

**Preliminary Report
Zoning By-law Amendment and Site Plan Control
Applications
5270 – 5290 Yonge Street**

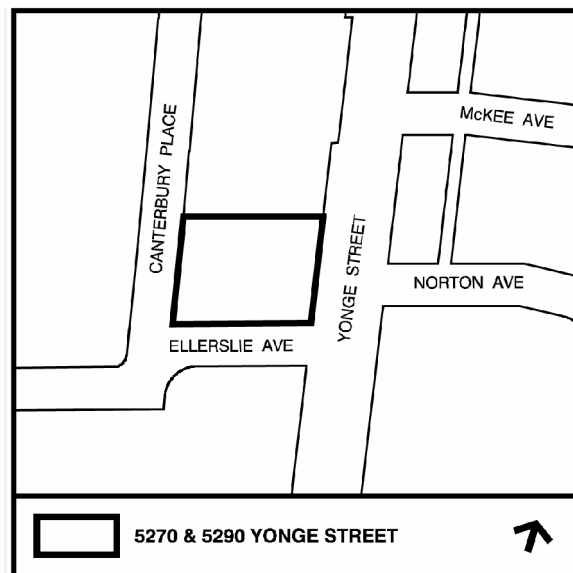
Date:	January 29, 2007
To:	North York District Community Council
From:	Director, Community Planning, North York District
Wards:	Ward No. 23 – Willowdale
Reference Number:	File No. 06 144386 NNY 23 OZ & 06 144417 NNY 23 SA

SUMMARY

An application has been submitted to amend the site specific zoning for 5270-5290 Yonge Street to permit a mixed use project consisting of a 3-storey commercial building fronting onto Yonge Street, with a 17-storey, 165-suite retirement residence fronting onto Canterbury Place.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process.

Staff will schedule a community consultation meeting together with the local Councillor and a subsequent Public meeting. It is expected that a Final Report can be completed in the second quarter of 2007 provided that any required information is provided by the applicant in a timely manner.



RECOMMENDATIONS

The City Planning Division recommends 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 of the *Planning Act*.

FINANCIAL IMPACT

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

DECISION HISTORY

In November 2001, Toronto City Council approved a site specific Zoning By-law to permit a 20 storey apartment building containing 140 condominium units with a 3-storey non-residential podium containing at grade retail space, a financial institution and a density incentive of up to 2,578m² for a social facility for the subject lands.

In 2003, the applicant filed an application to amend the Official Plan as it pertained to the social facility incentive provisions as outlined in the staff Final Report. The applicant subsequently appealed the application to the Ontario Municipal Board, which in a decision of February 2005, upheld the policies of the North York Centre Secondary Plan.

ISSUE BACKGROUND

Proposal

The proposal is to amend the current site specific zoning, which permits a 20 storey 140 unit condominium building with a three storey commercial podium, to permit a mixed use project consisting of a 17 storey, 165 suite retirement residence on the western portion of the site and a three storey commercial building on the Yonge Street portion. The proposal consists of a total of 14,658 m² of Gross Floor Area (gfa); 2,461.9m² for commercial uses and 12,197m² for residential uses, and a building height of 58.8 metres (17 stories). The proposed density of the project is 4.4 FSI.

The applicant has also requested an amendment to the site specific By-law with respect to the density incentives, to direct the monetary contribution incentives towards the City's

acquisition of lands for the service road and/or the construction of a public recreational centre servicing the North York Centre, rather than providing on-site social facility space.

Vehicular access for pick-up and drop-off for the proposed residential building will be from Canterbury Place. Both buildings would be served by a one-level below grade parking garage with a total of 75 parking spaces accessed through a common ramp entrance located on the north side of Ellerslie Avenue. Five additional surface parking spaces located at grade for the exclusive use of DUCA customers is also being proposed. Space for 22 lockers for the residential component of the site would be provided in the below grade garage. A common refuse pick-up and loading area accessed from Canterbury Place is also proposed.

