

**1955 – 1985 Yonge Street & 3 Belsize Drive  
Zoning By-law Amendment Application  
Preliminary Report**

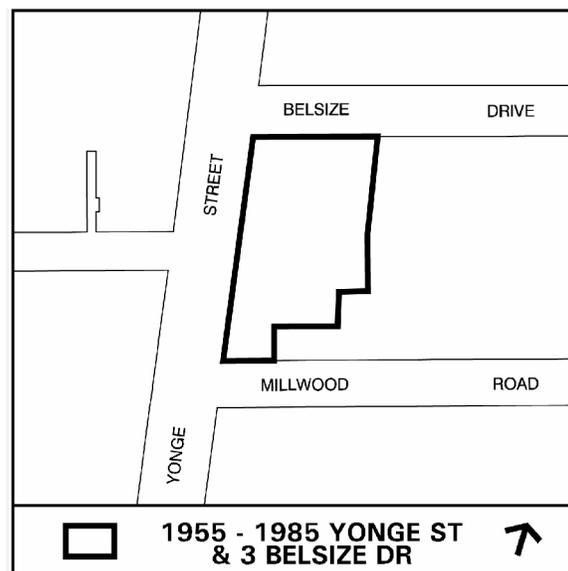
<b>Date:</b>	March 8, 2007
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 22 – St Paul’s
<b>Reference Number:</b>	File No 06-199913 STE 22 OZ

**SUMMARY**

An application has been submitted to amend the Zoning By-law (By-law 438-86) to permit the construction of a 9-storey, stepping to 6-storey on the northeast side, mixed-use building comprised of retail uses at grade and office and replacement rental units above at 1955 – 1985 Yonge Street.

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.

A statutory public meeting is targeted for fall 2007. This target date assumes that the applicant will provide all required information in a timely manner.



## **RECOMMENDATIONS**

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### **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;
3. notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act; and
4. the applicant, in order to enable Planning staff to provide a more complete review of the proposal, be required to provide information in a Review (Segment Study) of the Avenue segment, including but not limited to an assessment of the impacts of incremental development of the Avenue segment and other matters as outlined in this report and as detailed in Section 2.2.3 of the Official Plan.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **ISSUE BACKGROUND**

### **Proposal**

The proposed development consists of a 9-storey mixed use building at 1955-1985 Yonge Street and 3 Belsize Drive. The development is proposed to contain 206 residential units of which 21 will be rental replacement units, 1,051 square metres of street related retail and 524.8 square metres of second storey commercial offices. The 9-storey height on Yonge Street is proposed to step down twice on Belsize Drive to 7 and to 6-storeys.

A total of 212 parking spaces are proposed. Of those 212 spaces, 202 are to be provided for the residents of the project and their visitors in a 2-level underground garage accessed from Belsize Drive. Ten surface spaces are proposed to be provided for retail store customers at the rear (east side) of the building (refer to Attachment 1, Site Plan). For further statistical information refer to the Application Data Sheet found at Attachment 7 of this report.

### **Site and Surrounding Area**

The site has a full block of frontage on the east side of Yonge Street and is defined by Belsize Drive to the north, Millwood Road to the south and the Neighbourhoods area to the east.

The site is currently occupied by a series of 1 to 3-storey buildings with street-related commercial uses facing Yonge Street and 21 existing residential rental units in the upper storeys. Existing retail uses include local retail stores, a Rogers Video store and a TD

Canada Trust bank which is in a free-standing building at the corner of Yonge Street and Milwood Road.

The following uses abut the site:

- North - 2 to 3-storey mixed use buildings with retail or service commercial uses at grade;
- South - LCBO retail store and 2 – 3 storey mixed use buildings with at-grade retail uses;
- East - single detached and semi-detached houses;
- West - mixed use (commercial/residential) and single use commercial buildings with retail at grade on the west side of Yonge Street.

### **Official Plan**

The site is designated Mixed Use Area under the City of Toronto Official Plan. That designation permits a range of commercial, residential and institutional uses in single use or mixed use buildings.

The Plan provides a list of criteria which are intended to direct the design and orientation of new development proposals within Mixed Use Areas. The proposed development will be evaluated with respect to the full list of criteria found in Section 4.5.2 of the Official Plan. Criteria include:

- locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of this Plan, through means such as providing appropriate setbacks and/or a stepping down of heights, particularly towards lower scale Neighbourhoods;
- locate and mass new buildings so as to adequately limit shadow impacts on adjacent Neighbourhoods, particularly during the spring and fall equinoxes;
- locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- provide an attractive, comfortable and safe pedestrian environment;
- take advantage of nearby transit services;
- provide good site access and circulation and an adequate supply of parking for residents and visitors;

- locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

The site is also located on a section of Yonge Street that is identified as an ‘Avenue’ on Map 2 of the Official Plan. Avenues are corridors along major streets generally where reurbanization is anticipated. Avenue Studies are intended to precede major development proposals for redevelopment on these streets. An Avenue Study has not been completed for this section of Yonge Street. However, Section 2.2.3.3(a) of the Official Plan allows that some development may be permitted on an Avenue prior to an Avenue Study subject to a Review of the implications of the proposed development on the segment of the Avenue in which it is located and on the greater Neighbourhood.

