

4917-4975 Yonge Street, 23 Hollywood Avenue and 18 Spring Garden Avenue - Official Plan Amendment and Zoning Amendment Application - Preliminary Report

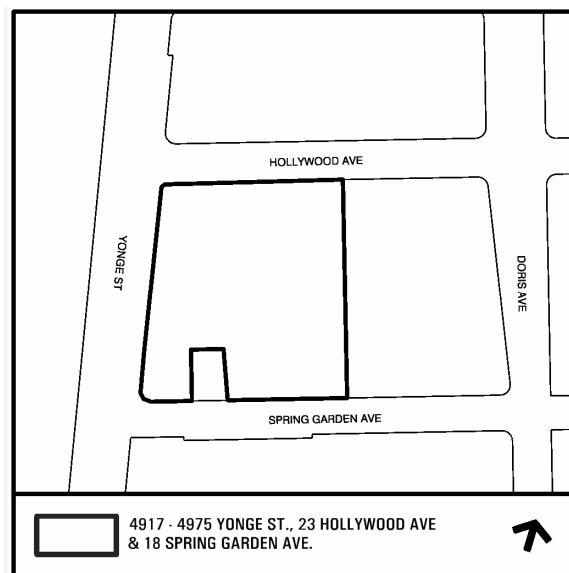
Date:	February 29, 2012
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 23 – Willowdale
Reference Number:	11 330487 NNY 23 OZ Associated Site Plan Application: 10 108155 NNY 23 SA

SUMMARY

These applications propose amendments to the current permissions in the North York Centre Secondary Plan and Site Specific Zoning by-law By-law 459-2005(OMB) in order to permit a revised design for the previously approved 34 storey (100 metre) mixed use building to be constructed along Yonge Street between Hollywood Avenue and Spring Garden Avenue.

The amendments for the proposed 34-storey building include a request to increase the permitted building height for the tower to 114 metres, clarify the list of permitted uses and refine the applicable non-residential parking standards. The OPA application is also requesting to amend the site specific policy 12.27 in the North York Centre Secondary Plan to adjust the residential and non-residential gross floor area numbers and long range development levels, accordingly.

The Rezoning application is also requesting to adjust the geographical area of two zones in the zoning by-law to RM6 (155) and



RM6(107), and respective site areas and setbacks to include the private laneway within the mixed use development site. The minor variance permissions granted by the Committee of Adjustment under File A0221/10NY are also proposed to be included in the proposed amending zoning by-law.

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

It is recommended 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 third quarter of 2012.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 4917-4975 Yonge Street, 23 Hollywood Avenue and 18 Spring Garden Avenue 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*.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

In 2005, the Ontario Municipal Board approved a comprehensive development plan for the block bounded by Yonge Street, Hollywood Avenue, Doris Avenue and Spring Garden Avenue. The implementing Official Plan Amendment and Zoning By-law 459-2005 (OMB) permits two 36-storey residential buildings, a 24-storey residential building, the new Claude Watson School For the Arts fronting Doris Avenue, and this proposed 34-storey mixed use building fronting Yonge Street. The existing Legion Hall building at 6 Spring Garden Avenue is also recognized and is covered by a site specific zoning C1 (103).

In January 2010, a site plan application was submitted for the proposed mixed use building to be constructed along the Yonge Street frontage of the block.

The applicant also applied to the Committee of Adjustment (File A0221/10NY) and requested the following variances to Site Specific By-law 459-2005(OMB), for the proposed mixed-use building.

The variances were to allow:

- an increase the number of dwellings units from 420 to 431;
- the building height of the northerly and southerly portion of the building to increase from 16m and 3 storeys to 19.6m and 4 storeys;
- the parking spaces to have minimum dimensions of 2.7 metres in width and 5.5 metres in length and allow for parallel parking spaces to have minimum dimensions of 2.7 metre and 6.7 metres in length;
- a three (3) storey roof projection of 2.5m into the minimum yard setback along the Yonge Street frontage; and,
- a landscape area of a minimum 815 m² instead of 900 m².

City Planning provided comments to the Committee of Adjustment in support of the Minor Variance application, subject to the owner receiving Site Plan Control Approval for the proposed mixed-use building.

At its June 23, 2010 meeting the Committee of Adjustment approved the variances, subject to the following conditions.

1. Site Plan Approval being obtained.
2. The total number of dwelling units in all of the residential buildings within the proposed development not to exceed the total number permitted by Zoning By-law 459-2005 (OMB).
3. Verification, satisfactory to the Director, Community Planning, North York District and the Deputy Chief Building Official, North York District, that the plans and drawings conform to the approved Zoning By-law as modified by the Variance, and do not provide for or allow additional gross floor area or extra height beyond that permitted by the By-law.

A Motion was passed by Council at its meeting of July 6/7, 2010 for the City Solicitor to appeal the subject minor variance application. The City Solicitor subsequently submitted an appeal to the OMB.

After consideration of a July 26, 2010 staff report from City Planning staff regarding the variances, City Council, at its meeting on August 25, 26 and 27, 2010 authorized the City Solicitor to withdraw its appeal to the Ontario Municipal Board.

The applicant is requesting that the previously approved minor variances be incorporated in the proposed amending zoning by-law.

Pre-Application Consultation

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

ISSUE BACKGROUND

Proposal

The subject site is currently approved for a 34-storey (100 metre) mixed use building containing 3 commercial floors in a four storey podium.

Amendments are being proposed to the current permissions in the North York Centre Secondary Plan and Site Specific Zoning by-law By-law 459-2005(OMB) and to implement previous Committee of Adjustment variances in order to permit a modified 34 storey, building design having an increased height of 114 metres in response to market demand for nine foot floor-to-ceiling heights within the residential floors and also to enable greater flexibility within the commercial space, enhancing its attractiveness for retail as well as office tenants.

The applicant has indicated that the total gross floor area of the building remains unchanged, however the proposed commercial residential split would be adjusted. The amount of required commercial space would decrease from 9,000 square metres to 8,400 square metres and the maximum permitted residential would be increase from 36,800 square metres to 37,400 square metres to reflect the numbers in the previously approved zoning by-law. A total of 431 residential units are proposed.

The site would be accessed by the existing north south private driveway currently located between the abutting residential development lands that will now form part of the mixed use development portion. This driveway would continue to provide access to the adjacent residential development.

A total of 622 parking spaces are to be provided in a 5-level underground parking garage, consisting of 431 secured residential spaces for tenants and a shared public parking area with 43 residential visitors, 108 commercial and 40 spaces for the Legion hall located at 6 Spring Garden Avenue.

