

**5182-5192, 5200 and 5218 Yonge Street - Zoning By-law Amendment Application - Preliminary Report**

<b>Date:</b>	March 26, 2012
<b>To:</b>	North York Community Council
<b>From:</b>	Director, Community Planning, North York District
<b>Wards:</b>	Ward 23 – Willowdale
<b>Reference Number:</b>	12 116291 NNY 23 OZ Associated Official Plan Amendment Application 10 164793 NNY 23 OZ

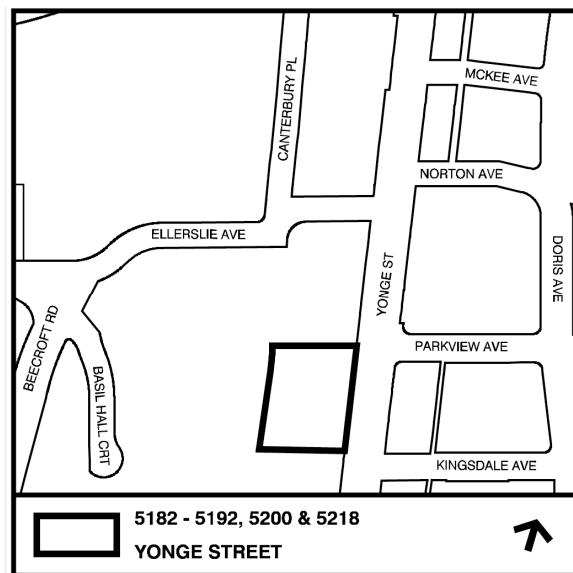
**SUMMARY**

This Zoning By-law Amendment application accompanies a previously submitted Official Plan Amendment application to permit a 36-storey (125 metre) residential tower, including a 3-storey base building with non-residential uses.

The subject property is located on the west side of Yonge Street, between Park Home Avenue and Ellerslie 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 direction on further processing of the application 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 fourth quarter of 2012.



## RECOMMENDATIONS

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### The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 5182-5192, 5200 and 5218 Yonge Street 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. Council subsequently 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 m<sup>2</sup> by transferring density back to Gibson House and conveying a portion of their site to the City for the construction of a daycare. The 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 its 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, 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 was 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 a 120 unit, 17-storey residential apartment building, among other provisions.

In 2002, Official Plan and Zoning By-law Amendment applications were submitted to amend the 50% residential gross floor area limit 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 m<sup>2</sup> 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 Official Plan and Rezoning applications were later amended to reflect a proposed 33 storey residential building including a 5-storey mixed-use base building. These applications were put on hold by the owner and were never reactivated and have been closed.

An Official Plan Amendment application was submitted on April 27, 2010 to permit a 37-storey (125 metre) residential tower including a 2-storey base building with retail uses along the Yonge Street frontage. A Preliminary Report was considered by North York Community Council at its meeting of February 16, 2011 that recommended that a community consultation meeting be held for the Official Plan Amendment application.

The Preliminary Report is available at:

<http://www.toronto.ca/legdocs/mmis/2011/ny/bgrd/backgroundfile-35537.pdf>

On June 21, 2011 a community meeting was held in consultation with the Ward Councillor, City staff and the applicant. A revised proposal for a 36-storey residential tower including a 3-storey non-residential base building was presented by the applicant at this meeting.

In July 2011, the applicant amended their Official Plan Amendment application providing a mix in the amount of non-residential and residential uses to be required. The applicant is now proposing 23 % non-residential and 77% residential uses. The applicant is also proposing that the density incentives include the area of the publicly accessible open space at the north end of the site and the retail/community space fronting on the proposed pedestrian mews, among other items in their original application.

### **Pre-Application Consultation**

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

## **ISSUE BACKGROUND**

### **Proposal**

As noted above the applicant submitted an Official Plan Amendment application for the subject lands, 5182-5192, 5200 and 5218 Yonge Street to amend the required mix of

residential and non-residential use. The site currently permits up to a maximum of 50% residential uses, whereas the applicant is proposing 77% residential uses. The applicant also proposed an increase the height limit from 100 to 125 metres, amend the density incentives for retail space and publicly accessible open space, and remove the requirements for common outdoor space and at-grade private outdoor residential amenity space, among other items.

This rezoning application proposes to amend the former City of North York Zoning By-law No. 7625 to implement the proposed Official Plan Amendment application.

