

**2263 – 2287 Yonge Street, 8 - 10 Eglinton Avenue East,
25 and 25R Roehampton Avenue - Zoning Amendment
& Rental Demolition Application under Municipal Code
667 – Final Report**

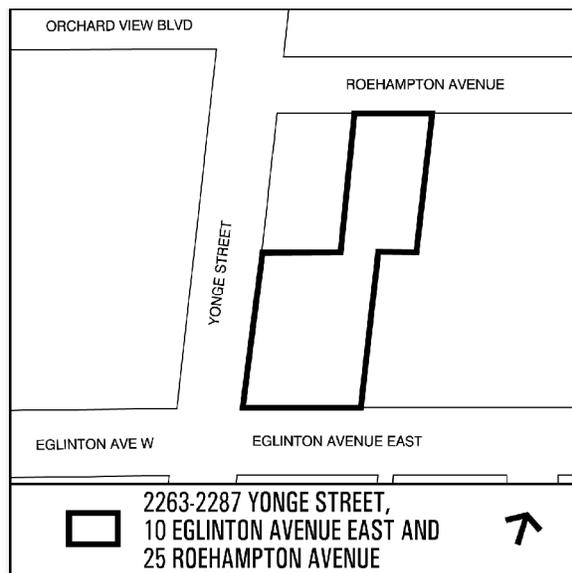
Date:	May 24, 2013
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 22 St Paul's
Reference Number:	11-326074 STE 22 OZ & 11-326114 STE 22 RH

SUMMARY

This application proposes to demolish all existing buildings on the site (including a 7-storey, 30-unit rental apartment building).

The applicants are proposing to redevelop the site by constructing a 58-storey building at the northeast corner of Yonge Street and Eglinton Avenue East (2263 – 2287 Yonge Street and 8 - 10 Eglinton Avenue East). This building will be referred to as the 'south tower'. The south tower is to consist of a 55-storey residential tower with a floorplate of approximately 780 square metres sitting on top of a 3-storey podium which extends north on Yonge Street to the northerly extent of the site. The podium would contain commercial uses at-grade and on the second floor. The proposed south building contains 632 residential condominium units.

This application also proposes to construct a 38-storey residential building with 222 residential units of which 30 units will be for rental replacement within the 'north building' at 25 Roehampton Avenue.



A Rental Housing Demolition application (File 11 326114 STE 22 RH) has been submitted with the rezoning application to demolish the 30 existing mid-range residential rental units located at 25 Roehampton Avenue. The applicants have proposed a full replacement of the rental units within the proposed north tower with affected tenants receiving relocation assistance and being able to return to the new replacement units at similar rents.

This report reviews and recommends approval of: the application to amend the Zoning By-law; and the Rental Housing Demolition application under Municipal Code 667 subject to the conditions outlined in this report, and based on planning and design merits which include:

- a. the site is located at the intersection of Yonge Street and Eglinton Avenue and within an Urban Growth Centre. The proposed buildings are located in a *Mixed Use Area* (a small portion of 25 Roehampton is within an *Apartment Neighbourhood*) within the Yonge-Eglinton Secondary Plan. The site is adjacent to the Yonge-Eglinton *Apartment Neighbourhood*. Appropriate apartment infill or redevelopment is anticipated at this location within these designations;
- b. the proposed residential units are within walking distance of retail shops, services, entertainment and places of employment both on-site (1,593.88 square metres of retail and 3,252.21 square metres of office are proposed within the south building) and in the surrounding Yonge-Eglinton area;
- c. the proposed north building is within walking distance of the Yonge-Eglinton subway station and the planned Eglinton Crosstown station. The proposed south building proposes a connection to both via a below-grade retail concourse accessed from the proposed pedestrian plaza at the corner of Yonge Street and Eglinton Avenue;
- d. the proposed buildings are point towers in an area that is currently characterized by tall buildings of varying heights;
- e. the site is a large, irregularly-shaped lot which extends northwards from the corner of Yonge Street and Eglinton Avenue through to Roehampton Avenue (but not all on the Yonge Street frontage). The application proposes its tallest height (58 storeys) at the corner and transitions down to the 38-storey proposed building to the north on Roehampton Avenue (as is recommended by the Urban Growth Centre policies);
- f. the proposed development includes a hard and soft-landscaped pedestrian plaza which is approximately 16 metres in depth (from Eglinton Avenue). It includes a stair (with green roof) access to transit station(s), continuous tree-trench plantings, a feature screen wall with ivies and other plant materials in front of the west face of the solid wall of the existing building to the east and bicycle rings. The plaza emphasizes pedestrian (not vehicular) use of the intersection of Yonge Street and Eglinton Avenue;
- g. the proposed south building includes retail at-grade which would add vitality to the existing local commercial district;
- h. the proposed buildings will not unduly shadow existing *Neighbourhoods* buildings and open spaces (including the sports field at North Toronto Collegiate); and

- i. the Section 37 benefits that would be secured as a result of approval and construction of this development. The Section 37 benefits include implementing public realm and streetscape improvements as may be recommended by a forthcoming 'Parks, Open Space and Streetscape Master Plan Study' for the Yonge-Eglinton Urban Growth Centre area. Section 37 benefits would also include securing rental replacement housing in the new buildings and the terms which shall be required of those replacement units.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 438-86, as amended, for the lands at 2263-2285 Yonge Street, 8-10 Eglinton Avenue East and 25 and 25R Roehampton Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 11 to the report (May 24, 2013) from the Director, Community Planning, Toronto and East York District.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. Before introducing the necessary Bills to City Council for enactment, City Council require the Owner to enter into an Agreement to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor pursuant to Section 37 of the Planning Act, such agreement to be registered on title to the lands to secure the facilities, services and matters as follows:
 - a. The community benefits to be provided and secured at the *owner's* sole expense in the Section 37 Agreement are, in a form satisfactory to the City with conditions providing for no credit for development charges, indexing escalation of both the financial contributions and letters of credit, indemnity, insurance, GST, termination and unwinding and registration and priority of the agreement, as follows:
 - i. contributions in the amount of \$3,250,000.00 payable prior to the first above-grade building permit to be applied as directed by the Chief Planner and Executive Director, City Planning Division in consultation with the Ward Councillor, in accordance with the following or towards other local area park or streetscape improvements, as appropriate:
 1. up to \$1,250,000.00 for neighbourhood improvements to the Yonge-Eglinton area as recommended by the Parks and Open Space and Streetscape Master Plan Study in consultation with the Chief Planner and Executive Director, City Planning Division and with the Ward Councillor; and
 2. up to \$2,000,000.00 for the acquisition, design and construction of the new park which is to be developed south of the TTC bus barns at Yonge Street and Eglinton Avenue West in consultation with the Chief Planner

and Executive Director, City Planning Division and with the Ward Councillor.

Such total amount is to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date of payment.

- b. The owner shall enter into one or more agreements with the City pursuant to Section 37 of the Planning Act which are registered on title to the lot to the satisfaction of the City Solicitor to secure:
 - i. provision and maintenance of not less than 30 new replacement rental *dwelling units on the lot*, with rents no higher than mid-range rents, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, subject to the following:
 1. the replacement rental *dwelling units* shall comprise of 23 one-bedroom units, and 7 two-bedroom units; and the combined floor area of the 30 replacement rental *dwelling units* shall be not less than 17,641 square feet. Each rental dwelling unit shall have a storage locker. There shall be 3 accessible units. The units shall have a range of sizes as per the following list:
 - 12 one-bedroom units with a minimum of 450 sq ft of which 6 units shall be larger than 500 sq ft.;
 - 11 one-bedroom units with a minimum of 590 sq ft of which 5 units shall be larger than 690 sq ft; and
 - 7 two-bedroom units with a minimum of 707 sq ft of which 6 units shall be larger than 710 sq ft.
 2. the replacement rental *dwelling units* shall be maintained as rental housing units for at least 20 years, beginning with the date each unit is occupied and until the owner obtains approval for a zoning by-law amendment removing the requirement for the replacement rental housing units to be maintained as rental units. No application may be submitted for condominium registration, or for any other conversion to non-rental housing purposes, or for demolition without providing for replacement during the 20 year period; and
 3. the building permit which provides for the replacement rental *dwelling units* shall be issued no later than the issuance of the first above-grade building permit for any building with residential uses *on the lot*. The 30 replacement rental *dwelling units* shall be ready for occupancy no later than the date by which no more than 90% of the other *dwelling units* contained within the same building are available and ready for occupancy.

- ii. provision and maintenance of rents no greater than mid-range rents charged to the tenants who rent each of the designated 30 replacement rental *dwelling units* during the first 10 years of occupancy, such that the initial rent shall not exceed an amount based on one and a half times (1.5x) the most recent Fall Update Canada Mortgage and Housing Corporation Rental Market Report average rent for the City of Toronto by unit type inclusive of basic utility costs. Upon turnover, the rent charged to any new tenant shall not exceed the greater of the most recently charged rent or one and a half times (1.5x) the most recent Fall Update Rental Market Report average rent for the City of Toronto by unit type, and over the course of the 10 year period, annual increases shall not exceed the Provincial rental guideline and, if applicable, permitted above-guideline increases.
 - iii. rents charged to tenants occupying a replacement rental *dwelling unit* at the end of the 10-year period set forth in 3.b.ii. shall be subject only to increases which do not exceed the Provincial rent guideline and, if applicable, permitted above guideline increases, so long as they continue to occupy their *dwelling unit* or until the expiry of the rental tenure period set forth in 3.b.i.2. with a phase-in period of at least three years to unrestricted rents.
 - iv. rents charged to tenants newly occupying a replacement rental *dwelling unit* after the completion of the 10-year period set forth in 4.b.ii. will not be subject to restrictions by the City of Toronto under the terms of the Section 37 Agreement.
- c. The owner shall provide, prior to the introduction of bills in City Council, and implement a Tenant Relocation and Assistance Plan to the satisfaction of the Chief Planner and Executive Director, City Planning Division, that requires the owner to provide for each eligible tenant at 25 Roehampton Avenue the right to return to a replacement rental *dwelling unit*, assistance that includes at least a moving allowance and other financial assistance geared to the affordability gap between the current rent and local area rent by unit type, with provisions for special needs tenants.
 - d. The owner shall enter into an agreement with the City, prior to any building permit, to secure the implementation of appropriate local roadway improvements, at the Owner's expense, as may be required which address the potential traffic impacts of the proposed development to the satisfaction of the Director of Engineering and Construction Services, Toronto and East York District.

Notwithstanding the foregoing, the *owner* and the *City* may modify or amend the said agreement(s), from time to time and upon the consent of the *City* and the *owner*, without further amendment to those provisions of this zoning by-law which identify the facilities, services and matters to be secured.

- 4. City Council approve the application to demolish the existing building at 25 Roehampton Avenue that includes 30 residential rental dwelling units pursuant to Municipal Code Chapters 667 and 363 subject to the following conditions under Chapter 667 which provide for replacement of the rental housing units:

- i. the owner shall provide and maintain 30 residential rental dwelling units in the development, for a period of at least 20 years, comprising 23 one-bedroom units and 7 two-bedroom units, which shall have mid-range rents;
 - ii. the owner shall provide tenant relocation assistance for tenants in the existing rental building including the right to return to a replacement rental unit for the eligible tenants to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
 - iii. the owner shall obtain a building permit which provides for the replacement rental dwelling units no later than the issuance of the first above-grade building permit for any building with residential uses *on the lot*;
 - iv. the owner shall enter into, and register on title, one or more Section 111 Agreements to secure the conditions outlined in (i) to (iii) herein and as further detailed in the draft zoning by-law amendment which is Attachment 11 to the final rezoning report from City Planning dated May 24, 2013, to the satisfaction of the Chief Planner and the City Solicitor;
 - v. the owner shall enter into and register, a Section 118 Restriction under the Land Titles Act agreeing not to transfer or charge any part of the lands, to the satisfaction of the City Solicitor, without the written consent of the Chief Planner and Executive Director, City Planning Division or her designate (to assist with securing the Section 111 Agreement against future owners and encumbrances of lands); and
5. City Council authorize the Chief Planner and Executive Director, City Planning Division to issue a preliminary approval to the application under Municipal Code Chapter 667 for the existing residential rental housing building after all of the following has occurred:
- i. the satisfaction of, or securing of the conditions in Recommendation 7; and
 - ii. the official plan amendment and zoning by-law amendment in Recommendations 1 and 2 have come into full force and effect;
 - iii. the issuance of the Notice of Approval Conditions for site plan approval for the development by the Chief Planner and Executive Director, City Planning Division or her designate, pursuant to Section 114 of the City of Toronto Act, 2006.
6. City Council authorize the Chief Building Official to issue a Section 111 permit under Municipal Code Chapter 667 after the Chief Planner and Executive Director, City Planning Division, has given the preliminary approval in Recommendation 8 for the existing rental housing building.
7. City Council authorize the Chief Building Official to issue a permit under Section 33 of the Planning Act for the residential rental building no earlier than the date that the owner has submitted application for a building permit for the shoring and excavation for the lands on which the existing rental building is situated, and after the Chief Planner and Executive Director, City Planning Division has given the preliminary approval in Recommendation 7 which permit may

be included in the demolition permit for Chapter 667 under 363-11.1E, of the Municipal Code, on condition that:

- a. the owner erect a residential building on site no later than five (5) years from the date the permit is issued for demolition of the buildings; and
 - b. should the owner fail to complete the new building within the time specified in condition 8 (a), the City Clerk shall be entitled to enter on the collector's roll, to be collected in a like manner as municipal taxes, the sum of twenty thousand dollars (\$20,000) for each dwelling unit for which a demolition permit is issued, and that such sum shall, until payment, be a lien or charge upon the land for which the demolition permit is issued.
8. City Council require that the owner pay for and construct any necessary improvements to the municipal infrastructure, including the proposed watermain upgrades, in connection with the Functional Servicing Report as accepted by the Executive Director of Engineering and Construction Services and the General Manager of Toronto Water.
 9. City Council require that the owner make arrangements with Technical Services for work in the City's right-of-way and to provide access to and from the site and to provide financial security, submit engineering and inspection fees and provide insurance as required by the Executive Director of Engineering and Construction Services.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

Proposal

This is a rezoning application to permit the construction of a 58-storey (192.40 metres to the top of the mechanical penthouse) mixed commercial-residential building at the northeast corner of Yonge Street and Eglinton Avenue East (the south tower) and a 38-storey (121.80 metres to the top of the mechanical penthouse) residential building at 25 Roehampton Avenue (the north tower). (Refer to Attachment 1: Site Plan).

The proposed south tower consists of a 3-storey podium plus a 55-storey tower. The building has a maximum of 632 residential units and approximately 1,593.88 square metres of commercial space in the P2-level concourse and on the ground floor and second floor levels.

The proposed 38-storey north tower consists of a residential condominium and rental building with a maximum of 222 units, of which 30 are replacement rental units.

Combined, the two proposed towers have a total of 854 units. The total proposed density is approximately 14.8 times the lot area.