Section 2.2.3.3(b) of the Plan sets out the conditions of the Review. It is to:

- include an assessment of the impacts of the incremental development of the entire Avenue segment at a similar form, scale and intensity, appropriately allowing for distinguishing circumstances;
- consider whether incremental development of the entire Avenue segment as identified in the above assessment would adversely impact any adjacent Neighbourhoods or Apartment Neighbourhoods;
- consider whether the proposed development is supportable by available infrastructure; and
- be considered together with any amendment to the Official Plan or Zoning By-law at the statutory public meeting for the proposed development.

Developments, such as this where the proposal exceeds the height and density limit as specified in the Zoning By-law and the heights and densities of most existing local buildings have the potential to set a precedent for the form and scale or reurbanization along the Avenue will not be allowed to proceed prior to the completion of an Avenue Study unless the applicant’s Review demonstrates that subsequent development of the entire Avenue segment will have no adverse impacts within the existing and planned context.

Section 2.2.3.3(c) of the Plan provides additional criteria that applies to proposed development on Avenues in Mixed Use Areas if it is proposed to precede an Avenue Study.

With respect to the proposed replacement of the 21 existing rental units on the property, Section 3.2.1.6 of the Plan states that:

“New development that would have the effect of removing a private building or related group of buildings containing six or more rental housing units is not in the public interest and should not be approved unless:

- a) all of the rental housing units have rents that exceed mid-range rents at the time of application, or
- b) in cases where zoning approvals other than site plan are sought, the following are secured:
  - i) at least the same number, size and type of rental housing units are replaced and maintained with rents similar to those in effect at the time the redevelopment application is made;
  - ii) for a period of at least 10 years, rents for replacement units will be the rent at first occupancy increased annually by not more than the Provincial Rent Increase Guideline or a similar guideline as Council may approve from time to time; and
  - iii) an acceptable tenant relocation and assistance plan addressing the right to return to occupy one of the replacement units at similar rents, the provision of alternative accommodation at similar rents, and other assistance to lessen hardship, or
- c) in Council’s opinion, the supply and availability of rental housing in the City has returned to a healthy state and is able to meet the housing requirements of current and future residents. This decision will be based on a number of factors, including whether:
  - i) rental housing in the City is showing positive, sustained improvement as demonstrated by significant net gains in the supply of rental housing including significant levels of production of rental housing, and continued projected net gains in the supply of rental housing;
  - ii) the overall rental apartment vacancy rate for the City of Toronto, as reported by the Canada Mortgage and Housing Corporation, has been at or above 3.0% for the preceding four consecutive annual surveys;
  - iii) the proposal may negatively affect the supply or availability of rental housing or rental housing sub-sectors including affordable units, units suitable for families, or housing for vulnerable populations such as seniors, persons with special needs, or students, either in the City, or in a geographic sub-area or a neighbourhood of the City; and
  - iv) all provisions of other applicable legislation and policies have been satisfied.

The site is also regulated by the Yonge-Eglinton Secondary Plan which has been incorporated into Chapter 6, ‘Secondary Plans’ of the Official Plan. The Secondary Plan

includes policies aimed at reinforcing the stability of Neighbourhoods and at minimizing conflicts between buildings and uses in Mixed Use Areas and abutting lower density Neighbourhoods in terms of land use, scale and vehicular movement (Sect 2.4).

Section 2.7 of the Secondary Plan also contains policies aimed at protecting Neighbourhoods from overshadowing of buildings in Mixed Use Areas, securing a transition in height and scale from developments in Mixed Use Areas to Neighbourhoods and aimed at requiring developments on Mixed Use lands that project into Neighbourhoods to be of a height and scale which is consistent with those of the residential buildings of the abutting Neighbourhoods.

Section 6.1 of the Secondary Plan requires a compatible relationship of uses exists between uses located in Mixed Use Areas and the residential uses in adjacent residential areas. Section 6.1 also encourages that access points, the relationship of new developments to the sidewalk and the location of proposed building walls, fences and trees enhance the quality of the streetscape.