The previously submitted Site Plan Control application was revised to reflect the current proposal.

Site and Surrounding Area

The proposed mixed use building would be located on Yonge Street, between Hollywood Avenue and Spring Garden Avenue, which currently consist of low rise commercial retail buildings, an interim park and a temporary sales office. The proposed building forms part of the comprehensive development plan for the block bounded by Yonge Street, Hollywood Avenue, Spring Garden Avenue and Doris Avenue.

Currently, the block contains three high rise residential towers, the Legion Hall on Spring Garden Avenue and the new Claude Watson School for the Arts along Doris Avenue. The proposed mixed use building is the final building to be constructed in this city block.

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.

Official Plan

The subject lands are located within the South Area of the North York Centre Secondary Plan and is designated *Mixed Use Area A* and subject to Site Specific Policy 12.27, which covers the lands bounded by Yonge Street, Spring Garden Avenue, Doris Avenue and Hollywood Avenue, excluding 6 Spring Garden Avenue (the Legion Hall property).

Policy 12.27 reads as follows:

"(a) Despite the *Mixed Use Area A* designation of the lands municipally known in 2004 as 4917-4975 Yonge Street, a mixed-use development of these lands may incorporate a residential component of maximum 36,800 square metres gross floor area including exemptions, provided that the development incorporates a non-residential component of minimum 9,000 square metres gross floor area including exemptions. Except for residential lobbies, the first three floors of the building will be restricted to non-

residential uses and the ground floor will be additionally restricted to retail and service commercial uses.

(b) Despite the provisions of Subsections 6.7(b) and 6.7(d) of this Secondary Plan, rooftop podium recreational area may be included in the calculation of the private outdoor recreational space requirement.

(c) No buildings will be constructed on the school playground area of approximately 3,000 square metres located in the *Mixed Use Area D* area north of Spring Garden Avenue and west of Doris Avenue."

The North York Centre Secondary Plan also includes Environment and Urban Design objectives for new developments, among other provisions. Section 5.4.2 of the Secondary Plan discourages site specific amendments to height, but includes criteria for evaluating such requests. These criteria require proposals to demonstrate they provide for desirable flexibility in built form; would have no appreciable impact on the residential amenity of properties in the stable residential area; and meet the urban design objectives of the Secondary Plan.

Zoning

As previously mentioned, the Ontario Municipal Board approved a comprehensive development plan for the block bounded by Yonge Street, Hollywood Avenue, Doris Avenue and Spring Garden Avenue. Zoning By-law 459-2005 (OMB) implements the plans to permit two 36-storey residential buildings, a 24-storey residential building, a new Claude Watson School For the Arts fronting Doris Avenue, and the proposed 34-storey mixed use building fronting Yonge Street. The existing Legion Hall building at 6 Spring Garden Avenue is also recognized and is covered by a site specific zoning C1 (103).

Each component of the development block is covered by its own site specific exception including, but not limited to, maximum gross floor area, parking requirements, permitted uses, and available density incentives and transfers. Separate zoning schedules with maximum height, envelopes and building setbacks are also attached to the included Zoning By-law 459-2005 (OMB).

The proposed amendments to the zoning by-law relate to RM6(155) and RM6(107) for the proposed mixed use building and abutting residential towers. The zoning has been varied by the Committee of Adjustment respecting number of units, base building height, parking space dimensions, roof projections at the third storey and landscape area as noted in the decision history section.

Site Plan Control

A Site Plan Control application was submitted in 2010 and is being processed concurrently with the Official Plan and Zoning By-law Amendment applications.

Tree Preservation

Urban Forestry staff are reviewing the proposal 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

The OPA and Rezoning applications are proposing to increase the permitted building height for the tower portion from 100 metres to 114 metres, clarify the list of permitted uses to recognize grocery stores, supermarkets and pharmacies as retail stores and refine the applicable commercial and institutional parking standards.

The OPA application is also requesting to amend the site specific policy 12.27 in the North York Centre Secondary Plan to adjust the residential and non-residential gross floor area numbers and revise the long range development levels accordingly. The proposed OPA will not increase the total permitted gross floor area of the building or the number of storeys currently permitted but would allow a technical change to the commercial-residential split to reflect that permitted by the existing zoning by-law. The amount of required commercial space would decrease from 9,000 square metres to 8,400 square metres and the maximum permitted residential would be increase from 36,800 square metres to 37,400 square metres to reflect the numbers in the approved zoning by-law.

The Rezoning application is also requesting to adjust the geographical area of the RM6 (155) zone to include the private laneway that separates the residential towers at 23 Hollywood Ave. and 18 Spring Garden Ave. from the subject mixed-use development. The minor variance permissions granted by the Committee of Adjustment under File A0221/10NY are also proposed to brought in to the amending zoning by-law.

It is also being requested that certain provisions to the RM6(107) Section of By-law 459-2005(OMB) which has been developed with residential towers (Buildings A and B) be amended to reflect the adjustment for the private laneway and the actual building footprints of the buildings constructed on this portion of the lands.

COMMENTS

Application Submission

A Notification of Incomplete Application issued on January 21, 2012 identifies the outstanding material required for a complete application submission. A revised Notification of Incomplete Application was issued on February 3, 2012 identifying a Loading Study and Parking Study, Traffic Operations Assessment and Transportation Impact Study as being outstanding materials.

The outstanding material was submitted on February 16, 2012 and a Notification of Complete Application was subsequently issued on February 29, 2012.

Issues to be Resolved

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

- Consistency with the Provincial Policy Statement and conformity with the Growth Plan of the Greater Golden Horseshoe;
- Conformity with Official Plan and North York Centre Secondary Plan policies;
- Appropriateness of the requested zoning changes;
- Compliance with the approved site plan and condominium approvals for the abutting residential developments located at 18 Spring Garden Avenue and 23 Hollywood Avenue, with the allocation of the private driveway to the mixed use development;
- Parking arrangements within the proposed parking garage for the Legion building located at 6 Spring Garden Avenue.

Staff will be encouraging the applicant to review sustainable development opportunities by utilizing the Toronto Green Standard, adopted by City Council in July 2006.

