

**5182-5192, 5200 and 5218 Yonge St - Official Plan
Amendment Application - Preliminary Report**

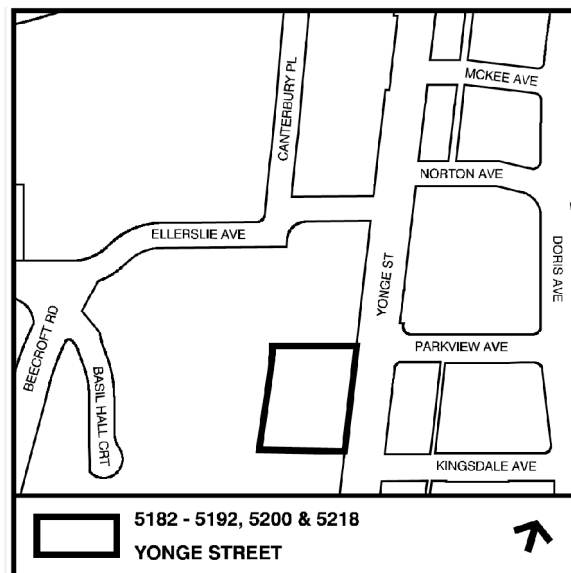
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|--------------------------|---|
| Date: | January 24, 2011 |
| To: | North York Community Council |
| From: | Director, Community Planning, North York District |
| Wards: | Ward 23 – Willowdale |
| Reference Number: | 10 164793 NNY 23 OZ |

SUMMARY

This Official Plan Amendment application proposes to amend the North York Centre Secondary Plan to permit a 37-storey residential tower including a 2-storey base building with retail, childcare and community meeting space. The proposed amendment would redesignate the subject lands from *Mixed Use Area B – Maximum 50% Residential Use* to *Mixed Use Area C - Maximum 100% Residential Use*, increase the height limit from 100 to 125 metres, amend the density incentive for retail space and remove the requirements for common outdoor space and at-grade private outdoor residential amenity space.

The subject property is located on the west side of Yonge Street, between Park Home Avenue and Eglerslie Avenue, and is municipally known as 5182-5192, 5200 and 5218 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 the community consultation process.



It is intended that a community consultation meeting be scheduled by staff, in consultation with the ward Councillor. A final report and public meeting under the *Planning Act* to consider the application is targeted for the fall of 2011.

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.
3. Notice for the public meeting under the *Planning Act* be given according to the regulations of the *Planning Act*.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The properties at 5182-5192 and 5200 Yonge Street were part of previous development applications.

North York City Council approved a development application for these lands in 1991 for a 21-storey commercial office tower and daycare centre. Subsequent to this approval, Council approved an amendment to the zoning in the fall of 1997 that allowed up to 50% of the permitted gross floor area to be used for residential uses. This change permitted a 27 storey 200 unit residential tower and a 17-storey commercial building and a daycare.

In 1998, Sam-Sor Developments Inc. applied to reduce the permitted gross floor area by 10,723 sq.m. by transferring density back to Gibson House and conveying a portion of their site to the City for the construction of a daycare. This 1998 proposal was made to release Sam-Sor from obligations to purchase the Gibson House density, and construct the daycare and community meeting space on their lands. Rather, Sam-Sor would fund a substantial portion of the daycare construction and community meeting space. On July 29, 1999, Toronto City Council adopted Official Plan Amendment No. 474 (By-law 452-1999) and Zoning By-law 453-1999 (C1(94)).

OPA 474 added a site specific policy to the North York Centre Secondary Plan to clarify that the lands at 5172 Yonge Street, currently designated Open Space would retain its density of 4.5 FSI which could be transferred in whole or in part at a later date in accordance with the policies of the Secondary Plan. The intended use for these lands remaining as a historical museum and open space.

Zoning By-law 453-1999 established site specific provisions for the Sam-Sor site at 5182-5200 Yonge Street, to permit a 9-storey commercial building and 120 unit, 17-storey residential apartment building, among other provisions.

In 2002, Official Plan and Zoning By-law Amendment applications were submitted to remove the 50% residential gross floor area limit in order to permit a 28-storey residential building including a 3-storey podium with commercial retail and recreation commercial uses. It was proposed that a total of 20,663 sq.m. of gross floor area be permitted on the site and that it be comprised of residential uses with all the retail and recreation space being exempt from gross floor area calculations.

The 2002 application was later amended to reflect a proposed 33 storey residential building including a 5-storey mixed-use base building. The application was put on hold by the owner and was never reactivated and has been closed.

Pre-Application Consultation

A pre-application consultation meeting was held with the applicant to discuss complete application submission requirements for the current proposal.

ISSUE BACKGROUND

Proposal

The application proposes to amend the North York Centre Secondary Plan to permit a development on the west side of Yonge Street, between Park Home Avenue and Ellerslie Avenue. The site includes 5182-5192 and 5200 Yonge Street, which were part of the previous development applications, and 5218 Yonge Street which was recently acquired by the applicant. The development site has an area of approximately 5,488 sq.m. and a frontage of approximately 82.5 metres on Yonge Street.

The proposed development would have a maximum gross floor area, including proposed incentives, of 32,822 sq.m. The development would consist of a 37-storey residential tower including a 2-storey base building with retail, childcare and community meeting space, comprised as follows.