With respect to the preceding discussion of relevant Official Plan policies, provided that:

- a pre-Avenue Study Review (Segment Study) is submitted and provided Planning staff are satisfied that such Review demonstrates that subsequent, similar development of the entire Avenue segment will not adversely impact the adjacent Neighbourhood or the Mixed Use area in which the development is proposed; and
- provided the proposed development is found to be in compliance with all other applicable policies of the Plan and is otherwise supportable;

an Official Plan Amendment will not be required.

## **Zoning**

The site is primarily zoned MCR T3.0 C2.0 R2.5 with a small portion (3 Belsize Drive) zoned as R2 Z0.6.

The MCR zoning classification permits residential uses including apartment buildings, retail, service and office commercial uses. The permitted building height for the MCR zoned portion of the site is 16 metres. The R2 classification also permits residential uses including apartment buildings but no retail is allowed. The permitted building height for the R2 zoned part of the site is 9.0 metres.

## **Site Plan Control**

The proposed development is subject to site plan control. An application for site plan approval has been submitted and will be considered concurrently with the Zoning By-law Amendment application.

The owner will be encouraged to consider applying the City's new 'Green Development Standards' to the proposed development.

## **Tree Preservation**

The applicant has submitted an arborist report and tree preservation plan.

## **Reasons for the Application**

The proposed construction of a 9-storey (33 metres high) mixed commercial-residential building at a density of 4.8 times the area of the lot exceeds the height permission of 16 metres and the total allowable mixed use density of 3.0 times the lot area of the MCR zoning.

Section 8(3) PART II of By-law 438-86 requires a minimum setback of 7.5 metres from an 'R' zone. A portion of the proposed building (at 3 Belsize Drive) is set back 3.0 metres.

Section 8(3).4(c)(ii & iii) of By-law 438-86 requires; that the west face of the proposed building (on its Yonge Street frontage) must be contained within a 45 degree angular plane which is to intersect a line drawn 16 metres above grade at the west property line, and that the east face of the proposed building also fit within a 45 degree angular plane which is to intersect with the building wall at 10 metres above the 7.5 metre setback line from the 'R' zone. The proposal does not comply with these requirements.

Section 4(12) of By-law 438-86 requires 412 square metres of indoor and 412 square metres of outdoor amenity space. Forty square metres of the outdoor space is to be adjoining or directly accessible to the indoor amenity space. The applicant is providing less than the required indoor (proposed 322.8 m<sup>2</sup>) and outdoor (proposed 143.9 m<sup>2</sup>) amenity space.

Additional areas of non-compliance with the Zoning By-law may be identified through further review of the application.

## **COMMENTS**

### **Issues to be Resolved**

#### **Height, Massing and Density**

Section 3.1.2, 'Built Form' of the Official Plan contains policies related to the massing, organization fit and orientation of new development. The building's proposed height, massing and density are currently under review to determine whether this 9-storey (33 metre) building with a gross floor area equalling 4.8 times the lot area, would be compatible with the existing mixed commercial-residential buildings on this portion of Yonge Street and with the abutting low density residential neighbourhood to the east.

The applicant has acquired a site (the full block between Millwood Road and Belsize Drive) that will be appropriate for a 'mainstreets' type of redevelopment. The site is within proximity of the Yonge-Davisville transit node where higher building heights and densities currently exist. However, given the existing context of 2 to 3-storey mixed use buildings on the east and west sides of Yonge Street north of Millwood Road to Hillsdale Avenue and of the 2 to 3-storey single and semi-detached houses comprising the

Neighbourhoods area immediately to the east of the site, the potential impact of the proposed building and the desirability of the precedent that it will set will be considered.

### **Light, Overlook and Privacy**

Related to the issues of height, massing and density as discussed above, Sections 3.1.2(c)(d)(e) of the Official Plan require that new development will limit impacts on adjacent properties by providing adequate light and privacy and minimizing shadowing. The angular plane and the setback requirements of the Zoning By-law are intended, in part, to protect Neighbourhoods from undue shadowing, overlook and privacy impacts resulting from redevelopments in adjacent Mixed Use areas.

At 33 metres in height the proposed building is 17 metres higher than permitted. The proposed building steps down to 6-storeys at the northeast end on Belsize Drive but it still maintains a height of 25 metres at that point. That portion of the building is setback 3.0 metres from the residential property line which is less than the 7.5 metres that is required.

None of the building's east-facing elevation fits within a 45 degree angular plane. The proposal requires further review to determine whether the proposed building height outside of the 45 degree angular plane and the reduced setback will cause undue reduction in light and privacy in the homes and yard areas to the east of the proposed building.

A shadow study has not been submitted and will be required.