The applicant is seeking permission to construct a 36-storey mixed use building, containing approximately 374 residential units in a point tower with a maximum height of 125 metres (not including the mechanical penthouse). The proposed development would have a maximum gross floor area, including proposed incentives, of 32,822 m<sup>2</sup> (5.98 FSI), consisting of 27,037 m<sup>2</sup> of Residential Gross Floor Area and 5,785 m<sup>2</sup> of Non-Residential Gross Floor Area.

The proposed development includes ground floor retail/commercial space fronting onto Yonge Street, as well as office/commercial uses on the second and third floors.

The applicant is also proposing, as a density incentive, retail/community space front onto a proposed publicly accessible pedestrian mews along the north end of the site. The proposed pedestrian mews is to be created as part of this development and the abutting Centrium development to the north.

A total of 463 parking spaces would be provided in a four-level below grade parking garage. Access to the parking and loading facilities would be from north-south and east-west publicly accessible driveways being coordinated through the block with the abutting Centrium and Gibson Square developments. The connected driveway system would provide joint access for all three developments to Yonge Street, Park Home Avenue and Ellerslie Avenue. As well, it would provide improved access to the City owned Gibson House and the Yonge Hearts Child Care properties internal to the block.

## **Site and Surrounding Area**

The subject lands has an area of approximately 5,488 m<sup>2</sup> and a frontage of approximately 82.5 metres along Yonge Street and currently contain one and two-storey commercial retail and office buildings and surface parking.

This site is part of a large 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.

### Surrounding land uses:

North: located immediately to the north, at 5220-5254 Yonge Street, is a consolidated lot subject to Official Plan and Zoning By-law Amendment applications to permit a mixed used development (Centrium at North York). The majority of the site is vacant. The current proposal is for a 13-storey hotel and a 30-storey residential building including a four storey base building. A Community Consultation meeting was held in December 2009 and the application is targeted to be heard by North York Community Council in the Spring of 2012.

South: located to the south, at 5170 Yonge Street, is a development site that is currently under construction. Menkes Gibson Square Inc. is currently constructing two 42-storey (125 metre) residential towers with a 5-storey base building/podium consisting of residential, live work units and commercial retail space along the Yonge Street frontage. The Rose Garden Park is located at the north-west corner of Park Home and Yonge Street.

West: Located to the west is the Yonge Hearts Child Care Centre, and further west are two rental apartment buildings - Park Willow Developments at 55-65 Eglerslie Avenue.

East: Directly opposite the site on the east side of Yonge Street are one and two-storey commercial retail buildings.

Other uses in the block are the Gibson House Museum, to the south-west and Peninsula Place, a 19-storey condominium building at 233 Beecroft Road.

### **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 maximum permitted density is 4.5 FSI plus an additional 33% of gross floor area (5.98 FSI) through density incentives available in the Secondary Plan. 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. The Secondary Plan also includes specific policies with respect to the built form and building heights.

The Secondary Plan also includes policies related to Transportation (traffic certification), Environment, and Parks and Open Space, among others, which will apply to the subject proposal.

## **Zoning**

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 property at 5218 Yonge Street is zoned General Commercial – C1 under By-law 7625 of the former City of North York. The C1 Zone permits, subject to certain restrictions, a variety of residential uses, a mix of commercial uses (such as restaurants, retail stores, banks, business and professional offices, theatres and accessory uses) and institutional uses.

## **Site Plan Control**

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

## **Tree Preservation**

Urban Forestry staff is 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**

As noted above, this rezoning application is being processed in conjunction with an earlier submitted Official Plan Amendment (10 164793 NNY 23 OZ).

The Zoning By-law Amendment application has been submitted to establish the permitted uses and development standards for the proposed development related to among other details, maximum heights, maximum density, the mix of commercial and residential floor area, number of residential units, parking and loading requirements building envelopes, density incentives and required indoor and outdoor amenity space.

## **COMMENTS**

### **Application Submission**

In addition to the architectural and landscape drawings, the following reports/studies were submitted with the application:

- Surveys
- Tree Inventory Report
- Functional Servicing Report
- Pedestrian Wind Study
- Toronto Green Development Standards Checklist
- Planning Rationale Report
- Environmental Site Assessment Report
- Office Demand Market Assessment Report
- Transportation Considerations Report

A Notification of Complete Application was issued on March 1, 2012.

### **Issues to be Resolved**

This application is for a rezoning to permit a 36 storey mixed use building with 374 dwelling units with commercial/retail uses on the lower three floors and will be processed in conjunction with the proposed Official Plan Amendment application. 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.
- Consideration of the proposed mix of non-residential and residential gross floor area.