- Residential Gross Floor Area: 28,511 square metres
- Retail Gross Floor Area: 3,486 square metres
- Daycare/Social Facility Gross Floor Area: 825 square metres

The proposed amendment would redesignate the subject lands from *Mixed Use Area B – Maximum 50% Residential Use* to *Mixed Use Area C - Maximum 100% Residential Use*, increase the height limit from 100 to 125 metres, amend the density incentive for retail space and remove the requirements for common outdoor space and at-grade private outdoor residential amenity space.

Site and Surrounding Area

The subject lands currently contain one and two-storey commercial retail and office buildings and surface parking.

The larger block bounded by Yonge Street to the east, Ellerslie Avenue to the north, Beecroft Road to the west and Park Home Avenue to the south, currently contains the following:

- The Yonge Street frontage generally consists of one and two-storey commercial retail buildings, Eva's Place - satellite office, a small office building, a commercial parking lot and the Rose Garden;
- Gibson Park;
- The Gibson House Museum;
- Yonge Hearts Child Care Centre;
- A 19-storey condominium building - Peninsula Place; and
- Two rental apartment buildings - Park Willow Developments.

In addition to the subject lands, identified as Site 1 below, there are other current development applications within this block. The location of these sites is shown on Attachment 8.

Site 1 – The subject application.
5182-5218 Yonge Street (NHD Developments Limited)

The subject application.

Site 2
5220-5254 Yonge Street

Official Plan and Zoning By-law Amendment applications were submitted in 2009 to permit a mixed used development (Centrium at North York) consisting of a 15-storey hotel and a 29-storey residential building with a four level base. A Community Consultation meeting was held in December 2009 and the application is currently being revised by the applicant.

Site 3
5170 Yonge Street (Menkes Gibson Square Inc.)

Official Plan Amendment No. 59 was approved by the Ontario Municipal Board to permit two 42-storey (125 metre) residential towers with a 5-storey base building/podium of residential and live work units and commercial retail space. Implementing Zoning By-law 1135-2010 was adopted by Council at its August 25-27, 2010 meeting. The latest site plan submission is currently being reviewed by staff.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The subject lands are designated *Mixed Use Area B* in the North York Centre Secondary Plan. The permitted uses include commercial, institutional, residential, public parks and recreational uses, and transit terminals. The total of all residential uses on a site in *Mixed Use Area B* will not exceed 50 percent of the maximum permitted gross floor area.

The maximum permitted height is 100 metres and the maximum permitted density is 4.5 FSI plus an additional 33% of gross floor area (5.98 FSI) through density incentives available in the North York Centre Secondary Plan.

The North York Centre Secondary Plan also includes policies related to Transportation, Environment and Urban Design, Parks and Open Space, among others, which will apply to the subject proposal.

Zoning

The subject lands have been excluded by the new comprehensive Zoning By-law 1156-2010.

As noted previously, 5182-5200 Yonge Street is covered by Site Specific Zoning By-law 453-1999 to permit a 9-storey commercial building and 120 unit, 17-storey residential apartment building.

The recently acquired property at 5218 Yonge Street is covered by General Zoning By-law No. 7625 of the former City of North York and is currently zoned General Commercial – C1. Subject to certain restrictions, the C1 Zone permits a variety of residential uses, a mix of commercial uses (such as restaurants, retail stores, banks, business and professional offices, theatres, funeral establishments, parking lots, service stations and accessory uses) and institutional uses such as a lodge, fraternity or sorority house, labour union hall, a home for the aged or infirm, or hospital.

A Zoning By-law Amendment would be required to both the site specific by-law and general zoning to permit the proposed development.

Site Plan Control

A Site Plan Control Approval application has not yet been submitted.

Tree Preservation

Urban Forestry staff will review the development plans to determine the impact on any existing mature trees. The owner will be required to obtain the necessary permits prior to removing any trees.

Reasons for the Application

To implement the proposed development, the submitted Official Plan Amendment includes the following:

- Redesignating the subject lands from *Mixed Use Area B – Maximum 50% Residential Use* to *Mixed Use Area C - Maximum 100% Residential Use*.
- Amending the “Long Range Development Levels” in the North York Centre Secondary Plan to reflect additional residential gross floor area and a reduced non-residential gross floor area on the lands.
- Increasing the maximum height limit from 100 to 125 metres (37-storeys).
- Amending the density incentive for retail space, by extending the Prime Frontage Area in the North York Centre Secondary Plan on the west side of Yonge Street north to the subject lands. The existing Prime Frontage Area is shown on Attachment 8. It should be noted that the development application for 5220-5254 Yonge Street, is also requesting that the Prime Frontage Area be extended north to their site.
- Removing the requirements for common outdoor space, whereas the North York Centre Secondary Plan requires non-residential development having a gross floor area of 1,000 sq.m. or greater to provide a minimum common outdoor space area equal to 4 percent of the non-residential floor area or 10 percent of the lot area, whichever is greater.
- To permit rooftop recreational areas to be included in the calculation of the private outdoor recreational space requirement, whereas the North York Centre Secondary Plan currently requires this space to be provided at grade.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Planning and Urban Design Rationale Report
- North York Centre Office Market Demand Assessment Report
- Urban Transportation Considerations Report
- Preliminary Pedestrian Level Wind Assessment
- Stage 1 Archaeological Assessment, prepared by Archaeological Services Inc.
- Phase 1 Environmental Site Assessment
- Phase 2 Environmental Soil and Groundwater Investigation

A Notification of Complete Application was issued on May 26, 2010.