### **Streetscape**

The Official Plan requires that new development in Mixed Use Areas locate and mass buildings to frame the edges of streets with good proportion and maintain sunlight for pedestrians on adjacent streets. This is important in creating and maintaining strong, desirable retail activity on commercial streets that are comfortable for pedestrians. As on the east elevation, the proposed building also penetrates the 45 degree angular plane on the west face. Again, further review may determine that additional measures could be necessary to ensure that the Yonge Street elevation of the proposed building be at a scale that is comfortable for pedestrians. Such measures may include, a reduction in height and/or terracing back of the building face.

### **Access and Parking**

The proposed development includes a two-way driveway from Belsize Drive to access 10 surface parking spaces and the loading area at the rear of the building and to access the ramp down to two levels of underground parking (202 spaces). A traffic impact study has been submitted by the applicant in support of the proposed development. The applicant's plans and traffic study will be reviewed to determine whether a satisfactory amount of parking is being proposed in appropriate locations and whether the proposed vehicular access and egress point will work well with normal vehicular and pedestrian circulation.

## **Rental Replacement**

The existing buildings on site currently contain 21 (vacant) rental units. The applicant is proposing to replace all 21 rental units in the new building. In order to meet the intent of Policy 3.2.1.6 of the Official Plan, these 21 units cannot be condominium registered. These and other rental unit replacement requirements will be included in a Section 37 Agreement which will be entered into by the City and the Developer if the application is approved.

## **Indoor and Outdoor Amenity Areas**

Sections 3.1.2.6 and 4.5.2(k) of the Official Plan require the provision of appropriate amounts of indoor and outdoor amenity space for residents of multi-residential unit developments. The by-law minimum of indoor and outdoor amenity area should be provided.

## **Section 37**

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 the Section 37 policies of the Planning Act to this proposal. Details of a Section 37 agreement between the applicant and the City will be worked out if the project is to be recommended for approval.

## **Further Information Required**

The following additional information is required of the applicant:

- i) a pre-Avenue Study Review (Segment Study);
- ii) a shadow study; and
- iii) a Housing Issues Report detailing existing and proposed unit sizes, bedroom mix, rent levels and other housing related information.

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

## **CONTACT**

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## **SIGNATURE**

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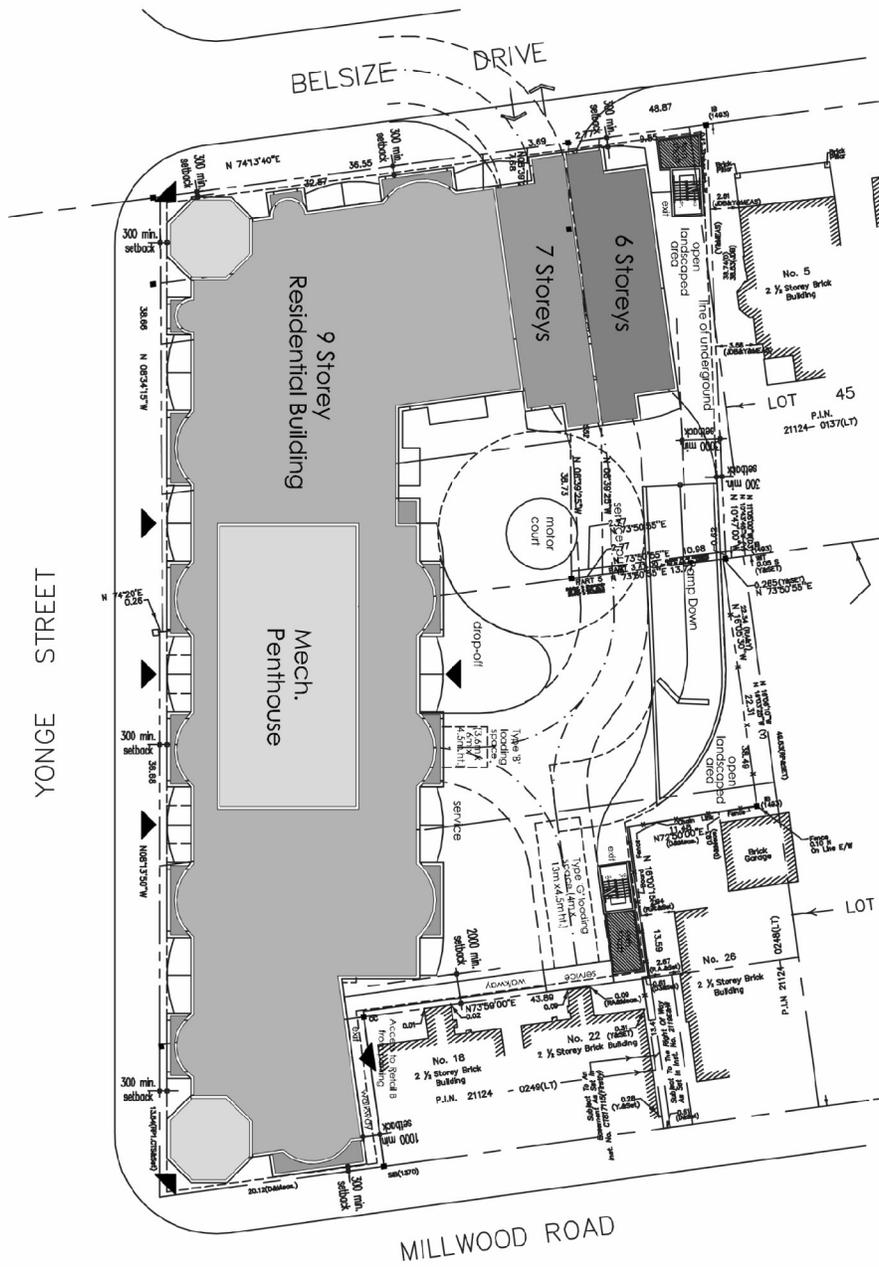
Gary Wright, Director  
Community Planning, Toronto and East York District