The applicant will be required to provide a minimum of 528 parking spaces in an underground parking garage. Fifty-six of the 528 parking spaces are proposed for non-residential use, 458 parking spaces are

for residential use and 14 car-share spaces would be provided. No visitor parking spaces are proposed. Commercial parking spaces would be available.

The proposed access to both the parking and loading is to occur from Roehampton Avenue using the existing service lane located within the property owned by the applicants, adjacent to the western lot line of the 25 Roehampton Avenue portion of the site. The access will consist of a 2-way service laneway leading to a service court at the centre of the site. The laneway would be covered. The access would also lead to a ramp which splits to access the parking which is located under each tower. (Refer to Attachment 1: Site Plan).

For a complete listing of project statistics, refer to Attachment 10: Application Data Sheet.

The proposal involves the demolition of the existing building at 25 Roehampton Avenue which is a 30 unit rental apartment building comprised of twenty three 1-bedroom and seven 2-bedroom units that had balconies, storage lockers and a common laundry facility. All of the existing units are considered to have mid-range rents.

The applicant is proposing to include 30 replacement rental units in the development and to provide the affected tenants with relocation assistance, including the right to return to the new replacement units at similar rents. The units are proposed to be replaced with the same bedroom types as currently exist but with more variation in size (some units will be larger and some will be smaller than the existing units). However, in general, the new units will be replaced at almost 100% of the original size, with new amenities that will be available to the tenants of the replacement rental units.

A Rental Housing Demolition application (File 11 326114 STE 22 RH) for a Section 111 permit pursuant to Chapter 667 of the Municipal Code has been submitted with the subject application for the 30 existing rental units located at 25 Roehampton Avenue.

Site and Surrounding Area

The site is located at the northeast corner of Yonge Street and Eglinton Avenue East. It is an irregularly shaped parcel of land which is comprised of 6 individual properties. The site has frontages on Yonge Street, Eglinton Avenue East and on Roehampton Avenue.

The current uses existing on the site are:

2263 – 2273 Yonge Street

- a 2-storey office/commercial building which includes the TD Bank as the primary tenant;

2275 – 2279 Yonge Street

- a 2-storey commercial building occupied by a restaurant;

2281 – 2285 Yonge Street

- a 2-storey commercial building occupied by a shoe store and a photography store;

2287 Yonge Street

- a 2-storey commercial building occupied by a kitchen supplies store and office uses above;

10 Eglinton Avenue East

- a 2-storey commercial building occupied by a fast food restaurant, a beauty supply outlet and a dental office; and

25 Roehampton Avenue

- a 7-storey rental apartment building with 30 residential units, of which 23 are one bedroom units and 7 are two bedroom units with underground parking, plus a laneway at 25R Roehampton Avenue which is privately owned by this applicant but with easements in favour of some of the Yonge Street commercial properties which back onto it.

Surrounding land uses are as follows:

North: to the immediate north of the site on the east side of Yonge Street are a number of 2-storey commercial buildings containing fast food outlets, a pub/restaurant and retail stores. North of Roehampton Avenue at the northeast corner of Yonge Street and Roehampton Avenue is an 8-storey office building. East of that and on the north side of Roehampton Avenue is a Toronto Parking Authority surface parking lot that recently received rezoning approval to permit a 34-storey residential condominium. Adjacent to the site is the newly redeveloped North Toronto Collegiate, sports field, and 2 residential condominiums at 27 and 24-storeys. Lands generally to the northeast of the site are part of the Yonge-Eglinton Apartment Neighbourhood.

South: to the south of the site on the southeast corner of Yonge Street and Eglinton Avenue East is an 8-storey office building. South of that building are the 54 and 39-storey Minto Midtown residential condominium towers. To the southeast of the site is the Canada Square complex of buildings which is comprised of an 18-storey office building, a 6-storey office building and a 17-storey office building. The complex includes a shopping concourse, a movie theatre and an access to the TTC Yonge-Eglinton subway station.

East: immediately to the east of the site on Eglinton Avenue East is a 5-storey commercial building with a fast food restaurant at-grade and 4-storeys of offices above. To the east of that, Eglinton Avenue is comprised of commercial and residential buildings and mixed use (commercial-residential) buildings which range in height from 3 to 21-storeys. A full-block mixed use development on the south side of Eglinton Avenue East between Dunfield Avenue and Lillian Street has had its rezoning approved to permit 2 towers, one at 36-storeys and the other at 33 storeys. Immediately to the east of the proposed north tower is a 3-storey rental apartment building.

West: to the west of the site at the northwest corner of Yonge Street and Eglinton Avenue West is the Yonge-Eglinton Centre development. This development is comprised of 2 office towers of 30 and 22-storeys (recently approved for 7 and 5 additional storeys respectively), 2 rental apartment towers at 22 and 17-storeys and a multi-level retail complex containing a movie theatre, restaurant, food store, other retail stores and a recent approval for the construction of additional retail shops.

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 by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The site is split designated *Mixed Use Areas* and *Apartment Neighbourhoods* under the Official Plan. (Refer to Attachment 7: Official Plan).

i) Mixed Use Areas

Most of the site is within the *Mixed Use Areas* designation of the Official Plan. *Mixed Use Areas* permit a range of commercial or residential uses in single use or mixed use buildings. The Official Plan provides a list of criteria which are intended to direct the design and orientation of new development proposals within *Mixed Use Areas* particularly those *Mixed Use Areas* which abut *Neighbourhoods* designations (this application does not abut a *Neighbourhoods* designation but may have an impact on the *Neighbourhoods* to the northwest and southwest). Criteria are found in Section 4.5.2 of the Plan and 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 their 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.

ii) Apartment Neighbourhoods

The portion of the site located at 25 Roehampton Avenue is within the *Apartment Neighbourhoods* designation of the Official Plan. The *Apartment Neighbourhoods* designation permits apartment buildings and all forms of residential development permitted in Neighbourhoods. The Plan indicates that "built up Apartment Neighbourhoods are stable areas of the City where significant growth is generally not anticipated. There may, however, be opportunities for additional townhouses or apartments on underutilized sites and the Plan sets out to evaluate these situations."

Development criteria used to evaluate redevelopment proposals include:

- locating and massing new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Plan, through means such as providing setbacks from, and/or stepping down of the heights towards, lower scale *Neighbourhoods* (*Neighbourhoods* are located to the northwest and southwest of the site);
- locating and massing 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;
- providing sufficient off-street motor vehicle and bicycle parking for residents and visitors;
- locating and screening service areas, ramps and garbage storage to minimize impacts on adjacent streets and residences; and
- providing ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces.

iii) Built Form

The Built Form section of the Official Plan also provides policies that will assist in the evaluation of this proposal. These include:

- New development is to be located and organized to fit within its existing and/or planned context and will limit its impacts on neighbouring streets, parks, open spaces and properties by:
 - i. Creating appropriate transitions in scale to neighbouring existing and/or planned buildings;
 - ii. Providing for adequate light and privacy;
 - iii. Adequately limiting any resulting shadowing of and uncomfortable wind conditions on, neighbouring streets, properties and open spaces.

- Taller buildings will be located to ensure adequate access to sky view for the proposed and future use of bordering streets, parks and open spaces.

iv) Healthy Neighbourhoods

- Section 2.3.1 states that *Apartment Neighbourhoods* are considered to be physically stable areas and that development within *Apartment Neighbourhoods* will be consistent with this objective and will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas.

v) Housing

This development proposal includes an application to permit the demolition of a 30-unit rental apartment building. The following Official Plan policies apply to the rental housing demolition and replacement aspects of the proposed development:

- Section 3.2.1 of the Official Plan includes housing policies that encourage the provision of a full range of housing, in terms of form, tenure and affordability, and the protection of rental housing units. Policy 6 indicates that new development that will result in the loss of six or more rental housing units will not be approved unless:
 - a. all the rental housing units have rents that exceed mid-range rents; or
 - b. 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 at the time the redevelopment application is made;
 - ii. for at least 10 years, rents for replacement units will be the rent at first occupancy with annual increases subject to specific limits; 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.

To review these and all sections of the Toronto Official Plan refer to the City's website at: www.toronto.ca/planning/official_plan/introduction.htm.

Yonge-Eglinton Secondary Plan

The site is also within the boundaries of the Yonge-Eglinton Secondary Plan. (Refer to Attachment 8: Yonge-Eglinton Secondary Plan). The Secondary Plan generally defers to the Official Plan with respect to providing policy guidance for this site. However, some specific Secondary Plan policies apply to this site. These policies include:

Section 4.2 Mixed Use Area 'A' (Yonge-Eglinton Focused Area)

- a) Within this area, the height, density and scale of development will be greater than elsewhere in the Secondary Plan area recognizing its role as the transportation and commercial focal point of the local community. In considering new development proposals, particular regard will be had in avoiding adverse impacts resulting from height, scale and density on abutting *Neighbourhoods* and on other *Mixed Use Areas*.
- c) Improvements to existing pedestrian conditions, including underground connections to the subway and light rapid transit will be encouraged and investigated to address local pedestrian needs and opportunities.
- d) Comprehensive redevelopment of the northeast quadrant of the Yonge-Eglinton intersection that incorporates publicly accessible open space on the corner will be encouraged.
- h) Transit-oriented developments which enhance accessibility to nearby TTC facilities and services including direct connections will be a priority in Mixed Use Area 'A'.

Section 5.0 Yonge-Eglinton Centre

The Province's Growth Plan for the Greater Golden Horseshoe contains policies to direct a significant portion of future population and employment growth into a number of intensification areas. These areas include five "Urban Growth Centres" (UGC's) within the City. Under the Growth Plan, municipalities were required to delineate the boundaries of the UGC's within their Official Plans.

The proposed development is within one of those five designated Urban Growth Centres. It is within the area defined as the Yonge-Eglinton Centre by Official Plan Amendment 116 (amendment to the Yonge-Eglinton Secondary Plan). Section 5 of the Yonge-Eglinton Secondary Plan includes the following Urban Growth Centre policies which are applicable to the site:

- 5.2 Within the Yonge-Eglinton Centre, the highest heights, densities and scale of development will be within *Mixed Use Area 'A'* on the blocks at the four quadrants of the intersection of Yonge Street and Eglinton Avenue.
- 5.3 The heights, densities and scale of development will decrease along Eglinton Avenue East with increasing distance from the Yonge-Eglinton intersection within the Yonge-Eglinton Centre.
- 5.4 The *Apartment Neighbourhoods* within the Yonge-Eglinton Centre are largely built-up and considered to be physically stable areas. Development in these *Apartment Neighbourhoods* will comply with the policies of the Official Plan, particularly the policies in Sections 2.3.1 and 4.2.
- 5.7 New development in the Yonge-Eglinton Centre will be compatible with maintaining the character of surrounding *Neighbourhoods* (to the northwest and southwest of this site).

Midtown Planning Initiative

On July 21, 2012, City Council established the Midtown Planning Group to create a proactive and comprehensive strategy for planning initiatives in the Yonge-Eglinton area of Midtown. The Midtown Planning Group consists of the three local councillors, representatives of local residents associations and City staff from both the North York and the Toronto and East York District offices.

The Group met in October 2012 to discuss issues within the Yonge-Eglinton area and to identify the priorities for the study. A main issue identified by the Group is the need for public realm improvements in the area, particularly in the Yonge-Eglinton Centre which is experiencing high levels of growth through redevelopment. It was agreed that a strategy to address public realm improvements should be prepared to guide future redevelopment and civic improvements.

As a result, the City has initiated a 'Parks, Open Space and Streetscape Master Plan Study' for the area. The study area is generally focussed on the Urban Growth Centre identified in the Yonge-Eglinton Secondary Plan area but it also includes streets and open spaces at the edge of the Centre.

The overall objective of the study is to develop a parks, open space and streetscape master plan which: identifies the distinct character of the study area; provides a public realm framework that links the diverse user groups and neighbourhoods; provides amenities that support pedestrian, bicycle and vehicular circulation; and offers site specific block-by-block recommendations for open space. The Master Plan will act as a guide for public open space initiatives in the study area and will inform developers of the City's expectations with respect to the design and construction of parks, open spaces and streetscapes.

A "Request for Proposal," has been issued for the Parks Open Space and Streetscape Master Plan Study which is targeted to begin May 31, 2013. It is anticipated that the study will be completed by the 2nd quarter of 2014.

The subject site is located within the study area. As a result, the proposal will be considered within the context of the study, as it progresses, to ensure that proposed development is consistent with the public realm objectives that are identified. This will be implemented through the site plan approval process.

Tall Building Design Guidelines

In May 2013, Toronto City Council adopted the updated City-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure that they fit within their context and minimize their local impacts. The City-wide guidelines are available at <http://www.toronto.ca/planning/tallbuildingdesign.htm>.

A tall building is generally defined as a building which is taller than the street right-of-way adjacent to the site. The Design Guidelines for tall buildings address issues of transition, building placement and orientation, entrances, massing of base buildings, tower floor plate sizes, tower setbacks and separation distances, pedestrian realm considerations and sustainable design.

Rental Housing Demolition and Conversion By-law

The Rental Housing Demolition and Conversion By-law (885-2007) implements the City's Official Plan policies protecting rental housing. The by-law established Chapter 667 of the Municipal Code and was approved by City Council on July 19, 2007. The By-law prohibits demolition or conversion of housing units without a permit issued by the City under Section 111 of the City of Toronto Act. Proposals involving six or more rental housing units or where there is a related application for a Zoning By-law amendment require a decision by City Council under Section 111 of the City of Toronto Act.

Council may refuse an application or approve the demolition with conditions which typically involve the replacement of rental housing and assistance to any tenants affected by the proposed demolition, before a Section 111 permit is issued. The conditions are based on the Official Plan policies and established practices the City has in place when considering rental housing demolition. In addition, approval of related planning applications, such as a zoning by-law amendment, should be conditional upon the applicant receiving a Section 111 permit.

If the demolition of rental housing is approved under Municipal Code 667, approval to issue a demolition permit for residential buildings under Municipal Code 363 and Section 33 of the Planning Act is also required. The by-law provides for the co-ordination of these approvals and issuance of the permit. Typically, City Council receives a joint report on the related planning applications as well as the application under Municipal Code 667 so that the decisions on demolition and redevelopment may be made at the same meeting. Unlike Planning Act applications, City Council decisions to approve or refuse rental housing demolitions under Section 111 of the *City of Toronto Act* are not subject to any appeal to the Ontario Municipal Board.

Zoning

The site is split-zoned CR T5.0 C4.0 R3.0 (the Yonge Street and Eglinton Avenue East properties) and R2 Z2.0 (25 Roehampton Avenue). The CR zoning classification permits a range of commercial and residential uses in single purpose or mixed use buildings. Total permitted mixed use density is 5 times the lot area. The height restriction is 61 metres.

The R2 classification permits a range of residential uses, including apartment buildings, up to a total density of 2 times the lot area and a height of 38 metres. (Refer to Attachment 9: Zoning).