Issues to be Resolved

On a preliminary basis, the following issues have been identified:

- Conformity with Official Plan policies;
- Consistency with the Provincial Policy Statement and conformity with the Growth Plan of the Greater Golden Horseshoe;
- Consideration of the proposed mix of non-residential and residential gross floor area;
- Consideration of extending the Prime Frontage Area;
- Consideration of the proposed density incentives of street retail, childcare, and community space;
- Proposed childcare space to meet the requirements of the Children's Services Division;
- Impacts on abutting public streets and sites, including the Gibson House Museum and Yonge Hearts Childcare Centre and adjacent development sites;
- Consideration of access to the site and public access easements over the proposed service driveway(s) that are being coordinated with each development site within the block;
- Height, Built Form and Massing, including how the proposal addresses the Tall Building Guidelines;
- Parkland requirements (on-site parkland is to be provided at the north end of the subject lands to the satisfaction of the City); and
- Submission of Zoning By-law Amendment and Site Plan Control Approval applications.

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

Toronto Green Standard

The Toronto Green Standard (TGS) is a tool to implement the broader environmental policies of the Official Plan. Several of the natural environment policies of the Official Plan encourage green development. These policies are geared to reduce the negative impacts of development on the natural environment through practices such as improved stormwater management, water and energy efficiency, and waste reduction and recycling. These policies also promote development that enhances the natural environment and supports green industry.

The applicant will be required to submit a TGS Checklist with Zoning By-law Amendment and Site Plan Control Approval applications to demonstrate compliance with the Tier 1 performance standards.

CONTACT

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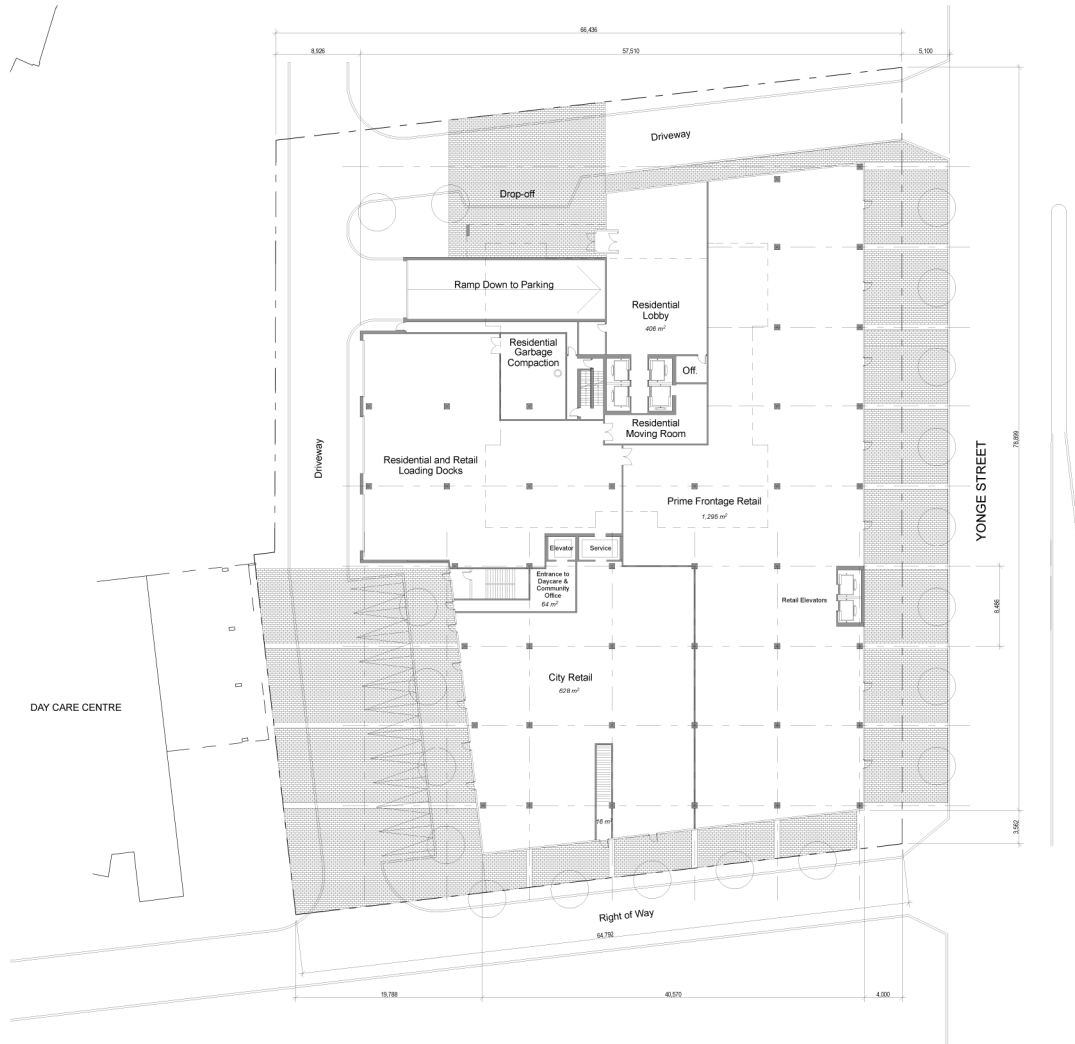
SIGNATURE

Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Ground Level Plan
Attachment 2: Level 2
Attachment 3: Level 3
Attachment 4: Building Section
Attachment 5: Zoning
Attachment 6: Official Plan – North York Centre Secondary Plan - Land Use Plan
Attachment 7: Official Plan – North York Centre Secondary Plan - Prime Frontage Areas
Attachment 8: Current Development Application Sites
Attachment 9: Application Data Sheet

Attachment 1: Ground Level Plan



Ground Level

5182 - 5192, 5200 & 5218 Yonge Street

Not to Scale
10/08/09



File # 10_164793

Attachment 2: Level 2



Level 2

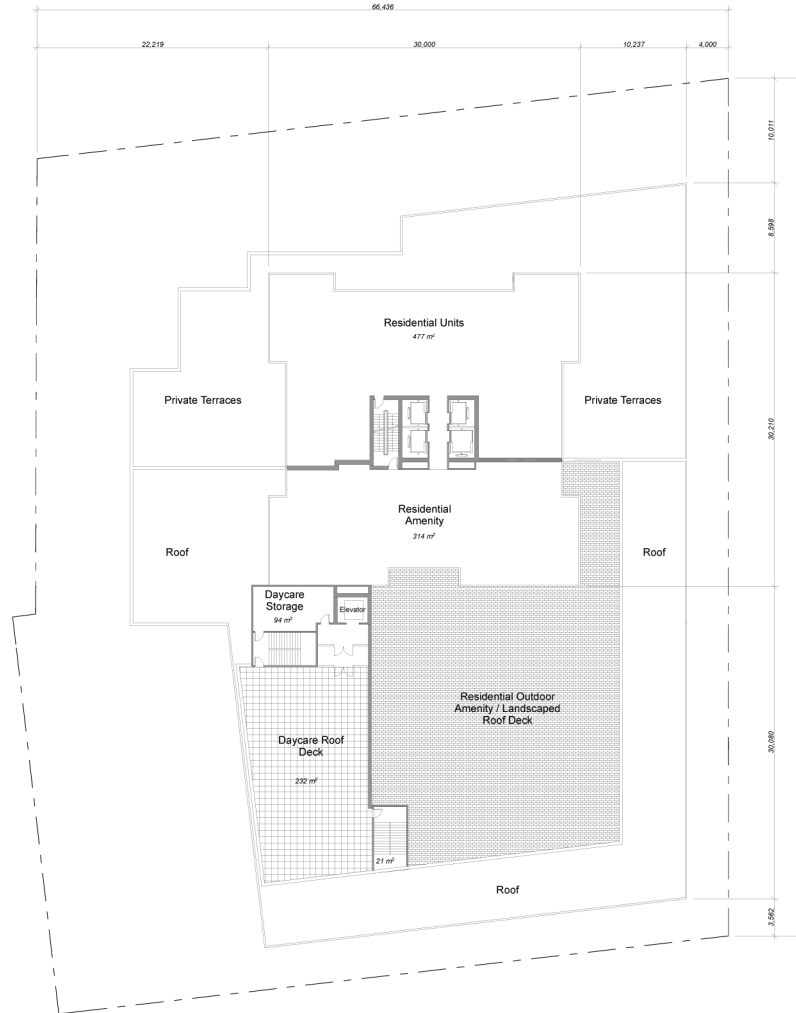
5182 - 5192, 5200 & 5218 Yonge Street

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Attachment 3: Level 3



Level 3

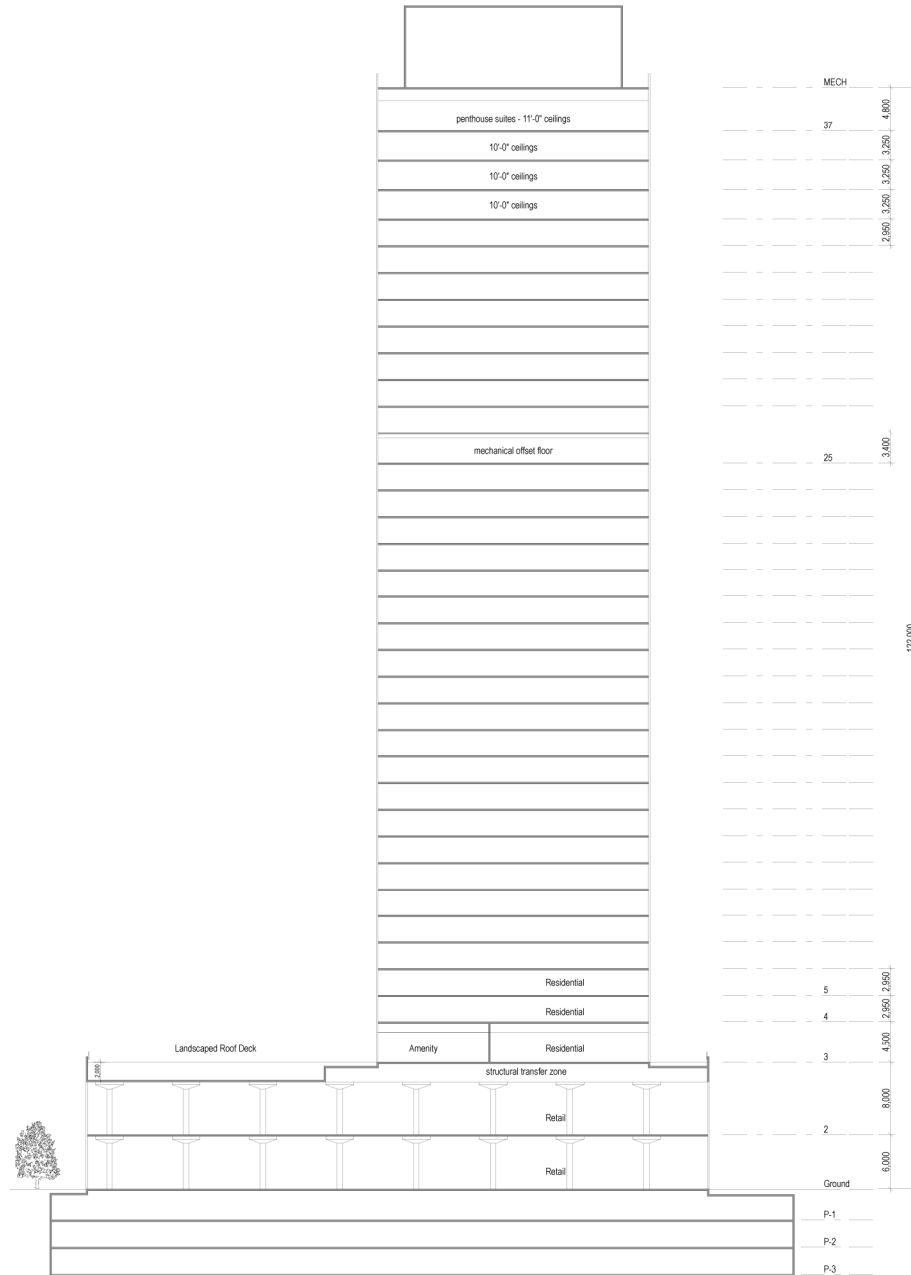
5182 - 5192, 5200 & 5218 Yonge Street

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Attachment 4: Building Section