- Consideration of the proposed density incentives, including street retail, community space and day care space.
- Height, built form and massing.
- Appropriateness of the requested zoning changes.
- Parkland requirements.
- Coordination with the abutting Gibson Square and Centrium developments, including with the publicly accessible driveway connections and pedestrian mews.
- Staff will be requiring 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**

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Fax No. 416-395-7155  
E-mail: pbyrne@toronto.ca

## **SIGNATURE**

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Allen Appleby, Director  
Community Planning, North York District

## **ATTACHMENTS**

Attachment 1: Context Plan  
Attachment 2: Ground Level Plan  
Attachment 3: Zoning  
Attachment 4: North York Centre Secondary Plan - Land Use Plan  
Attachment 5: North York Centre Secondary Plan - Prime Frontage Areas  
Attachment 6: North Elevation  
Attachment 7: South Elevation  
Attachment 8: East Elevation  
Attachment 9: West Elevation  
Attachment 10: Application Data Sheet



## Attachment 1: Context Plan



### Context Plan

From Applicant's Drawings

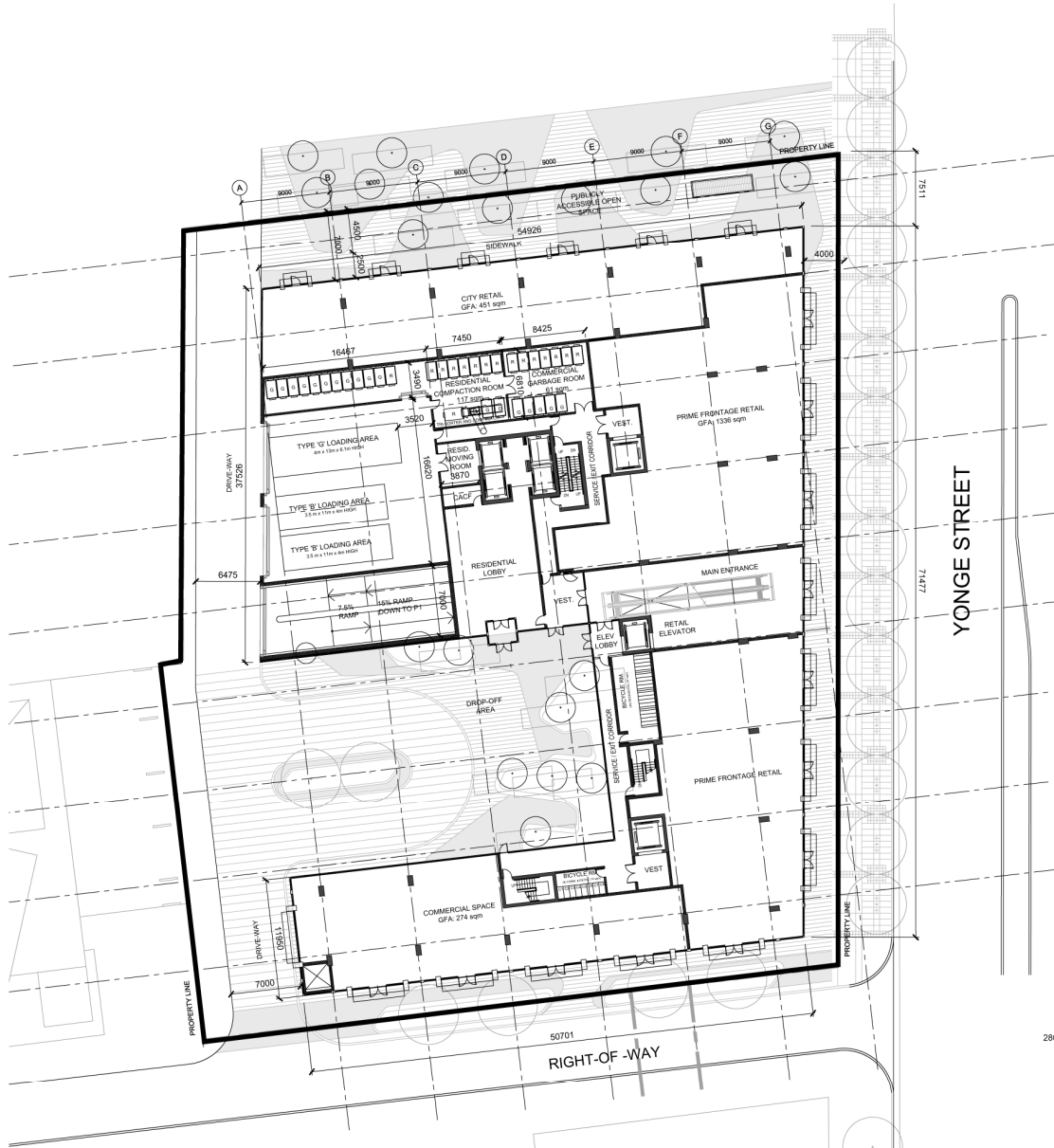
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5182 - 5192, 5200 & 5218 Yonge Street