Site and Surrounding Area

The site has a frontage of 50 metres along the east side of Yonge Street, just north of Ellerslie Avenue. The 3335.5 m² site is presently occupied by the Head Office of the DUCA Financial Services Credit Union on the northern portion of the site and a two storey commercial building containing a restaurant located on the southeast corner of the site.

North: Low rise commercial uses are located north of the site along Yonge Street;

South: Low rise commercial uses are located south of Ellerslie Avenue along Yonge Street;

East: Across Yonge Street south of Norton Avenue is located a 15 storey commercial office building, with 2 storey commercial buildings along Yonge Street north of Norton Avenue; and

West: A police station is located across from the site on the west side of Canterbury Place and further north is located a fire station.

Provincial Policy Statement

The *Planning Act* requires decisions under the Act to be consistent with the Provincial Policy Statement. The Provincial Policy Statement (2005) includes policies to manage and direct land use to achieve efficient development and land use patterns. The Provincial Policy Statement also requires that a range of housing types and densities be provided to meet the social, health and well-being requirements of all residents, including those with special need requirements. The Policy promotes intensification and redevelopment opportunities that allow for the efficient use of land, infrastructure and public services, including public transit.

Official Plan

On July 6, 2006, the Ontario Municipal Board issued Order No. 1928, bringing the majority of the new Official Plan into force and effect, including the North York Centre Secondary Plan. The Order also repealed most of the policies of the City of North York Official Plan and Metro Plan that were previously in effect.

The site is designated “Mixed Use Area G” within the North York Centre Secondary Plan. This designation permits commercial, institutional uses that are not predominately offices, residential, public parks and recreational uses. The maximum permitted density on the site is 3.75 FSI provided that the total of all commercial uses on the site does not exceed 20% of the maximum permitted gross floor area. The North York Centre Secondary Plan also allows for a maximum height on the subject lands of 87 metres above grade.

The North York Centre Secondary Plan also allows additional density incentives to a maximum not exceeding 33% of the maximum permitted density or 4.98 FSI. In exchange for additional density, the City may accept a monetary contribution for the provision of public recreation centres, social facilities, or to be used towards the cost of acquiring land necessary for completion of the service road and associated road network and buffer areas. The amount of the monetary contribution will be equal to the market value of the additional gross floor area obtained, based on land market value in the North York Centre, as determined by the Director of Real Estate Services.

The Secondary Plan also has specific policies with respect to Urban Design and parking requirements.

Zoning

As noted above, this site was rezoned in 2001, to permit a 20 storey mixed use building containing 140 residential units and commercial uses on the lower floors.

This zoning, Multiple-Family Dwellings Sixth Density Zone RM6 (105), permits the following uses: apartment house dwellings; apartment hotels; assembly halls; automatic laundry shops; banquet halls; business and professional offices; clubs; commercial schools; day nursery; dry-cleaning and laundry collection establishments; financial institutions; personal service shops; private recreational amenity areas; professional medical offices; rental agencies; restaurants; restaurant with outdoor patio; retail stores; service shops; studios; social facility.

This site-specific zoning By-law permits a total of 13,004m² of gfa and a height of 81 m., with a minimum of 190 parking spaces.

Site Plan Control

The applicant has submitted a concurrent site plan control application (06 144417 NNY 23 SA). The approval of this site plan control application will be required prior to the issuance of building permits for the proposed development. The applicant will also be required to enter into a Site Plan Control Agreement.

Reasons for the Application

The applicant has proposed a revision to the development of the site originally approved by City Council in 2001. There have been changes to the design of the DUCA Financial Services building, particularly with regard to the Yonge Street façade and colonnade. This application also proposes to develop a 17 storey, 165-suite retirement home on the westerly portion of the site instead of the originally approved 20-storey condominium apartment building.

The proposed retirement suites will not have individual kitchen facilities. All retirement home residents will be served by a common kitchen and dining area located at the base of the building.