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

CONTACT

Paul Byrne, Manager
Community Planning, North York District
Phone: 416-395-7105
Email: pbyrne@toronto.ca

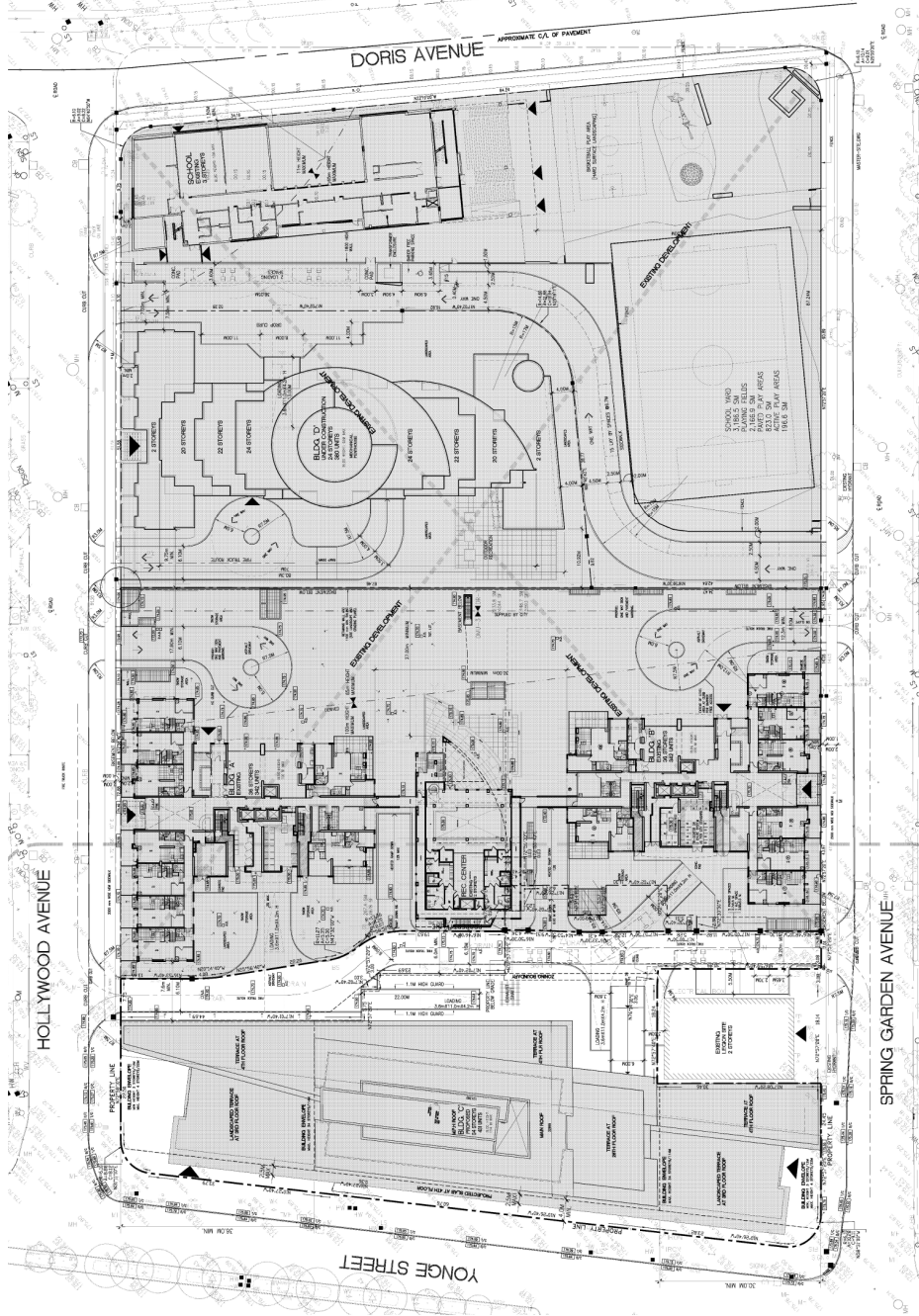
SIGNATURE

Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Master Site Plan
Attachment 2: Site Plan
Attachment 3: West Elevation
Attachment 4: North Elevation
Attachment 5: South Elevation
Attachment 6: East Elevation
Attachment 7: Existing Zoning
Attachment 8: Existing Land Use Plan – North York Centre Secondary Plan
Attachment 9: Existing Height Map – North York Centre Secondary Plan
Attachment 10: Site Specific Policies – North York Centre Secondary Plan
Attachment 11: Application Data Sheet

Attachment 1: Master Site Plan



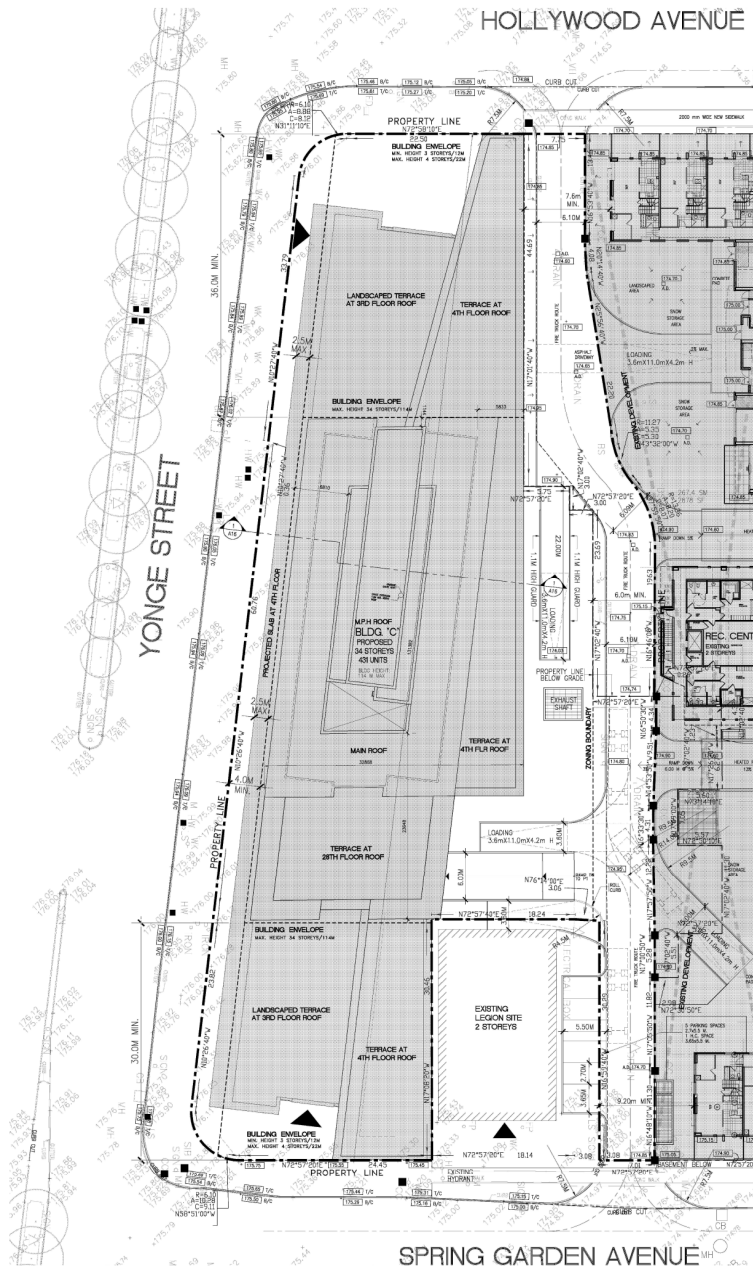
**4917 - 4975 Yonge St, 23 Hollywood Ave. &
18 Spring Garden Ave.**