File # 12 116291 NNY 23

## Attachment 2: Ground Level Plan



**Ground Floor Plan**  
From Applicant's Drawings

**5182 - 5192, 5200 & 5218 Yonge Street**

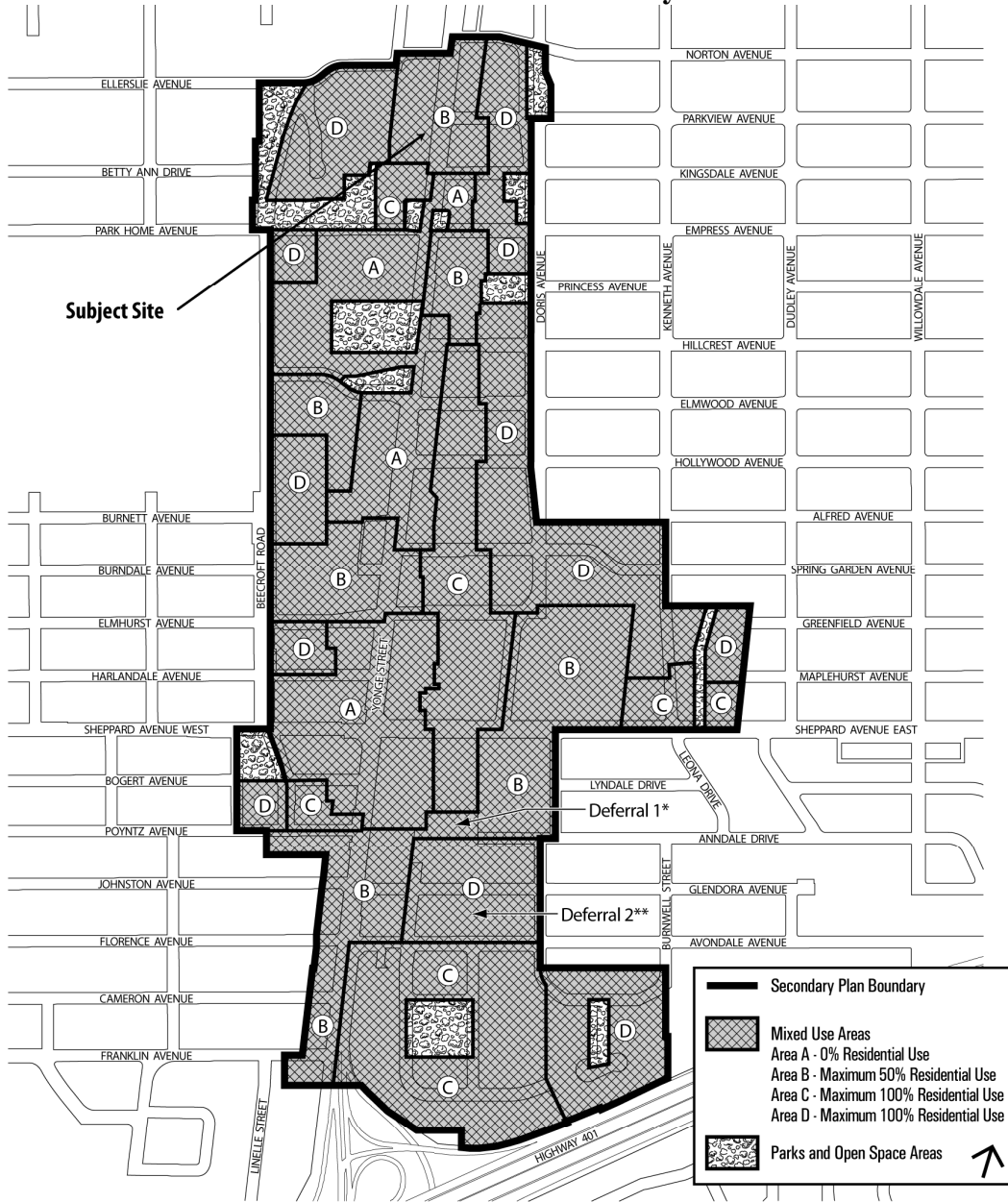
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# Attachment 4: North York Centre Secondary Plan - Land Use Plan