Site Plan Control

This application is subject to site plan control. An application has been submitted and is currently under review by City staff.

Reasons for Application

The applicant proposes to amend the provisions of By-law 438-86 to permit the proposed heights of 192.40 metres (south tower) and 121.80 metres (north tower) and total density of 14.8 times the lot area.

A height of 61 metres and 38 metres and a density of 5.0 and 2.0 times the lot area is permitted for the south and north towers respectively. Additional zoning amendments would also be required to allow a reduction in the number of required parking spaces and to allow reductions in landscaped open space and amenity space.

The proposed redevelopment requires City Council approval of an application under Municipal Code 667 for a Section 111 permit to demolish the existing 30-unit rental building.

Community Consultation

A community consultation meeting was held on June 28, 2012. The community meeting was held at the Orchard View Boulevard Public Library and was attended by approximately 135 residents and other interested parties.

In addition to resident concerns with respect to building height and density, many of the issues raised at the community meeting had also been discussed at the pre-application meetings held by the Ward Councillor (which included members of local resident's associations). Issues raised at the community meeting included:

- the need for wider sidewalk on Yonge Street;
- the area (intersection of Yonge Street & Eglinton Avenue) lacks open space and needs a linkage of public spaces on the 4 corners;
- the need to be connected to the subway; and
- intensity of use issues focussing on pedestrian congestion on the sidewalks and on the subway platforms and focussing on vehicular congestion resulting from 864 new residential units in the area.

Chapter 667 of the Municipal Code also requires a community consultation meeting that addresses rental matters. This was held on April 29, 2013 and over 15 tenant households were represented. A presentation was given by the developers on the specific aspects of the replacement rental proposal and tenant assistance measures. Staff presented materials regarding the provincially stipulated minimums and the policies of the Official Plan. Tenants' major concerns were:

- a. that adequate notice be given for having to vacate the unit;
- b. the adequacy of the moving allowance and tenant relocation assistance, and the expected length of construction;
- c. having to pay higher rents for temporary relocation in the Yonge and Eglinton area until construction is finished; and
- d. the right to return to the new building and the amount of the new rents.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

COMMENTS

Provincial Policy Statement and Provincial Plans

This application supports and is consistent with the 2005 Provincial Policy Statement (PPS) direction of intensification to achieve growth and urban vitality while making efficient use of existing infrastructure. This application complies with the policies of the PPS that support intensification and require new development to be directed to appropriate locations for growth as set out in municipal Official Plans.

Policy 1.4.3 requires provision to be made for an appropriate range of housing types and densities to meet projected requirements of current and future residents by, among other means, facilitating all forms of residential intensification and redevelopment and promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities and support the use of public transit.

Policy 1.6.5.4 promotes a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and supports the development of viable choices and plans for public transit and other alternative transportation modes.

The proposed development complies with the above policies and other relevant policies of the Provincial Policy Statement and Plans by: intensifying the residential use of the site while incorporating the replacement of the existing rental housing within the new condominium; making efficient use of the existing infrastructure; and by being within a short walk to the Yonge-Eglinton subway station, other surface TTC public transit routes and the planned Eglinton Crosstown LRT.

The proposal also meets the policies of the Provincial Growth Plan. The Growth Plan promotes increasing intensification of the existing built-up area with a focus on areas of the City such as major transit station areas.

Land Use

The proposed mixed use (south) building is a permitted land use in the *Mixed Use Areas* and *Mixed Use Area 'A'* designations of the Official Plan and the Yonge-Eglinton Secondary Plan respectively. The proposed mixed use building is also permitted within the CR zoning which applies to that portion of the site.

The proposed residential condominium and rental apartment (north) building is a permitted land use in the *Mixed Use Areas* and *Apartment Neighbourhoods* designations of the Official Plan in which it is located. The proposed north building is also permitted within the R2 zoning which applies to that part of the site.

Height, Density, Massing

The site is located adjacent to and nearby other tall buildings (existing and approved) within the Yonge-Eglinton Urban Growth Centre. Urban Growth Centres (UGC's) are areas of the City which have been designated for intensification by the Province. Minimum (but no maximum) thresholds of employment and residential population are identified in the Provincial document titled, "The Growth Plan for the Greater Golden Horseshoe."

The Yonge-Eglinton Secondary Plan adopts the intensification policies of the Provincial Growth Plan. Section 5.2 of the Yonge-Eglinton Secondary Plan directs the highest building heights and densities within the Yonge-Eglinton UGC to a height and density peak within the lands designated as *Mixed Use Area 'A'* located at the four quadrants of the intersection of Yonge Street and Eglinton Avenue.

The existing height peak is currently established by the 54-storey north Minto tower which is located south of the intersection within the southeast quadrant. The proposed development fits within the policy context which directs the highest heights and densities to the 4 quadrants by establishing its greatest height and density with the 58-storey south building and transitioning down to the north with its 38-storey north building.

The overall density of the two Minto towers at their location on the east side of Yonge Street, south of the Yonge Street and Eglinton Avenue intersection is approximately 12.0 times the lot area. The proposed development site is located at the intersection which is the quadrant height and density peak. At approximately 15.0 times the lot area, the two buildings have a higher density than the Minto towers which is appropriate for their 'peak' location on the east side of Yonge Street.

The proposed north building is just north of the height and density peak at the 4 quadrants. Its proposed 38 storeys shows a transition down as development moves away from the peak and towards the recent 34-storey approval of 30 Roehampton Avenue.

The north building is also primarily within an *Apartment Neighbourhoods* designation.

Section 4.2.2 of the Official Plan provides development criteria for new buildings which are proposed to be located within *Apartment Neighbourhoods*. Criteria related to height, include:

- a. new buildings are to be located and massed to provide a transition between areas of different development intensity and scale, stepping down to or setting back from lower scale *Neighbourhoods*;
- b. new buildings are to be located and massed to adequately limit shadow impacts on adjacent lower scale *Neighbourhoods*;
- c. locating and massing new buildings to frame the edge of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;

The site does not abut a *Neighbourhoods* designation. However, at 38-storeys, the proposed development transitions down on-site from the proposed south building and from the existing and planned heights at the Yonge and Eglinton intersection (37 commercial storeys on the northwest corner and 40 storeys planned for the southwest corner).

The proposed north building will fit within a gradual decrease in height from the intersection.

Sun and Shadow

The Official Plan requires that new development in *Mixed Use Areas* and in *Apartment Neighbourhoods* be located so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes.

The site does not have a common lot line with a *Neighbourhoods* designated area. The closest *Neighbourhoods* area on the east side of Yonge Street is located over 500 metres north of the site, on the north side of Keewatin Avenue. To the northwest, the closest *Neighbourhoods* area is on the north side of Helendale Avenue, west of the *Mixed Use Areas* designation along the Yonge Street frontage.

The proposed development will have no shadow impacts on the closest *Neighbourhoods* areas due to the considerable distance separating them from the site. With respect to the *Neighbourhoods* area to the north of Keewatin Avenue, there are a number of existing, intervening high-rise buildings which also have the effect of reducing the impact of new shadow cast by the proposed buildings.

A Shadow Study was submitted by the applicant and concluded that most shadow cast by the proposed development will fall within the shadows of existing or approved buildings in the area such as the approved 37-storey Yonge-Eglinton Centre office building, the 16-storey Stanley Knowles Co-op building on Orchard View Boulevard and the 34-storey building at 30 Roehampton. The incremental, new shadow that is cast is within thin strips and moves quickly across the landscape so that no significant shadow impact would be experienced.

Shadowing from taller buildings is generally anticipated and experienced within *Apartment Neighbourhoods*. The applicant's study also indicates that spring and fall shadowing will occur on the NTCI sports field. However, the new shadow cast by the proposed buildings will move on and off of the southeast portion of the sports field within a 2-hour time frame between 2:18 and 4:18.

The potential sun, shadow and privacy impacts of the proposed development on existing and future buildings and on open spaces within the *Mixed Use Areas* and *Apartment Neighbourhood* designations is discussed further in the Tall Buildings Design Guidelines discussion below.

Wind

The applicant has provided a Wind Conditions Letter of Opinion (researched and written by the applicant's consultants). The Letter of Opinion concludes that wind conditions are expected to be suitable for the intended usage around the proposed development in areas such as: the sidewalks; the proposed outdoor plaza; amenity terraces; and the main pedestrian entrances to the buildings. No uncomfortable or severe wind conditions are expected.

A more detailed wind study (wind tunnel analysis) has since been provided by the applicant and is currently under review with the site plan application for the proposed development.

Parking and Access

Access to the 4-level underground garage and the loading areas is proposed via a private lane extending into the site from Roehampton Avenue. The applicant is proposing to provide a total of 425 parking spaces for the development consisting of 355 resident spaces and 70 non-resident spaces. Included in the non-residential parking supply are 14 car-share parking spaces.

Transportation Services staff have recommended specific parking ratios for the proposal along with reductions to the resident parking requirements resulting from the provision of car-share spaces. The application of these ratios generates a minimum requirement of 475 parking spaces for the proposed development. The required 475 parking spaces consist of 405 resident spaces, 56 non-residential spaces and 14 car-share spaces.

The proposed parking supply is 50 fewer than the 475 parking spaces which are required by Transportation Services. The parking requirements as recommended by Transportation Services have been included in the draft by-law. The applicant is in agreement with this parking standard and will revise the parking level drawings with their application for site plan review to show compliance.

No parking spaces have been provided for the exclusive use of the residential visitors to the buildings. The applicants propose that visitor parking can be accommodated within the commercial parking area of the garage. Transportation Services staff are satisfied with this proposal.

The draft zoning by-law specifies that 10 of the residential parking spaces will be reserved for the 30-unit replacement rental housing component of the development.

Traffic Impact

Vehicular traffic access both the proposed north and south buildings via Roehampton Avenue and a common two-way driveway. The applicant's transportation consultant prepared a transportation impact study as part of the zoning application submission.

The consultant's study found that the proposed development would result in generating a net increase of 160 and 168 two-way trips during the AM and PM peak hours respectively. Given these estimated trips, the consultant concludes that the proposed development will have limited impact on the boundary road system. However, given projected operational issues at the Yonge Street and Roehampton Avenue intersection, the consultant's conclusion (on limited impact) is based on implementation of the following road improvements:

- a new traffic control signal at the Yonge Street and Roehampton Avenue intersection; and
- changing the existing cycle lengths at the Yonge Street and Roehampton Avenue intersection to 80 seconds during both peak hours.

Transportation Services staff have reviewed the report provided by the consultant and agree, in principle, with its conclusions and recommended road improvements. However, the recommended improvements will be subject to further consideration by Transportation Services since the road improvements may potentially have implications on the broader road network. When resolved, the owner will be required to enter into an agreement to secure the implementation, at the owner's expense, of any roadway improvements which are necessary for the circulation of local traffic including traffic generated by the proposed development.

If after this review, implementation of the road improvements is deemed to be feasible, the proponent will be required to pay for all costs associated with their installation, including any costs that are required to implement improvements to adjacent streets and intersections which are necessary as a result

of the traffic generated by the proposed development. If the above-listed road improvements are not feasible, other acceptable mitigating measures must be identified and assessed by the consultant.

Therefore, Transportation Services recommends that should Toronto and East York Community Council recommend approval of the proposed development, the bills not be introduced to City Council until the traffic impacts of the project and the recommended road improvements from the consultant are assessed from the perspective of the greater local area road network.

Design Review Panel

City Planning staff and the applicant's architect presented the proposal to the Design Review Panel at its meetings of January 23, 2012, July 17, 2012 and February 21, 2013. The panel voted unanimously in support of the applicant's overall approach to the building design and found that the scheme had "improved substantially with each submission."

Some of the Panel's comments/opinions in response to the applicant's third submission are as follows:

- the density and height of this proposal is appropriate;
- the configuration of the plaza was well received;
- a Bixi bike station was suggested for the plaza;
- the thinness of the north tower as it faces Roehampton Avenue contributes to the streetscape; and
- the increased sidewalk width on Yonge Street was seen as a positive public realm benefit.

Tall Building Design Guidelines

A tall building is generally defined as a building that is taller than the road right-of-way which is adjacent to the site. The Design Guidelines provide recommendations to assist staff in their review of tall buildings. The Design Guidelines expand upon the Official Plan policies (particularly those policies of Section 3.1.2 – Built Form) regarding issues of: transition in scale; building placement and orientation; entrances; massing of base buildings; tower floor plates; separation distances and pedestrian realm and other considerations.

The intent of these guidelines have been met through the design of the proposed buildings as follows:

1. Transition in Scale – Scale of the District

Section 3.1.2(3b) of the Official Plan recommends that new development be massed to fit harmoniously into its existing or planned context and limits its impacts on neighbouring streets, parks, buildings and open space by creating appropriate transitions in scale to neighbouring and existing buildings. The Official Plan indicates that transition may be achieved through various methods including the use of: angular planes; stepping of heights; location and orientation of the building and the use of setbacks and step backs of the building mass. The use of angular planes, setbacks and step backs are discussed in other sections which follow.

With respect to the "scale of the district", the Design Guidelines define scale of the district as referring to a situation where a proposed development contemplates a tall building on a site which is adjacent to Staff report for action – Final Report – 2263-2287 Yonge Street, 10 Eglinton Avenue East and 25 Roehampton Avenue

an area of different heights or scale of development. The Design Guidelines indicate that stepping down the height of the proposed tall building to lower-scaled buildings or neighbourhoods is critical to reduce its impact from adjacent streets, open spaces and properties.

The proposed south building is located at the northeast corner of Yonge Street and Eglinton Avenue. This location is within one of the 4 quadrants which are identified within the Yonge-Eglinton Urban Growth Centre (UGC) for the highest heights and densities. Corner sites at the intersection of arterial roads are capable of more height than internal or mid-block sites (if the proposal complies with the intent of all other applicable aspects of the Design Criteria). The existing height peak in proximity to this corner site is the 54-storey Minto tower which is located on a mid-block site south of the southeast quadrant. At 58 storeys, the proposed south building would become a landmark building and would define the height peak for the intersection.

At 38 storeys the proposed north building provides a transition (in height) down from the proposed 58-storey tower which is located at the height peak of the northeast quadrant of the intersection of Yonge Street and Eglinton Avenue. The transitioning down in height continues from the proposed 38-storey tower to the approved 34-storey tower on the north side of Roehampton (30 Roehampton).

2. Tall Building Address (Entrance)

Section 3.1.2(1b, c) of the Official Plan directs new development to locate a building's main entrance so that it is clearly visible and directly accessible to the public sidewalk. The Official Plan also directs new development to have ground floor uses that have views to and, when possible, access to adjacent streets, parks and open spaces.

The Design Guidelines reiterate that well-designed buildings should provide prominent main building accesses which are directly accessible to the public sidewalk. Main entrances should be emphasized, when appropriate, through the use of high quality landscape treatment. The Design Guidelines also state that the most vital and interesting streets are those which are lined with residential (or commercial) uses resulting in a fine grain of entrances along the street edge.