The proposal is not amending the height or building envelope that was previously approved. Requested changes to the site specific By-law include:

1. A revised density incentive to provide a monetary contribution towards the City's acquisition of lands for the service road and/or the construction of a public recreational centre servicing the North York Centre, rather than an on-site social facility;
2. A reduction in parking from the previously approved minimum supply of 190 spaces to a proposed supply of 80 parking spaces in this proposal; and
3. Provision for a retirement home as a permitted use.

COMMENTS

Issues to be Resolved

The following issues need to be resolved in addition to any concerns identified through the community consultation process and the processing of this application:

1. Determination of the amount of monetary contribution required to be provided by the applicant for the proposed additional gross floor area, based on an assessment by the City's Real Estate Services.
2. Assessment of the proposed parking supply for the retirement home.
3. Assessment of site circulation and access to the underground parking garage as well as vehicular access and potential traffic impacts.
4. Assessment of the proposal with respect to the Urban Design policies of the Secondary Plan.
5. The appropriate landscaping and streetscaping detail along Yonge Street, Ellerslie Avenue and Canterbury Place.

6. Review of the pedestrian access including sidewalks, entrances, outdoor terraces and amenities.
7. Review of the proposed development's green-roof features.
8. Assessment of the stormwater management report as it relates to the existing overland flow on the site.

CONTACT

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E-mail: bdiraimo@toronto.ca

SIGNATURE

Thomas C. Keefe, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: East Elevation [as provided by applicant]

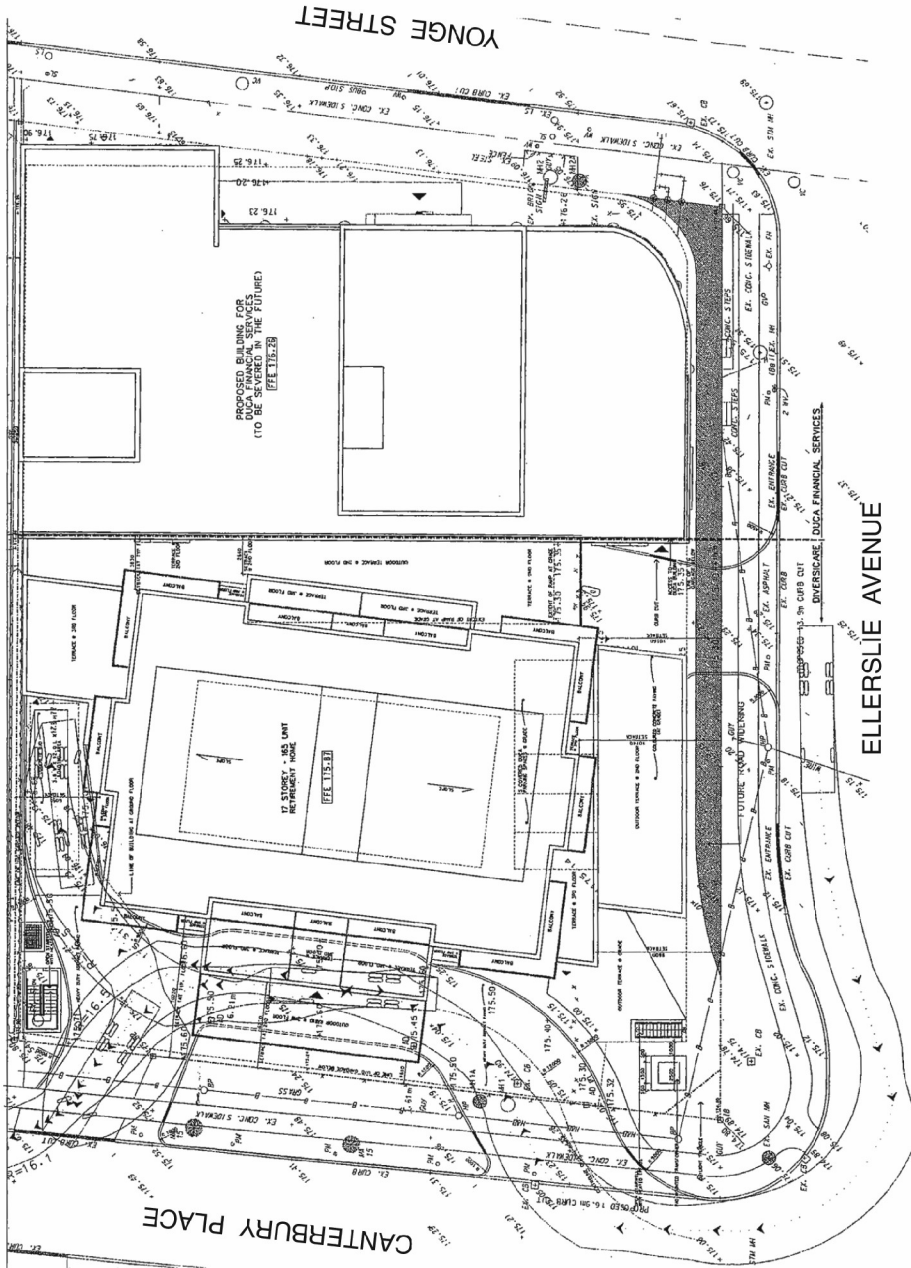
Attachment 3: West Elevation [as provided by applicant]