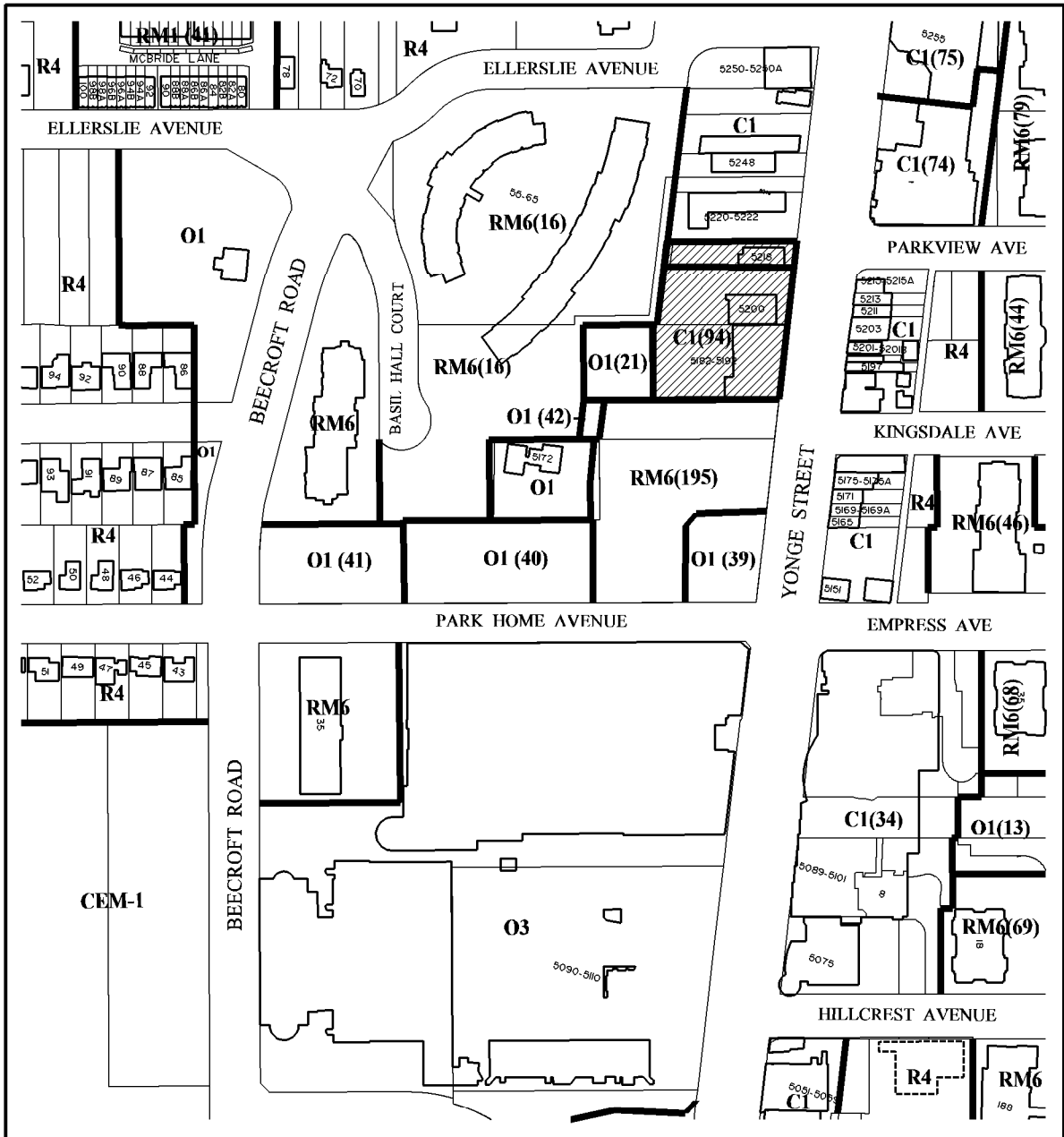
Section

5182 - 5192, 5200 & 5218 Yonge Street

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Attachment 5: Zoning



5182-5192, 5200 & 5218 Yonge Street

File # 10_164793

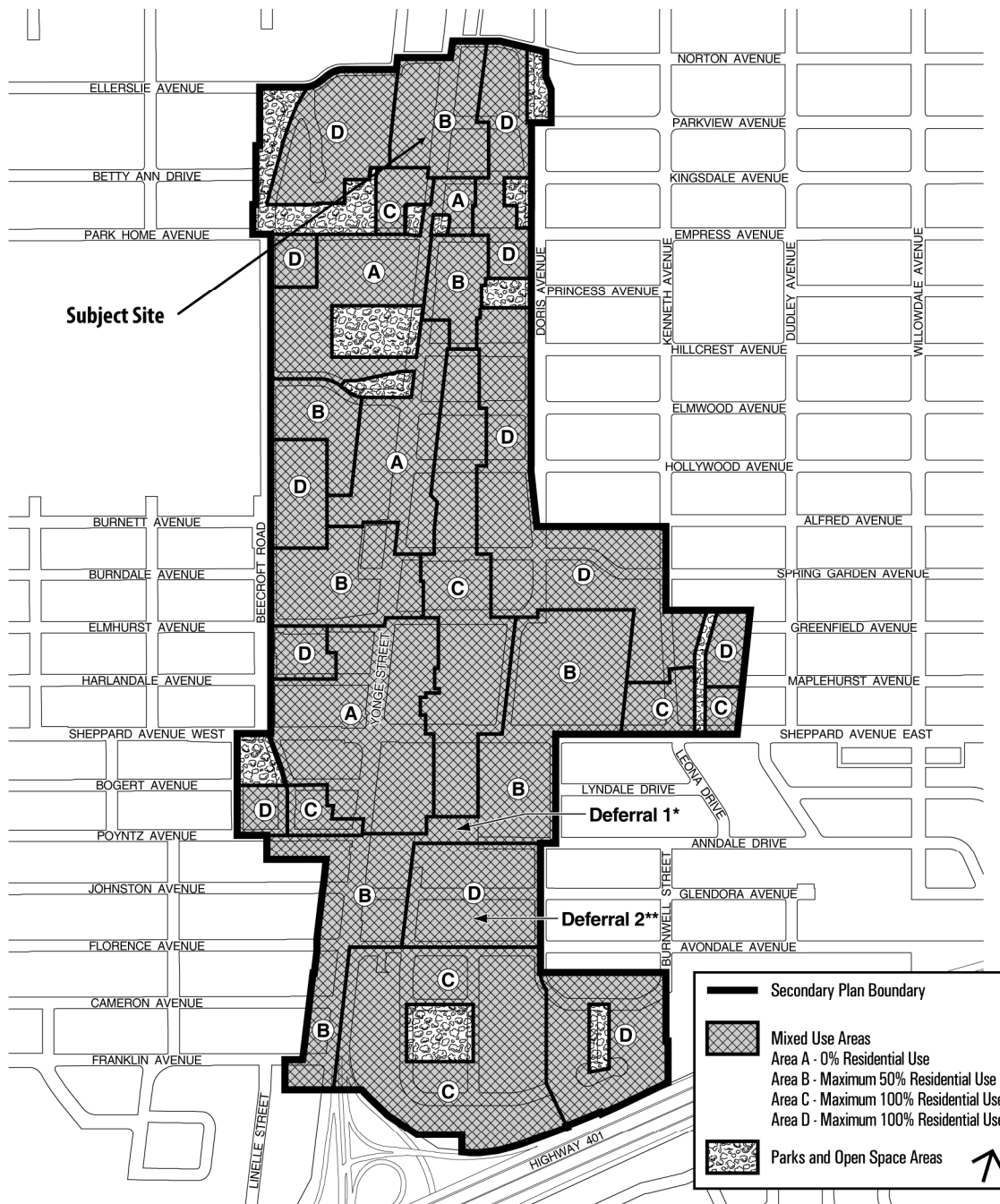
- R4 One-Family Detached Dwelling Fourth Density Zone
- RM6 Multiple-Family Dwellings Sixth Density Zone
- C1 General Commercial Zone
- C2 Local Shopping Centre Zone
- NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

- O1 Open Space Zone
- O3 Semi-Public Open Space Zone
- Cem-1 General Cemetery Zone