The proposed south building has a well-defined main entrance to the condominium lobby which is located (if entering from the sidewalk) beyond the proposed public outdoor plaza (described in the Streetscape section of this report) at the east end of the building on Eglinton Avenue.

West of the condominium lobby entrance, the proposed development continues the existing pattern of retail stores and entrances at-grade on both Eglinton Avenue and Yonge Street. The retail units break up the building's mass at-grade into a fine grain of individual retail entrances.

A pedestrian entrance stairway to the retail concourse, which is to be located below-grade, acts as a connection to the subway station(s). It is proposed in a central area of the public plaza.

The proposed north building provides a similarly well-defined entrance located on Roehampton Avenue.

3. Scale of the Base Building

Section 3.1.3(1a) of the Official Plan requires base buildings of tall buildings to be an appropriate scale with adjacent streets and open spaces. The Official Plan also requires that base buildings (podiums) integrate with the scale of adjacent building bases and minimize the impact of parking and service uses.

The Design Guidelines indicate that the building base (which comprises the largest massed area at street level) is to be designed in a manner that allows appropriate access to sunlight and to sky view. The base is also to be designed to ensure that the massing of the resulting street wall is not overwhelming to pedestrians. To achieve these objectives, the Design Guidelines indicate that the height of a base building or podium on corner sites should be massed to respect the existing podium heights on both streets.

With respect to the south building, there are no existing tall buildings with a podium condition on adjacent lots to provide a base height or setback context for the proposed development. In the absence of an existing context, the proposed base of the south building has been designed at 3-storeys but with a height of approximately 18 metres (due to a 9.0 metre height of the first floor and 4.5 metre heights of the second and third floors).

Given the approximately 10.0 metre setback of the third floor from the property line plus the 4.5 metre wide sidewalk, the south building podium fits within the 45 degree angular plane drawn from the curb on the south side of Eglinton Avenue East.

As a result, the base or podium condition of the south building is designed with appropriate street proportion as is required by the Design Guidelines.

The north building is primarily within an *Apartment Neighbourhood* designation. Apartment buildings are permitted uses within *Apartment Neighbourhoods*. A common built form within this apartment neighbourhood (to the east of the site) is the low-rise apartment building. Typically the low-rise apartment built form does not have a distinctive base. They often maintain the same floor plate from grade to their tops.

The proposed north building is bounded on the west by the backs of the 2-storey mixed use buildings on Yonge Street. None of these buildings have sufficient height to require a distinctive building 'base' or a significant step-back in any of the elevations above-grade to reduce the impact of their mass on the streets.

The approved 34-storey residential condominium which is currently under construction across the street from the proposed north building at 30 Roehampton Avenue does provide a podium context for the proposed north building. It has a 6-storey podium. The podium for the proposed north building is 7 storeys in height (a storey higher than 30 Roehampton Avenue) but it maintains a shallow depth of 15 metres from the street. In addition, the podium levels are made unimposing to the street by providing a 10.6 metre setback from the Roehampton Avenue property line (plus the sidewalk) at the ground floor to allow for a wider pedestrian boulevard on Roehampton Avenue.

Both proposed buildings minimize the impact of the parking and loading by providing a laneway access which generally follows the route of the existing lane (south from Roehampton Avenue). The Yonge Street businesses which remain will continue to have service easements over the new redeveloped lane.

4. Tall Buildings Floor Plates

Section 3.1.3(1b) of the Official Plan requires that new development be designed with a floorplate size and shape that has appropriate dimensions for the site and is oriented on its site and on top of its base building to allow it to fit harmoniously into its existing and/or planned context.

The Design Guidelines encourage properly located, thin tower floor plates (maximum area of 743 m²) since they: result in towers which cast smaller and faster moving shadows; may improve sky views; and may permit better views between buildings and through the site. The Design Guidelines indicate that residential floor plates larger than 743 square metres in area are to be articulated architecturally to minimize shadows; loss of sky view and wind conditions on adjacent open space.

At approximately 780 square metres, the proposed south building tower floor plate is marginally larger than recommended (but is still considered a point tower). It has been designed with intermittent balconies which appear to be recessed but, in fact, are external to the main building wall. The proposed balcony design simplifies the façade and reduces the impression of mass of the south tower.

The north building is designed as a slender slab tower on top of its podium (as described in the previous section of this report). Its floor plate is approximately 300 square metres which is considerably smaller than most floor plate areas of the existing tall slab buildings elsewhere in the neighbourhood. At 7.28 metres in width (excluding the west-side balconies, the tower appears as an exceedingly thin structure from Roehampton Avenue. As a result, the north tower will have less impact on the pedestrian realm (Roehampton Avenue) than do the existing rectangular slab buildings in the area, particularly those that front onto the street with their longer wall.

In addition, the north building has recessed balconies which do not extend beyond the tower walls. Recessing balconies is a design technique which reduces the mass of a building by restricting all gross construction floor area including balconies to within the confines of the walls.

5. Spatial Separation

Section 3.1.2(3)(d) of the Official Plan requires that tall buildings will be massed and designed to fit harmoniously into its existing and/or planned context and will limit its impact on neighbouring streets, parks, open spaces and properties by providing adequate light and privacy and other means.

The Design Guidelines recommend a minimum separation distance of 25 metres between residential towers. The minimum 25 metre separation distance is to provide: adequate privacy and natural light into new towers on the same site; and into existing residential towers and sites with the potential for tower redevelopment which share a common lot line with the subject site. With respect to existing residential towers and potential tower sites, the Design Guidelines recommend setbacks of 12.5 metres (or half the 25 metre separation distance) on either side of the lot line.

The proposed buildings are separated from each other by approximately 32 metres, exceeding the minimum of 25 metres separation between towers which is recommended by the Design Guidelines. The orientation of the two proposed towers will provide adequate separation distance to other existing, approved and potential towers on adjacent properties.

The proposed south building has two internal property lines. It is set back by 12.5 and 15.9 metres to its east and north property lines respectively. Any redevelopment of the lots to the north or to the east of

the proposed south building would require a land consolidation if a tower is contemplated. A 12.5 metre setback would be required for any tower which may be proposed on those sites and, given the tower setbacks to be provided by the proposed south building, a minimum of 25 metres of separation would be maintained between it and any potential towers which may be proposed to the north or east.

The proposed north building has a separation distance in excess of 25 metres from the approved 34-storey building which is under construction across the street at 30 Roehampton Avenue.

The north building podium (1st to 12th storeys) is under the total permitted height of 38 metres and has a setback of 7.5 metres to the west property line as required by the Zoning By-law. The tower component, starting at the 13th floor, is setback 12.5 metres to the west property line. Any tower redevelopment, which may be contemplated through a consolidation of lots, to the west of the proposed north building would be required to match these setbacks thereby providing the minimum 25 metre tower to tower separation.

With respect to the east setbacks of the north building, the podium has a 7.5 metre setback to the east property line as well. The tower portion of the building is setback 10.0 metres to the east property line. The tower is single-loaded which in this case means that the four units per floor have predominantly west facing primary windows. In addition, the elevator core and stair comprise approximately half of the east facing wall per floor. This means that this large area of wall contains no primary living room windows.

The orientation of the tower units to the west and prominence of the building core on the east face of the north tower has the effect of limiting the impact on the privacy of the existing units in the 3-storey apartment building immediately to the east at 31 Roehampton Avenue.

Planning staff have reviewed the development potential of the 23.0 metre wide lot located at 31 Roehampton Avenue immediately to the east of the north building site. Staff find that no tower with the same minimum setbacks as are proposed for the north building (12.5 metres and 10.0 metres) could be built given the site's limited width. The building to the east of the apartment building at 31 Roehampton Avenue (39 Roehampton Avenue) is a 4-storey residential condominium.

6. Streetscape, Landscape and Open Space

Section 3.1.2(5a, b, d) of the Official Plan requires that new development will add to the use and aesthetics of the streetscape by providing hard and soft landscape improvements including street trees and other landscape plantings, lighting and other street furniture. The Design Guidelines broaden the landscape requirements of the Official Plan and recommend that the proposed buildings contribute positively to the streetscape by providing views to the street from on-site open spaces for security purposes and by providing soft landscaping elements between the building base and the sidewalk.

Section 3.1.2(5d) of the Official Plan requires new developments to provide for adjacent streets (public sidewalks) and open spaces in a manner which makes these areas attractive, interesting, comfortable and functional for pedestrians through the landscaping of these spaces. The Design Guidelines extend the definition of amenities to include those facilities that are provided for the exclusive use of owners or tenants of the new building and the amenities which are publicly accessible, visually and/or physically. New developments may and should provide both.

Both proposed buildings provide upgraded landscaping with new tree and shrub plantings between the building fronts and the respective streets which they face and along property lines.

The pedestrian traffic on Yonge Street and Eglinton Avenue is high. The applicant is proposing to widen the sidewalk on the east side of Yonge Street in front of the proposed south building's southwest corner by approximately 3.5 metres. The total width of the Yonge Street sidewalk at this point is approximately 8.5 metres from building wall to curb. The Yonge Street sidewalk tapers to its existing width of approximately 4 metres at the north end of the south building. This is anticipated to better serve the existing pedestrian volume and additional volume on the Yonge Street sidewalk which may occur after construction of the proposed buildings.

As has described below in the Streetscape section of this report, a substantial open space plaza (up to 15.6 metres wide from the building face to the south property line and approximately 21 metres to the Eglinton Avenue curb) has been proposed in front of the south building. The plaza and widened sidewalk are constructed of unit pavers (on concrete) which accentuate these areas as publicly accessible but privately owned pedestrian spaces.

The plaza will also include a covered entrance to concourse level shops and connection to the subway platforms and the eventual Eglinton Crosstown station. The plaza is landscaped with continuous soil trenches planted with trees, shrubs and grasses. When the open space renovation on the northwest corner of Yonge Street and Eglinton Avenue is complete, the proposed plaza will approximately double the open space which is currently at the intersection.

Open space amenities and green roofs are also provided on portions of the third and fourth floor roof deck areas of the south building and on the roof of the seventh floor podium of the proposed north building.

7. Sun, Shadow and Sky View

Section 3.1.2(3) of the Official Plan requires new development to adequately limit any resulting shadowing of neighbouring streets, properties and open spaces (i.e., the North Toronto Collegiate sportsfield).

Section 3.1.2(4) requires new development to be massed to define the edges of streets, parks and open spaces at good proportion. Taller buildings are to be located to ensure adequate access to sky view for the proposed and future use of these areas.

The Design Guidelines recognize that tall buildings can adversely affect the environmental quality of surrounding areas through the loss of sky view and by the overshadowing of adjacent public and private open spaces. Restricting the floorplate size of tower components will be beneficial in mitigating shadow impacts. The Design Guidelines also recommend that new developments should be spaced to provide adequate light, view and privacy in surrounding buildings.

The proposed towers comply with these requirements by allowing a significant separation distance to each other (approximately 32 metres) and to the existing and proposed residential tall buildings which are existing or under construction in proximity to the site (30 Roehampton Avenue which is under construction north of the site and 70 Roehampton Avenue which is northwest of the site). This

maintains adequate sky view and privacy within the nearby tall building units and within the proposed new buildings.

With respect to shadowing, the site is located in part within an *Apartment Neighbourhood* north building), and within a *Mixed Use Area 'A'* which is part of the Yonge-Eglinton Urban Growth Centre. These are land use designations in which existing tall buildings cast shadows and where new tall buildings are expected to be built. The shadows cast by the proposed buildings do not exceed acceptable levels of new shadowing on neighbouring buildings, local streets, sidewalks and open spaces (such as the North Toronto Collegiate sportsfield).

The proposed south building has a relatively thin tower of 780 square metres. New shadow cast by that building (which is not cast within existing shadows of other buildings) moves quickly across the landscape and adjacent buildings.

The north building has a longer but thin floorplate. Most of the shadows cast by the north building are lost within the existing shadowing and the shadows which will be cast by approved or under-construction buildings in this apartment neighbourhood.

Yonge-Eglinton Centre Focussed Review – Design Guidelines

The Urban Design Guidelines for the Focussed Review area were established after an extensive public review process and were adopted by Council and approved by the Ontario Municipal Board. The Design Guidelines focus on the south-west quadrant of Yonge Street and Eglinton Avenue but are generally intended to apply to the entire Yonge-Eglinton Centre.

With respect to the subject site at the north-east corner of Yonge Street and Eglinton Avenue, the Guidelines indicate that the northeast corner of Yonge Street and Eglinton Avenue has the potential to be redeveloped with a tall building. Such tall building is to be accompanied with a pedestrian open space at the corner and widened sidewalks. The south building meets these guidelines by providing a public plaza and widened sidewalks.

Servicing

The applicant has submitted a stormwater management report and site servicing plan and, a site grading and drainage plan in support of the proposed development to the Director of Development Engineering, Toronto and East York District for review and acceptance prior to entering into a Site Plan Agreement with the City. The owner shall be required to construct and/or pay for any improvements to the municipal infrastructure including the proposed watermain upgrades, as may be required in connection with the development.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0 to 0.42 hectares of local parkland per 1,000 people. The site is in the lowest quintile of current provision of parkland. The site is in a parkland priority area, as per the City Wide Parkland Dedication By-law 1020-2010.

The application proposes 854 residential units on a site with a net area of 4,020 m². At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication requirement is 1.552 hectares or 401.95 % of the site area. However, for sites that are less than 1 hectare in size, a cap of 10% is applied to the residential use while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement is 0.039 hectares.

The applicant proposes to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as there is no location for an on-site parkland dedication.

The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

Streetscape

A key principle of the Official Plan is to ensure that new development enhances the quality of the public realm. Section 4.2(d) of the Yonge-Eglinton Secondary Plan specifically states that, "comprehensive redevelopment of the northeast quadrant of the Yonge-Eglinton intersection (the subject site) that incorporates publicly accessible open space on the corner will be encouraged."

This application acknowledges and promotes its site as a prominent component of one of the most significant pedestrian intersections in the City by expanding the existing sidewalks into a publicly-accessible, open space plaza as is recommended by the Yonge-Eglinton Secondary Plan.

The plaza would be partially protected from weather by the second floor which cantilevers out over the plaza 9 metres above-grade. It uses creatively designed street furniture and hard and soft landscaping elements to establish the space as a comfortable pedestrian area in which people would linger as well as short-cut through to their destinations.

The proposed (approximately) 785 square metre plaza would emphasize the significance of the intersection of Yonge Street and Eglinton Avenue as an important pedestrian open space at the convergence of public transit routes (existing and planned) and at a focal point of retail and service commercial, employment and entertainment opportunities. This proposed plaza combined with the planned renovation of a matching 750 square metre open plaza on the northwest corner in front of the Yonge-Eglinton Centre establishes these quadrants as a pedestrian destination.

The applicant has satisfied Urban Forestry's requirements under the Private Tree By-law application and approval process. Urban Forestry is also satisfied that the revisions that they have requested and the cash-in-lieu requirements under the provisions of the Private Tree By-law can be addressed and secured through the site plan control approval process.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS. Applicable TGS performance measures will be secured through the Site Plan Approval Process.