Attachment 4: Zoning

Attachment 5: Official Plan Map

Attachment 6: Application Data Sheet

Attachment 1: Site Plan



5270 & 5290 Yonge Street

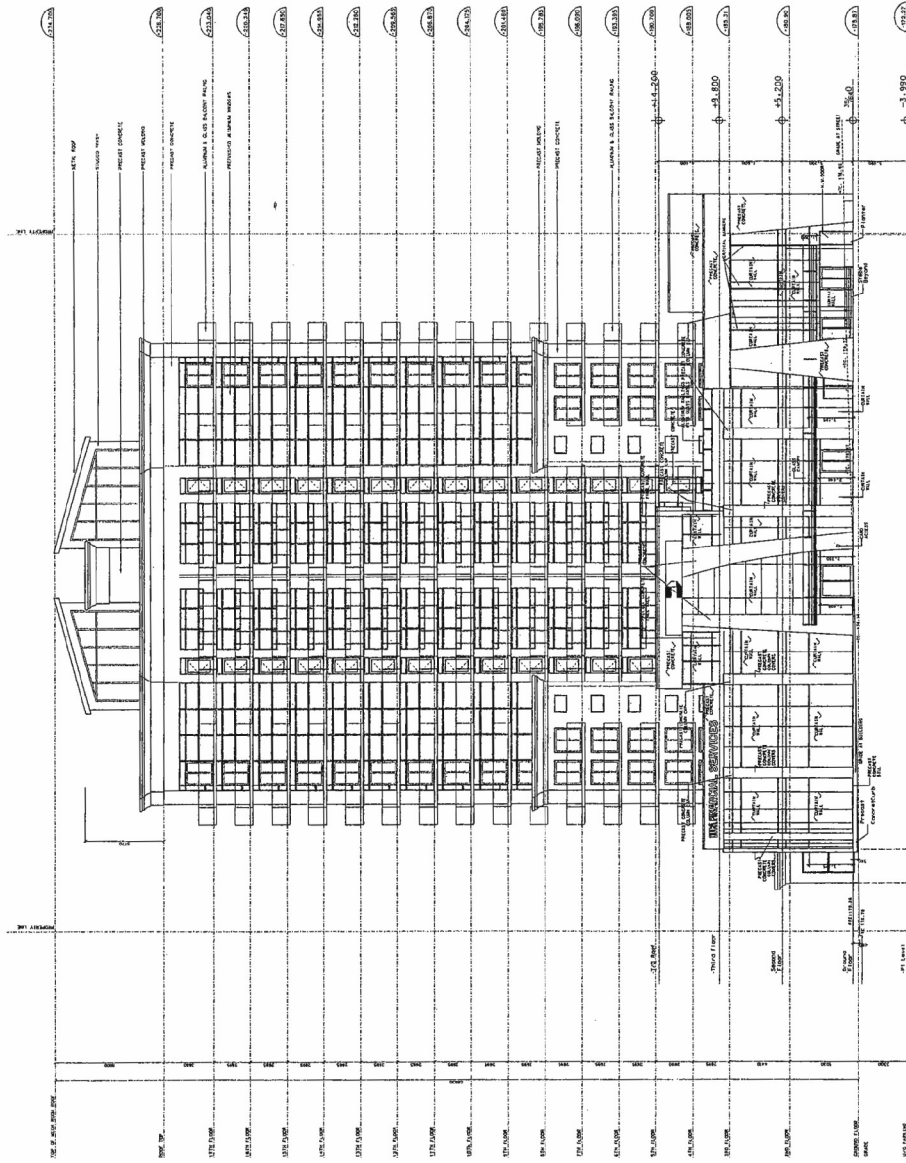
Site Plan
Applicant's Submitted Drawing

Not to Scale
07/12/06