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## **ATTACHMENTS**

- Attachment 1: Site Plan
- Attachment 2: Elevations
- Attachment 3: Elevations
- Attachment 4: Elevations
- Attachment 5: Elevations
- Attachment 6: Zoning
- Attachment 7: Application Data Sheet

# Attachment 1: Site Plan



## Site Plan

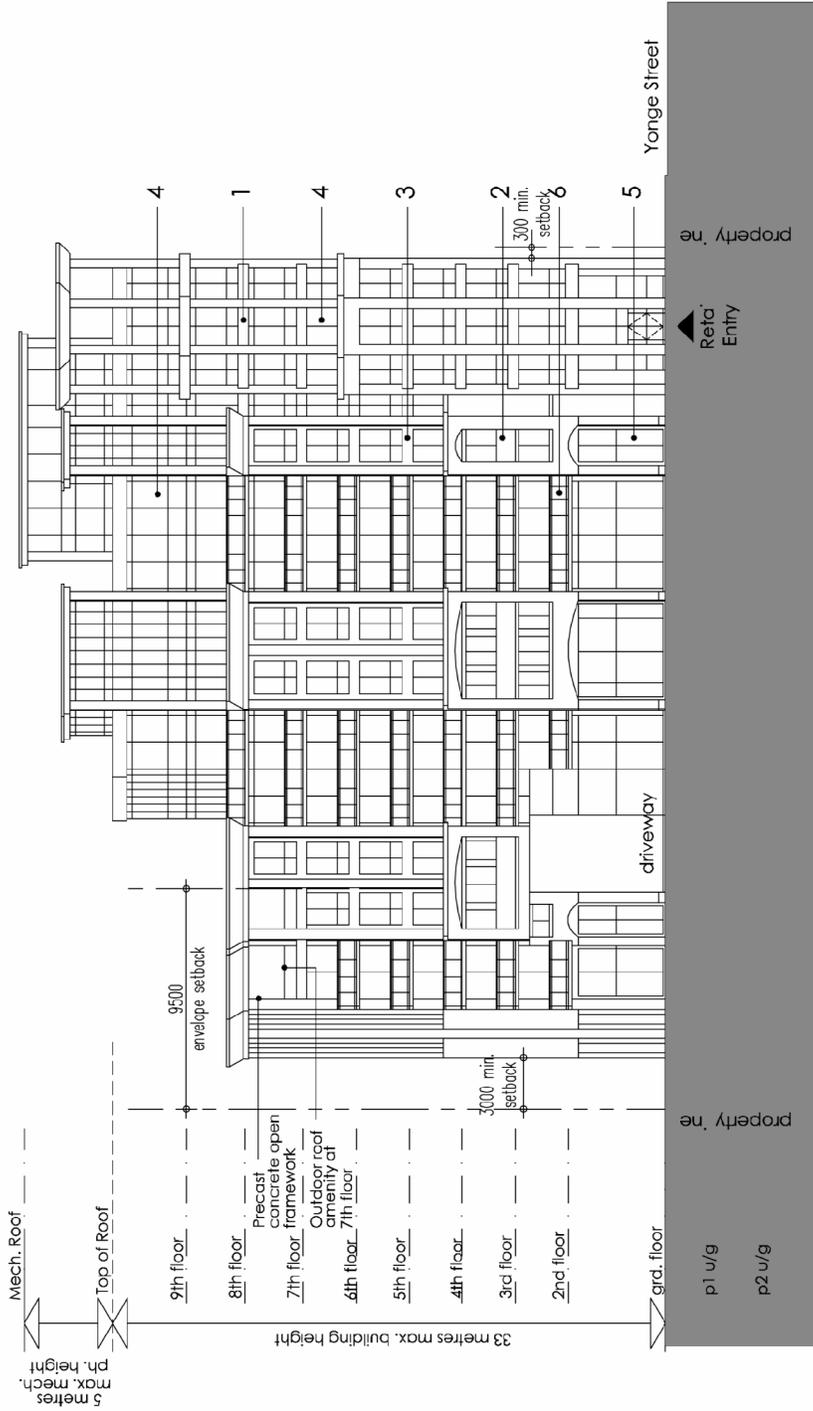
Applicant's Submitted Drawing

Not to Scale 