File # 11 330487 MNY 23

Master Site Plan
Applicant's Submitted Drawing

Not to Scale
02/17/2012

Attachment 2: Site Plan



Site Plan

Applicant's Submitted Drawing

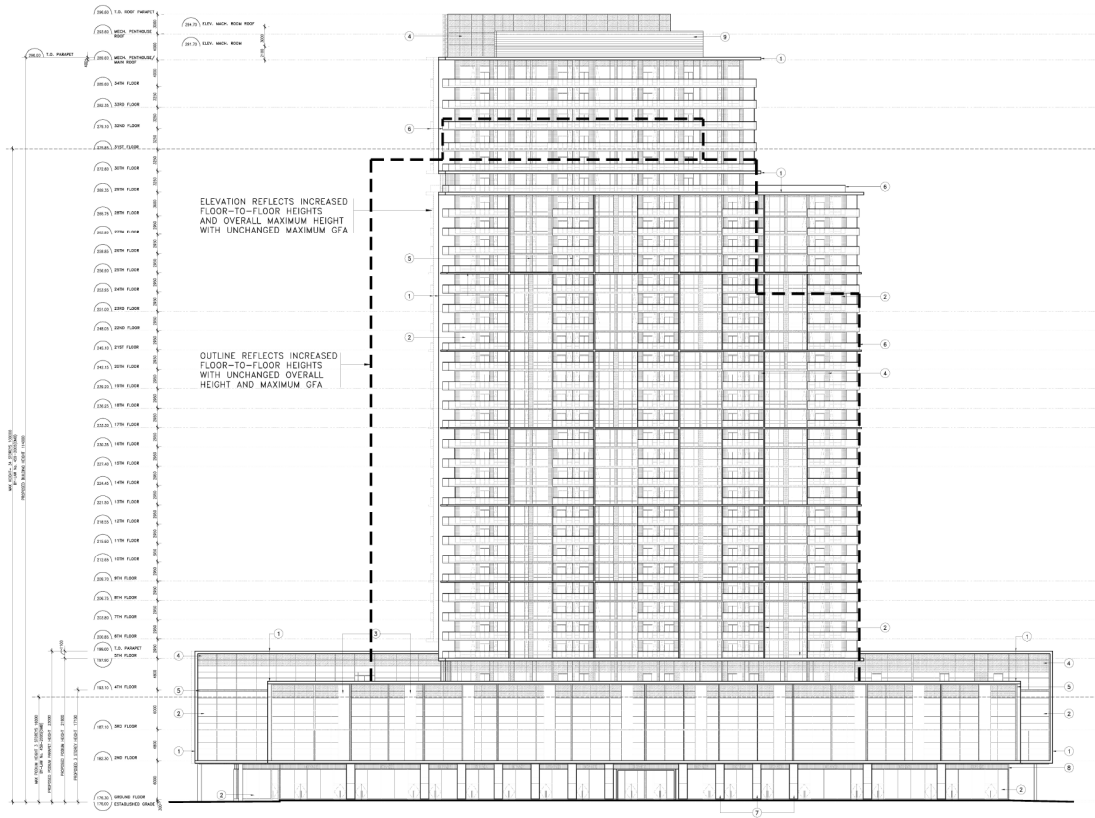
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4917 - 4975 Yonge St, 23 Hollywood Ave. &
18 Spring Garden Ave.

File # 11 330487 NNY 23

Attachment 3: West Elevation



West Elevation

Elevations

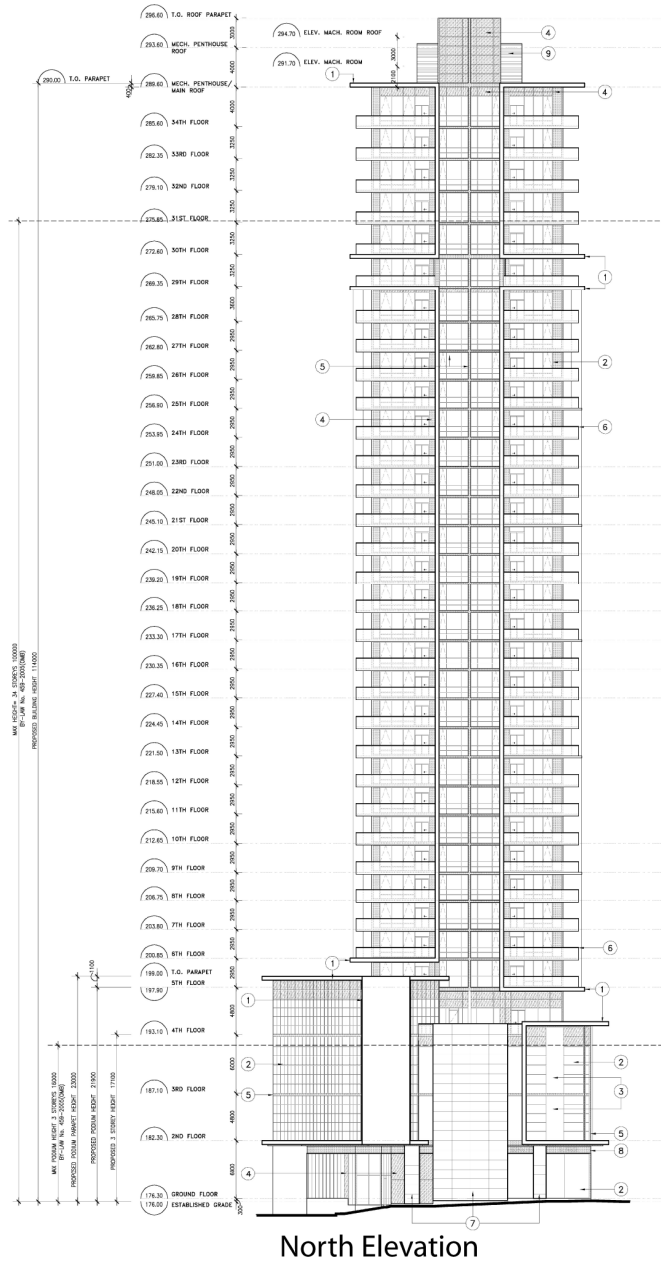
Applicant's Submitted Drawing

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02/17/2012

4917 - 4975 Yonge St, 23 Hollywood Ave. &
18 Spring Garden Ave.