File # 06 144386

Attachment 2: East Elevation



East Elevation

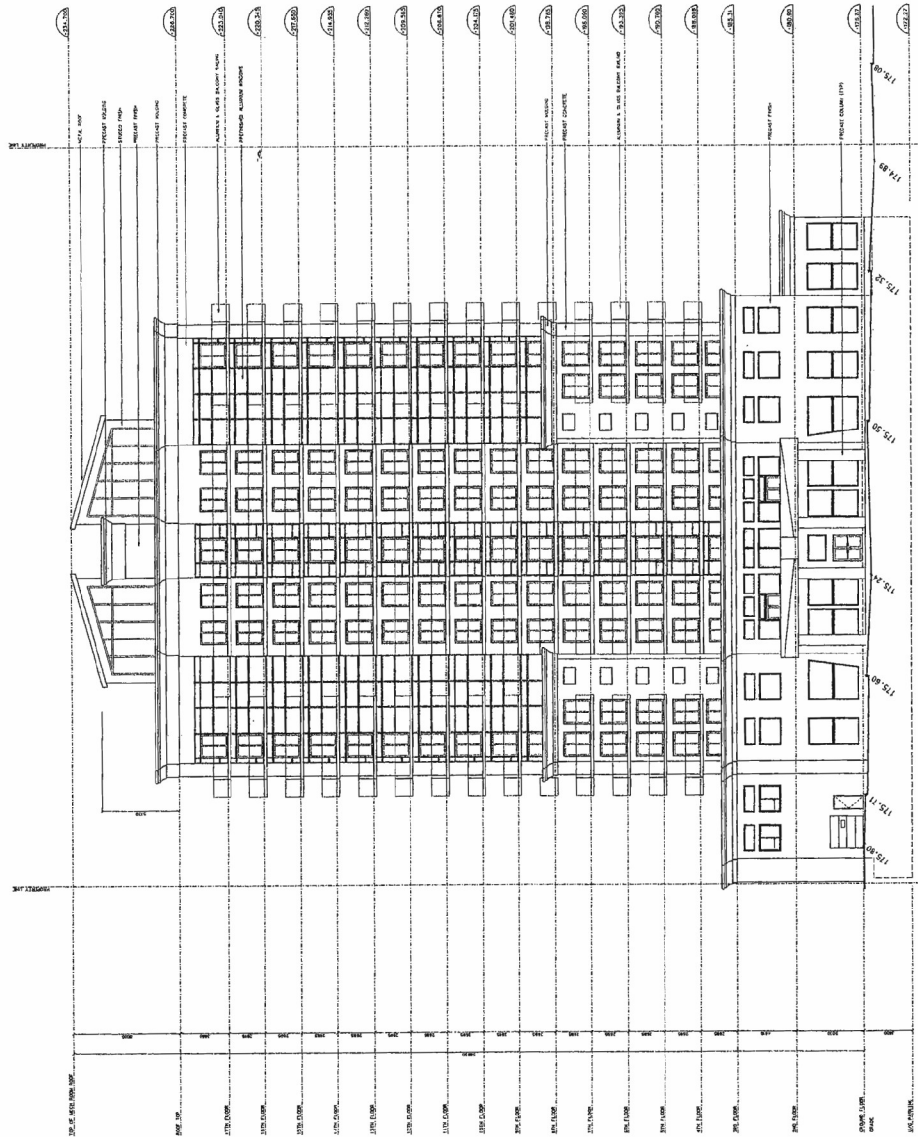
5270 & 5290 Yonge Street

Elevations
 Applicant's Submitted Drawing

Not to Scale
 07/12/06

File # 06_144386

Attachment 3: West Elevation