North York Centre South  
Land Use Areas

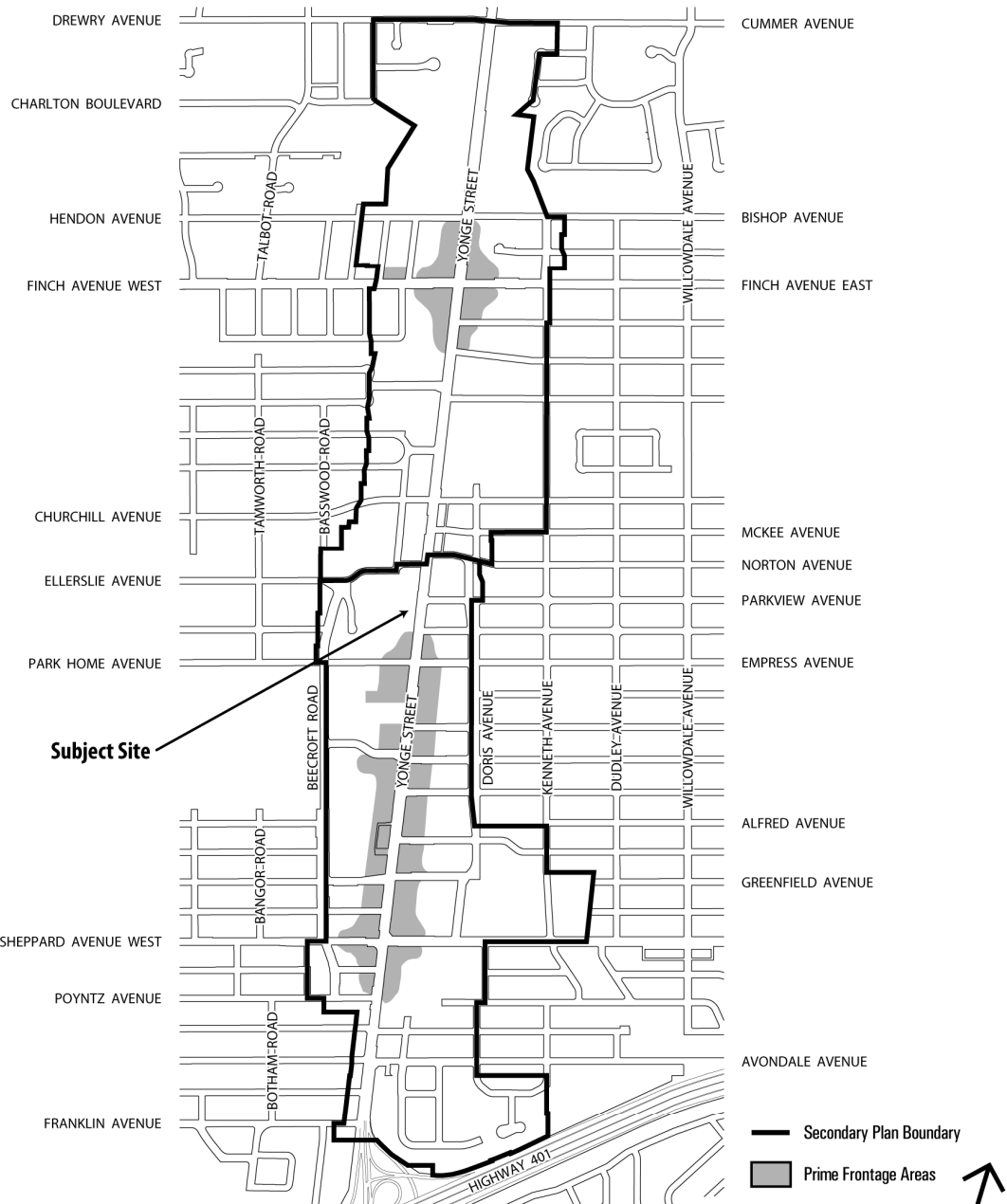
5182 - 5192, 5200 & 5218 Yonge Street

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## Attachment 5: North York Centre Secondary Plan - Prime Frontage Areas