File # 11 330487 NNY 23

Attachment 4: North Elevation



Elevations

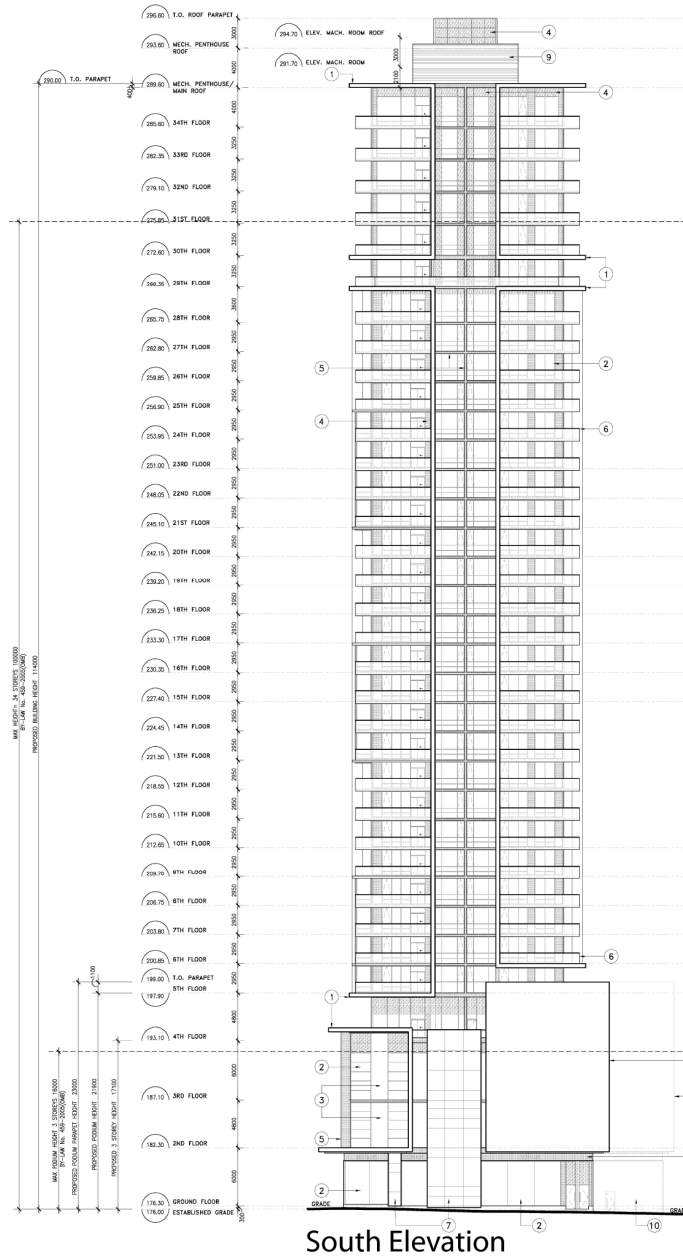
Applicant's Submitted Drawing

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02/17/2012

4917 - 4975 Yonge St, 23 Hollywood Ave. &
18 Spring Garden Ave.

File # 11 330487 NNY 23

Attachment 5: South Elevation



Elevations

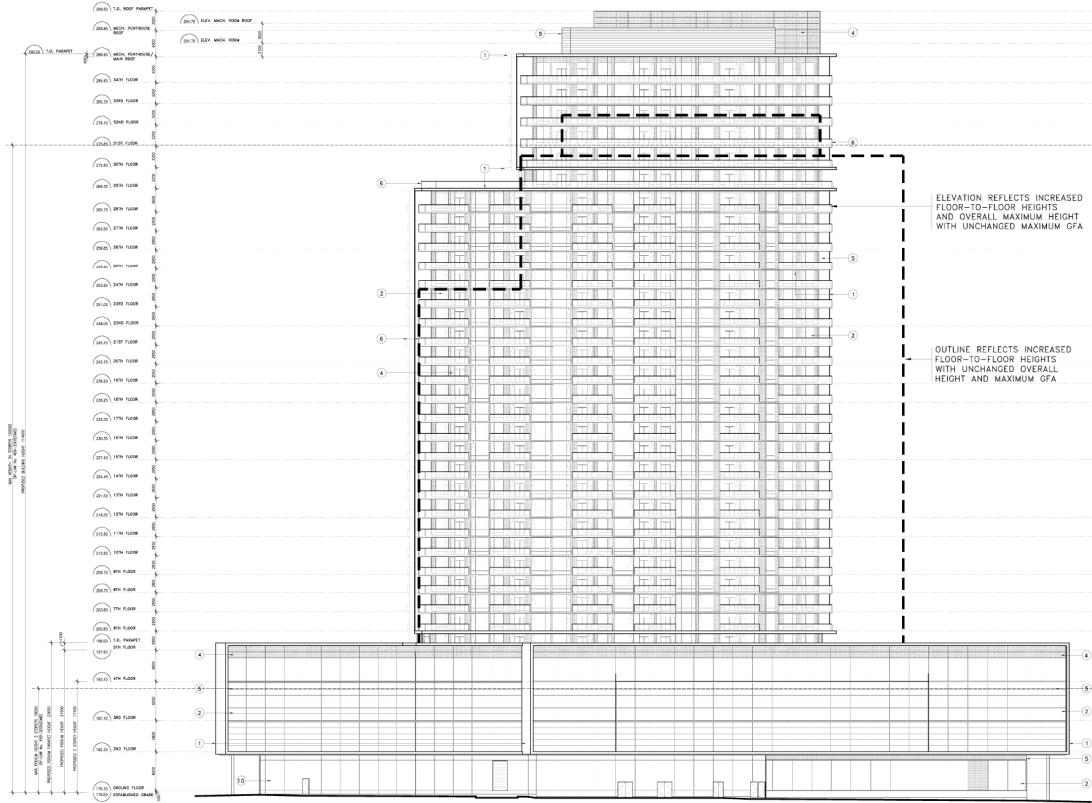
Applicant's Submitted Drawing

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02/17/2012

4917 - 4975 Yonge St, 23 Hollywood Ave. &
18 Spring Garden Ave.