## 1955 - 1985 Yonge Street & 3 Belsize Drive

File # 06\_199913

Attachment 2: Elevations



North Elevation

1955 - 1985 Yonge Street &  
3 Belsize Drive

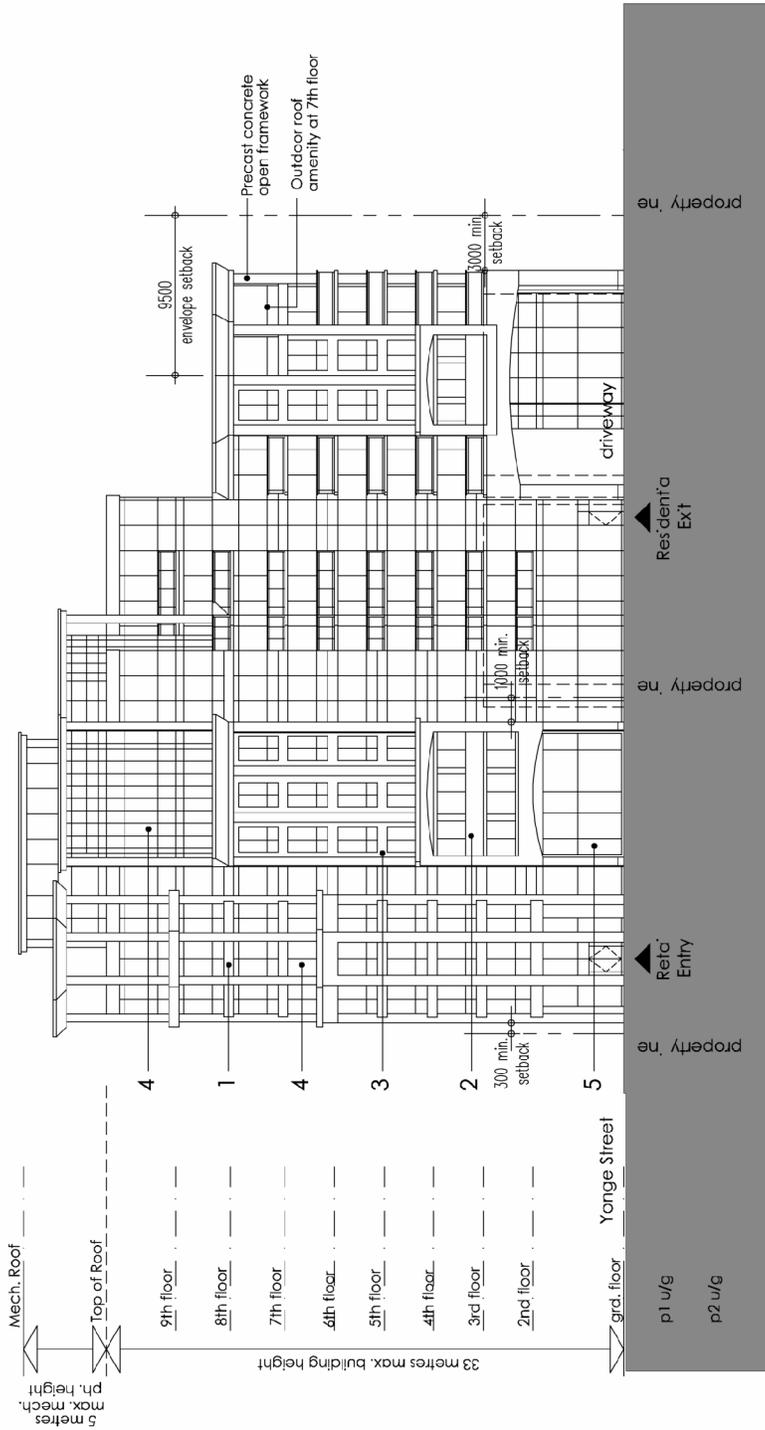
File # 06\_199913

North Elevation

Applicant's Submitted Drawing

Not to Scale  
02/20/07

Attachment 3: Elevations



South Elevation

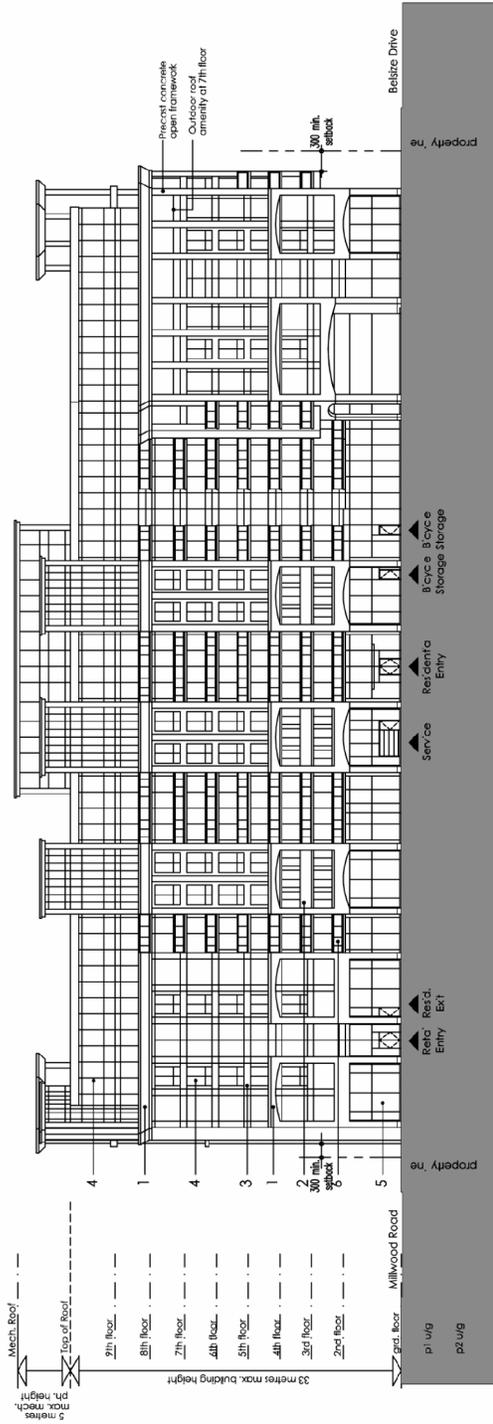
1955 - 1985 Yonge Street &  
3 Belsize Drive