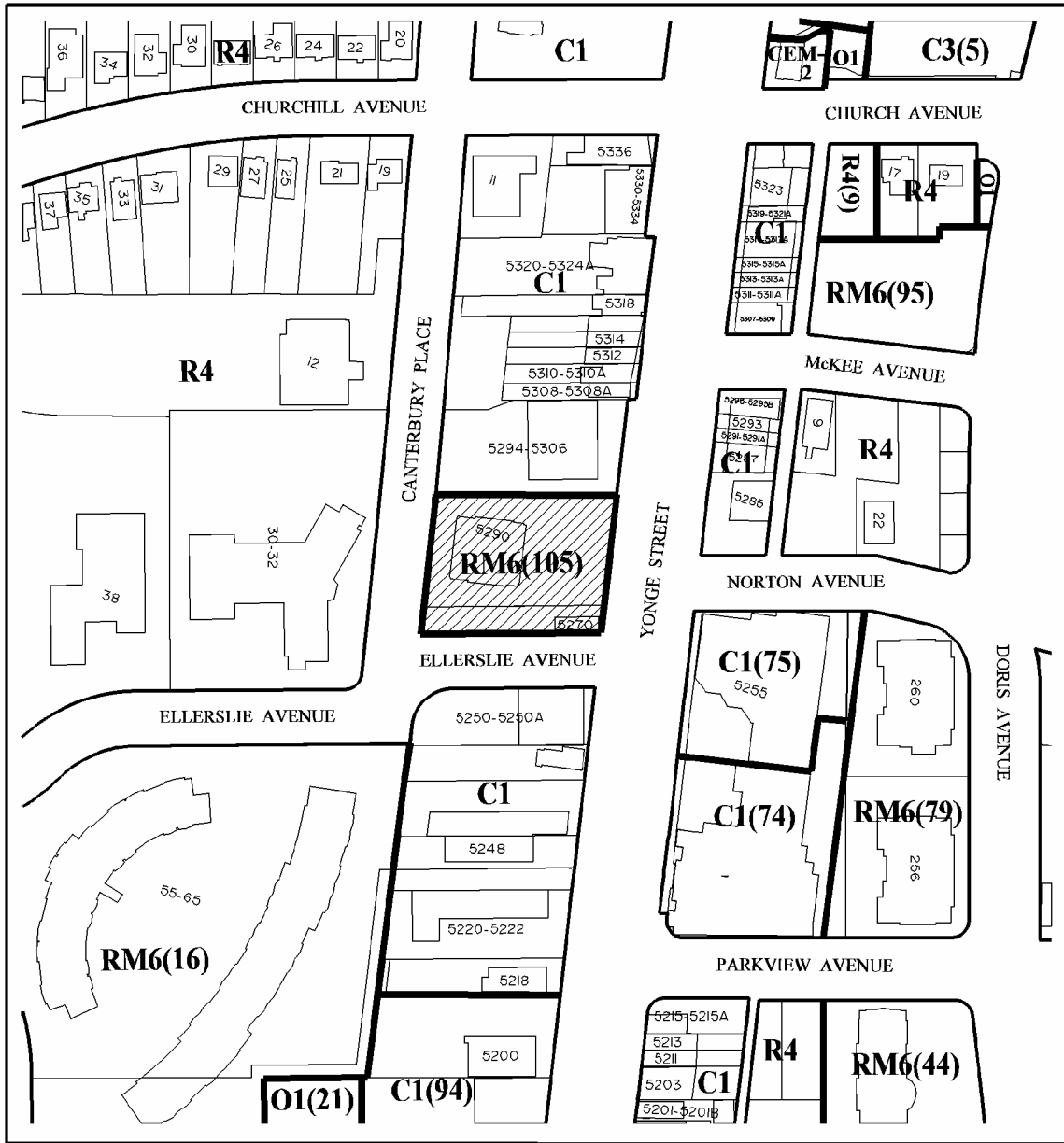
West Elevation

5270 & 5290 Yonge Street

Elevations
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Attachment 4: Zoning



TORONTO City Planning Division
Zoning

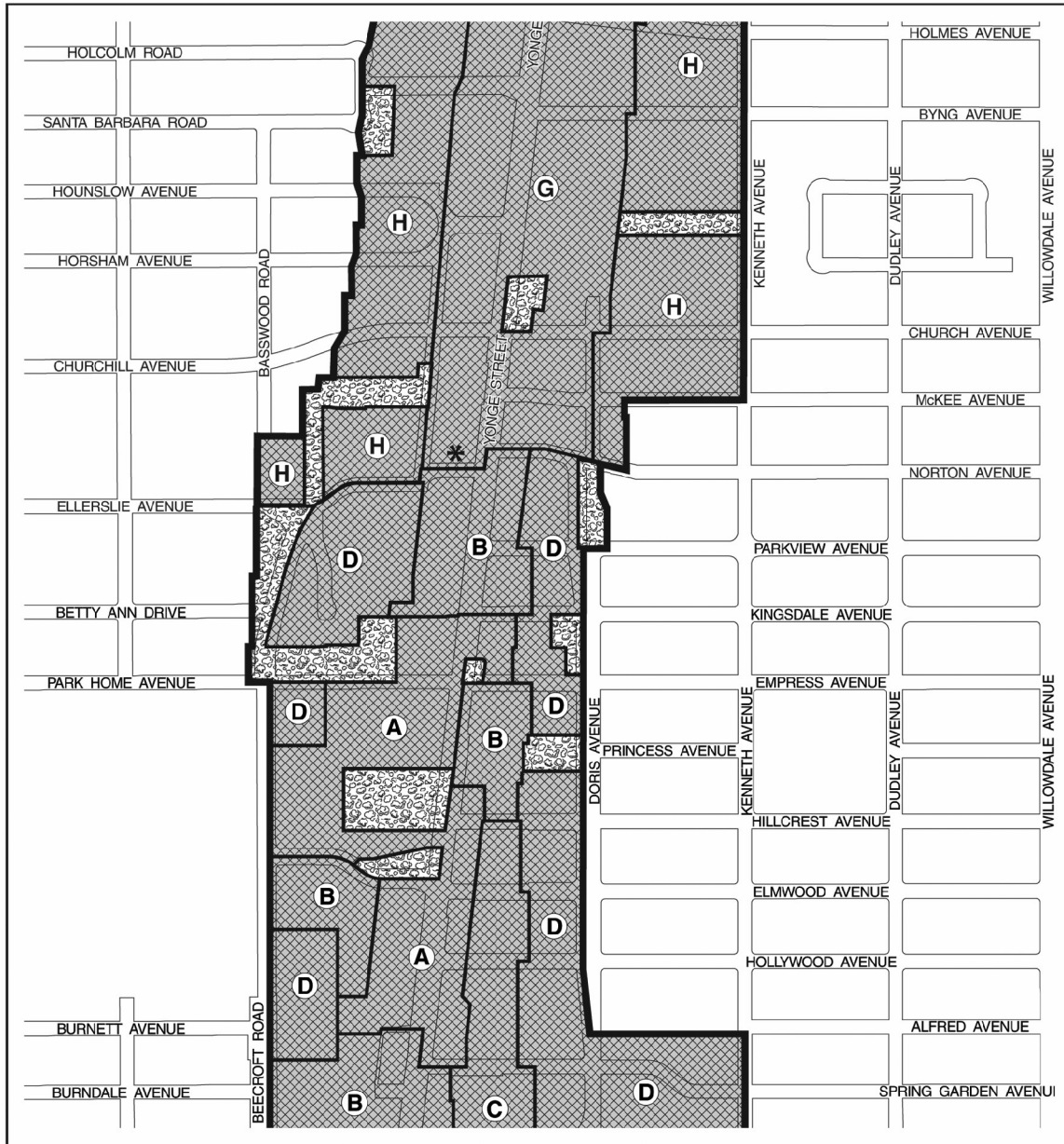
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- R4 One-Family Detached Dwelling Fourth Density Zone
- RM6 Multiple-Family Dwellings Sixth Density Zone
- C1 General Commercial Zone
- C3 District Shopping Centre Zone
- NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