File # 11 330487 NNY 23

Attachment 6: East Elevation



East Elevation

Elevations

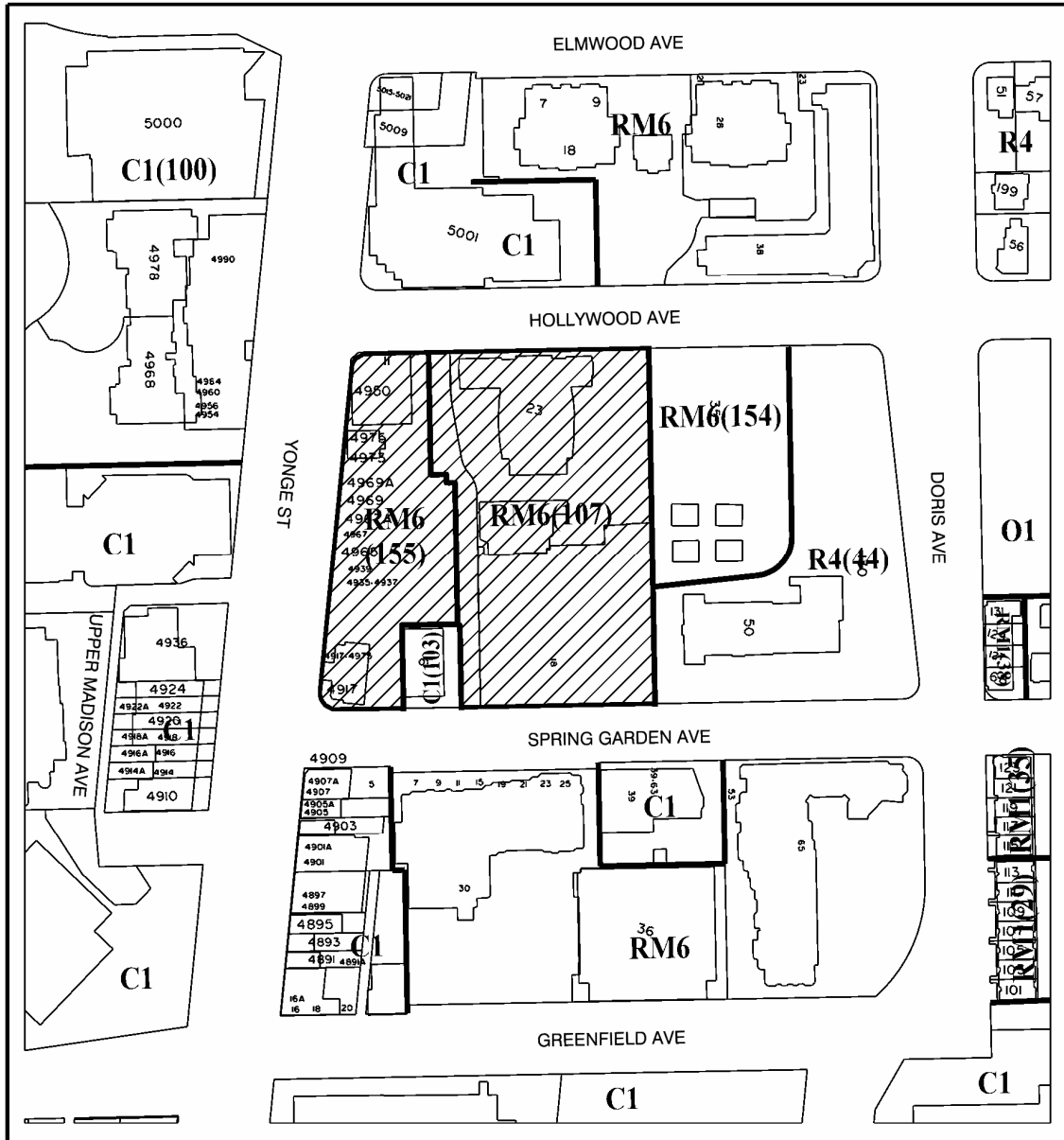
Applicant's Submitted Drawing

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02/17/2012

4917 - 4975 Yonge St, 23 Hollywood Ave. &
18 Spring Garden Ave.

File # 11 330487 NNY 23

Attachment 7: Existing Zoning



4917 - 4975 Yonge St., 23 Hollywood Ave. & 18 Spring Garden Ave.



File # 11 330487 NNY 23

- R4 One-Family Detached Dwelling Fourth Density Zone
- RM1 Multiple-Family Dwellings First Density Zone
- RM6 Multiple-Family Dwellings Sixth Density Zone

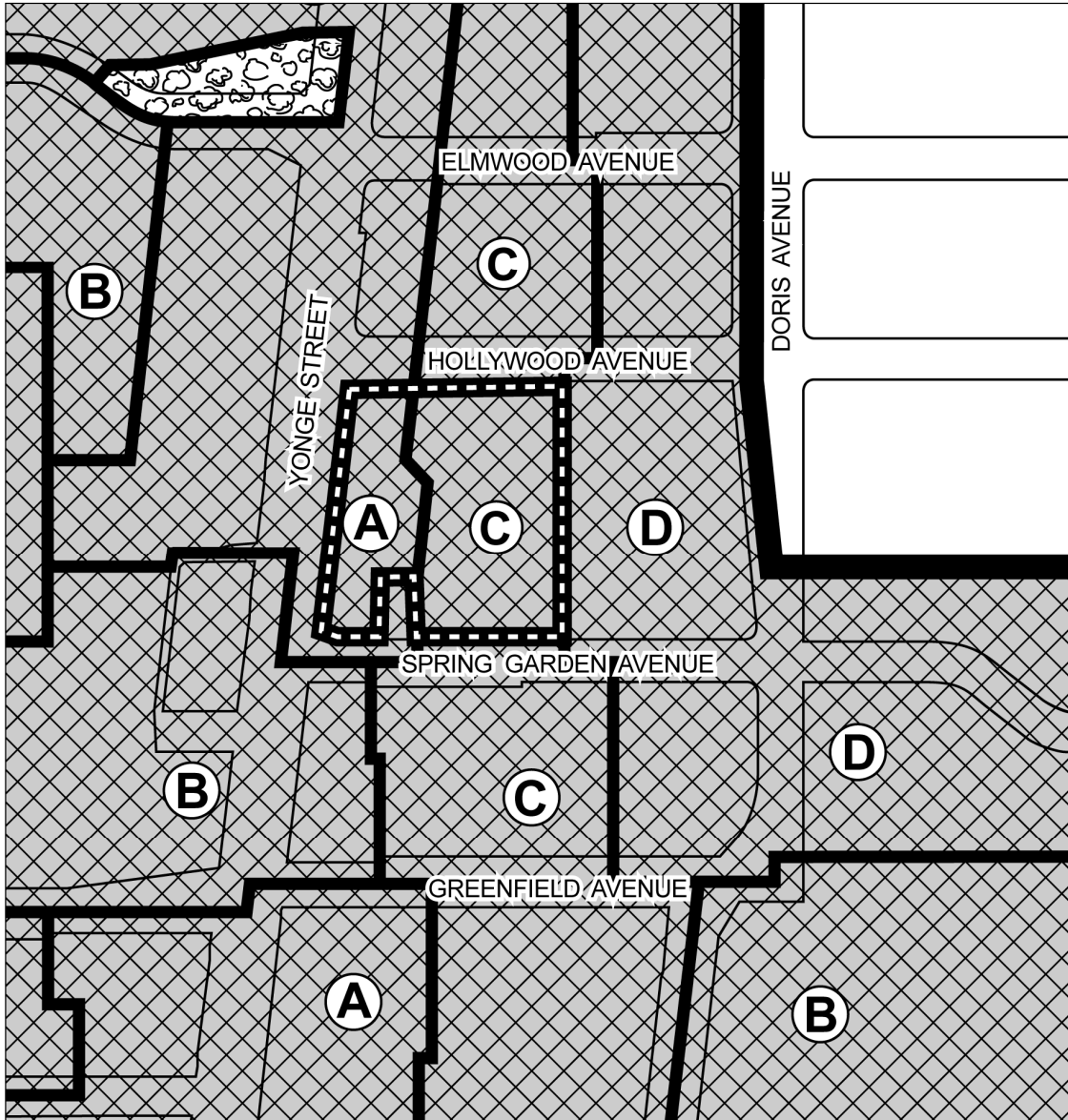
- C1 General Commercial Zone
- O1 Open Space Zone