Not to Scale
Zoning By-law 7625
Extracted 12/08/08

Attachment 6: Official Plan – North York Centre Secondary Plan - Land Use Plan



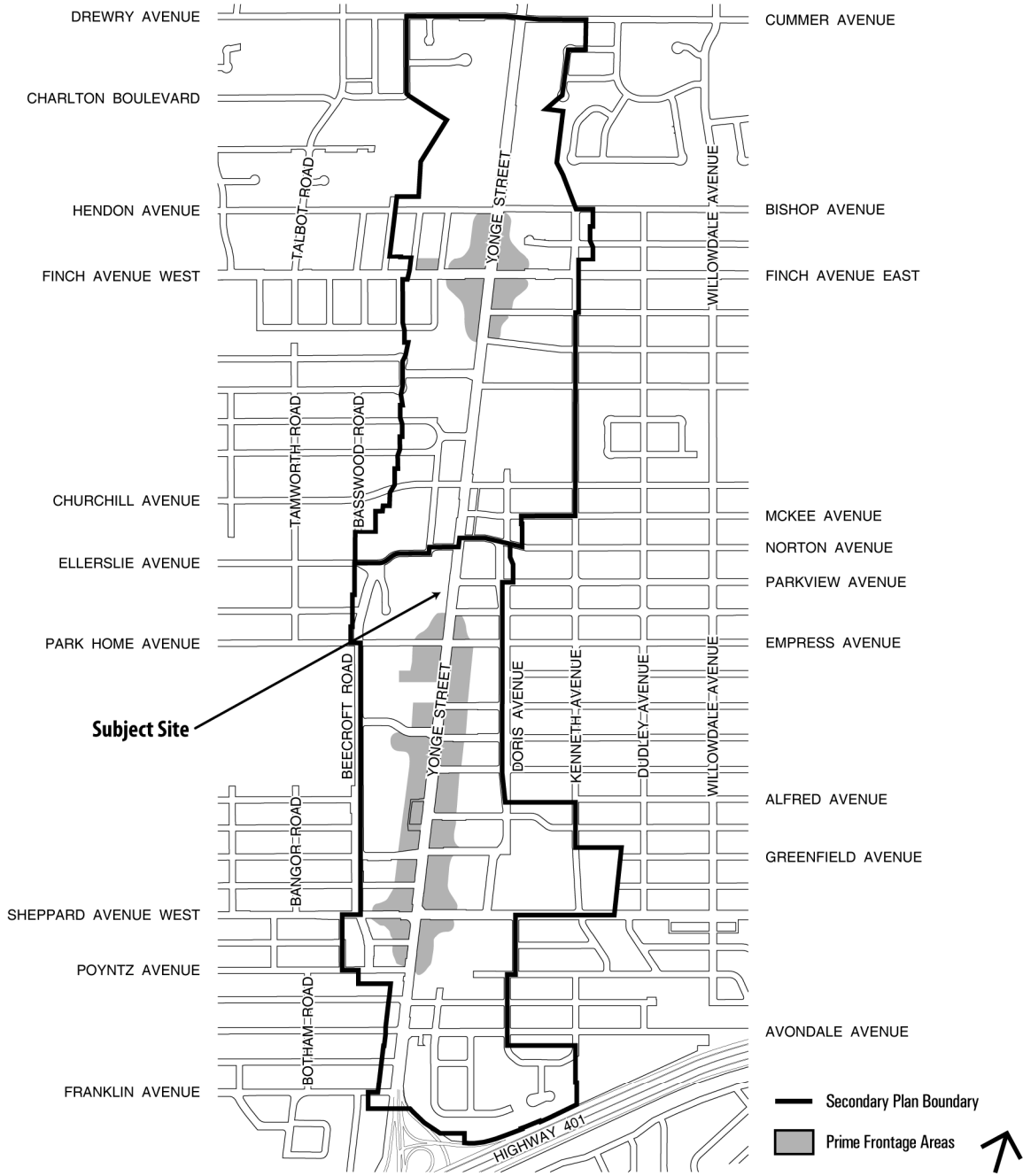
**North York Centre South
Land Use Areas**

5182 - 5192, 5200 & 5218 Yonge Street

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Attachment 7: Official Plan – North York Centre Secondary Plan - Prime Frontage Areas