Tenure

A total of 854 residential units are proposed. The owner has agreed to provide 30 new replacement rental units within the development. The remaining 824 are proposed to be registered as residential condominiums.

Rental Housing

1. Existing rental housing

The existing 7 storey residential rental building is comprised of 23 one-bedroom units and 7 two-bedroom units, with all rents in the mid-range. The floor areas of the existing one bedroom units vary between 553 and 595 square feet, and the two bedrooms are between 737 and 755 square feet. The units have storage facilities; there is underground parking on-site and a common laundry area. There is an existing outdoor terrace of 34 square meters. All units have balconies.

Twenty one of the thirty rental units are currently occupied and seven are not. The apartments are not being re-rented after some of the current occupants move out due to the impending decision on the demolition proposal.

At least 7 of the households have been determined to be "special needs", including older tenants and those whose tenancy is of a long duration. Many of the tenants work in the area or have children at the local schools and have expressed interest in returning to the building once completed.

2. Replacement rental housing

The 30 new replacement rental units will be provided and maintained as rental housing for at least 20 years, with no application to be made during this time for: condominium registration; to convert the units to non-rental housing purposes; or to demolish them without replacement.

The existing rental units comprise twenty-three (23) one-bedroom units and seven (7) two-bedroom units and they will be fully replaced with the same unit mix and at a similar size in the new development. The plans provide for the rental component to be fully incorporated within the north tower condominium with the apartments located on the 2nd to 7th floors.

Tenants will have access on the same basis as the condominium residents to all amenity spaces of the north tower as well as concierge services. The rental units will also have air-conditioning, Wi-Fi, ensuite laundry, and a balcony, and each tenant will have a storage unit included as part of the rent. A number of these features are not currently provided in the existing building, and represent an improvement for the rental housing.

Overall, the replacement rental housing is of similar size, with the proposed total floor area measuring over 95% of the existing rental floor area. Staff are satisfied with the liveability of the replacement units. The new plans do provide for a greater range of unit sizes to better accommodate the range of household types who currently reside in the existing building, acknowledging that some one-bedroom units are smaller, and some larger than the existing units.

The new one-bedroom units range in size from 41.805 square metres to 65.68 square metres, and the two-bedrooms are proposed at 66.24 square metres. Three of the rental units shall be accessible units.

The provisions for setting initial rents and allowable rent increases for all 30 rental units will conform to the City's policies and practices. As the existing rental units have mid-range rents, so will the 30 replacement units. These maximum rents will be maintained for at least 10 years, and thereafter until the 20th year for any tenant who moved in during the first 10 year period, followed by a phase-out to unrestricted rents. New tenants moving into vacant units commencing in the eleventh year will pay market rents. All basic utilities are proposed to be included in the rents.

The existing rental building provides 20 parking spaces, but many are not being used by the current tenants. The owner has agreed to provide at least 10 spaces for tenants of the 30 rental units. Existing tenants with parking contracts will retain the rights of those contracts should they choose to return to the new building.

At least 18 bike parking spaces will be provided for the 30 replacement rental units. Given the low rate of the current tenant use of the existing parking spaces and the location of the building (close to a transit hub), staff are satisfied with these provisions which are identified in the draft zoning by-law for the rental housing component.

3. Tenant Relocation and Assistance Plan

The City's typical practices are reflected in the proposed Tenant Relocation and Assistance Plan. These include: extended notice to vacate for demolition (6 months); the right to return for all tenants at similar rents; a moving allowance for each required move during relocation and additional financial assistance to help with the costs of alternative accommodation while the replacement rental housing is being built. This latter assistance will be varied to recognize the 'affordability gap' between the current area rents and the rent that any given tenant is paying at the time of the notice to vacate.

The owner is also aware of tenant concerns about the length of time that it will take to construct this large new development. During the construction period, displaced tenants who hope to return to the new rental units, expect to pay higher costs for their temporary accommodation. The owner has addressed these concerns by agreeing to build the north tower, which includes the 30 new replacement rental units, in the first phase of the development.

There will be special provisions for the special needs tenants. The City-approved assistance plan is developed to work with, but to provide additional support than the provisions in the *Residential Tenancies Act*.

4. Agreements

The applicant's proposal for the replacement rental housing and the Tenant Assistance and Relocation Plan, along with the City's standard practices for the length of rental tenure for the replacement units and the restrictions on rent increases will be secured through the zoning by-law and Section 37 provisions, as well as with a Section 111 agreement pursuant to Municipal Code 667 and the City of Toronto Act.

Staff supports the replacement rental housing provisions of the applicant's proposal, which maintain the intent of the Official Plan and the City's by-law on demolition and conversion of rental housing, and are consistent with established City practices for similar applications.

Section 37

Section 37 of the Planning Act allows the City to grant increased density and/or height in exchange for community benefits. Community benefits are specific capital facilities (or cash contributions for specific capital facilities) and can include: parkland and/or park improvements above and beyond the required parkland dedication, public art, streetscape improvements on the public boulevard not abutting the site, purpose-built rental housing with mid-range or affordable rents and other works detailed in Section 5.1.1.6 of the Official Plan. Section 37 may also be used as may otherwise be agreed upon subject to the policies of Chapter 5 of the Official Plan.

The community benefits must bear a reasonable planning relationship to the proposed development including at a minimum, an appropriate geographic relationship and the addressing of planning issues associated with the development (e.g., local shortage of parkland and open space, congested sidewalks, street trees and furniture).

The applicant agrees to a contribution of \$3,250,000.00. Such amount is to be deposited to the Planning Act Reserve Fund prior to the first above-grade building permit and is to be indexed upwardly in accordance with the Statistics Canada Non-residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date of payment. The funds will be secured in the Section 37 Agreement entered into with the owner and may be used for the capital construction of, or the capital improvements to one or more of the following at the discretion of the City as determined by the Chief Planner and Executive Director in consultation with the Ward Councillor as follows:

1. up to \$1,250,000.00 for neighbourhood improvements to the Yonge-Eglinton area as recommended by the Parks and Open Space and Streetscape Master Plan Study; and
2. up to \$2,000,000.00 for the acquisition, design and construction of the new park which is to be developed south of the TTC bus barns at Yonge Street and Eglinton Avenue West.

The following matters are also recommended to be secured in the Section 37 agreement as a legal convenience to support development:

1. provision and maintenance of not less than 30 new replacement rental *dwelling units on the lot*, with rents no higher than mid-range rents, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, subject to the following:
 - (i) the replacement rental *dwelling units* shall comprise of 23 one-bedroom units, and 7 two-bedroom units; and the combined floor area of the 30 replacement rental *dwelling units* shall be not less than 17,641 square feet. Each rental dwelling unit shall have a storage locker. There shall be 3 accessible units. The units shall have a range of sizes as per the following list:
 - 12 one-bedroom units with a minimum of 450 sq ft of which 6 units shall be larger than 500 sq ft.;

- 11 one-bedroom units with a minimum of 590 sq ft of which 5 units shall be larger than 690 sq ft; and
 - 7 two-bedroom units with a minimum of 707 sq ft of which 6 units shall be larger than 710 sq ft.
- (ii) the replacement rental *dwelling units* shall be maintained as rental housing units for at least 20 years, beginning with the date each unit is occupied and until the owner obtains approval for a zoning by-law amendment removing the requirement for the replacement rental housing units to be maintained as rental units. No application may be submitted for condominium registration, or for any other conversion to non-rental housing purposes, or for demolition without providing for replacement during the 20 year period; and
- (iii) the building permit which provides for the replacement rental *dwelling units* shall be issued no later than the issuance of the first above-grade building permit for any building with residential uses *on the lot*. The 30 replacement rental *dwelling units* shall be ready for occupancy no later than the date by which no more than 90% of the other *dwelling units* contained within the same building are available and ready for occupancy;
2. provision and maintenance of rents no greater than mid-range rents charged to the tenants who rent each of the designated 30 replacement rental *dwelling units* during the first 10 years of occupancy, such that the initial rent shall not exceed an amount based on one and a half times (1.5x) the most recent Fall Update Canada Mortgage and Housing Corporation Rental Market Report average rent for the City of Toronto by unit type inclusive of basic utility costs.
- Upon turnover, the rent charged to any new tenant shall not exceed the greater of the most recently charged rent or one and a half times (1.5x) the most recent Fall Update Rental Market Report average rent for the City of Toronto by unit type, and over the course of the 10 year period, annual increases shall not exceed the Provincial rental guideline and, if applicable, permitted above-guideline increases;
3. rents charged to tenants occupying a replacement rental *dwelling unit* at the end of the 10-year period set forth in 2 above shall be subject only to increases which do not exceed the Provincial rent guideline and, if applicable, permitted above guideline increases, so long as they continue to occupy their *dwelling unit* or until the expiry of the rental tenure period set forth in 1(ii) above with a phase-in period of at least three years to unrestricted rents;
4. rents charged to tenants newly occupying a replacement rental *dwelling unit* after the completion of the 10-year period set forth in 2 above will not be subject to restrictions by the City of Toronto under the terms of the Section 37 Agreement;
5. the owner shall provide, prior to the introduction of bills in City Council, and implement a Tenant Relocation and Assistance Plan to the satisfaction of the Chief Planner and Executive Director, City Planning Division, that requires the owner to provide for each eligible tenant at 25 Roehampton Avenue the right to return to a replacement rental *dwelling unit*, assistance that

includes at least a moving allowance and other financial assistance geared to the affordability gap between the current rent and local area rent by unit type, with provisions for special needs tenants;

6. the owner shall enter into an agreement with the *City* pursuant to Section 37 of the *Planning Act*, to secure the provision of said facilities, services and matters, in a form satisfactory to the *City's* Solicitor as set forth in Appendix 1 of the draft zoning by-law (Attachment 11) with conditions providing for indexed escalation of financial contributions, no credit for development charges, indemnity, insurance, HST, termination and unwinding, and registration and priority of the agreement; and
7. the owner shall enter into an agreement with the *City*, prior to any building permit, to secure the implementation of appropriate local roadway improvements, at the Owner's expense, as may be required which address the potential traffic impacts of the proposed development to the satisfaction of the Director of Engineering and Construction Services, Toronto and East York District.

Notwithstanding the foregoing, the *owner* and the *City* may modify or amend the said agreement(s), from time to time and upon the consent of the *City* and the *owner*, without further amendment to those provisions of this zoning by-law which identify the facilities, services and matters to be secured.

CONTACT

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Lauralyn Johnston, Planner
Tel. no. 416-392-8575
Fax No. 416-397-4080
E-mail: ljohnst@toronto.ca

SIGNATURE

Gregg Lintern, MCIP, RPP
Director, Community Planning,
Toronto and East York District

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ATTACHMENTS

- Attachment 1: Site Plan
- Attachment 2: West Elevation – South Building
- Attachment 3: South and North Elevations – South and North Buildings
- Attachment 4: East Elevation – South and North Buildings
- Attachment 5: North and South Elevations – North Building
- Attachment 6: West Elevation – North Building

Attachment 7: Official Plan
Attachment 8: Yonge-Eglinton Secondary Plan
Attachment 9: Zoning
Attachment 10: Data Sheet
Attachment 11: Draft Zoning By-law Amendment