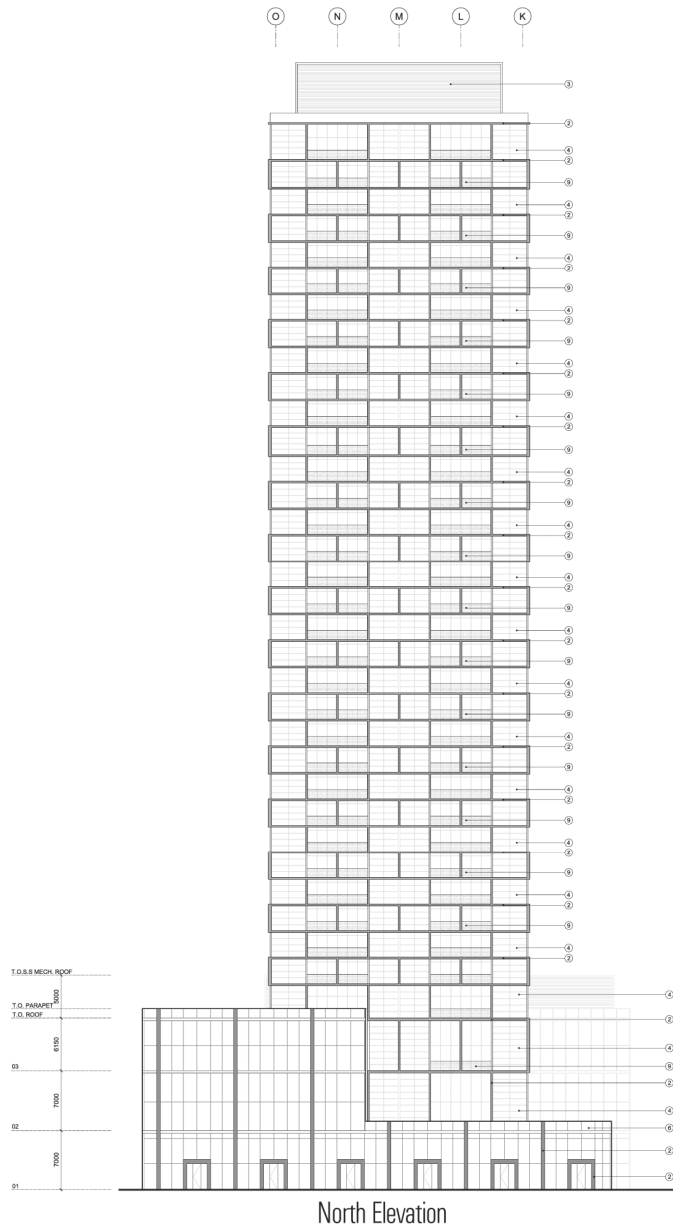
Prime Frontage Area

5182 - 5192, 5200 & 5218 Yonge Street

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File # 12 116291 NNY 23

## Attachment 6: North Elevation



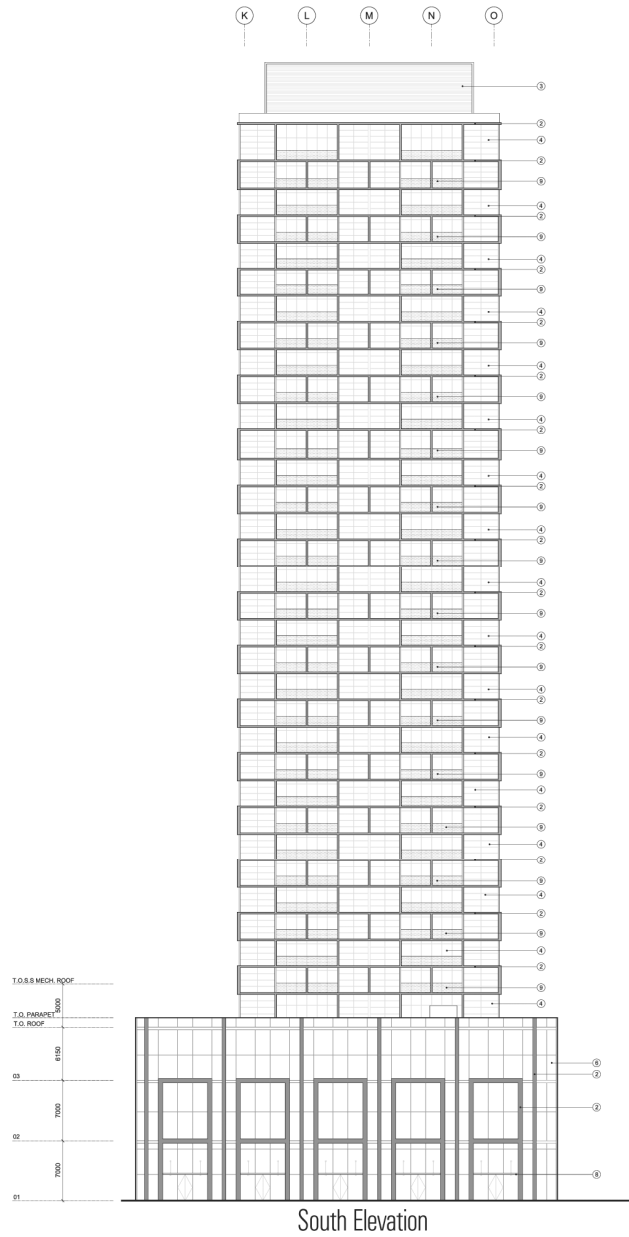
**Elevation**  
From Applicant's Drawings