File # 06\_199913

South Elevation  
Applicant's Submitted Drawing

Not to Scale  
02/20/07

Attachment 4: Elevations



East Elevation

1955 - 1985 Yonge Street &  
3 Belsize Drive

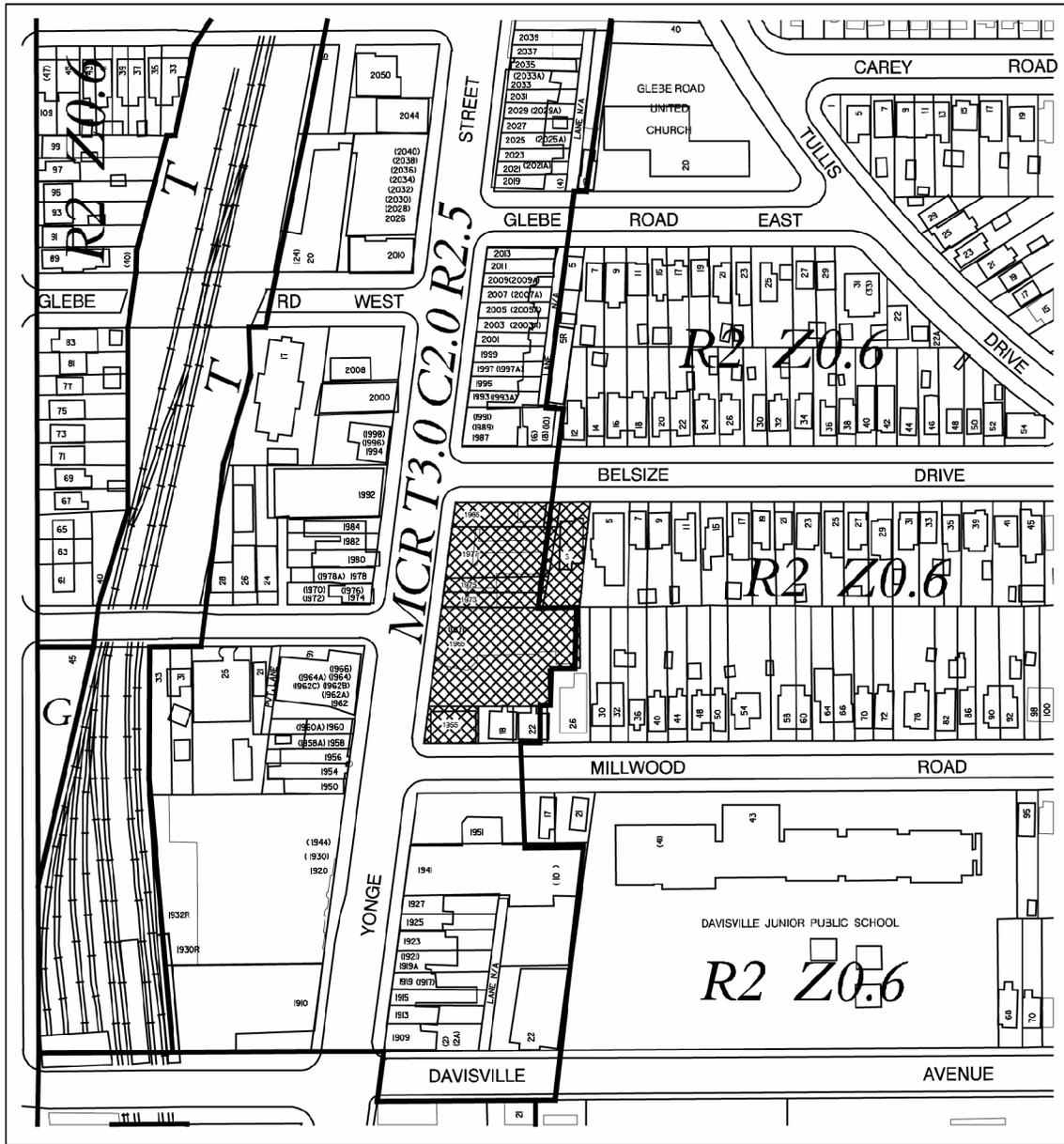
File # 06\_199913

East Elevation  
Applicant's Submitted Drawing

Not to Scale  
02/20/07



# Attachment 6: Zoning



**TORONTO** City Planning Division  
**Zoning**

1955 - 1985 Yonge St & 3 Belsize Dr  
 File # 06\_199913

- G Parks District
- R2 Residential District
- MCR Mixed-Use District
- T Industrial District



Not to Scale  
 Zoning By-law 438-86 as amended  
 Extracted MO/DA/YR - DR

## Attachment 7: Application Data Sheet

### APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	06 199913 STE 22 OZ
Details	Rezoning, Standard	Application Date:	December 28, 2006

Municipal Address: 1985 YONGE ST, TORONTO ON  
 Location Description: PL 1789 PT LT3 \*\*GRID S2208  
 Project Description: Proposed replacement of existing mixed-commercial units with a mixed-use development; retail at grade, office & residential units above (206 dwellings) in a 9-storey building stepping to 6-storey building at the east elevation(s).