Attachment 1: Site Plan



Site Plan

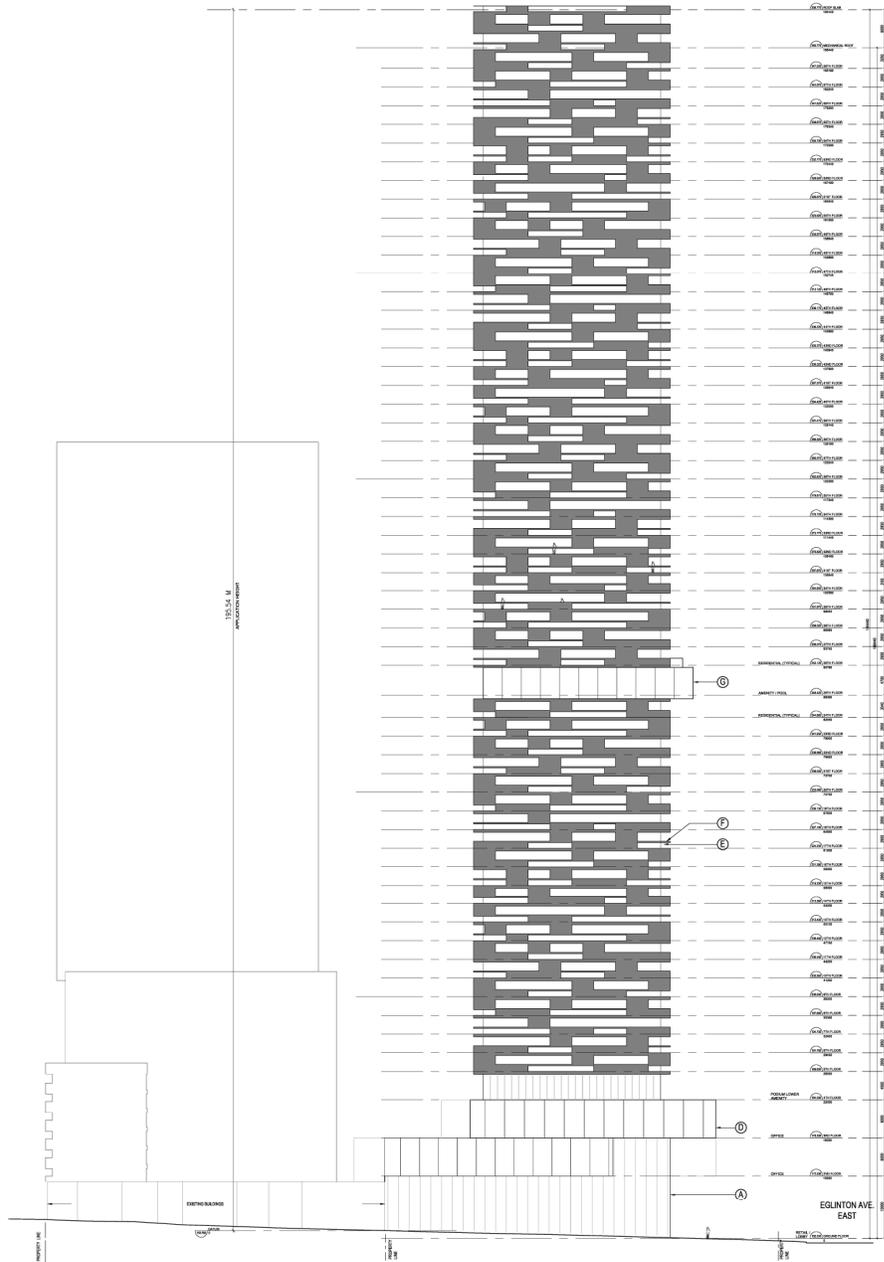
Applicant's Submitted Drawing

Not to Scale 
05/22/2013

2263-2285 Yonge Street, 10 Eglinton Avenue East
and 25 Roehampton Avenue

File # 11 326074 0Z

Attachment 2: West Elevation – South Building



West Elevation - South Building

Elevations

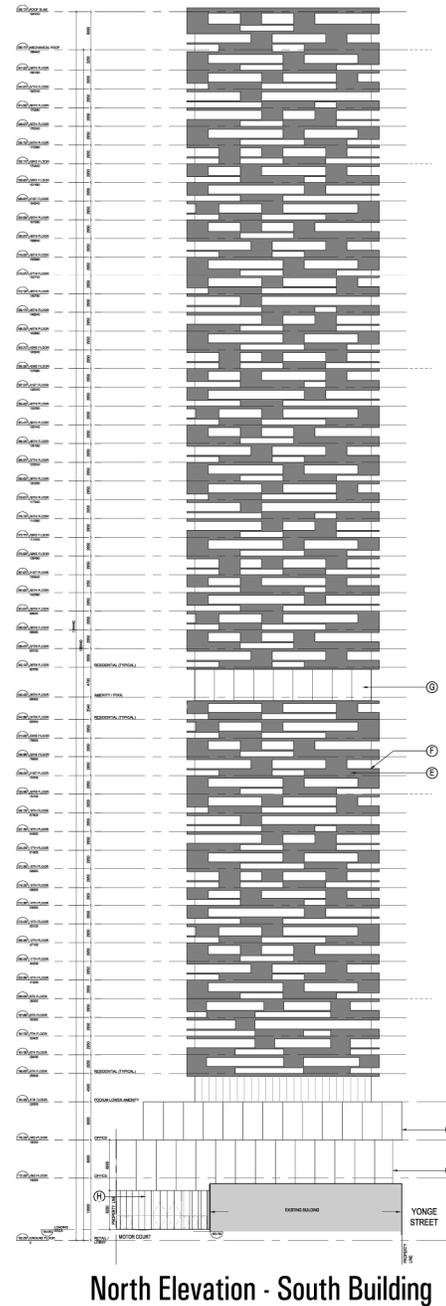
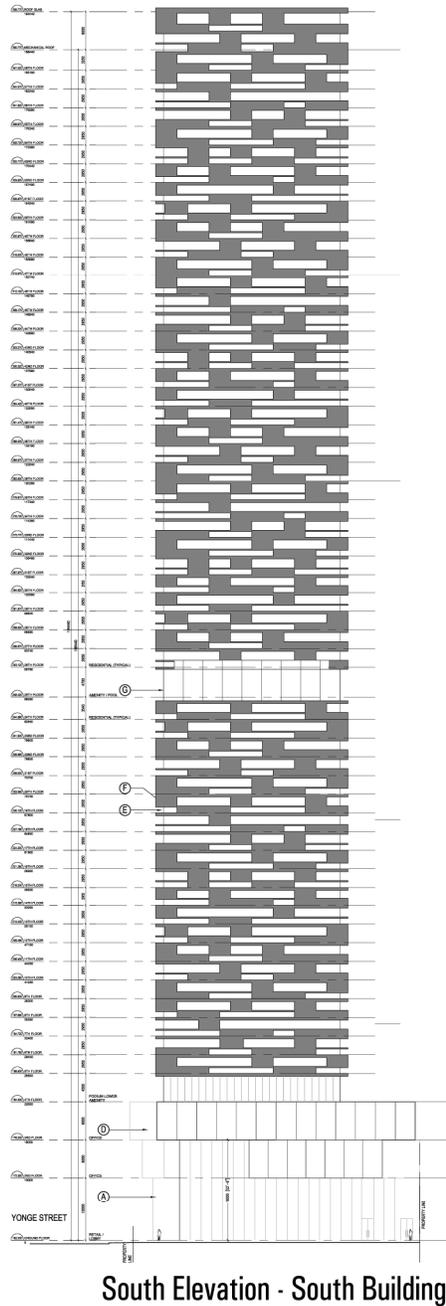
Applicant's Submitted Drawing

Not to Scale
05/22/2013

**2263-2285 Yonge Street, 10 Eglinton Avenue East
and 25 Roehampton Avenue**

File # 11 326074 0Z

Attachment 3: South and North Elevations – South and North Buildings



Elevations

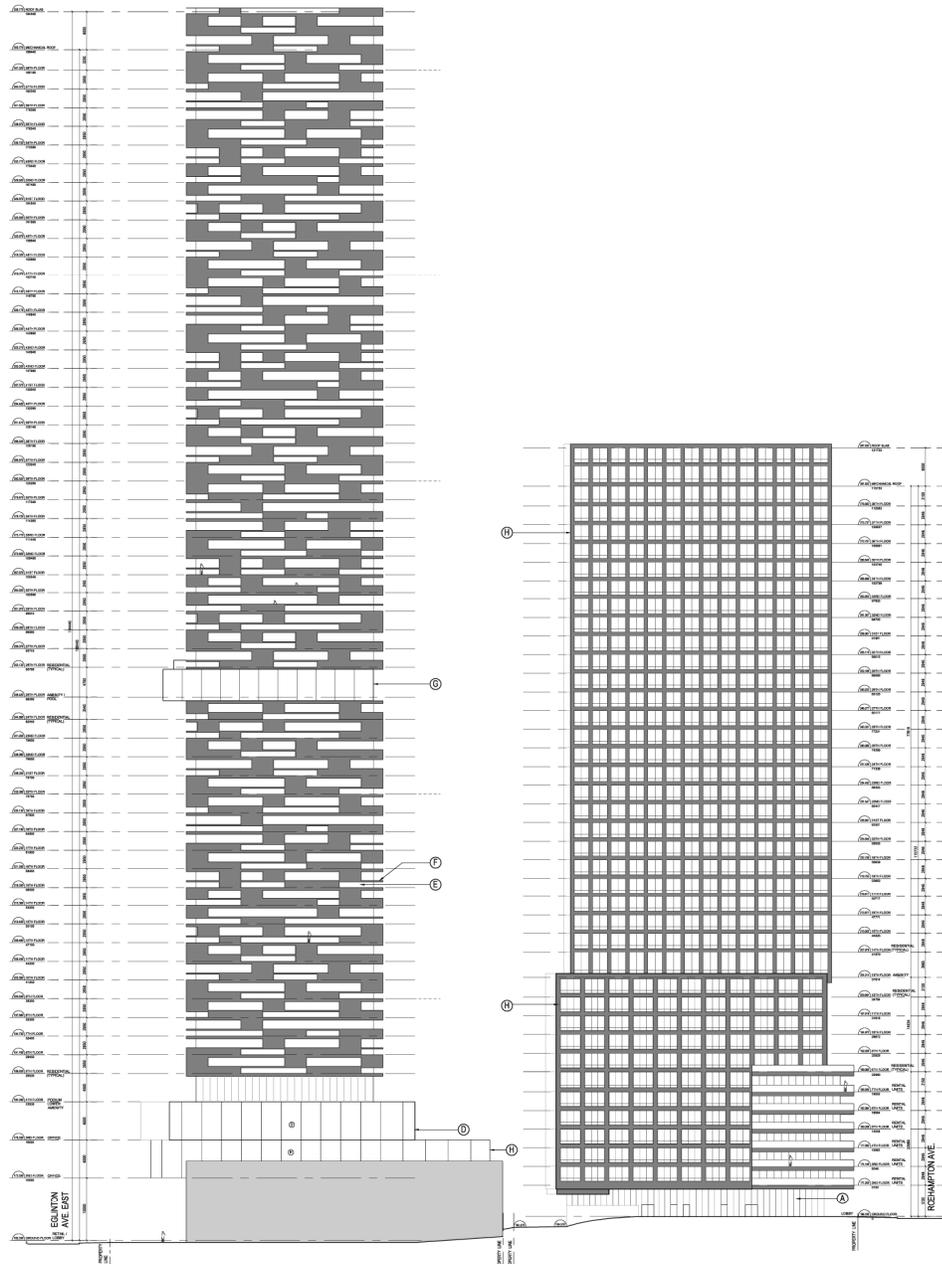
Applicant's Submitted Drawing

Not to Scale
05/22/2013

**2263-2285 Yonge Street, 10 Eglinton Avenue East
and 25 Roehampton Avenue**

File # 11 326074 0Z

Attachment 4: East Elevation: South and North Buildings



East Elevation - South and North Buildings

Elevations

Applicant's Submitted Drawing

Not to Scale
05/22/2013

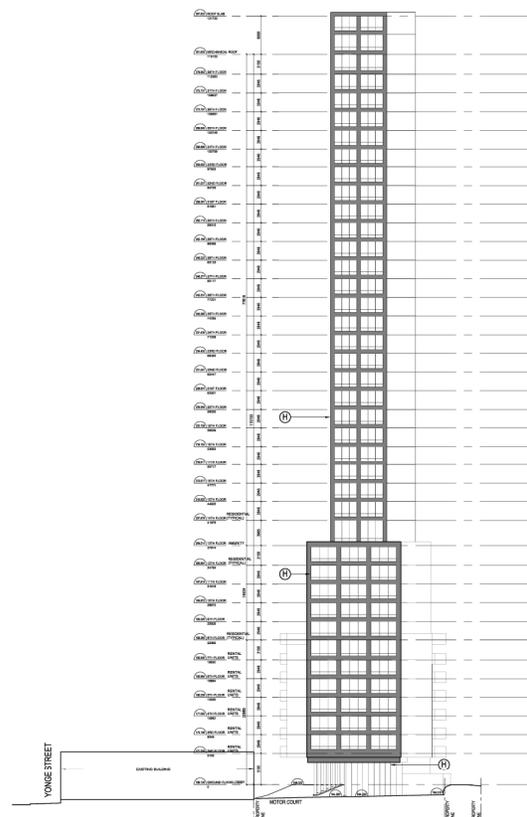
2263-2285 Yonge Street, 10 Eglinton Avenue East
and 25 Roehampton Avenue