**5182 - 5192, 5200 & 5218 Yonge Street**

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File # 12 116291 NNY 23

## Attachment 7: South Elevation



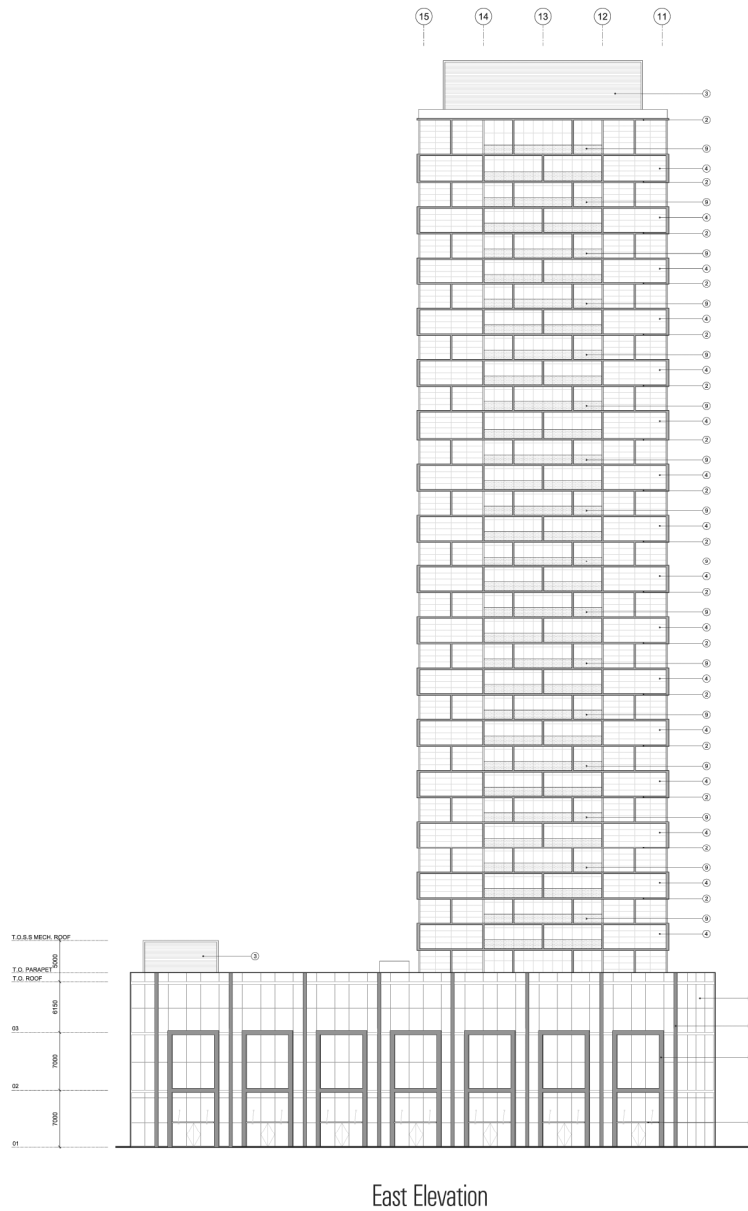
**Elevation**  
From Applicant's Drawings

**5182 - 5192, 5200 & 5218 Yonge Street**

Not to Scale  
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File # 12 116291 NNY 23