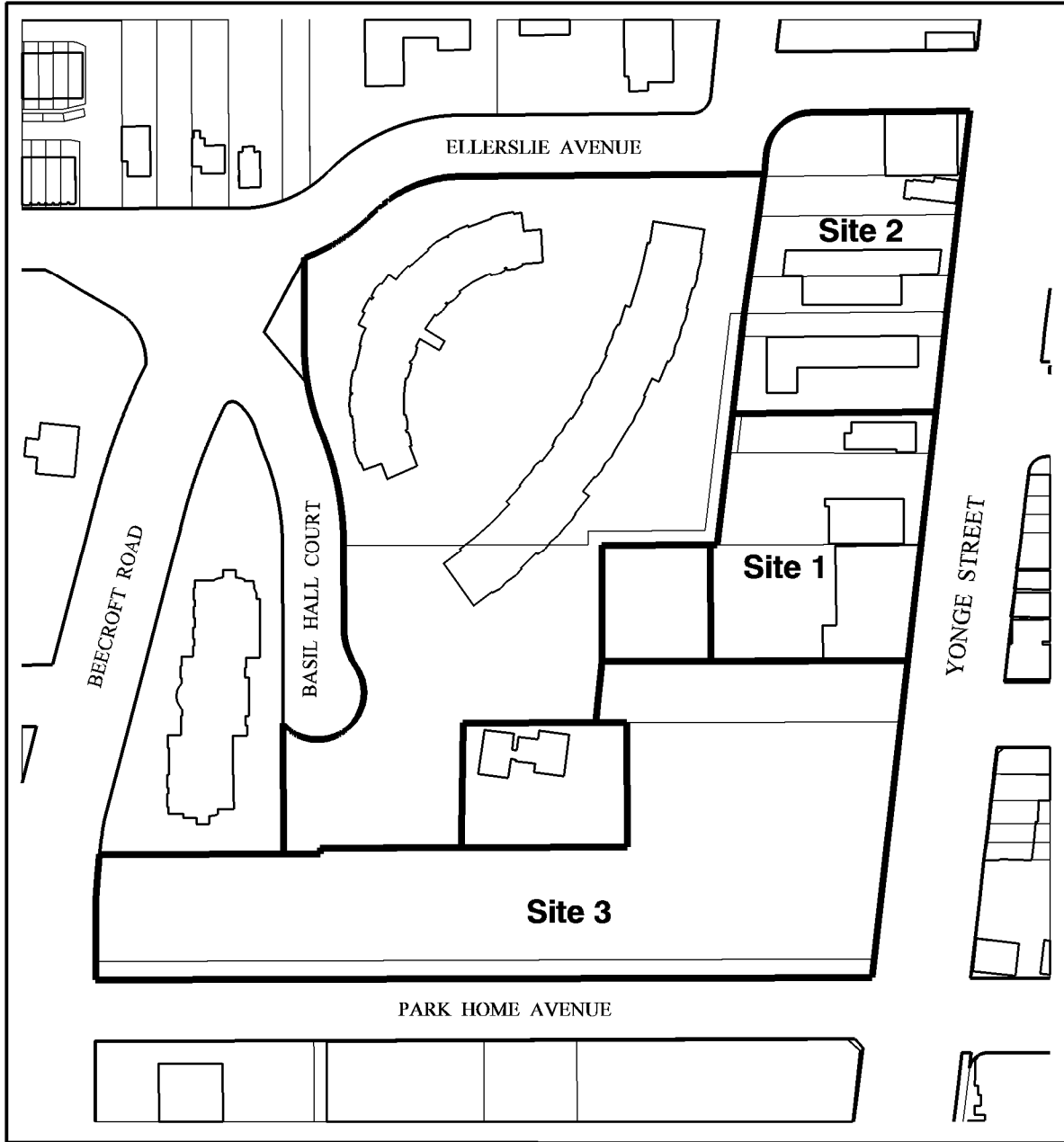
Prime Frontage Area

5182 - 5192, 5200 & 5218 Yonge Street

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File # 10_164793

Attachment 8: Current Development Application Sites



Current Development Application Sites

5182 - 5192, 5200 & 5218 Yonge Street

File # 10_164793



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Extracted 01/22/2008

Attachment 9: Application Data Sheet

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|-----------------------|---|---------------------|---------------------|
| Application Type | Official Plan Amendment | Application Number: | 10 164793 NNY 23 OZ |
| Details | OPA, Standard | Application Date: | April 27, 2010 |
| Municipal Address: | 5182-5192 , 5200 and 5218 Yonge Street | | |
| Location Description: | West side of Yonge Street, between Park Home Avenue and Ellerslie Avenue | | |
| Project Description: | Official Plan Amendment application to permit a 37-storey residential tower including a 2-storey base with retail uses along the Yonge Street frontage (1st and 2nd floor) and suite of social facilities/community uses located within the base, including childcare centre space and community based retail market. The site is currently designated "Mixed Use Area B" in the North York Centre Secondary Plan which permits a maximum 50% residential uses. | | |

| | | | |
|--------------------------------------|---------------|--------------------|------------------------------------|
| Applicant: | Agent: | Architect: | Owner: |
| MCCARTHY TETRAULT LLP JOHN DAWSON | | Wallman Architects | NHD Developments Limited et. al |

PLANNING CONTROLS

| | | | |
|----------------------------|---|--------------------------|-----------------|
| Official Plan Designation: | Mixed Use Area B | Site Specific Provision: | C1(94) - Zoning |
| Zoning: | C1 (94) – Site Specific By-law 453-1999 C1- General By-law 7625 | Historical Status: | |
| Height Limit (m): | 100 metres | Site Plan Control Area: | Yes |

PROJECT INFORMATION

| | | | | |
|------------------------------------|--------|---------|-----------------|--|
| Site Area (sq. m): | 5488.7 | Height: | Storeys: | 37 |
| Frontage (m): | 82.45 | | Metres: | 125 |
| Depth (m): | 66.89 | | | |
| Total Ground Floor Area (sq. m): | 3140 | | | Total |
| Total Residential GFA (sq. m): | 28511 | | Parking Spaces: | Approx. 420 (410 underground & 5-10 surface) |
| Total Non-Residential GFA (sq. m): | 4311 | | Loading Docks | 3 |
| Total GFA (sq. m): | 32822 | | | |
| Lot Coverage Ratio (%): | 57 | | | |
| Floor Space Index: | 5.98 | | | |

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

| | | | | |
|--------------|-------------|----------------------------------|--------------------|--------------------|
| Tenure Type: | Condo | | Above Grade | Below Grade |
| Total Units: | Approx. 450 | Residential GFA (sq. m): | 28511 | 0 |
| | | Retail GFA (sq. m): | 3486 | 0 |
| | | Institutional/Other GFA (sq. m): | 825 | 0 |

| | | |
|-----------------|----------------------|-----------------------------------|
| CONTACT: | PLANNER NAME: | Mark Chlon, Senior Planner |
| | TELEPHONE: | 416-395-7137 |