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Zoning By-law 7625
Extracted 02/18/2012

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category





Attachment 8: Existing Land Use Plan – North York Centre Secondary Plan



TORONTO City Planning
Official Plan
 North York Centre South Land Use Areas

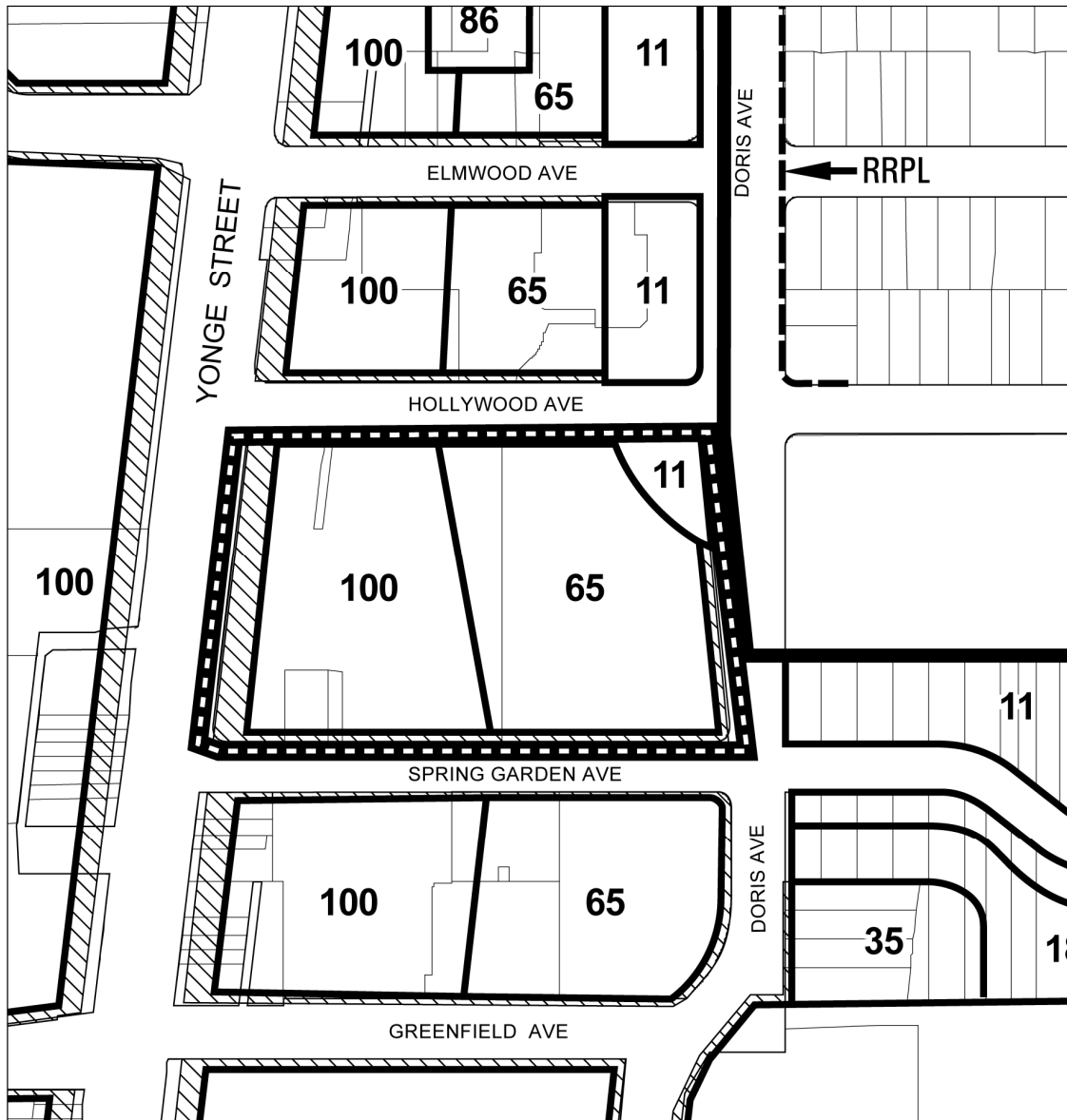
4917 - 4975 Yonge St., 23 Hollywood Ave
 & 18 Spring Garden Ave.