## Attachment 8: East Elevation



**Elevation**  
From Applicant's Drawings

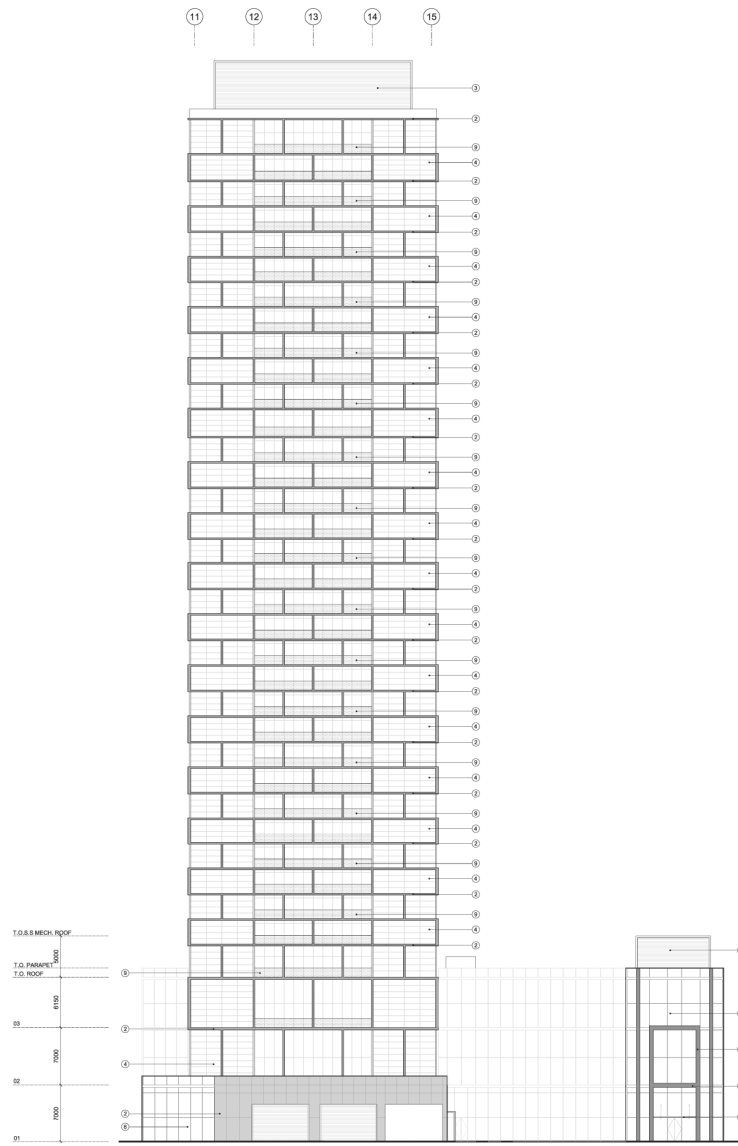
**5182 - 5192, 5200 & 5218 Yonge Street**

Not to Scale  
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File # 12 116291 NNY 23



## Attachment 9: West Elevation



West Elevation

**Elevation**  
From Applicant's Drawings

**5182 - 5192, 5200 & 5218 Yonge Street**

Not to Scale  
03/14/12

File # 12 116291 NNY 23

## Attachment 10: Application Data Sheet

Application Type	Rezoning	Application Number:	12 116291 NNY 23 OZ
Details	Rezoning, Standard	Application Date:	February 2, 2012

Municipal Address: 5182-5192, 5200 and 5218 YONGE ST  
 Location Description: CON 1 W Y S PT LOT 18 \*\*GRID N2302  
 Project Description: Zoning By-law Amendment application to permit a 36-storey residential tower including a 3-storey base building non-residential uses, including retail uses along the Yonge Street frontage. Associated OPA Application 10 164793 NNY 23 OZ.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
5200 YONGE G P INC	McCarthy Tetrault	Wallman Architects	5200 YONGE G P INC

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	C1 & C1(94)	Historical Status:
Height Limit (m):		Site Plan Control Area: Y

### PROJECT INFORMATION

Site Area (sq. m):	5488	Height:	Storeys:	36
Frontage (m):	82.5		Metres:	125
Depth (m):	66.8			
Total Ground Floor Area (sq. m):	3114			<b>Total</b>
Total Residential GFA (sq. m):	27037		Parking Spaces:	463
Total Non-Residential GFA (sq. m):	5785		Loading Docks	3
Total GFA (sq. m):	32822			
Lot Coverage Ratio (%):	56.73			
Floor Space Index:	5.98			

### DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	218
2 Bedroom:	144
3 + Bedroom:	12
Total Units:	374

### FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	27037	0
Retail GFA (sq. m):	1787	0
Office GFA (sq. m):	3997	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0