File # 11 326074 0Z

Attachment 5: North and South Elevations: North Building



North Elevation - North Building



South Elevation - North Building

Elevations

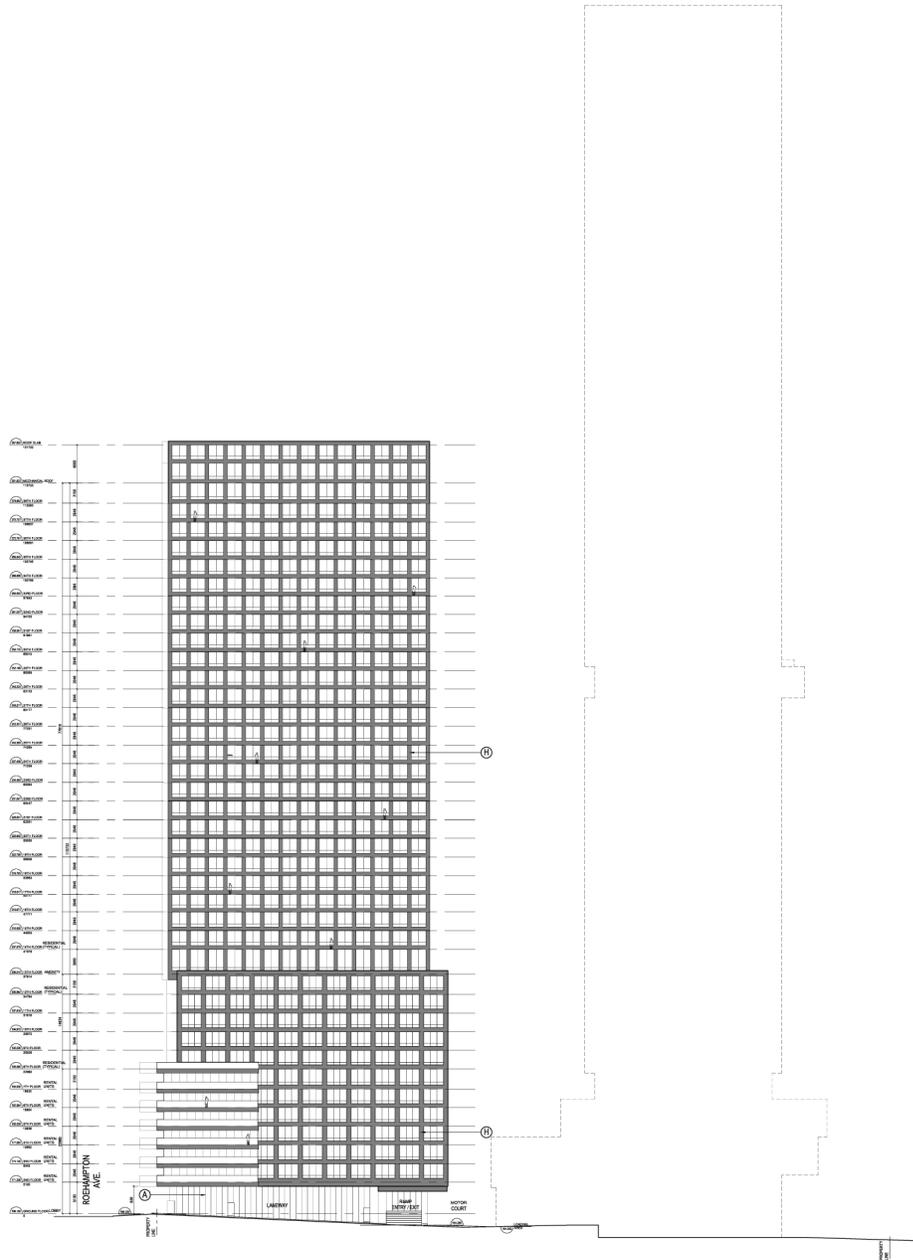
Applicant's Submitted Drawing

Not to Scale
05/22/2013

**2263-2285 Yonge Street, 10 Eglinton Avenue East
and 25 Roehampton Avenue**

File # 11 326074 0Z

Attachment 6: West Elevation – North Building



West Elevation - North Building

Elevations

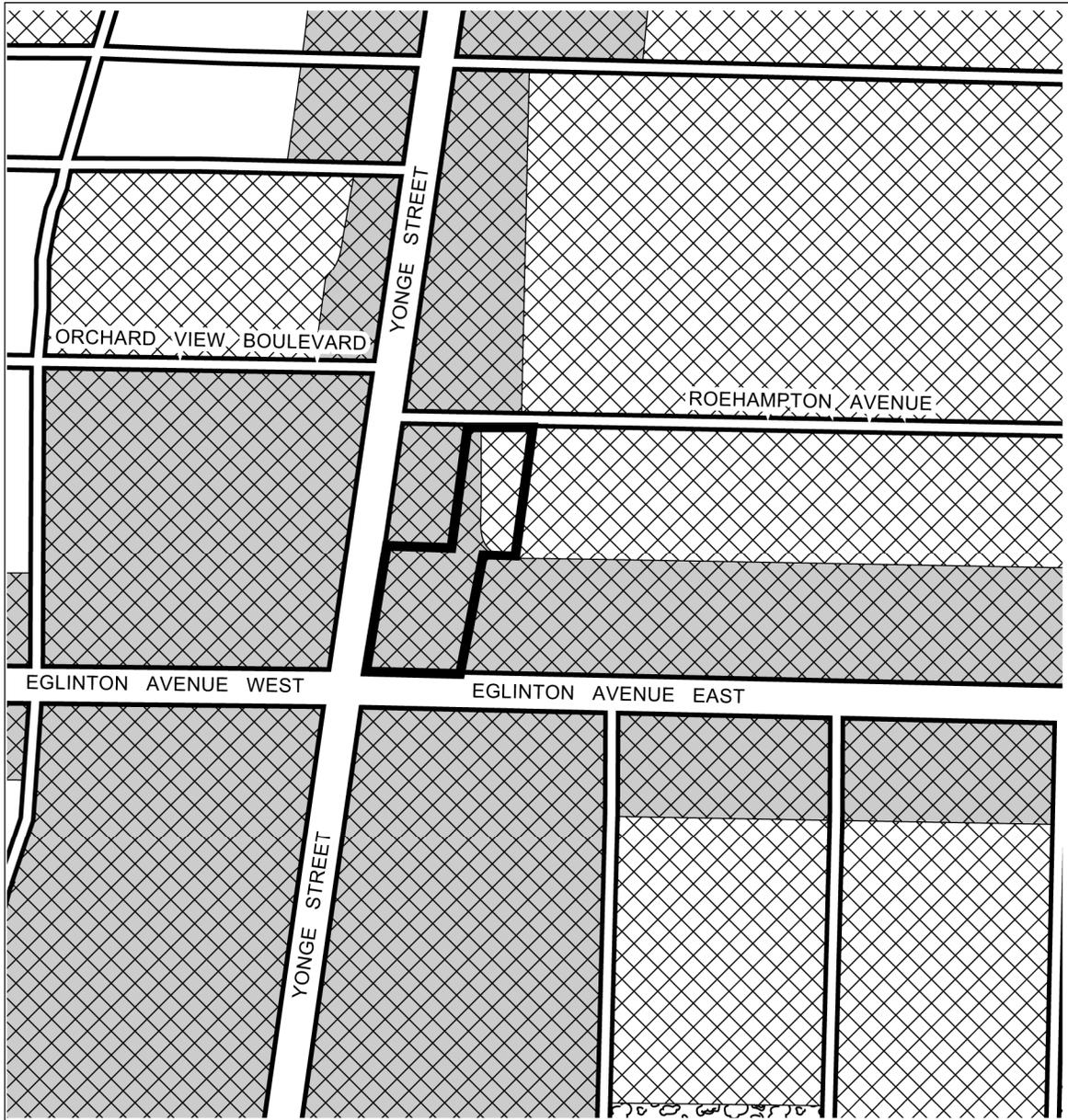
Applicant's Submitted Drawing

Not to Scale
05/22/2013

2263-2285 Yonge Street, 10 Eglinton Avenue East
and 25 Roehampton Avenue

File # 11 326074 0Z

Attachment 7: Official Plan



TORONTO City Planning
Official Plan

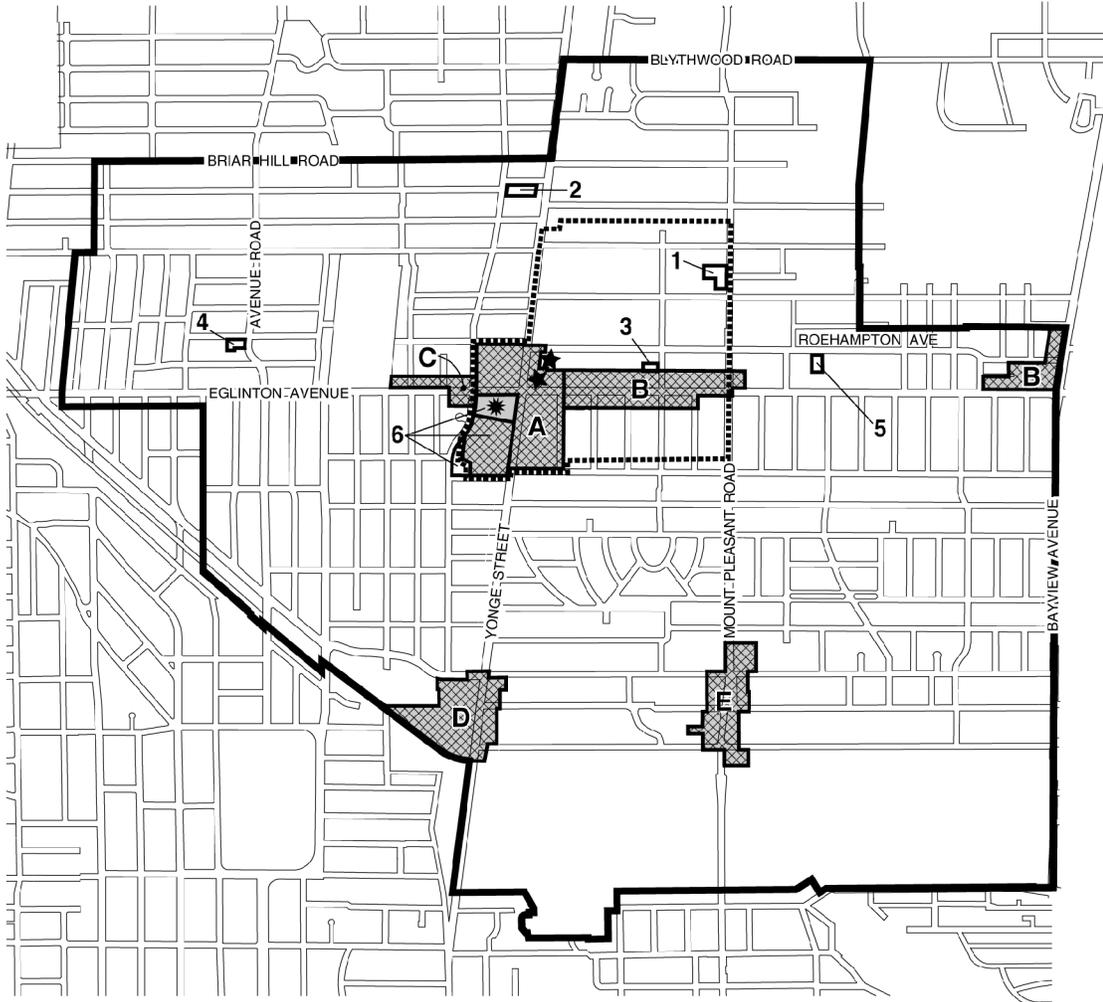
2263-2287 Yonge Street,
 10 Eglinton Avenue East and 25 Roehampton Avenue

File # 11_326074

Site Location	Parks & Open Space Areas	Institutional Areas	Utility Corridors
Neighbourhoods	Natural Areas	Regeneration Areas	
Apartment Neighbourhoods	Parks	Employment Areas	
Mixed Use Areas	Other Open Space Areas		

↑
 Not to Scale
 07/16/2012

Attachment 8: Yonge-Eglinton Secondary Plan



- | | | | |
|-------------------------|---------------------------------|--------------------|--------------------------|
| Secondary Plan Boundary | Mixed Use Areas | Special Study Area | Proposed Tower Locations |
| Yonge-Eglinton Centre | Site and Area Specific Policies | | |

Yonge-Eglinton Secondary Plan

MAP 21-1 Land Use Plan

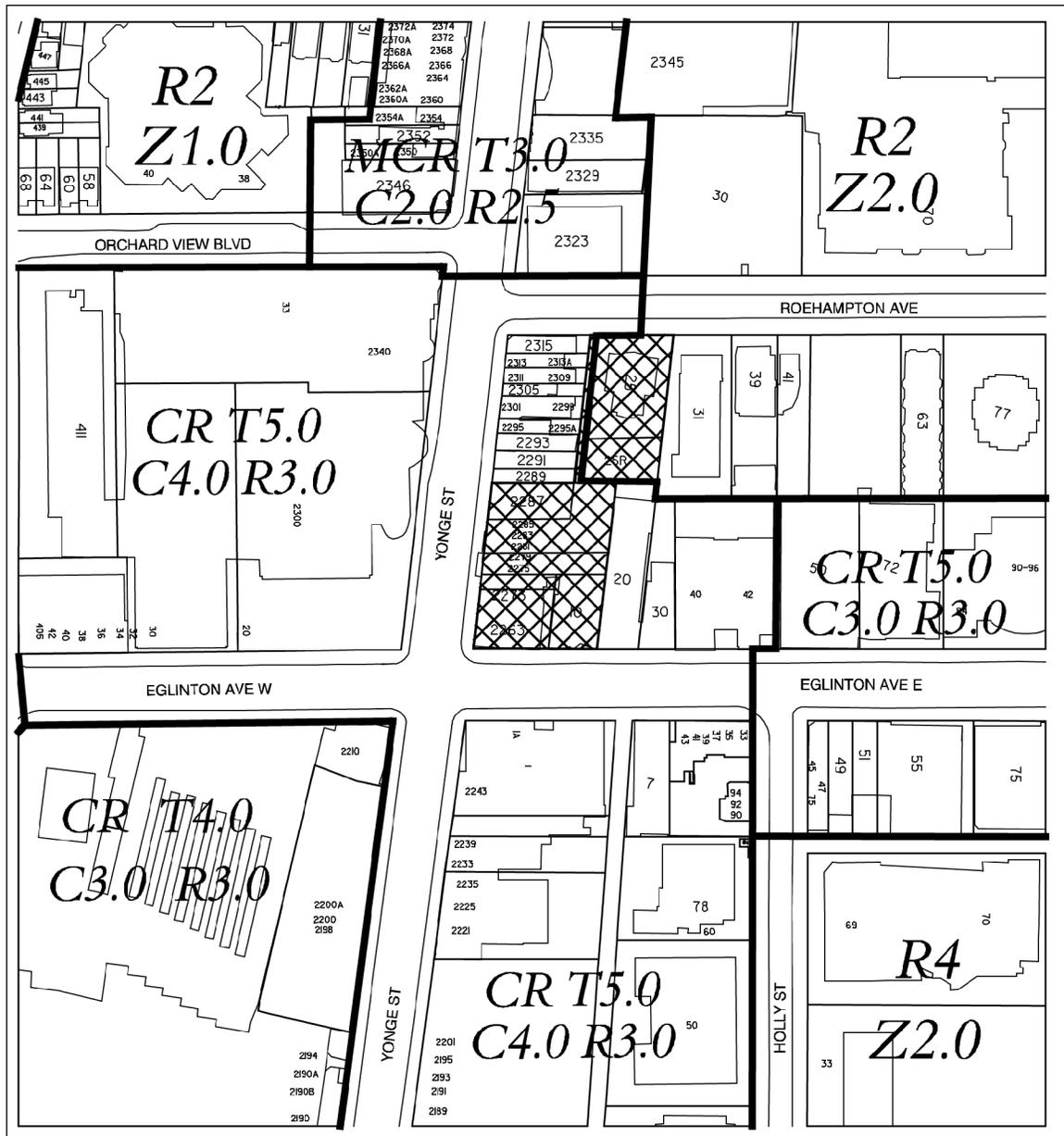
Not to Scale

16/07/2012

2263-2287 Yonge Street,
10 Eglinton Avenue East and 25 Roehampton Avenue

File # 11_326074

Attachment 9: Zoning



2263-2287 Yonge Street,
 10 Eglinton Avenue East and 25 Roehampton Avenue
 File # 11_326074_0Z

- R2 Residential District
- R4 Residential District
- CR Mixed-Use District
- MCR Mixed-Use District



Not to Scale
 Zoning By-law 438-86 as amended
 Extracted 07/18/2012

Attachment 10: Data Sheet

Application Type	Rezoning	Application Number:	11 326074 STE 22 OZ
Details	Rezoning, Standard	Application Date:	December 14, 2011
Municipal Address:	2263 YONGE ST		
Location Description:	PLAN 639 PT LOT A **GRID S2201		
Project Description:	Rezoning application to permit the redevelopment of the lands for the purposes of a new mixed use building comprised of two residential towers 64 stories and 38 stories in height respectively connected by a 3 storey podium containing retail and office uses. Included in the proposal is the demolition and replacement of 30 existing rental dwelling units secured through a related Residential Demolition Control Application. Proposal will contain 889 dwelling units complete with 450 parking spaces located in a below grade parking facility, 105 of which would be provided for retail and office purposes.		

Applicant:	Agent:	Architect:	Owner:
R VARACALLI ARCHITECT INC			NE HOLDINGS INC & PENLIM INVESTMENTS LIMITED

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas & Apartment Neighbourhoods	Site Specific Provision:	
Zoning:	CR T5.0 C4.0 R3.0, R2 Z2.0	Historical Status:	
Height Limit (m):	61 & 38	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	4432.12	Height:	Storeys:	58 & 38
Frontage (m):	48.93		Metres:	195.75 & 123.0
Depth (m):	116.47			
Total Ground Floor Area (sq. m):	2419.74			Total
Total Residential GFA (sq. m):	60230.18		Parking Spaces:	425
Total Non-Residential GFA (sq. m):	1,593.88		Loading Docks	4
Total GFA (sq. m):	67,500.0			
Lot Coverage Ratio (%):	54.6			
Floor Space Index:	15.22			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

	Rental, Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	60230.18	0
Bachelor:	117	Retail GFA (sq. m):	1193.52	375
1 Bedroom:	520	Office GFA (sq. m):	3326.89	0
2 Bedroom:	217	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	1642.72	21723.02
Total Units:	854			

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

Attachment 11: Draft Zoning By-law Amendment

Authority: Toronto and East York Community Council Item ~ as adopted by
City of Toronto Council on ~, 2013

Enacted by Council: ~, 2013
DRAFT BY-LAW

CITY OF TORONTO

BY-LAW No. XXX-2013

To amend Zoning By-law No. 438-86, of the former City of Toronto, as amended, with respect with lands known as 2263-2287 Yonge Street, 10 Eglinton Avenue East, 25 and 25R Roehampton Avenue

Whereas the Council of the City of Toronto has been requested to amend its Zoning By-law pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, with respect to lands known municipally 2263-2287 Yonge Street, 10 Eglinton Avenue East, 25 and 25R Roehampton Avenue; and

Whereas the Council of the City of Toronto conducted a public meeting under Section 34 of the *Planning Act* regarding the proposed Zoning By-law amendment; and

Whereas the Council of the City of Toronto has determined to amend Zoning By-law No. 438-86, as amended, of the former City of Toronto;

The Council of the City of Toronto enacts:

1. Pursuant to Section 37 of the *Planning Act*, the heights and density of development permitted by this By-law are permitted subject to compliance with the conditions set out in this By-law and in return for the provision by the *owner* of the facilities, services and matters set out in Appendix 1 hereof, the provisions of which shall be secured by an agreement or agreements pursuant to Section 37(3) of the *Planning Act*.
2. Upon execution and registration of an agreement or agreements with the *owner* pursuant to Section 37 of the *Planning Act* securing the provision of the facilities, services and matters set out in Appendix 1 hereof, the *site* is subject to the provisions of this By-law, provided that in the event the said agreement(s) requires the provision of a facility, service or matter as a precondition to the issuance of a building permit, the *owner* may not erect or use such building until the *owner* has satisfied the said requirement.