File # 11 330487 NNY 23

-  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

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Attachment 9: Existing Height Map – North York Centre Secondary Plan



TORONTO City Planning
North York Centre Secondary Plan
 MAP 8-8c Maximum Height Limits

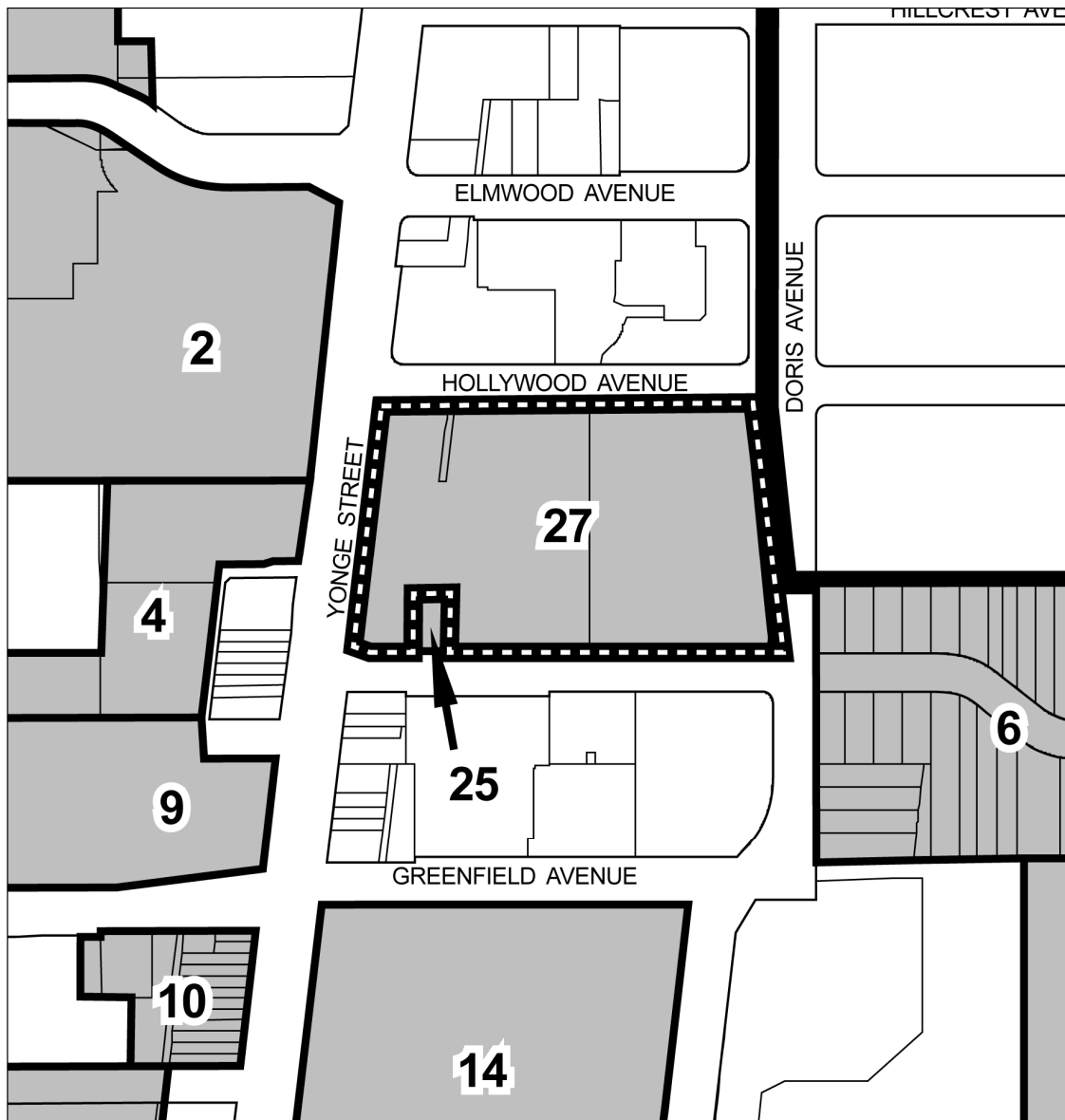
4917 - 4975 Yonge St., 23 Hollywood Ave
 & 18 Spring Garden Ave.

File # 11 330487 NNY 23

Site Location	The Lesser of 18m or 6 Storeys	Maximum 86m Above Grade
Secondary Plan Boundary	The Lesser of 24m or 7 Storeys	Maximum 100m Above Grade
Relevant Residential Property Line (RRPL)	The Lesser of 35m or 12 Storeys	Maximum 50% Horizontal Distance from RRPL
The Lesser of 11m or 3 Storeys	Maximum 65m Above Grade	Street Facade Limit as per Section 5.3 of this Secondary Plan

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Attachment 10: Site Specific Policy 12.27 – North York Centre Secondary Plan



North York Centre Secondary Plan
 MAP 8-12 North York Centre South Site Specific Policies

4917 - 4975 Yonge St., 23 Hollywood Ave
 & 18 Spring Garden Ave.

File # 11 330487 NNY 23

-  Site Location
-  Secondary Plan Boundary
-  Site Specific Policy Areas

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Attachment 11: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	11 330487 NNY 23 OZ Associated Site Plan: 10 108155 NNY 23 SA
Details	OPA & Rezoning, Standard	Application Date:	December 23, 2011
Municipal Address:	4917-4975 Yonge Street, 23 Hollywood Avenue and 18 Spring Garden Avenue		
Location Description:	East side of Yonge Street, between Hollywood Avenue and Spring Garden Avenue.		
Project Description:	To revise the existing OP and Zoning permissions to include an increase in building height, clarifying the list of permitted uses and refining the applicable commercial and institutional parking standards, among other items.		

Applicant:
DAVIES HOWE
PARTNERS LAWYERS

Architect:
E.I. Richmond
Architects Ltd.

Owner:
ROSEDALE
DEVELOPMENTS INC

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas A	Site Specific Provision:	12.27 North York Centre Secondary Plan
Zoning:	RM6(155)	Historical Status:	
Height Limit (m):	34-storey (100 metres)	Site Plan Control Area:	Y

PROJECT INFORMATION (Mixed use Building)

Site Area (sq. m):	5774	Height:	Storeys:	34
Frontage (m):	127.4		Metres:	114
Depth (m):	varies			
Total Ground Floor Area (sq. m):	3002			Total
Total Residential GFA (sq. m):	37207		Parking Spaces:	622
Total Non-Residential GFA (sq. m):	8587		Loading Docks	2
Total GFA (sq. m):	45,770			
Lot Coverage Ratio (%):	60.2			

DWELLING UNITS

Tenure Type:	Condo
1 Bedroom:	198
2 Bedroom:	179
3 + Bedroom:	54
Total Units:	431

FLOOR AREA BREAKDOWN (upon project completion)

Residential GFA (sq. m):	37,207	0
Retail GFA (sq. m):	2543.9	0
Office GFA (sq. m):	6019.7	0