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
SHERMAN - BROWN - DRYER - KAROL		GRAZIANI & CORAZZA	KILBARRY HOLDING CORPORATION

#### PLANNING CONTROLS

Official Plan Designation:	Site Specific Provision:
Zoning: MCR T3.0 C2.0 R2.5, R2 Z0.6	Historical Status:
Height Limit (m): 16, 9	Site Plan Control Area: Y

#### PROJECT INFORMATION

Site Area (sq. m):	3919	Height:	Storeys:	9	
Frontage (m):	88.91		Metres:	33	
Depth (m):	48.87				
Total Ground Floor Area (sq. m):	1997				<b>Total</b>
Total Residential GFA (sq. m):	17079		Parking Spaces:	212	
Total Non-Residential GFA (sq. m):	1575		Loading Docks	2	
Total GFA (sq. m):	18654				
Lot Coverage Ratio (%):	50.9				
Floor Space Index:	4.75				

#### DWELLING UNITS

#### FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Condo		
Rooms:	0	Residential GFA (sq. m): 17079	0
Bachelor:	0	Retail GFA (sq. m): 1051	0
1 Bedroom:	167	Office GFA (sq. m): 524	0
2 Bedroom:	39	Industrial GFA (sq. m): 0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m): 0	0
Total Units:	206		

**CONTACT:**      **PLANNER NAME:**      **Tim Burkholder, Planner**  
    **TELEPHONE:**                      **(416) 392-0412**