3. Wherever in this By-law a provision is stated to be conditional upon the execution and registration of an agreement entered into with the City pursuant to Section 37 of the *Planning Act*, then once such agreement has been executed and registered, such conditional provisions shall continue to be effective notwithstanding any subsequent release or discharge of all or any part of such agreement.
4. Except as otherwise provided herein, the provisions of *By-law No. 438-86* shall continue to apply to the *site*.
5. None of the provisions of Section 2 with respect to the definitions of *grade*, and *height*, and Sections 4(2)(a), 4(4)(b), 4(6), 4(12), 4(13), 4(16), 4(17), 6(1)(a), 6(3) Part I 1, 6(3) Part II 2, 3, 4, 5, 6(3) Part III 1(b), 8(1)(a), 8(3) Part I, 8(3) Part II 1, 2, 12(2) 118(iv), 12(2) 119(ii) and (iii) of *By-law No. 438-86*, shall apply to prevent the erection and use of an *mixed-use building* with underground parking on the *site*, provided that all of the provisions of this By-law are complied with.
6. The *lot* on which the uses are located shall comprise at least the *site*.
7. The total combined *residential gross floor area* and *non-residential gross floor area* erected or used on the *site* shall not exceed 67,000 square metres.
8. The total *residential gross floor area* erected or used on the *site* shall not exceed 62,000 square metres and the total number of *dwelling units* erected or used on the *site* shall not exceed 854.
9. The total *non-residential gross floor area* erected or used on the *site* shall not exceed 5,500 square metres.
10. No part of any building or structure erected within the *site* shall be located above *grade* otherwise than wholly within the *building envelopes* as shown on Map 2, except for the type of structures listed in the column entitled “STRUCTURE” in the following chart, provided that the restrictions set out opposite the structure in the columns entitled “MAXIMUM PERMITTED PROJECTION” and “OTHER APPLICABLE QUALIFICATIONS” are complied with:

STRUCTURE	MAXIMUM PERMITTED PROJECTION	OTHER APPLICABLE QUALIFICATIONS
A. cornices, lighting fixtures, window washing equipment, vents, awnings, canopies, ornamental elements, parapets, trellises, eaves, window sills, guardrails, balustrades, railings, wheelchair ramps, underground garage ramps	No restriction	Provided the height of such “STRUCTURE” is not greater than 2.0 metre above the height limits established in this By-law

and their associated structures, underground garage stair enclosures, fences, retaining walls, terraces including terrace guards and dividers, planters, decorative screens, landscape and public art features and safety or wind protection, the Toronto Transit Commission pavilion		
B. balconies and balcony piers	Maximum 1.5 metre projection	Provided the height of the “STRUCTURE” is no higher than that portion of the building to which it is attached

11. The *height* of each portion of a building or structure erected above *grade* within the *site*, shall in respect of each *building envelope* area, have a maximum *height* in metres as shown following the symbol H on the attached Map 2 for the corresponding *building envelope* area.
12. The preceding section of this By-law does not apply to prevent the erection or use above the said *height* limits of those structural projections permitted to be outside a *building envelope* by Section 10 hereof provided the restrictions set out therein are complied with.
13. A minimum of 1,600 square metres of indoor *residential amenity space* shall be provided within the *site* in a multi-purpose room or in multi-purpose rooms (which may not be contiguous) at least one of which contains a kitchen and a washroom.
14. A minimum of 1,000 square metres of outdoor *residential amenity space* shall be provided, of which at least 40 square metres shall be provided in a location adjoining or directly accessible to indoor *residential amenity space*.
15. *Parking spaces* shall be provided and maintained on the *site*, according to following minimum and maximum requirements:
 - (a) bachelor dwelling units – a minimum of 0.3 parking spaces and a maximum of 0.9 *parking spaces* for each *bachelor dwelling unit*;
 - (b) one-bedroom *dwelling units* – a minimum of 0.51 *parking spaces* and a maximum of 1.0 *parking spaces* for each one-bedroom *dwelling unit*;

- (c) two-bedroom *dwelling units* – a minimum of 0.73 *parking spaces* and a maximum of 1.3 *parking spaces* for each two-bedroom *dwelling unit*;
 - (d) three and more bedroom *dwelling units* – a minimum of 1.0 *parking spaces* and a maximum of 1.5 *parking spaces* for each *dwelling unit* containing three or more bedrooms;
 - (e) a minimum of 0.0 *parking spaces* for residential visitors;
 - (f) a reduction of 4.0 *resident parking spaces* be permitted for each *car-share parking space* provided and the maximum reduction permitted shall be established by the application of the following formula:

$$4 \times (\text{total no. of residential units} \div 60), \text{ rounded down to the nearest whole number};$$
 - (g) a minimum of 1.44 *parking spaces* per 100 square metres of *non-residential gross floor area*, or any portion thereof, permitted to be erected or used on the site, of which 14 spaces are exclusively reserved as *car-share parking spaces* and for the use of *car-share* vehicles; and
 - (h) a minimum of 10 of the residential *parking spaces* provided within the *site* shall be allocated for residents of the *replacement rental dwelling units*.
- 16.** Notwithstanding the definition of *parking space* in Section 4(17) of *By-law No. 438-86*, up to 20 of the *parking spaces* required by Section 15 of this By-law may be provided in spaces that have a length of no less than 4.48 metres and a width of no less than 2.35 metres and which may also be obstructed on one side.
- 17.** A minimum of: one (1) *loading space - Type B*, two (2) *loading spaces - Type C*, and one (1) *loading space - Type G*, shall be provided on the *site*.
- 18.** A minimum of 543 *bicycle parking spaces* shall be provided on the *site*, of which,
- (a) a minimum of 403 shall be for residents of the *mixed-use building*, of which a minimum of 18 shall be allocated for residents of the *replacement rental dwelling units*; and
 - (b) a minimum of 143 shall be for visitors of the *mixed-use building*; and
- notwithstanding the definition of *bicycle parking space – visitor* in Section 2(1) of *By-law No. 438-86* may be located within a secured room, enclosure or bicycle locker.
- 19.** Pursuant to Section 37 of the *Planning Act* the *heights* and *density* of development permitted in the By-law are permitted subject to compliance with all of the

conditions set out in this By-law including the provision by the *owner* of the *lot* of the facilities, services and matters set out in Appendix 1 hereof, to the City at the *owner's* expense and in accordance with and subject to the agreement referred to in Section 2 of this By-law.

20. Upon execution and registration of an agreement or agreements with the *owner* of the *lot* pursuant to Section 37 of the *Planning Act* securing the provision of the facilities, services or matters set out in Appendix 1 hereof, the *lot* is subject to the provisions of this By-law, provided that in the event the said agreement(s) requires the provision of a facility, service or matter of the payment of any monetary contribution as a precondition to the issuance of a building permit, the *owner* may not erect or use such building until the owner has satisfied the said requirements.
21. None of the provisions of this By-law shall apply to prevent a temporary *sales office* on the *site*.
22. Notwithstanding any existing or future severances, partition, or division of the *site*, the provisions of this By-law shall apply to the whole of the *site* as if no severance, partition or division had occurred.
23. Within the *site*, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the *lot* line and the following provisions are complied with:
 - (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway; and
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.
24. For the purpose of this By-law, the following expressions shall have the following meaning:
 - (a) "*building envelope*" means a building envelope for each height area as shown by an "H", and as delineated by the heavy lines on Map 2 attached hereto;
 - (b) "*By-law No. 438-86*" means By-law No. 438-86, as amended, of the former City of Toronto being, "A By-law to regulate the use of land and the erection, use, bulk, height, spacing and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto";

- (c) "*car-share*" means the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car-sharing organization and where such organization may require that the use of cars be reserved in advance, charge fees based on time and/or kilometres driven, and set membership requirements of the car-sharing organization, including the payment of a membership fee that may or may not be refundable;
- (d) "*car-share parking space*" means a parking space that is exclusively reserved and actively used for car-sharing;
- (e) "*City*" means the City of Toronto;
- (f) "*grade*" means,
 - (1) the Canadian Geodetic elevation of 163.55 for the *South Building*, and
 - (2) the Canadian Geodetic elevation of 166.20 for the *North Building*;
- (g) "*height*" means the vertical distance between *grade* and the highest point of the building or structure;
- (h) "*owner*" means the fee simple owner(s) of the *site*;
- (i) "*North Building*" means the areas identified as North Building on Map 2 and for clarity includes the areas subject to *height* limits of 39.0, 24.0 and 123.0 metres;
- (j) "*replacement rental dwelling units*" means the replacement rental *dwelling units* to be secured pursuant to Appendix 1 to this By-law.
- (k) "*sales office*" means an office, or sales trailer, used exclusively for the initial sale and/or initial leasing of *dwelling units* or the non-residential uses to be erected on the *site*;
- (l) "*site*" means those lands outlined by heavy lines on Map 1 attached hereto;
- (m) "*South Building*" means the areas identified as South Building on Map 2 and for clarity includes the areas subject to *height* limits of 17.0, 23.0, 92.0 and 195.75 metres; and
- (n) each other word or expression, which is italicized in this by-law shall have the same meaning as each such word or expression as defined in *By-law No. 438-86*.

Enacted and passed on (**clerk to insert the date**), 2013.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

(Corporate Seal)

Appendix 1

Section 37 Provisions

1. The facilities, services and matters set out herein are the matters required to be provided by the *owner* of the *site* at its expense to the *City* in accordance with an agreement or agreements, pursuant to Section 37(3) of the *Planning Act*, in a form satisfactory to the *City* with conditions providing for indexing escalation of all financial contributions from the passage of the zoning by-law, no credit for development charges, indemnity, insurance, HST, termination and unwinding, and registration and priority of agreement whereby the *owner* shall agree as follows:
 - (a) contributions in the amount of \$3,250,000.00, payable prior to the first above-grade building permit to be applied as directed by the Chief Planner and Executive Director, City Planning Division in consultation with the Ward Councillor for the following local community improvement initiatives or towards other local area park or streetscape improvements, as appropriate:
 - (i) up to \$1,250,000.00 for neighbourhood improvements to the Yonge-Eglinton area as recommended by the Parks and Open Space and Streetscape Master Plan Study; and
 - (ii) up to \$2,000,000.00 for the acquisition, design and construction of the new park which is to be developed south of the TTC bus barns at Yonge Street and Eglinton Avenue West.

Such total amount is to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date of payment.

2. The owner shall enter into one or more agreements with the City pursuant to Section 37 of the *Planning Act* which are registered on title to the *lot* to the satisfaction of the City Solicitor to secure:
 - (a) provision and maintenance of not less than 30 new replacement rental *dwelling units on the lot*, with rents no higher than mid-range rents, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, subject to the following:
 - (i) the replacement rental *dwelling units* shall comprise of 23 one-bedroom units, and 7 two-bedroom units; and the combined floor area of the 30 replacement rental *dwelling units* shall be not less than 17,641 square feet. Each rental dwelling unit shall have a

storage locker. There shall be 3 accessible units. The units shall have a range of sizes as per the following list:

- 12 one-bedroom units with a minimum of 450 sq ft of which 6 units shall be larger than 500 sq ft.;
 - 11 one-bedroom units with a minimum of 590 sq ft of which 5 units shall be larger than 690 sq ft; and
 - 7 two-bedroom units with a minimum of 707 sq ft of which 6 units shall be larger than 710 sq ft.
- (ii) the replacement rental *dwelling units* shall be maintained as rental housing units for at least 20 years, beginning with the date each unit is occupied and until the owner obtains approval for a zoning by-law amendment removing the requirement for the replacement rental housing units to be maintained as rental units. No application may be submitted for condominium registration, or for any other conversion to non-rental housing purposes, or for demolition without providing for replacement during the 20 year period; and
- (iii) the building permit which provides for the replacement rental *dwelling units* shall be issued no later than the issuance of the first above-grade building permit for any building with residential uses *on the lot*. The 30 replacement rental *dwelling units* shall be ready for occupancy no later than the date by which no more than 90% of the other *dwelling units* contained within the same building are available and ready for occupancy.
- (b) provision and maintenance of rents no greater than mid-range rents charged to the tenants who rent each of the designated 30 replacement rental *dwelling units* during the first 10 years of occupancy, such that the initial rent shall not exceed an amount based on one and a half times (1.5x) the most recent Fall Update Canada Mortgage and Housing Corporation Rental Market Report average rent for the City of Toronto by unit type inclusive of basic utility costs. Upon turnover, the rent charged to any new tenant shall not exceed the greater of the most recently charged rent or one and a half times (1.5x) the most recent Fall Update Rental Market Report average rent for the City of Toronto by unit type, and over the course of the 10 year period, annual increases shall not exceed the Provincial rental guideline and, if applicable, permitted above-guideline increases.
- (c) rents charged to tenants occupying a replacement rental *dwelling unit* at the end of the 10-year period set forth in (3) shall be subject only to

increases which do not exceed the Provincial rent guideline and, if applicable, permitted above guideline increases, so long as they continue to occupy their *dwelling unit* or until the expiry of the rental tenure period set forth in 2. (a)(ii) with a phase-in period of at least three years to unrestricted rents.

- (d) rents charged to tenants newly occupying a replacement rental *dwelling unit* after the completion of the 10-year period set forth in 2. (b) will not be subject to restrictions by the City of Toronto under the terms of the Section 37 Agreement.
3. The owner shall provide, prior to the introduction of bills in City Council, and implement a Tenant Relocation and Assistance Plan to the satisfaction of the Chief Planner and Executive Director, City Planning Division, that requires the owner to provide for each eligible tenant at 25 Roehampton Avenue the right to return to a replacement rental *dwelling unit*, assistance that includes at least a moving allowance and other financial assistance geared to the affordability gap between the current rent and local area rent by unit type, with provisions for special needs tenants.
 4. The owner shall enter into an agreement with the *City* pursuant to Section 37 of the *Planning Act*, to secure the provision of said facilities, services and matters, in a form satisfactory to the *City's* Solicitor as set forth in this Appendix 1 with conditions providing for indexed escalation of financial contributions, no credit for development charges, indemnity, insurance, HST, termination and unwinding, and registration and priority of the agreement.
 5. the owner shall enter into an agreement with the *City*, prior to any building permit, to secure the implementation of appropriate local roadway improvements, at the Owner's expense, as may be required which address the potential traffic impacts of the proposed development to the satisfaction of the Director of Engineering and Construction Services, Toronto and East York District.

Notwithstanding the foregoing, the *owner* and the *City* may modify or amend the said agreement(s), from time to time and upon the consent of the *City* and the *owner*, without further amendment to those provisions of this zoning by-law which identify the facilities, services and matters to be secured.

