Not to Scale
04/20/06

1233 Yonge Street
9 Woodlawn Avenue East

File # 06 114921

Attachment 8: West Elevation



Elevations
 Applicant's Submitted Drawing
 Not to Scale
 04/20/06

1233 Yonge Street
9 Woodlawn Avenue East
 File # 06 114921