- O1 Open Space Zone
- CEM-2 Restricted Cemetery Zone

↑
 Not to Scale
 Zoning By-law 7625
 Extracted 01/22/07

Attachment 5: Official Plan Map



TORONTO City Planning
Division
Official Plan

5270 & 5290 Yonge Street

File # 06_144386

- Site Location
- Secondary Plan Boundary
- Parks and Open Space Areas

- Mixed Use Areas
- Area A - 0% Residential Use
- Area B - Maximum 50% Residential Use
- Area C - Maximum 100% Residential Use
- Area D - Maximum 100% Residential Use

- Area E - Maximum 65% Commercial Use
- Area F - Maximum 50% Commercial Use
- Area G - Maximum 20% Commercial Use
- Area H - 0% Commercial Use



Not to Scale
June 2006

Attachment 6: Application Data Sheet
APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	06 144386 NNY 23 OZ
Details	Rezoning, Standard	Application Date:	June 8, 2006

Municipal Address: 5270 YONGE ST, TORONTO ON
 Location Description: CON 1 WYS PT LOT 18 **GRID N2302
 Project Description: DUCA financial services building with ground floor retail and service commercial uses and 165 room 17 storey retirement home on Canterbury Place frontage. Common podium and underground garage for 76 parking spaces (+ 5 surface). Concurrent site plan application.

Applicant:	Agent:	Architect:	Owner:
AIRD & BERLIS, LLP		HENDRICK OP'T ROOT	S JACK VANDERKOOY

PLANNING CONTROLS

Official Plan Designation:	UR-1	Site Specific Provision:	
Zoning:	RM6(105)	Historical Status:	
Height Limit (m):		Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	3335.5	Height:	Storeys:	17
Frontage (m):	50.65		Metres:	59
Depth (m):	65.8			
Total Ground Floor Area (sq. m):	1928.35			Total
Total Residential GFA (sq. m):	0		Parking Spaces:	81
Total Non-Residential GFA (sq. m):	14858.52		Loading Docks	1
Total GFA (sq. m):	14858.52			
Lot Coverage Ratio (%):	57.8			
Floor Space Index:	4.45			

DWELLING UNITS

Tenure Type:	Other
Rooms:	165
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	0
3 + Bedroom:	0
Total Units:	165

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	0	0
Retail GFA (sq. m):	0	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	14858.52	0

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